Broadband, Equity, Access, and Deployment (BEAD)
Grant Program

(No.2025-MBI-06)

Questions and Answers
February 14, 2025

	Question	Answer
1.	Looking at your map, is Sheffield, MA an example of a town not eligible for BEAD because of Gap funds?	Yes. The town of Sheffield, MA was subject to a Gap Networks Round 1 award. There are no BEAD eligible locations in Sheffield due to Gap Network funding. Please refer to the BEAD BSL Eligibility list for the full list of BSLs eligible for BEAD funding under Round 1.
2.	Is it safe to say that the Massachusetts BEAD Challenge will not be impacted by the potential federal freeze as ordered then blocked yesterday?	As of January 29, 2025, the federal funding freeze has been rescinded. MBI and our parent organization Mass Tech Collaborative continue to be in close contact with the NTIA and will continue to monitor the situation closely. MBI will inform applicants if they are future developments that impact the BEAD program.
3.	For matching grants, can we use the state's pot set aside for matching grants?	Please refer to the Commonwealth's Federal Funds & Infrastructure Office website for additional information (*Massachusetts Federal Grant Matching Funds | Mass.gov*).
4.	Can an Applicant participate at this stage of the Final Proposal regardless of whether they participated in the initial proposals and Challenge Process or not?	There is no requirement to have participated in any prior aspect of the BEAD program to apply for funding under this grant solicitation. Applicants seeking to apply for BEAD funding must submit their qualification information before accessing the full project application if the Applicant has not successfully completed the BEAD Pre-Qualification process that was open last year. All can be found in Submittable.
5.	Has EOED already received the $147M from Federal Govt?	No, the Executive Office of Economic Development (EOED) has not yet received the $147 million in federal funding. While the funds have been allocated

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		under the Broadband Equity, Access, and Deployment (BEAD) Program, funds are disbursed by NTIA on a reimbursement basis as expenses are incurred.
6.	If a Municipality has already been included in GAP. Can CAI's be requested in that area? (Not new CAI submissions but request to service existing eligible CAI's in a GAP selected municipality)	In the current BEAD Deployment Round 1, an Applicant may only include CAIs that are on the BEAD CAI List in municipalities that also have BEAD-eligible broadband serviceable locations as identified in the BEAD BSL Eligibility List. Applicants may not propose a Project Service Area consisting only of CAIs, which would be inconsistent with the BEAD Initial Proposal, Volume II, as approved by NTIA.
7.	Page 34 of the Solicitation says "Applicants will be required to validate that each CAI to be included in a proposed PSA does not have access" to 1 Gbps service as of the application date. Any guidance on how applicants should do this? Is each applicant expected to contact each individual CAI?	MBI expects Applicants to determine the best course of action to validate the service status of a CAI, which may include direct outreach to the CAI.
8.	Do Open Access networks receive favorable benefits in scoring?	There is no scoring criteria tied to open access networks. Please refer to Section 6 of the BEAD Solicitation for the full scoring criteria.
9.	I assume the answer is the same as Sheffield, but I have to ask. If a vendor received GAP funding in a community (Holyoke), can the MLP apply for BEAD funding to serve residential customers in the same community?	There are no BEAD eligible locations in Holyoke due to Gap Network funding. Please refer to the BEAD Eligibility list for the full list of BSLs eligible for BEAD funding.
10.	For Minimal BEAD Outlay scoring (page 25 of the Solicitation), will MBI publish any information regarding CostQuest data or total grant cost of awarded CPF projects?	MBI will not be publishing detailed Gap Network cost information or NTIA's CostQuest data as part of the BEAD application cycle. Please refer to the Gap Networks Webpage for information about Round 1 awardees.
11.	Are the list of draft locations for round 3 all eligible for the BEAD program?	MBI's approved BEAD Initial Proposal, Volume II provides that MBI will administer up to three rounds of BEAD funding. MBI recognizes the importance of CAI connectivity and will make a Determination regarding a CAI-only round of BEAD funding at a later date as described in the Initial Proposal.
12.	Please can you explain how BEAD is a good opportunity for Networking Infrastructure provider? What should be their approach and how they can proceed to participate in BEAD program?	Massachusetts is committed to achieving 100% universal service for every home and business. MBI is seeking qualified providers to achieve that goal and will be funding up to 75% of eligible project costs. MBI is hopeful that internet service providers and

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		other eligible entities apply for BEAD funding to achieve the goal of universal service. Please refer to Section 4.1 of the BEAD Solicitation for information on applicant eligibility.
13.	Do you consider overbuild to be a fiber going down a built out street to reach an unserved location if no served locations are included?	The passing of served locations to reach an unserved BSL is a common use case of an overbuild.
14.	Defining Overbuild: The solicitation defines overbuild in a way that effectively makes any project unviable if unserved locations require traversing served areas. How does MBI justify this definition when fiber infrastructure inherently requires network continuity?	The primary goal of the BEAD Program is to achieve universal access to reliable broadband service. In furtherance of this goal, MBI is allowing up to 10% of eligible project costs to be reimbursed through the grant to be expended for costs related to overbuilds.
15.	10% Threshold: The 10% limit on overbuild assumes all passing locations are equivalent to service duplication. In reality, reaching unserved locations often requires passing served ones. How does MBI address this structural challenge?	Please refer to the answer to Question #14.
16.	If a particular fiber route represents "the most cost-effective and necessary approach to reaching unserved or underserved BSLs," but that fiber route "passes" served locations, what portion of the costs of that route would be considered to be "incidental" subject to the 10% cap? See Solicitation § 4.2 (discussion of "Incidental Overbuild costs").	Please refer to the answers to Questions #13 and 14.
17.	If multiple unserved or underserved BSLs are intermingled with multiple served locations along a particular fiber route, what portion of that route constitutes an "overbuild" and what portion of the costs of that route would be considered to be "incidental" subject to the 10% cap?	Project costs attributable to overbuilds will be determined based on factors including the portion of route miles associated with passing served locations and an appropriate allocation of other project costs, such as network equipment.
18.	Economic vs. Engineering Perspective: The solicitation treats overbuild as a negative, ignoring that fiber vastly outperforms DSL and cable. How does MBI reconcile this stance with the goal of future-proofing broadband infrastructure?	Please refer to the answer to Question #14.
19.	How can we request corrections for locations that are incorrectly listed as "served" in the BEAD eligibility list?	The only BSLs listed as "served" in the BEAD Eligibility List are those identified as "BDC changed to served" in the Eligibility Note field. Applicants may indicate in their Proposed BSL List that these location(s) in included in their proposed network design if they submit evidence that broadband service is not

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		available at the location(s). Evidence may only be based on the availability of service, not on the quality or reliability of a service. MBI reserves the right to make final determinations after reviewing the evidence submitted by the Applicant.
20.	What is the process to correct locations incorrectly identified as not meeting the BSL definition?	Applicants may include these locations in their proposed network design if they submit evidence that a building meets the definition of a broadband serviceable structure. See the FCC's BDC Help page on "What a BSL is and is not" for guidance. MBI reserves the right to make final determinations after reviewing the evidence.
21.	How can we reinstate locations that were removed from the fabric but are still relevant for consideration?	This is the same as for locations identified as not meeting the BSL definition. See answer to Question 20 above.
22.	Does a *conditional letter of support* from a town disqualify a provider from bidding on BEAD per NTIA literature or regulations?	Yes, the letter must be unconditional. This is a threshold requirement for eligibility to receive a BEAD award. Unconditional means that the support provided is not contingent upon any specific actions, conditions, or requirements being met by the Applicant. The letter of support must come from the Governing Body of the municipality (e.g., Select Board, City Council) or an appropriately elected or appointed municipal official acting on behalf of the municipality (e.g., Mayor, Town Manager).
23.	What is the rationale for MBI's policy effectively to block all feasible deployment paths with these overbuild restrictions, even if colocation at Verizon is costly due to high rental rates and OpenCape requires dedicated fiber strands off the middle mile?	Please refer to the answer to Question #14.
24.	Please describe how MBI expects any competitive fiber project to connect CAIs across Cape Cod without exceeding the 10% incidental overbuild limit, given that the institutions are widely dispersed and essentially all must be reached through already served areas?	Please refer to the answers to Questions #13, 14 and 17.
25.	Page 34 of the Solicitation requires applicants to "to validate that each CAI to be included in a proposed PSA does not have access to one	Please refer to the answer to Question #7.

	Question	Answer
	gigabit symmetric service as of the date of submission of an application." Please provide guidance on how applicants should attempt to validate the status of a CAI and what level of proof MBI will deem sufficient.	
26.	If two applicants reach different conclusions about the validation status of the same CAI, how will MBI adjudicate the status of the CAI to ensure an apples-to-apples scoring comparison?	MBI will undertake appropriate due diligence based on the circumstances to make a final determination that resolves any conflicting evidence submitted by Applicants relative to the status of a particular CAI.
27.	Please clarify that Priority Projects can include various technologies, as long as the technology is capable of delivering at least 1 Gbps/1 Gbps symmetrical to every BSL in the municipality. See Application QU. 10A.	As defined in Section 3.2 of the BEAD Solicitation, a "Priority Broadband Project" is characterized as a project that provides internet services via end-to-end fiber-optic facilities to reach end users.
28.	Please provide additional information regarding the service offering to MDUs. If the applicant has an existing agreement with MDUs in the Project Area, should the applicant provide that information with the assurance it would be protected from public disclosure as competitively sensitive?	The scoring criteria in Section 6 of the BEAD Solicitation allocates points for offering service to multiple dwelling units at the information level. Broadband service would be available to all MDU occupants through this type of offering. If an Applicant seeks to have information or documentation treated as confidential and exempt from disclosure under the Massachusetts Public Records Law, the Applicant must follow the procedures set forth in Section 4.6.4 of the BEAD Solicitation.
29.	Please clarify that the Professional Engineer who will certify aspects of the proposed design need not be licensed in Massachusetts.	The Professional Engineer providing the certification may be licensed in any state.
30.	Please clarify whether more than 1 municipality may be included in a single application, and if so, must they be contiguous, or, whether there must be a separate application for each municipality.	A "Project Service Area" is the geography in which an Applicant may propose to provide broadband services. A PSA will be a single municipality. An Applicant may apply for one or more PSAs as part of this Solicitation. Any given Applicant must propose to provide broadband services to all eligible broadband serviceable locations within the PSA as part of their application, in alignment with the BEAD BSL Eligibility List located on the BEAD procurement page.
31.	In Section 4.6 of the Solicitation, the MBI states: BEAD Round One awards may be updated or augmented to reflect outreach and discussion during Round Two.	MBI will make a determination regarding Round 2 after the Round 1 application deadline. The full subgrantee selection process will be completed before the BEAD Final Proposal is submitted to NTIA

	Question	Answer
	- What is the timing of Round 2, and will it be after the Period of Performance begins for Round 1? - Will Round 2 be completed before Grant Agreements are executed for Round 1 awards?	in July. The BEAD Final Proposal will document the results of the subgrantee selection process and requires NTIA approval. MBI will execute grant agreements with BEAD awardees after NTIA's approval of the BEAD Final Proposal.
32.	Is there a grant maximum amount?	No, there is not a grant maximum amount for the BEAD Deployment Phase Round 1.
33.	Bias Toward Incumbents: Given that the funds will naturally flow to the closest cable provider under this framework, how does MBI ensure fair competition and avoid reinforcing existing monopolies?	All applicants will be evaluated using the same threshold evaluation and scoring criteria described in the BEAD Solicitation.
34.	Massachusetts has prevailing wage statutes that may cover the type of work involved with the BEAD-assisted broadband deployment, but the Commonwealth's approved Volume 2, Section 2.7.2 Labor Standards and Protection Requirements indicate that paying prevailing wage and benefits to workers will be incentivized through scoring, with a general reference to Davis-Bacon and Service Contract Act requirements. Please confirm that, for BEAD-funded projects, MBI does not intend to require compliance with the Commonwealth's prevailing wage statutes, referenced here: https://www.mass.gov/info-details/prevailing-wage-statutes.	As part of the BEAD grant program, MBI is not requiring subgrantees to demonstrate compliance with the Massachusetts prevailing wage statutes. However, if a subgrantee of the MBI's BEAD program is a public entity, it is responsible for determining the extent to which it is subject to those statutes.
35.	Please confirm that neither federal prevailing wage laws (e.g., the Davis-Bacon Act) nor any Massachusetts or local prevailing wage laws apply to the BEAD-funded broadband deployment projects.	For projects over $5,000,000 (based on expected total cost) the following is required as part of quarterly reporting: I) A certification from the Subgrantee that, for the relevant Project, all laborers and mechanics employed by contractors and subcontractors in the performance of such Project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor (Davis-Bacon). If such certification is not provided, a Subgrantee must provide a project employment and local impact report identifying 1) The number of contractors and sub-contractors working on the Project; 2) The number of workers on the Project hired directly and hired through a third party; 3) The wages and benefits of workers on the Project by classification;

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		and 4) Whether those wages are at rates less than those prevailing.
		II) Where subgrantee does not provide a certification that a Project either will use a unionized project workforce or includes a project labor agreement, then the Subgrantee must provide a project workforce continuity plan detailing: 1) Steps taken and to be taken to ensure the Project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure construction is completed in a competent manner throughout the life of the Project (BEAD NOFO, IV.C.1.e), including a description of any required professional certifications, in-house training, registered apprenticeships or labor-management partnership training programs, and partnerships with entities like unions, community colleges, or community- based groups.
36.	If prevailing wage laws do apply, please confirm that MBI will provide the applicable prevailing wage rates and benefits as soon as possible.	Please refer to the answers to Questions #34 and 35 above.
37.	Please clarify how we can identify new locations on the state map that are not included in the BSL csv list?	NTIA's BEAD Program guidelines do not allow for new BSLs to be added after the conclusion of the BEAD Challenge Process.
38.	Additionally, some of these locations are incorrectly classified as unserved. What is the process for updating their status to served?	The Proposed BSL List spreadsheet template contains fields with instructions for Applicants to identify BSLs they believe to be classified incorrectly and to submit evidence. Final determinations on eligibility will be made by MBI. New service availability evidence may not override successful challenge results related to the availability or speed of service.
39.	What is an Enterprise Level Agreement? (See Solicitation § 6.2.5.) Is that an agreement where a building owner or landlord purchases broadband for every unit in the building, irrespective of whether the tenant/occupant orders or uses the service (sometimes referred to as a "bulk" arrangement), the landlord pays the ISP, and the landlord collects the charges from its	An Enterprise Level Agreement would be executed between the provider and the building owner or landlord that would allow all occupants to receive broadband service at the negotiated rates and terms of service. However, the enterprise level agreement does not create an exclusive right for the provider to serve the occupants of the building.

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	tenants/occupants through rent or some other method?	
40.	MBI's Solicitation web page says that the proposed BEAD funding agreement will "be posted prior to grant application deadline." Can MBI please post the proposed funding agreement as soon as possible so that applicants have sufficient time to review it and decide whether to propose modifications or alternatives?	MBI posted the Funding Agreement on February 11, 2025. Please note the proposed BEAD funding agreement may be subsequently modified or otherwise updated by MBI.
41.	Providers generally define 1 Gbps speed as a number close to, but not precisely, 1 Gbps, due to factors such as "overhead" usage that consume part of the theoretical top speed. For example, Verizon's 1 Gig tier offers speeds "up to 940/880 Mbps." This is common industry practice that the FCC has recognized in its universal service program: "Finally, we recognize that, because of technical limitations, it is currently unrealistic to expect that providers obligated to provide gigabit service, i.e., speeds of 1,000 Mbps, achieve actual speeds of 1,000 Mbps download at the customer premises." Connect America Fund, Order, 33 FCC Rcd 6509, DA 18-710, ¶ 55 (2018) (internal citation omitted), https://docs.fcc.gov/public/attachments/DA-18-710A1.pdf. The FCC adopted an "80/80 standard" that "requires gigabit carriers to demonstrate that 80 percent of their testing hours download speed tests are at or above 80 percent of 1,000 Mbps, i.e., 800 Mbps." Id. Can MBI clarify, like the FCC did, that it is "unrealistic" to enforce a literal 1 Gbps speed requirement and should instead accommodate technical limits, such as overhead usage resulting in a speed that approximates 1 Gbps?	The commitment by an Applicant to provide 1 Gbps service must meet or exceed the application of the 80/80 standard.
42.	Similar to the price commitment for affordability scoring (see Solicitation at 28-29), Can an Applicant increase the price of its BEAD low-cost service option in line with inflation?	No. However, applicants may propose an affordable option for 1 Gbps symmetrical service, which may be subject to annual increases for inflation. Inflation rates should be based on the annual percentage change of the FCC urban benchmark rate for the same Service (1 Gbps symmetrical with no

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		data cap). Please refer to Section 6.1.2 of the BEAD Solicitation for more details.
43.	The Solicitation states that description of the geographic area and site/route and surrounding area must be "sufficient to support a review of the sufficiency of the applicant's proposed approach to NEPA compliance." See Solicitation § 5.6.1. Does MBI intend for applicants to submit NEPA-ready descriptions and information at the application stage? This would be incredibly burdensome and costly; applicants would not normally expect to prepare and submit the "75%" complete design contemplated by NTIA's NEPA review process documentation until after awards have been made and approved in MBI's Final Proposal. Please provide additional clarifications on the expectation for information to be submitted during the bid scoring phase.	MBI does not require NEPA-ready descriptions at the application stage. However, a description of the applicant's proposed approach to NEPA compliance for the proposed Project(s) should be included.
44.	Please confirm that MBI will adopt and support all of the relief options provided to BEAD applications in the NTIA BEAD Letter of Credit Waiver Notice, including those set forth in section 2.4, *Subgrantee Option for Alternative Initial LOC or Performance Bond Percentage*.	MBI will be issuing an amendment to the BEAD Solicitation that incorporates additional elements from the NTIA's BEAD Letter of Credit Waiver Notice. This will be in addition to the elements from the Notice that have already been incorporated into the BEAD Solicitation.
45.	Upon award, can awardees obtain either a letter of credit or performance bond in the amount of 10% of the subaward as consistent with the NTIA waiver, and Section 2.4.11 of MA's Volume II, as long as all required circumstances are met (rather than a letter of credit equal to 25% of the subaward or performance bond equal to 100% of the subaward)?	The performance security requirements are specified in Section 5.7.2 of the BEAD Solicitation, which requires a performance bond to be in a value that is no less than 100% of the cumulative subaward amount and a letter of credit to be in a value that is no less than 25% of the cumulative subaward amount.
46.	Does MBI intend to adopt in full the exceptions, adjustments, and clarifications to certain provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), codified at 2 C.F.R. Part 200, and the application of related provisions of the Uniform Guidance to the Broadband Equity, Access and	Funding Agreements will be issued as Fixed Amount Subawards per 2 C.F.R. § 200.201 where the major purpose of the subaward is a broadband infrastructure project and will be administered by MBI pursuant to the National Telecommunications and Information Administration's ("NTIA") Uniform

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	Deployment (BEAD) Program as set forth in NTIA's *Policy Notice: Tailoring the Application of the Uniform Guidance to the BEAD Program* (available [here](#))? If not, please specifically identify each of the elements of the *Policy Notice* that are *not* being adopted by MBI. Alternatively, please confirm that the elements of the Policy Notice are being adopted in full.	Guidance Policy Notice ([BEAD Policy Notice: Uniform Guidance Exceptions, Adjustments, Clarifications)](#).
47.	Please confirm that all awards will be considered to be fixed-amount subawards within the meaning of this *Policy Notice*.	Confirmed.
48.	How does a town that built a municipal network apply for funds for network extensions that it was unable to build during original construction?	The municipality may submit an application requesting funding for the unserved and underserved locations designated as eligible for BEAD funding in the BEAD BSL Eligibility List that is posted on the [BEAD Solicitation webpage](#). The municipality may also refer to the BEAD CAI List if the municipality intends to include eligible CAIs in its application.