



BEAD Application Development Workshop

May 15, 2024



VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT
Partners for Better Communities

Broadband 101

Agenda:

- Welcome, Introduction, Opening Remarks
- How We Got to this Point & Brief BEAD 101
- Overall Mapping & Challenge Process Review including Provisional Challenge Results
- Application Process Overview: Timeline, Process, ZCTAs
- Lunch (On Your Own)
- Scoring Criteria Deep Dive
- Locations Left Out of Initial Recommended Awards
- Narrative Requirements, Certifications, and Documentation
- Permitting Update from NTIA
- What's Coming Next?
- Question & Answer, Discussion (Throughout)



Welcome, Introduction, Opening Remarks

Tamarah Holmes, Ph.D



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How We Got to this Point

Chandler Vaughan



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What is BEAD?

Infrastructure and Investment Jobs Act (IIJA) Broadband Equity, Access and Deployment Program

OVERVIEW	PROGRAM PRIORITIES	OTHER KEY FEATURES
<p>Official name: Broadband Equity, Access and Deployment Program</p> <p>Funding pool: \$42.45B</p> <p>Type of program: State and Territory formula program</p> <p>Program objective: to close the availability gap, as Congress finds that "access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States."</p>	<ol style="list-style-type: none">1 Unserved locations <i>No access to 25/3 Mbps</i>2 Underserved locations <i>No access to 100/20 Mbps</i>3 Community anchor institutions <i>Without gigabit connections</i> <p>Eligible entity must also prioritize</p> <ul style="list-style-type: none">• Persistent poverty / high-poverty areas• Speed of proposed network• Build time• Demonstrated record on compliance with federal labor & employment laws	<p>Quality requirements Specific network requirements are included e.g., speeds of at least 100/20 Mbps</p> <p>Matching requirement Eligible entities must ensure that they or a subgrantee provide at least 25% match (<i>unless waiver granted</i>)</p> <p>Low-cost plan requirement Required to offer a low-cost plan to eligible subscribers (<i>to be determined by NTIA</i>)</p>

Contents from National Telecommunications and Information Association (NTIA)



BEAD Process Overview

5-Year Plan

- Submitted, Not Yet Approved

Initial Proposal Volume 1

- Submitted, NTIA Feedback Incorporated Approved

Initial Proposal Volume 2

- Not Yet Approved, Feedback from NTIA Ongoing

Challenge Process

- November 2023 – March 2024

Application Process

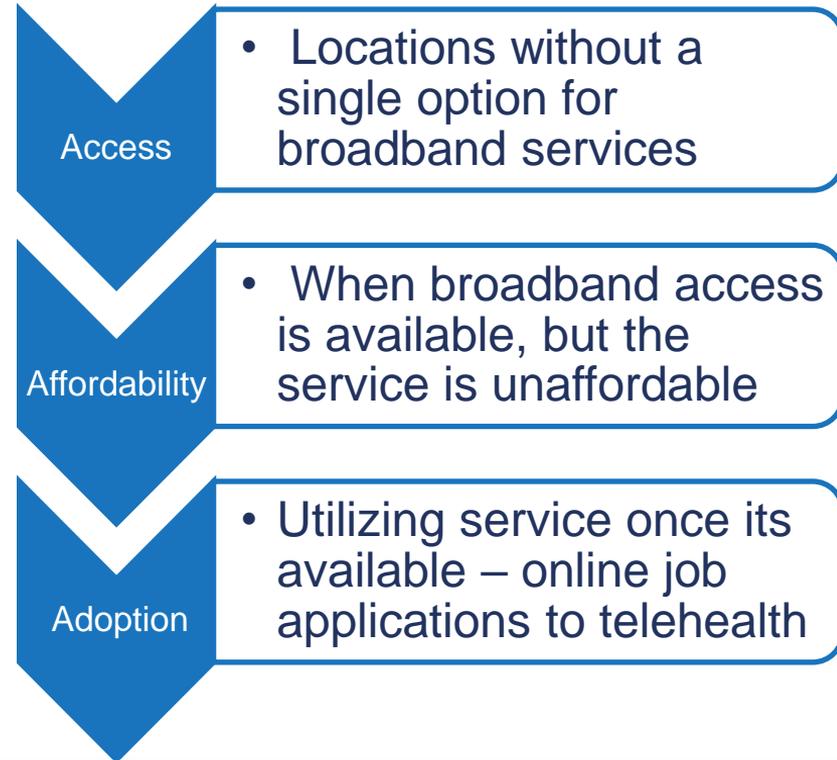
- Summer 2024 – Late 2024

November 2021 – Infrastructure Investments and Jobs Act Signed into Law

BEAD Order of Priority

- **Top Priority under BEAD:** Reach all unserved locations across the Commonwealth that can be served by cost-effective solutions.
- 162,000+ Locations preliminarily identified as unserved and not in a funded project area
 - This process is critical to reaching universal access in the Commonwealth
 - Estimated \$950M+ to serve the remaining 162k
- **Next Priority under BEAD:** If funding is available, develop and implement programs that address broadband affordability and adoption (telehealth, senior programs, smart farming, etc.)

*** Prioritization of extending broadband infrastructure to unserved areas is a mandated priority of federal statute*

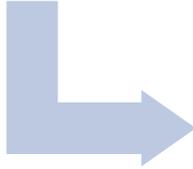




What Governs BEAD?

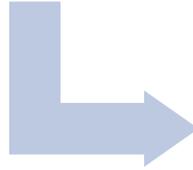
**Congressional
Statute**

- Infrastructure Investments and Jobs Act
- Directed NTIA to Administer



**National
Telecommu-
cations and
Information
Administration**

- Notice of Funding Opportunity
- Ongoing Monitoring of States



**State
Governments**

- BEAD Initial Proposal Volume 1 and Volume 2
- Runs BEAD with the guardrails mentioned previously.

**NIST: Ongoing
Monitoring and
Compliance**

■ BEAD Mandated Priorities for States and Territories in Order

Based on Funding Availability

1st – Reach Unserved Areas, lacking 25/3 internet speeds

2nd - Reach Underserved Areas, lacking 100/20 internet speeds

3rd – Programs that supplement deployment (workforce development)

4th – Connecting Community Anchors and support Broadband Adoption Programs

5th – Other Non-Deployment Uses

These activities can be conducted in tandem, provided anticipated funding can cover all priorities.



Challenge Process Review, including Provisional Challenge Results

Lonnie Hamilton



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History of Broadband Availability Mapping



Federal Broadband Availability Mapping

Until 2021

- Census Block Availability – If 1 Provider Claims Service to 1 location in a Census Block, that whole block is served.

2022

- For first time nationally, service availability is required at the location level, and published.

2023

- Federal challenge processes to:
 1. Make sure all locations are on the map
 2. Make sure the service status is accurate at all locations from all providers.
- BEAD funding allocated based on total unserved locations

State Broadband Availability Mapping

Until 2020

- Virginia remaps the census block level availability data in a user-friendly format.

2021

- Legislation (Del. O'Quinn) passed to require providers to **submit location level** service availability data to Office of Broadband.
- Virginia publishes Commonwealth-Connection Map, based on VGIN Points

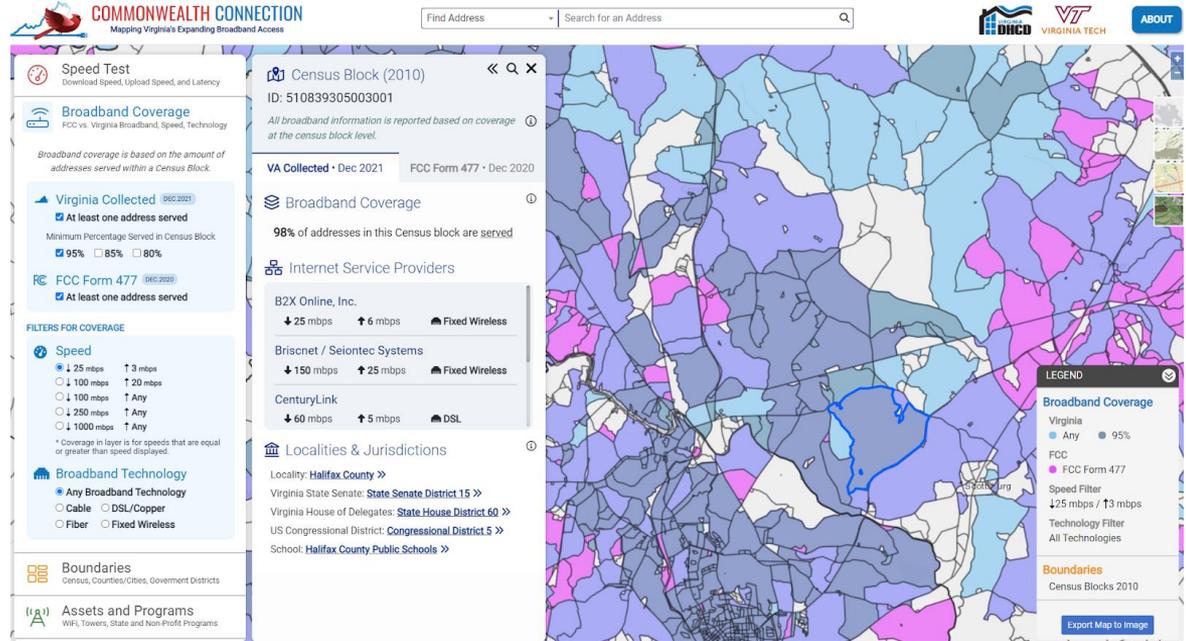
2022 & 2023

- Virginia makes improvements to Commonwealth Connection
- Virginia challenges federal broadband availability maps with state data and knowledge.
- Currently finalizing list of unserved locations left out of existing project

FCC Challenge Process



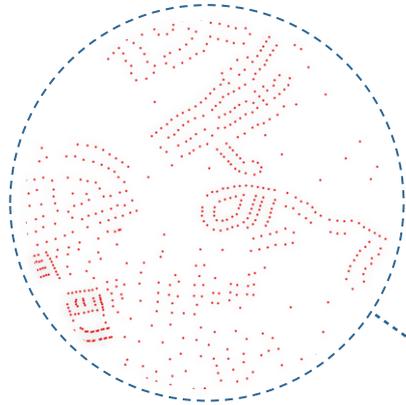
Evaluated the data being used by FCC to determine BEAD allocations using Virginia collected broadband coverage data.



FCC Challenge Process

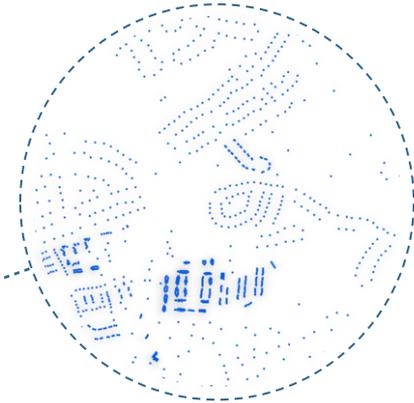


FCC Challenge Process



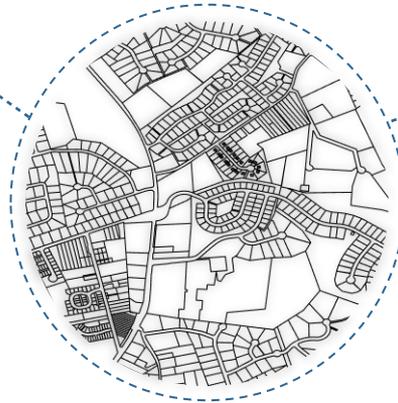
FCC Broadband Data Collection

Fabric point locations with broadband coverage data from providers



VGIN Address Points

Virginia's address points with collected broadband coverage data from providers



VGIN Parcels

Used as the interchange geometry between both address datasets

FCC Challenge Process



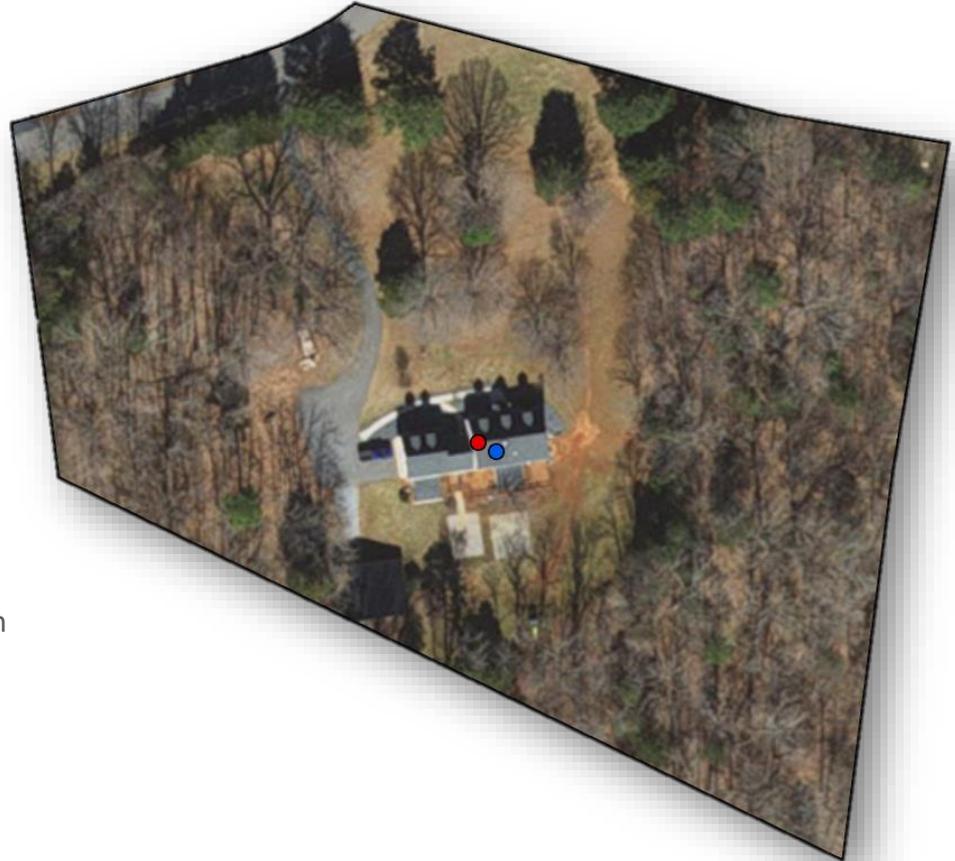
VGIN Parcels

Fabric Location

- Provider
- Tech Type
- Speed ≥ 25 | 3

VGIN Address Point

- Provider Participated in VA Data Collection
- Tech Type
- Speed < 25 | 3



FCC Challenge Process



No VA Collected Data



Different Technology Types



VA Collected Speed
less than 25 | 3

FCC Challenge Process



This challenge method identified 248,674 serviceability challenges

Other challenges submitted included:

- Ensuring no locations that would face special construction costs of 'long-drops' would be falsely listed as served – 113,098 serviceability challenges
- Ensuring historically-cellular providers are accurately reporting broadband service – 1.6M serviceability challenges

The total submitted challenges just from Virginia, 1.9 million, reflected nearly half of the national total of 4 million

Virginia found **80K additional unserved locations** when challenge adjudication was completed (3rd in Nation)

Estimated additional ~\$250M in funding for VA
(of \$1.4B total) in BEAD allocations

BEAD Mapping

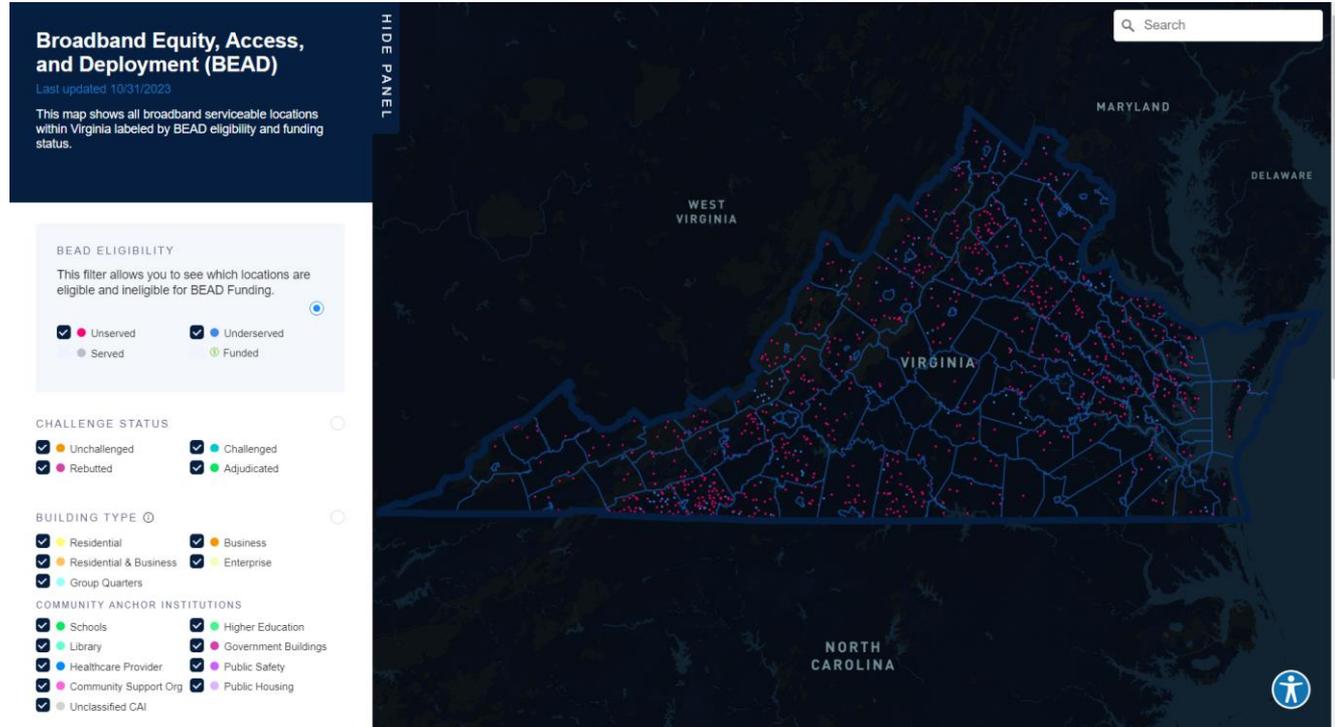


- First time ever – broadband availability maps are location based.
 - Previous maps displayed broadband availability by census blocks
- The Federal Communication Commission published this national map in late 2022. The Office of Broadband challenged over 1.9 million service claims on the map and ended up adding over 80,000 unserved and underserved locations to the map that were not previously listed.
- This means that we can now see into the ‘nooks and crannies’ of where broadband availability is and isn’t.
- These numbers were refined through the BEAD challenge process this winter
- Common Themes of Locations still Unserved and Unfunded
 - Line Extensions
 - Appeared Presence of Infrastructure (but its only actually middle mile infrastructure)
 - Bits and pieces within VATI projects
 - Fringes of Towns where service is presumed available



BEAD Challenge Process

- Purpose of identifying all unfunded, unserved and underserved remaining
- 162,000 locations initially identified
- Opportunity to challenge locations as served or as unserved/underserved.
- Challenge window from November 1 to November 30
- No extensions to this process





Initial Community Anchor Institution (CAI) List

- 18,800+ initially identified CAIs
 - 16,514 initially identified as unserved, without access to gigabit symmetrical service
 - Federal broadband maps, which coverage is based on, doesn't display business/commercially available service
- Virginia-set CAI definition
 - “Schools, libraries, medical and health care providers, public safety entities, community colleges and other institutions of higher education, and other community support organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by vulnerable populations, including low income, unemployed, and the aged.”



Initial Community Anchor Institution (CAI) List

- Determine if your Organization was on the initial, pre-challenge process list of CAIs by visiting Open Data Portal
- Significant interest in CAIs in BEAD challenge process
- Numerous challenges that gigabit service is available through business/commercial service offerings
- Final list will be published on the Open Data Portal

The screenshot shows a web browser window displaying the Virginia Open Data Portal. The page title is "Virginia BEAD Community Anchor Institutions" under the "Government" category. The main content area contains a description: "The attached file includes the name and address, along with other information, of Community Anchor Institutions (CAIs) identified for the purposes of the Broadband Equity, Access, and Deployment Program (BEAD). As determined by the Office of Broadband, these 18,816 CAIs are covered by the definition set in Virginia's BEAD Initial..." and a "Last Updated" date of "October 6, 2023". Below this, there is a "Download this Resource" section with a link to "finalCAIUnservdAndServedAtGigabitSymmetricalNoLocationIDsOrIDNumbers.csv" and a "Download" button. The "About this Dataset" section shows "Views: 413" and "Downloads: 164". It also includes a "Governance" table with details like "Update Cadence: Ad Hoc", "Responsible Agency Name: Department of Housing & Community Development (DHCD)", and "Agency Website: https://www.dhcd.virginia.gov/".

Preliminary BEAD Challenge Process Results Summary

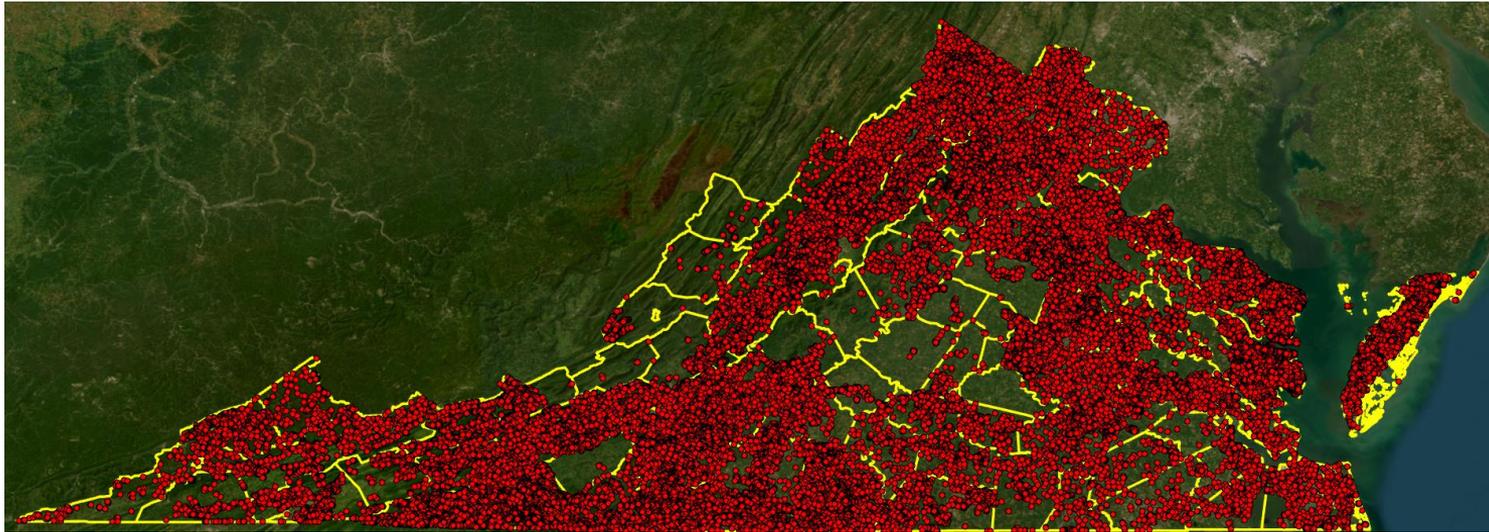


- 460 challenges containing 261,868 (205,258 w/o DHCD challenges) locations
- Generated 4 area challenges containing an additional 315,527 locations
- 30-day submission window
- 114,065 challenged locations submitted in final 24 hours
- MLE (Minimum Level of Evidence) review took 45+ days
- Majority of challenges asserting that unserved locations were actually served

Preliminary BEAD Challenge Process Results Summary



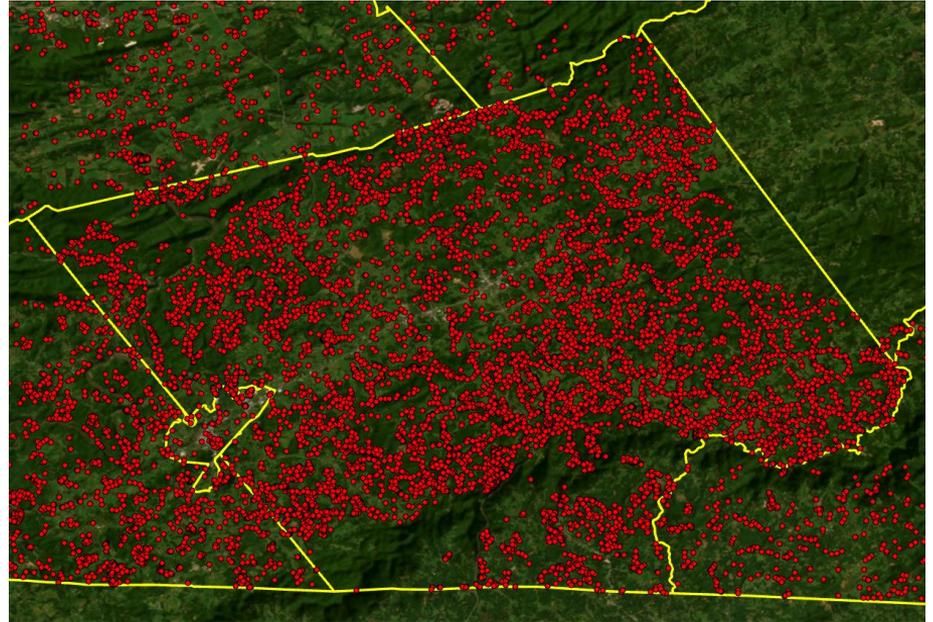
- Preliminary Unserved BEAD Locations: 98,812
- Preliminary Underserved BEAD Locations: 16,060
- Preliminary Unserved BEAD CAIs: 1,520



Preliminary BEAD Challenge Process Results Summary



- Localities with most BEAD eligible locations
 1. Carroll (9,096)
 2. Grayson (4,406)
 3. Spotsylvania (4,376)
 4. Rockingham (4,145)
 5. Franklin (4,129)
- More unserved locations than expected
 - Lynchburg (531)
 - Montgomery (2,544)
 - Halifax (4,010)
 - Augusta (3,831) and Shenandoah Valley as a whole



Preliminary BEAD Challenge Process Results Summary



- Potential errors from the federal process sometimes made their way through our process unchallenged.

Address: 1401 PUMP HOUSE DR RICHMOND, VA 23221

Fixed Broadband | Mobile Broadband

Selected Location: 1401 PUMP HOUSE DR RICHMOND, VA 23221
Status: **Not Served** | Business | Unit Count: 1

Location Challenge

Broadband Availability

Provider	Technology	Down (Mbps)	Up (Mbps)	Chall.
▶ Hughes Network Systems, LLC	GSO Satellite	25	3	
▶ Space Exploration Technologies Corp.	NGSO Satellite	220	25	
▶ Viasat, Inc.	GSO Satellite	30	3	
Business-only Service				
▶ Verizon Communications Inc.	Licensed Fixed Wireless	10	1	
▶ Viasat, Inc.	GSO Satellite	35	4	

Map Legend

- Coverage available
- Coverage not available
- Not a mass market location

Pop-up: BEAD_Unserved_Underserved_FinalDraft (1)
1401 PUMP HOUSE DR
OBJECTID: 111125
location_id: 1004970550
address_primary: 1401 PUMP HOUSE DR
city: RICHMOND
state: VA
77.283609°W 37.542404°N

Zoom Level: 16.58 Hex Level: 9



Application Process Overview: Timeline, Process, ZCTAs

Caroline Luxhoj



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Overview of Application Process

Letter of Intent

- 60 Day Submission Window, Starting on Announcement by VA Office of Broadband
- Must include high level information about the applicant and a general statement of qualification
- Must include attachment listing all cities and counties the applicant is interested in proposing to serve

Full Application

- 90 Day Submission Window, Starting after LOI Window Closes
- Includes all narrative-heavy and numerical components for all application areas
- See later sections of this document for details on these application requirements



Letter of Intent Requirements

- The Letter of Intent window will begin after NTIA both approves Virginia's Volume 2 and certifies the results of the challenge process
- The Office of Broadband will announce the start of this process via email, with at least 7 days notice
- In this 60-day submission window, the letter of intent must be received, outlining the applicant's plans and qualifications to participate under BEAD.

Letter of Intent Requirements

- The Letter of Intent cannot be more than 2 pages in length.
 - This letter must include high level information about the applicant and a general statement of qualification for expanding broadband infrastructure to unserved and underserved locations, as well as unserved community anchor institutions under the Broadband Equity, Access, and Deployment Program.
- A separate attachment of a list of counties and cities the applicant is interested in applying in must be included.
 - Applicants cannot apply for BEAD funds in Counties and Cities not listed in this attachment.
 - This list of Counties and Cities is eligible for FOIA exemption. The up to 2-page letter is not eligible for FOIA exemption.



Full Application Requirements

- Full applications must be submitted 90 calendar days following the letter of intent submission deadline
- This application includes full narrative, documentation, and certification requirements associated with the BEAD program's application process requirements outlined in Volume 2 of Virginia's Initial Proposal.
 - DHCD will issue an application handbook to guide this process.
- The Office of Broadband has taken steps to avoid unnecessary duplication of work in meeting these application requirements



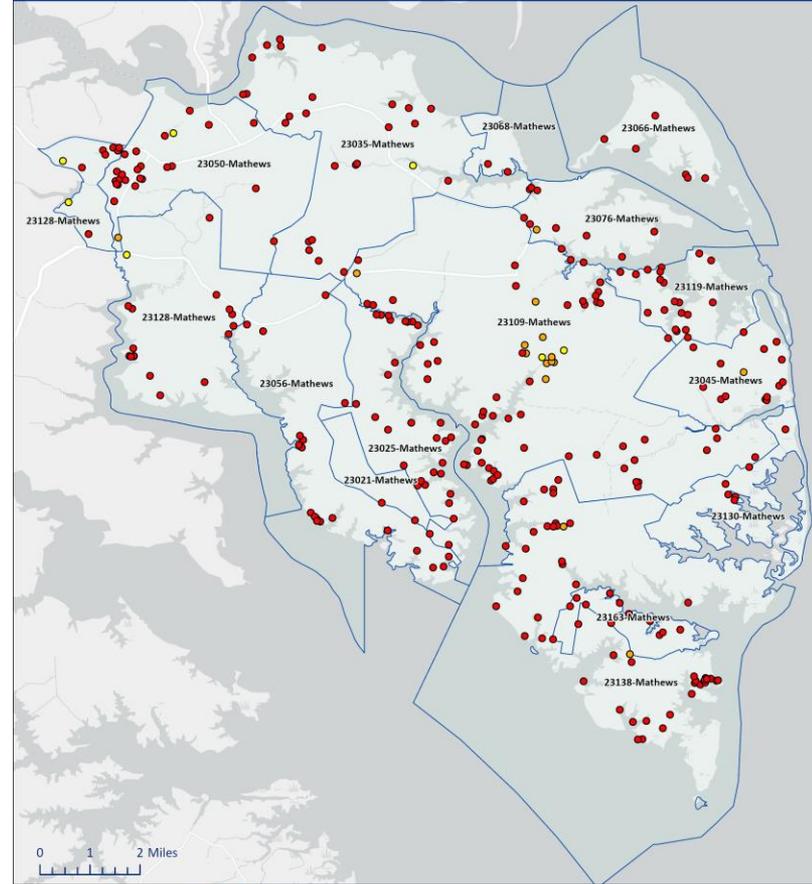
Application Submission Portals

- In the 90-day full application window, applicants will be required to submit materials in 2 portals:
 - DHCD's Centralized Application Management System (CAMS)
 - ZCTA portal to submit ZCTA level application data
- This structure allows applicants to submit narrative, documentation, and certification requirements one time in CAMS, and not for each application.
- A list of these requirements will be provided throughout the presentation

Map of Zip Code Tabulation Areas

- ZCTAs are functionally equivalent to ZIP Codes, but a ZCTA can differ from the ZIP Code attached to some of the addresses within it
- Map shows eligible BEAD locations in application areas in Mathews
- Application Area Statistics:
 - 1,089 Application Areas with at least one eligible location
 - Average of 90 eligible locations per application area
 - Median of 18 eligible locations per application area

BEAD Application Areas in Mathews County



Legend

- Unserved Locations
- Underserved Locations
- Unserved CAs
- BEAD Application Areas

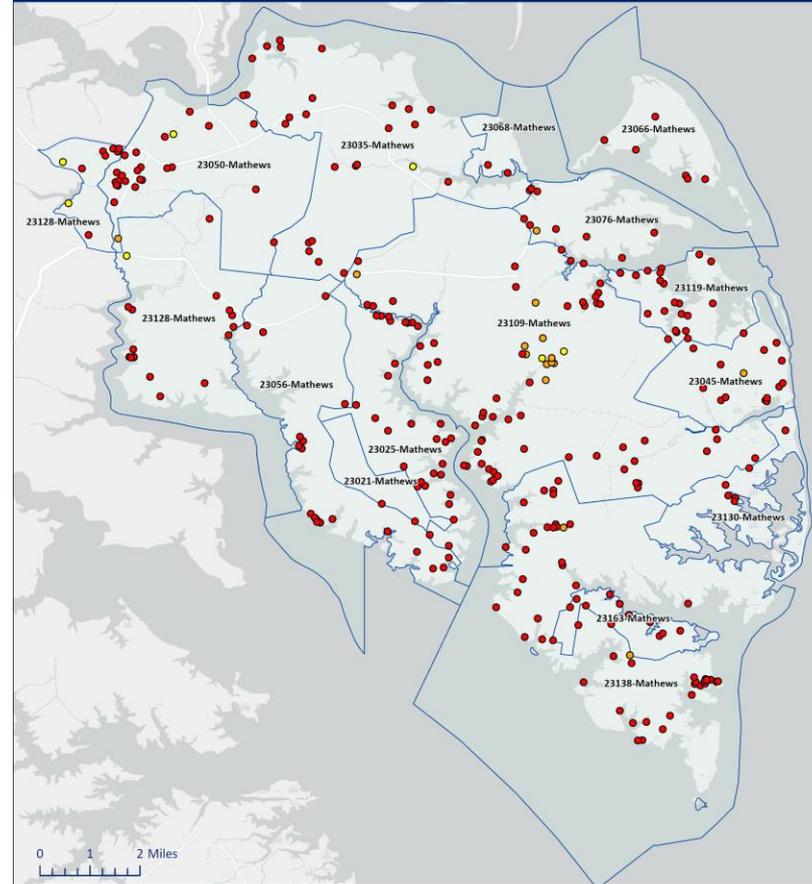
Application Areas for Virginia's BEAD program will be based on ZIP Code Tabulation Areas spliced by locality boundaries.

Some Application Areas may not be geographically contiguous.

■ Bundling and Single ZCTA Proposals

- Applicants have two options for submitting proposals
 1. Submit Single Proposals for Each ZCTA, like they will be built out as separate projects
 2. Submit a Bundled Proposal for a Combination of ZCTAs in a Locale
 - Only one bundle per county/city
 - Bundle doesn't have to include all ZCTAs
 - Individual info for each ZCTA must still be provided
- Both can be done

BEAD Application Areas in Mathews County



Legend

- Underserved Locations
- Underserved Locations
- Underserved CAs
- BEAD Application Areas

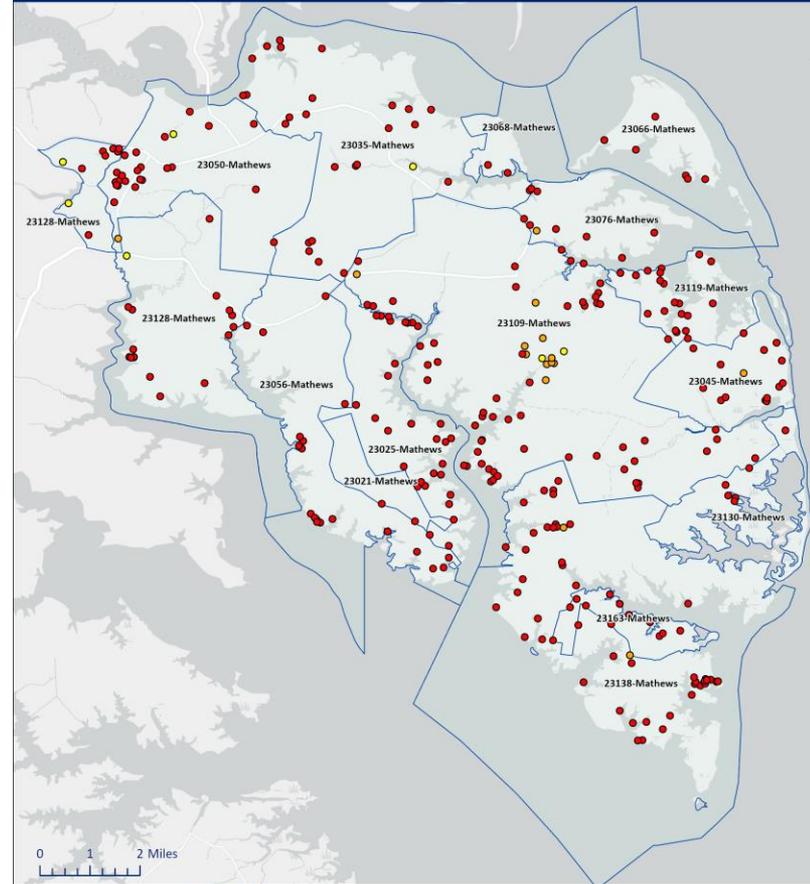
Application Areas for Virginia's BEAD program will be based on ZIP Code Tabulation Areas spliced by locality boundaries.

Some Application Areas may not be geographically contiguous.

■ If a Bundled Proposal is Submitted

- Bundled proposals are all or nothing.
- The bundled proposal must be the highest scoring application in each ZCTA to be awarded as a bundle
 - If not, the application portal will default to evaluating the individual ZCTA applications

BEAD Application Areas in Mathews County



Legend

- Unserved Locations
- Underserved Locations
- Unserved CAs
- BEAD Application Areas

Application Areas for Virginia's BEAD program will be based on ZIP Code Tabulation Areas spliced by locality boundaries.

Some Application Areas may not be geographically contiguous.

Overview of Bundled and Single Proposals

Option 1

Submit a Bundled Application with 2 or more ZCTAs

- An application that includes multiple ZCTAs, as all-or-nothing proposal
- Information must still be provided at the individual ZCTA level
- If applicant is not the high scorer in all ZCTAs in the bundle, then the bundle is not awarded
- Only one bundle can be submitted per city or county. Bundles cannot include more than 1 city or county

Option 2

Submit an Application for an Individual ZCTA

- Applicants may submit applications for Individual ZCTAs as standalone bids
- Must be submitted if applicant wants a 'backup' if a bundled application is not awarded

Option 3

Submit Both Option 1 and Option 2

- Applicants can submit both a bundled bid in a county or city and also submit individual applications on up to all ZCTAs in a city or county



Lunch (On Your Own)



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Scoring Criteria Deep Dive

Chandler Vaughan



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Scoring Criteria Overview – Federal Requirements

- **Mostly mandated and standardized by NTIA for States**
- 75% of criteria must be split across:
 - Cost Efficiency
 - Affordability (of the Gigabit Symmetrical Package Price)
 - Fair Labor Practices
- Consideration must be given to:
 - Speed to Deployment
- Remaining criteria up to States, but cannot individually exceed primary criteria



Scoring Criteria Overview – State Decision

Priority Application Scoring Criteria	
Minimal BEAD Program Outlay (Cost-Efficiency)	45%
Affordability	20%
Fair Labor Practices	10.2%
Speed to Deployment	5%
Universality of Applications	9.9%
Local and Tribal Coordination – Letter of Support	9.9%

Non-Priority Application Scoring Criteria	
Minimal BEAD Program Outlay (Cost-Efficiency)	45%
Affordability	20%
Fair Labor Practices	10.2%
Speed to Deployment	2.5%
Speed of Network & Other Technical Capabilities	2.5%
Universality of Applications	9.9%
Local and Tribal Coordination – Letter of Support	9.9%



Scoring Criteria Overview – Priority Proposals

Minimal BEAD Program Outlay

- The lowest state requested cost per passing gets all the points available
- Higher state requested cost per passings receive a percentage of points available, reflecting how less cost efficient they are compared to the highest scoring proposal.

	Proposal 1	Proposal 2	Proposal 3
State Requested Cost Per Passing	\$3,500	\$3,900	\$5,500
Score	45 Points (100%)	40.38 Points	28.6 Points

- The \$3,900 application, because it is 11.4% less cost efficient than the most efficient application, will receive 40.38 points. ($45 / (\$3,900 / \$3,500)$).

■ Scoring Criteria Overview – Priority Proposals

Affordability

- If a provider offers a Gigabit Symmetrical service option a price lower than the one established in the FCC’s Urban Rate Survey in its Reasonable Comparability Benchmark Results, then full points are awarded. This price is \$134.29 for 2024.
- Higher state requested cost per passings receive a percentage of points available, reflecting how less cost efficient they are compared to the highest scoring proposal.

	Proposal 1	Proposal 2	Proposal 3
Gigabit Symmetrical Package Price	\$89.99	\$129.99	\$189.99
Score	20 Points	20 Points	14.14 Points

- The \$189.99 application, because it is 41.5% more expensive than the URS value of \$134.29, will receive 14.14 points. ($20 / (\$189.99 / \$134.29)$).

■ Scoring Criteria Overview – Priority Proposals

Fair Labor Practices

- Applicants must narratively demonstrate a record of and plans to comply with Federal labor and employment laws
- The Office of Broadband will evaluate and score narrative responses under this category.
 - Applicants will receive HALF credit if they certify future compliance with existing BEAD labor requirements OR narratively demonstrate a record of plans to comply with Federal labor and employment laws. (Half Credit is 5.1 Points)
 - Applicants will receive FULL credit if they certify future compliance with existing BEAD labor requirements AND narratively demonstrate a record of plans to comply with Federal labor and employment laws. (Full Credit is 10.2 Points)

■ Scoring Criteria Overview – Priority Proposals

Speed to Deployment

- At a minimum, these networks must be built within 4 years of executing the subgrantee agreement
- Full credit under this section (5 points) will be provided if the applicant can demonstrate the project will be complete within 3 years of executing the subgrantee agreement. Additional information will be required to justify this accelerated completion.

❏ Scoring Criteria Overview – Priority Proposals

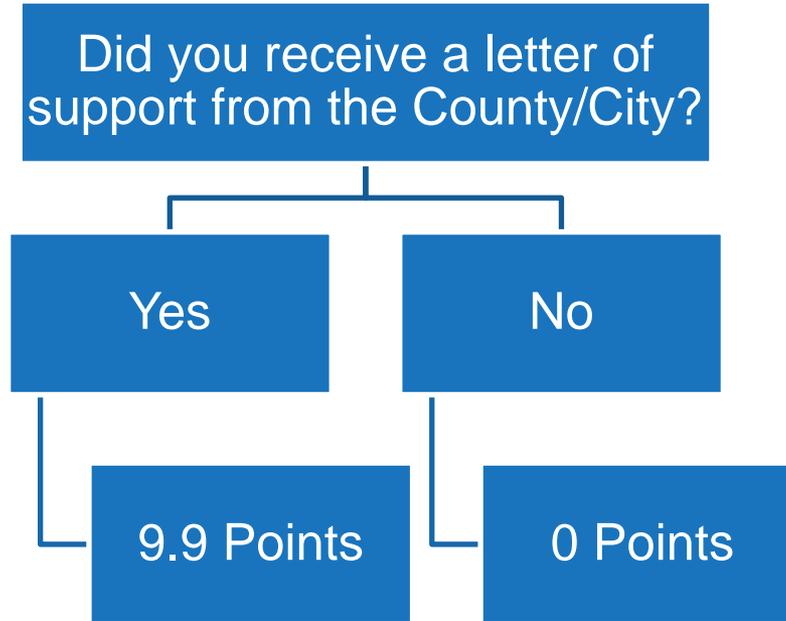
Universality of Applications

- At a minimum, these applications must propose to serve 95% of unserved and underserved locations in a ZCTA, including unserved CAIs.
- Additional points are available, based a higher percentage of locations included in a ZCTA. This criteria is outlined in the table.

Percentage of Locations Proposed	Points Awarded
95% - 96%	0 points
96% to 97%	2 points
97% to 98%	4 points
98% to 99%	6 points
99% to 99.5%	8 points
99.5% to 100%	9.9 points

■ Scoring Criteria Overview – Priority Proposals

Local and Tribal Coordination



* If the application proposes to build on Tribal Lands, a Resolution of Consent must be received from the Tribal Government (Pamunkey Tribe, King William County)

Scoring Criteria Overview – Non-Priority Proposals Comparison Table

Non-Priority Application Scoring Criteria		
Minimal BEAD Program Outlay (Cost-Efficiency)	45%	Same Scoring Methodology
Affordability	20%	Same Methodology, except 100/20 Speed in URS is the Baseline (\$92.24/mo.)
Fair Labor Practices	10.2%	Same Scoring Methodology
Speed to Deployment	2.5%	Same Scoring Methodology
Speed of Network & Other Technical Capabilities	2.5%	See Next Slide
Universality of Applications	9.9%	Same Scoring Methodology
Local and Tribal Coordination – Letter of Support	9.9%	Same Scoring Methodology

❏ Scoring Criteria Overview – Non-Priority Proposals

Speed of Networks & Other Technical Capabilities

- The Office of Broadband will weigh the speeds, latency, and other technical capabilities of the technologies proposed by applicants seeking to deploy projects that are not Priority Broadband Projects.
- The Office of Broadband will evaluate and score narrative responses under this category based on the rubric outlined herein. Maximum latency may not exceed 100 milliseconds.

Speed Threshold	Points Awarded
300 Mbps Download/150 Mbps Upload	1 point
400 Mbps Download/200 Mbps Upload	2 points
1000 Mbps Download/500 Mbps Upload	2.5 points

■ Scoring Criteria Overview – Priority Proposals

Scoring Examples

Score. Cat	App 1 Resp	App 1 Score	App 2 Resp	App 2 Score	App 3 Resp	App 3 Score
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Locations Left Out of Initial Recommended Awards

Chandler Vaughan



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❏ So, What Happens to Unawarded Locations?

- There will be locations that aren't awarded in the initial round.
 - 0% to 5% of locations in each ZCTA
 - ZCTAs that receive no proposals whatsoever (Priority or Non-Priority)
 - ZCTAs that received only priority proposals, but all are above the high-cost threshold
- Step 1: Office of Broadband will publish these locations after Initial Awards are Announced
- Step 2: A 30-day application window to entertain both priority and non-priority proposals
- Step 3: Office of Broadband will select recommended awardees

❏ So, What Happens to Unawarded Locations? Inducements

- Applicants may request waivers from BEAD requirements at this point:
 - Waiver to the 25% match requirement
 - Waiver to the Extremely High-Cost Threshold
- Priority Proposals will be considered first
- Non-Priority Proposals considered where Priority Proposal was not selected
- All applicants in this 30 day window will be subject to the same BEAD requirements



Narrative Requirements, Certifications, and Documentation

Chandler Vaughan
Vince Masson, RSM
Hayden Grim, RSM

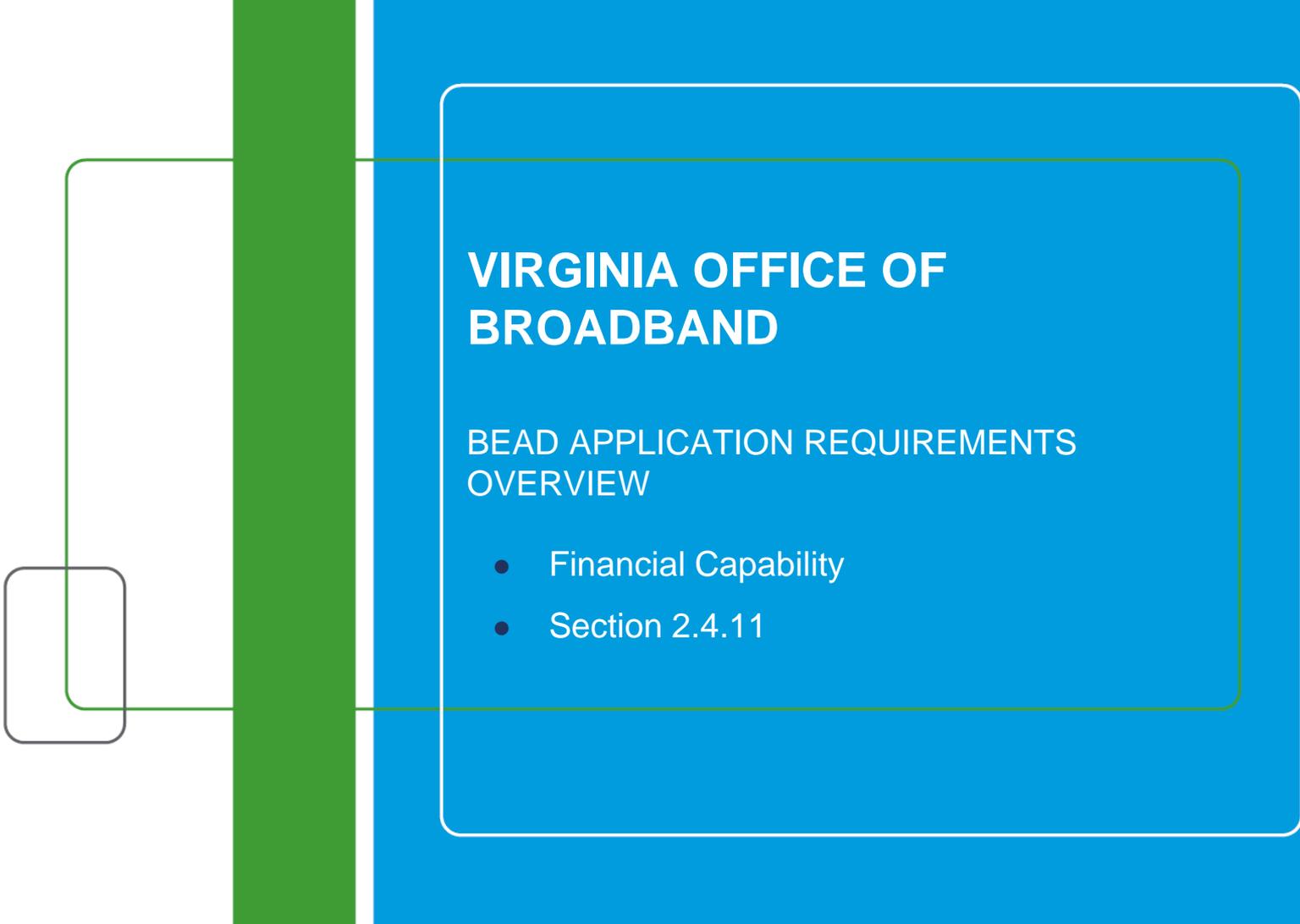


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Low Cost Service Option-To Be Determined

Middle Class Affordability

- As a baseline to ensure line extension costs are not charged to BEAD-awarded locations, BEAD awardees will be prohibited from charging special construction charges for a minimum of twelve months after broadband service is made available to a BEAD-funded location.
- Awardees will not be permitted to charge any fees to subscribers for these line extensions, except for the regular connection fees associated with any connection made on the network.
- All applicants must factor in this requirement in their proposals under BEAD.



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BEAD APPLICATION REQUIREMENTS OVERVIEW

- Financial Capability
- Section 2.4.11

Section 2.4.11 Financial Capability Summary

1 DESCRIPTION: WHAT?

- Section 2.4.11 relates to the financial capability of applicants

2 RATIONALE: WHY?

- To ensure applicants have the financial capabilities/support to follow through with the projects they begin

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify financial capability
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

There are three main options applicants can select to demonstrate financial capability.

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: dhcd.virginia.gov/vati

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to select which option from the NTIA Waiver they will pursue to demonstrate financial capability	Application
Applicant to certify understanding of and compliance with financial capability requirements	Application
Awardee to secure the proof of financial capability and provide to DHCD	Pre-Contract

Section 2.4.11 Financial Capability Breakdown

1. Financial Capability

The Office of Broadband is committed to comprehensive vetting of applicants throughout the selection process to ensure that the applicants seeking to deploy network facilities meet the qualifications for financial capability as defined in the BEAD NOFO*.



- Certify that the applicant has the financial capability to successfully deploy network facilities as outlined in the BEAD NOFO
- Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA



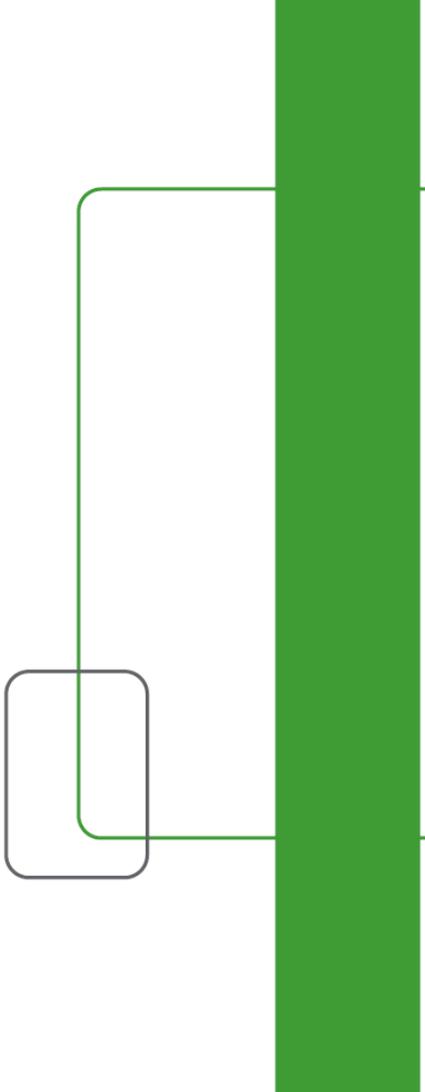
The NTIA has posted a letter of credit waiver, altering the requirements previously posted in the BEAD NOFO. Please review the waiver and select the option you will use for your project:

Option 1: Compliance with the Letter of Credit Requirements as outlined in the NTIA Waiver

Option 2: Alternative Requirements to the letter of credit based on specific conditions and other requirements

Option 3: The allowance of performance bonds to suffice for this requirement

*requirements are subject to change as the NTIA continues to issue further guidance.



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Managerial Capability
- Section 2.4.12

Section 2.4.12 Managerial Capability Summary

1 DESCRIPTION: WHAT?

- Section 2.4.12 relates to the managerial capability of applicants

2 RATIONALE: WHY?

- To ensure applicants have the managerial capabilities to follow through with the projects they begin

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify managerial capability
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

- Submit resumes and organizational charts
- Provide narrative describing project readiness and experience

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information demonstrating managerial capability in their application	Application
Applicant to certify understanding of and compliance with managerial capability requirements	Application

Section 2.4.12 Managerial Capability Breakdown

1. Managerial Capability

The Office of Broadband will ensure that all applicants seeking to deploy network facilities comply with the managerial capability requirements outlined in the BEAD NOFO*.



The Office of Broadband will require applicants to submit resumes for all key management personnel and any necessary project organizational chart(s) and corporate relationships detailing all parents, subsidiaries, and affiliates

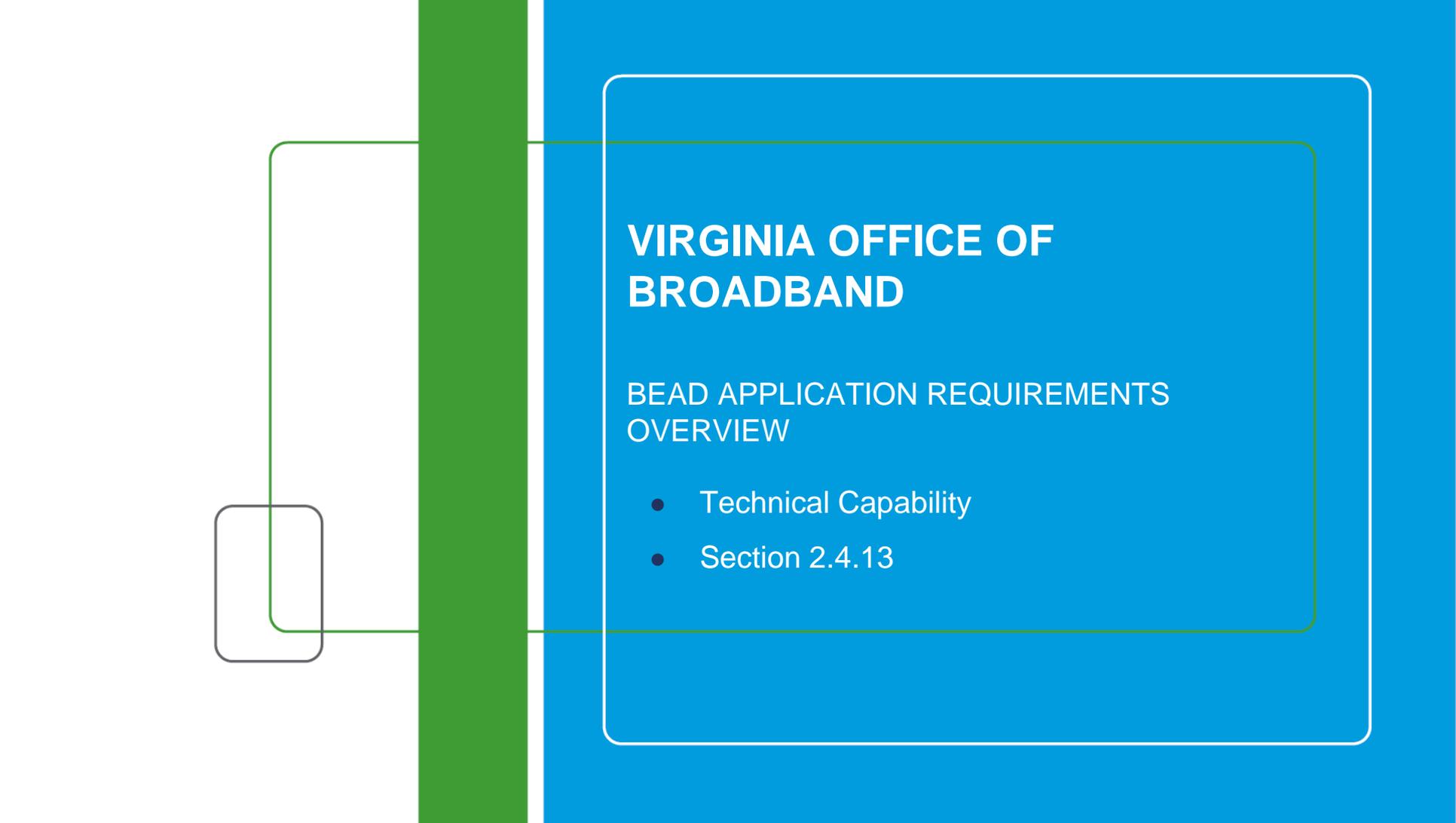
Each applicant must also provide a narrative describing the applicant's readiness to manage a broadband services network. The narrative should:

- Describe the experience and qualifications of key management for undertaking this project
- Describe its experience undertaking projects of similar size and scope
- Highlight recent and upcoming organizational changes including mergers and acquisitions
- Include relevant organizational policies
- Identify key individuals who will be responsible for the management of the project and provide a brief description of their role and responsibilities for the project. Present this information in table format
- Provide a brief description of the applicant's history and experience with managing state or federal grants and constructing broadband or telecommunication facilities.



- Certify that the applicant has the managerial capability to successfully deploy network facilities as outlined in the BEAD NOFO
- Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA

*requirements are subject to change as the NTIA continues to issue further guidance.



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Technical Capability
- Section 2.4.13

Section 2.4.13 Technical Capability Summary

1 DESCRIPTION: WHAT?

- Section 2.4.13 relates to the technical capability of applicants

2 RATIONALE: WHY?

- To ensure applicants have the technical capabilities and experience to successfully complete their projects

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify technical capability
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

- Submit certification in application
- Submit network design, diagram, costs, timeline, milestones, and capital investment schedule (all engineer certified)

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information demonstrating technical capability in their application	Application
Applicant to certify understanding of and compliance with technical capability requirements	Application
Awardee to obtain certification of technical plans by a professional engineer and provide to DHCD for review and approval prior to contract issuance	Pre-Contract

Section 2.4.13 Technical Capability Breakdown

1. Technical Capability

The Office of Broadband is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for technical capabilities as outlined in the BEAD NOFO.

- The applicant's efforts to mitigate supply chain constraints, including labor shortages and order-to-delivery delays on telecommunications materials required to construct broadband networks.
- The applicant's efforts to mitigate costs and delays that may be associated with make-ready and other permitting requirements anticipated for network deployment
- Describe the current state of project development, including but not limited to planning, preliminary engineering, identifying easements/permits, status of MOU or MOA, and final design
- Applicants are encouraged to extensively discuss, where applicable, make-ready/pole attachments, easements relating to railroad crossings, state and federally owned lands and parks, partnerships with the Virginia Department of Transportation Department of General Services, and mobile home parks.
- Provide a description of the network system design used to deliver broadband service from the network's primary internet point(s) of presence to end users, including the network components.
- Provide information on how capacity for scalability, or expansion, of how the network can adapt to future needs.
- If using a technology with shared bandwidth, describe how the equipment will handle capacity during peak intervals. For wireless projects, provide a propagation map for the proposed project area with a clearly defined legend for scale of map.
- Describe the internet service offerings, including download and upload speeds, to be provided after completion of the proposed project. Detail whether that speed is based on dedicated or shared bandwidth and detail the technology that will be used. Please note, DHCD reserves the right to request verified speed tests distributed throughout a service area at times of peak network usage from potential subgrantee's existing network to verify a co-applicant's capability to provide broadband service at speeds at or above 100/20 Mbps.
- List the tiered price structure for all speed offerings in the proposed project area, including all speed offerings.
- Detail the internet service provider's digital opportunity efforts to ensure low to moderate income households in the proposed project area will have affordable
ive 100/20 Mbps



Section 2.4.13 Technical Capability Breakdown (continued)

1. Technical Capability

The Office of Broadband is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for technical capabilities as outlined in the BEAD NOFO.



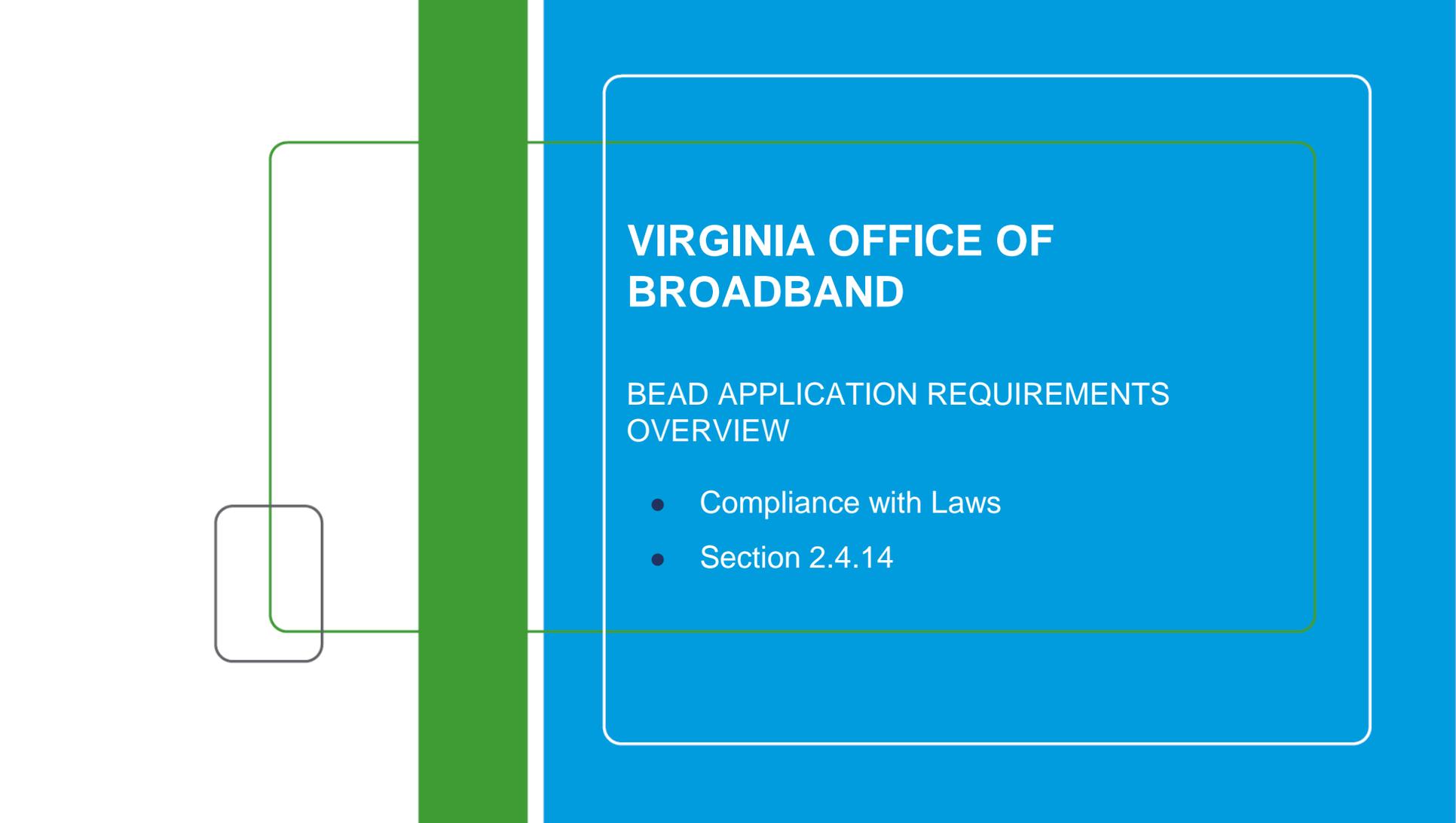
The Office of Broadband will require all applicants to submit:

- Network design and Network diagram
- Project costs
- Build-out timeline and milestones for project implementation identifying specific tasks, staff, contractor(s) responsible, collection of data, etc., and estimated start and completion dates.
- Capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity is under contract. This 4-year build timeline may be less based on the timeline committed to in the application.

All of which must be certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.



- Certify that the applicant is technically qualified to not only complete construction of the proposed network but also operate the network and that they are capable of carrying out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce (see Section IV.C.1.e of the BEAD NOFO).
- Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Compliance with Laws
- Section 2.4.14

Section 2.4.14 Compliance with Laws Summary

1 DESCRIPTION: WHAT?

- Section 2.4.14 relates to the applicants' adherence to any applicable laws outlined in the BEAD NOFO.

2 RATIONALE: WHY?

- To ensure applicants are aware of and in compliance with all applicable laws

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify compliance with applicable laws
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

Applicant must:

- Submit a narrative that demonstrates compliance and understanding

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to provide a narrative detailing commitment to compliance with all applicable laws	Application

Section 2.4.14 Compliance with Laws Breakdown

1. Compliance with Laws

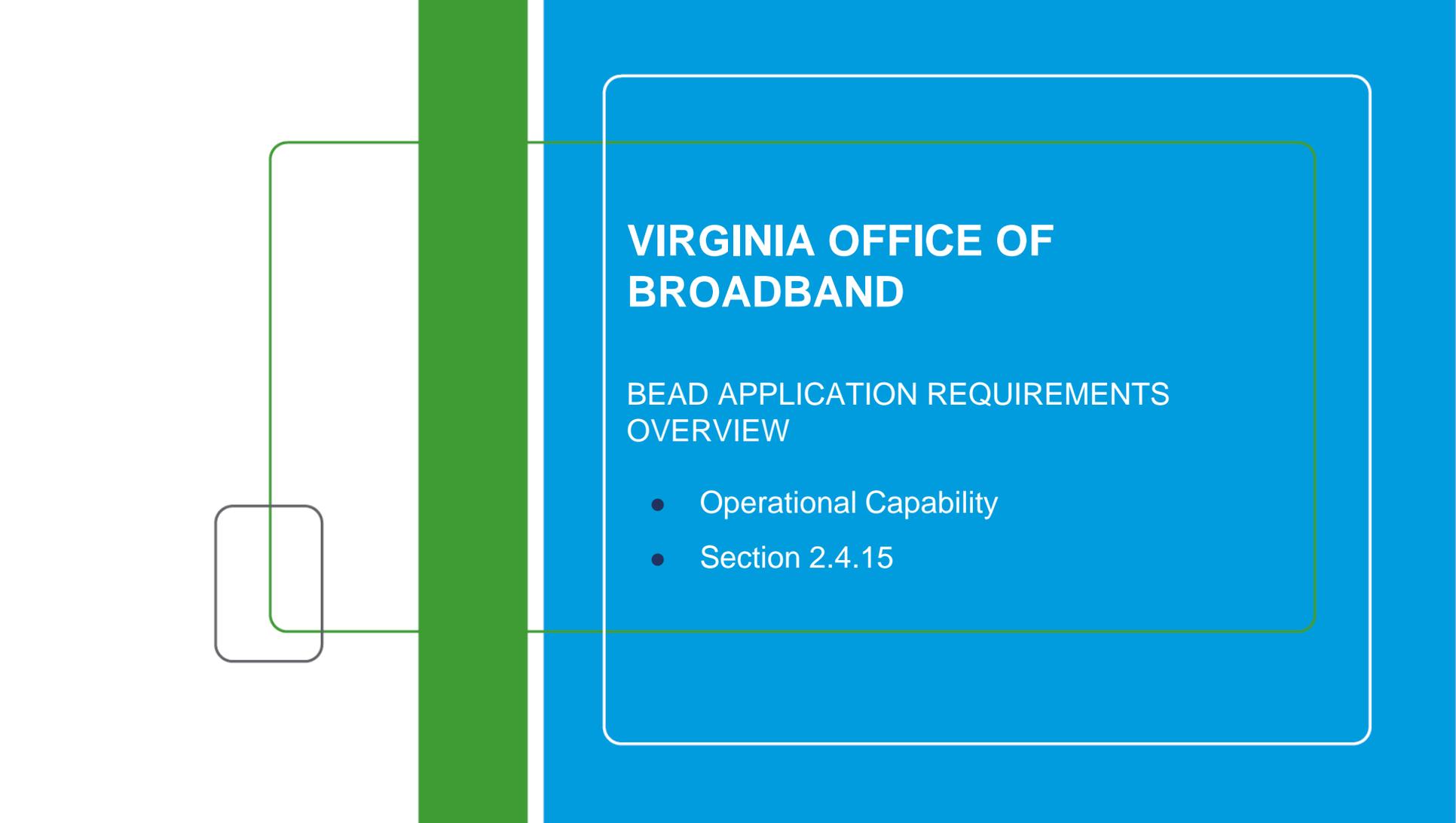
The Office of Broadband is committed to comprehensive vetting of applicants throughout the selection process to ensure that the applicants seeking to deploy network facilities comply with all applicable laws.



The Office of Broadband will require applicants to demonstrate that they can carry out funded activities in a competent manner in compliance with all applicable Federal, State, and local laws. Applicants must submit a narrative that demonstrates this objective for the Office of Broadband to place on record.



- Applicants to certify that they can carry out funded activities in a competent manner in compliance with all applicable Federal, State, and local laws.
- Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Operational Capability
- Section 2.4.15

Section 2.4.15 Operational Capability Summary

1 DESCRIPTION: WHAT?

- Section 2.4.15 relates to the operational capability of applicants

2 RATIONALE: WHY?

- To ensure applicants have the operational capabilities/support to follow through with the projects they begin

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify operational capability
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

The applicant must demonstrate and certify operational capability at application

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information demonstrating operational capability in their application	Application
Applicant to certify understanding of and compliance with operational capability requirements	Application
Awardee to submit data to Virginia's Broadband Availability Map for the 2024 collection window	Pre-Contract
Awardee to submit project communication plan, project management plan, detailed milestone timeline	Pre-Contract

Section 2.4.15 Operational Capability Breakdown

1. Operational Capability

The Office of Broadband is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for operational capability as outlined in the BEAD NOFO. The Office of Broadband will require applicants to certify that they possess the operational capability to qualify to complete the project and operate the Network. Examples of such requirements are provided below:



- **If the applicant has operated only an electric transmission or distribution service**, it must submit qualified operating or financial reports that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.
- **For a new entrant to the broadband market**, an applicant must provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities. Such evidence may include resumes from key personnel, a list of projects of similar scope with descriptions and project outcomes and references from contractors, subcontractors, funding agencies, localities/units of local governments or other partners who can provide other comparable evidence.
- **An applicant that has provided a voice, broadband, and/or electric transmission or distribution service for at least the two (2) consecutive years** prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, must submit a certification that attests to these facts and specifies the number of years the applicant or its parent company has been operating.
- **If the applicant has provided a voice and/or broadband service** it must certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this time period, and otherwise has complied with the Commission's rules and regulations. Alternatively, an applicant should explain any Notice of Funding Opportunity – 75 pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or was alleged to have failed to comply with Commission rules or regulations.
- **Certify that the applicant has the operational capability to successfully deploy network facilities as outlined in the BEAD NOFO**
- **Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA**
- **Certify that the awardee has submitted or will submit data to the Commonwealth of Virginia** under the Virginia Broadband Availability Map - Internet Service Provider Service Territory Data Submission Process for the 2024 collection window.



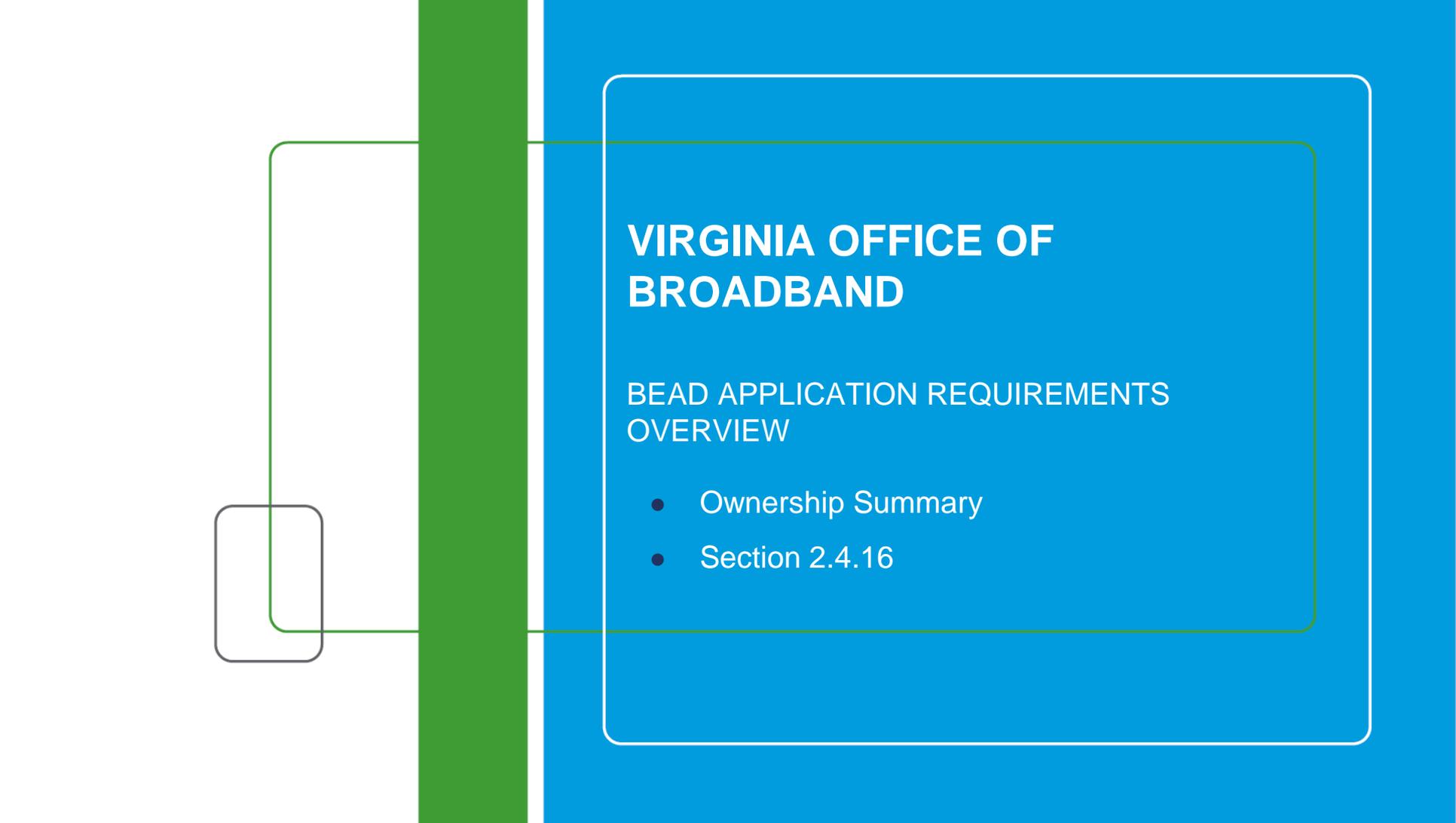
Section 2.4.15 Operational Capability Breakdown (continued)

1. Operational Capability

The Office of Broadband is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for operational capability as outlined in the BEAD NOFO. The Office of Broadband will require applicants to provide specific narrative portions describing the below items:



- If applicable, describe any unique partnerships involved in the proposed project. Examples include electric utilities, universities, federal/state recognized tribal governments, and federal/state agencies.
- Describe efforts to keep the public informed of project progress and the broadband adoption plan.
- Develop a communication plan detailing how the applicant plans on communicating the project status to stakeholders, including but not limited to County leadership, project areas residents, and state and federal elected officials, etc.



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Ownership Summary
- Section 2.4.16

Section 2.4.16 Ownership Summary

1 DESCRIPTION: WHAT?

- Section 2.4.16 relates to applicants providing ownership information

2 RATIONALE: WHY?

- To ensure applicants' ownership structure abides by BEAD NOFO guidelines, which require stable ownership that reduces project risk

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify provided information
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

Applicants are required to provide a variety of ownership information based on their circumstance

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to provide the specified ownership information pursuant to 47 C.F.R. § 1.2112(a)(1)-(7)	Application
Applicant to certify understanding of and compliance with ownership information requirements	Application

Section 2.4.16 Ownership Breakdown

1. Ownership

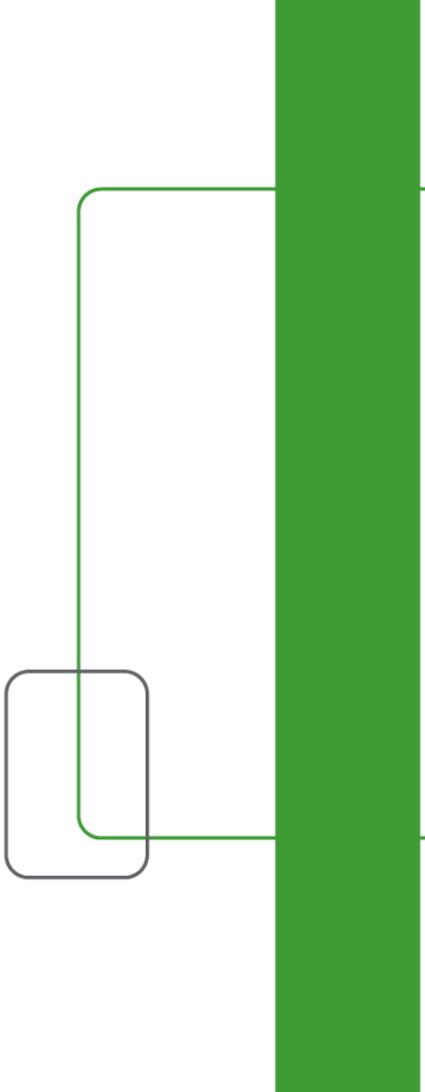
The Office of Broadband is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for providing information on ownership as outlined in the BEAD NOFO.



The Office of Broadband will require each applicant to provide ownership information consistent with the requirements set forth in [47 C.F.R. § 1.2112\(a\)\(1\)-\(7\)](#). These requirements are laid out in the Office of Broadband's [Initial Proposal Volume 2](#), page 28-29.



Certify that the applicant has provided all ownership information consistent with the requirements set forth in the BEAD NOFO and pursuant to 47 C.F.R. § 1.2112(a)(1)-(7).



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Other Public Funding
- Section 2.4.17

Section 2.4.17 Other Public Funding Summary

1 DESCRIPTION: WHAT?

- Section 2.4.17 relates to the requirement for applicants to report other public funding sources

2 RATIONALE: WHY?

- To ensure applicants are thoroughly evaluated and accurately reporting all public funding sources

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify understanding and compliance

DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

There are a variety of disclosures about public funding sources that the applicant must make

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov

Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information and disclosures related to other sources of public funding	Application
Applicant to certify understanding of and compliance with requirements related to sources of public funding	Application
Awardee to certify clearance of any findings on previous Virginia Telecommunication Initiative projects	Pre-Contract

Section 2.4.17 Other Public Funding Breakdown

1. Disclosure of Other Public Funding Sources

The Office of Broadband is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for providing information on other public funding as outlined in the BEAD NOFO*.



The Office of Broadband will require each applicant to disclose, for itself and for its affiliates any application the applicant or its affiliates have submitted or plan to submit, and every broadband deployment project that the applicant or its affiliates are undertaking or have committed to undertake at the time of the application using public funds, including but not limited to funds provided under:

- Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178)
- CARES Act (Public Law 116-136; 134 Stat. 281)
- Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182)
- American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4)
- Federal Universal Service Fund high-cost program (e.g., RDOF, CAF)
- Other programs including the Virginia Telecommunication Initiative (VATI), Appalachian Regional Commission (ARC), Tobacco Region Revitalization Commission, local universal service, or Federal broadband deployment funding

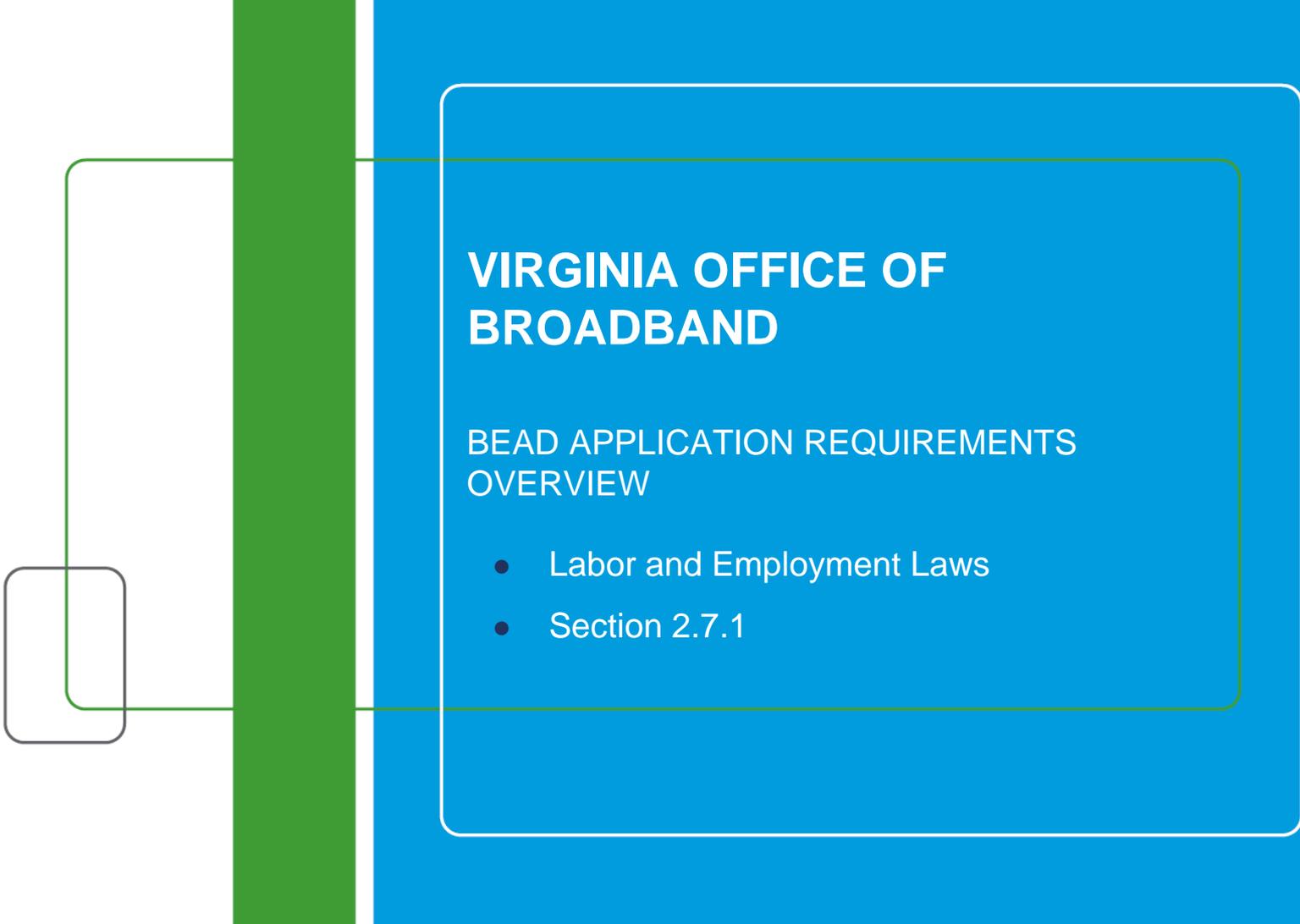
The Office of Broadband will require the disclosure, for each broadband deployment project, of the:

- speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules)
- geographic area to be covered
- number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage)
- amount of public funding to be used
- cost of service to the consumer by speed tiers
- Source of matching funds commitment, if any, provided by the applicant or its affiliates
- description of the progress of respective project(s), including a detailed explanation of any variances in contractually obligated timelines of the awards



Certify that the applicant has provided all necessary information required by the Office of Broadband and/or NTIA

*requirements are subject to change as the NTIA continues to issue further guidance.



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Labor and Employment Laws
- Section 2.7.1

Section 2.7.1 Labor and Employment Laws Summary

1 DESCRIPTION: WHAT?

- Section 2.7.1 relates to requirements for applicants to report past compliance with federal labor and employment laws, as well as future compliance plans

2 RATIONALE: WHY?

- To ensure subgrantees are comply with all applicable federal labor and employment laws

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify compliance
DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

Applicants must provide records showing past compliance with applicable state and federal laws and provide a detailed a plan for ensuring future compliance

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov
Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information related to past and future compliance	Application
Applicant to certify understanding of and compliance with labor and employment laws	Application

Section 2.7.1 Labor and Employment Laws Breakdown

1. Compliance with all applicable Federal Labor and Employment Laws

The Office of Broadband is committed to ensuring that applicants demonstrate past and future compliance with labor and employment laws*.



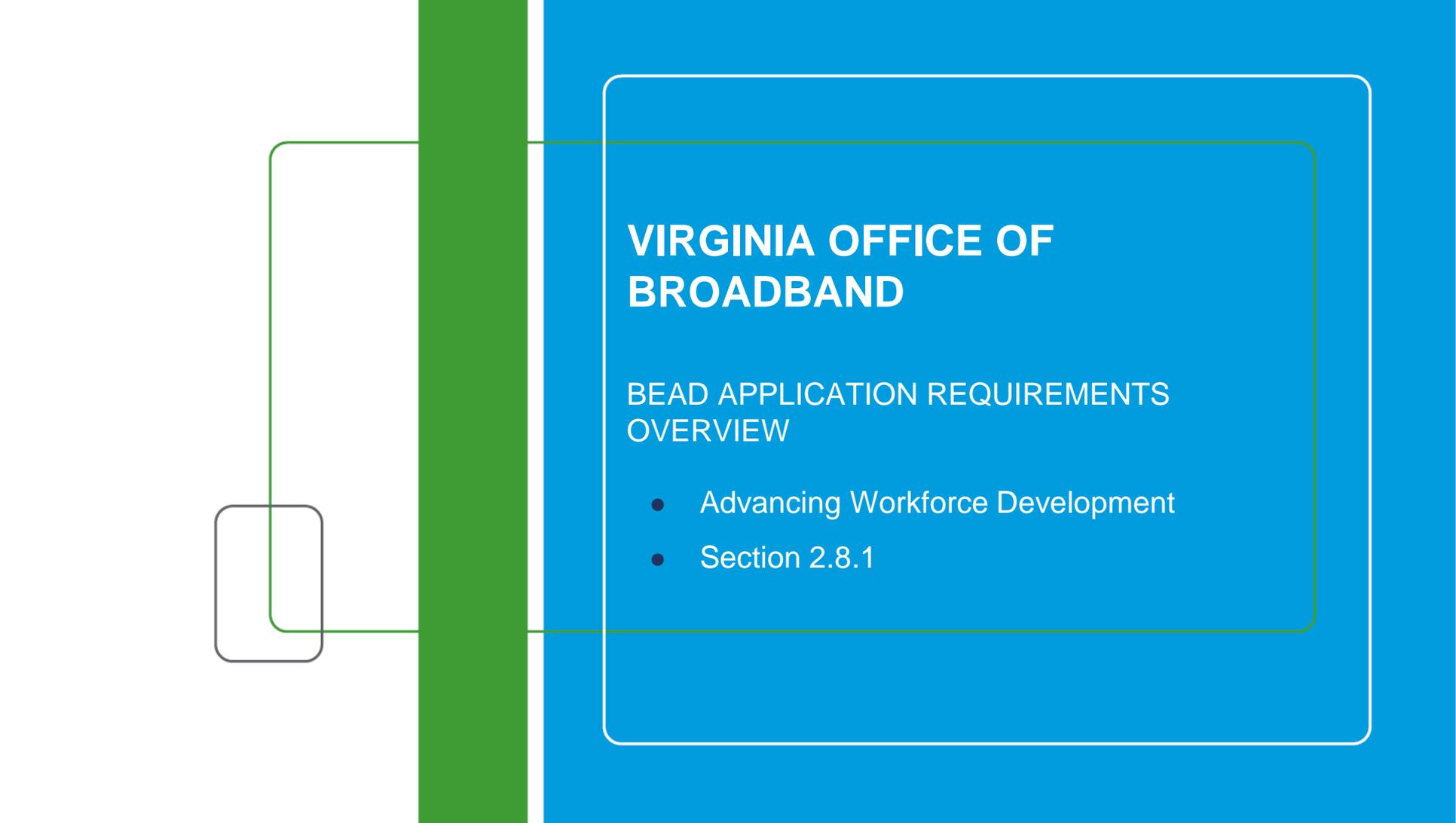
Applicants (both parent companies and involved subsidiaries) must provide a record of past compliance with state and federal labor and employment laws, which:

- Must provide detailed information on these entities' compliance with state and federal labor and employment laws on broadband deployment projects in the last three years;
- Should include a certification from an Officer/Director-level employee (or equivalent) of the applicant evidencing consistent past compliance with federal labor and employment laws by the applicant, as well as all contractors and subcontractors;
- Should include written confirmation that the applicant discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.

Applicants (both parent companies and involved subsidiaries) must also provide their plans for ensuring compliance with federal labor and employment laws, which must address the following:

- How the applicant will ensure compliance with both its own labor and employment practices, as well as applicable state and federal labor and employment laws, while also ensuring compliance of their contractors and subcontractors, including
 - Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and
 - How the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects
 - Provide a list of contractors and subcontractors
- **Certify that the applicant has complied with all applicable Federal Labor and Employment Laws in the past three years and commits to future compliance**
- **Certify that the applicant has complied with all occupational safety and health requirements**
- **Certify that the applicant's workers are permitted to create health and safety committees that management will meet upon reasonable request**
- **Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA**





VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Advancing Workforce Development
- Section 2.8.1

Section 2.8.1 Advancing Workforce Development Summary

1 DESCRIPTION: WHAT?

- Section 2.8.1 relates to how the Office of Broadband will communicate workforce expectations to subgrantees and how subgrantees must demonstrate actions taken to advance their workforce

2 RATIONALE: WHY?

- To develop a skilled, diverse workforce

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify understanding and compliance with workforce requirements

DHCD Office of Broadband: Evaluate applications

4 DESCRIPTION: HOW?

The Office of Broadband has adopted NTIA's guidelines and expanded on them in IPv2. Applicants should include demonstrations of their compliance in the application.

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov

Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include all required information on workforce credentials, unionization, subcontracting, etc.	Application
Applicant to provide plans for future development of a skilled, diverse workforce	Application
Applicant to certify understanding of and compliance with workforce requirements	Application

Section 2.8.1 Advancing Workforce Development Breakdown

1. Advancing Workforce Development

The Office of Broadband is committed to ensuring that subgrantees have a history of utilizing a skilled, diverse workforce and have strong future plans to continue leveraging such workforce for BEAD activities, as outlined in the BEAD NOFO*.



The Office of Broadband will require all applicants (including contractors and subcontractors) submit credentials such as all certifications, licenses, and any other relevant credentials for the members outlined within the staffing plan.

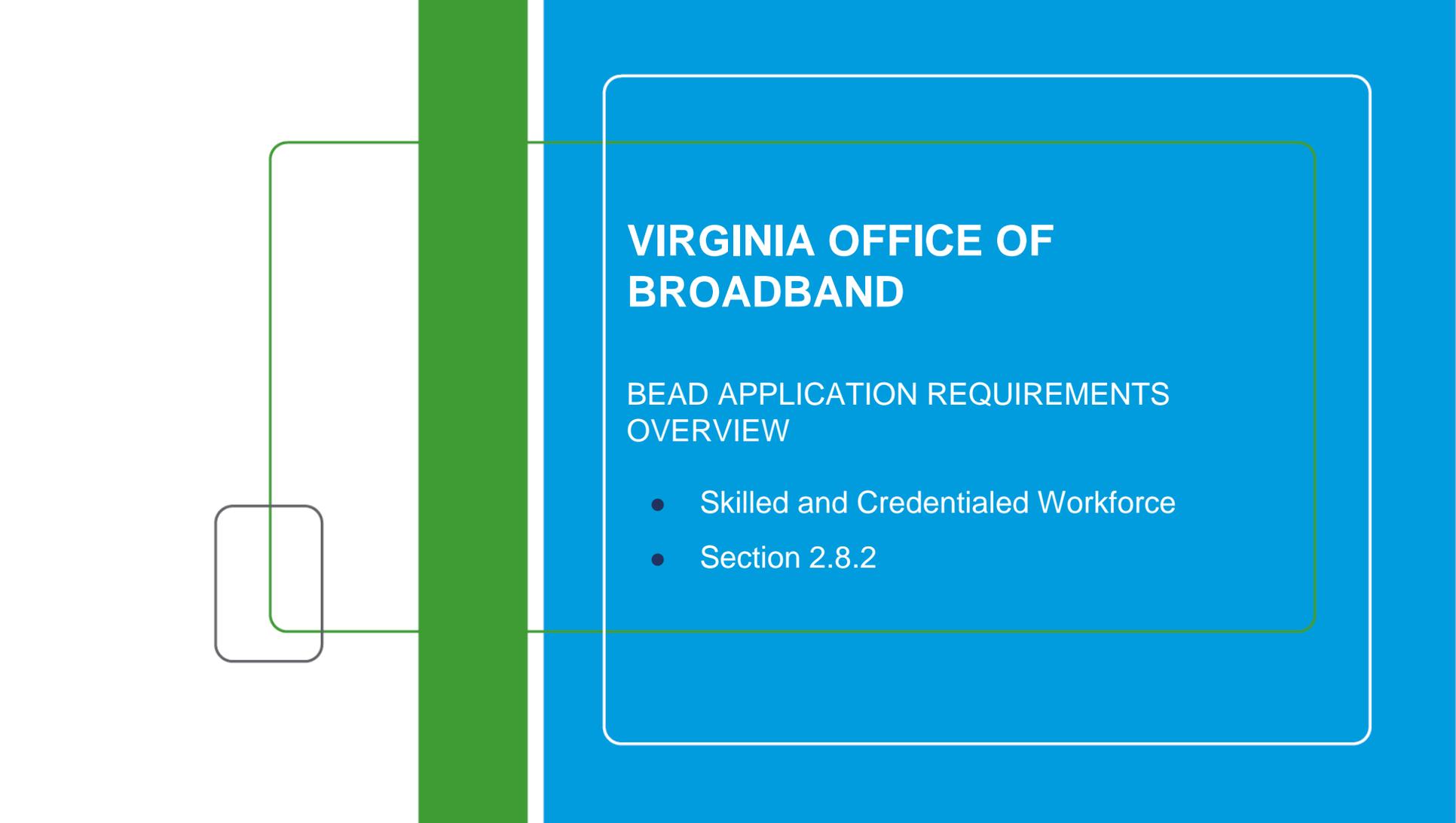
Each applicant must also provide plans to acquire and/or utilize an appropriately credentialed and skilled workforce. The plan for a highly skilled workforce should include the following information:

- The ways in which the applicant will ensure the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers;
- The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure;
- Whether the workforce is unionized;
- Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce;
- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.
- Plans for targeted outreach to underrepresented populations
- Plans considering providing wrap-around services for their workforce, and plans for analyzing support provided to their workforce



- **Certify that the applicant is committed to utilizing a credentialed and skilled, diverse workforce for BEAD projects**
- **Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA**

*requirements are subject to change as the NTIA continues to issue further guidance.



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Skilled and Credentialed Workforce
- Section 2.8.2

Section 2.8.2 Skilled and Credentialed Workforce Summary

1 DESCRIPTION: WHAT?

- Section 2.8.2 relates to how applicants should demonstrate their utilization of a skilled, credentialed workforce

2 RATIONALE: WHY?

- To ensure BEAD deployment is performed by a skilled, credentialed workforce

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify understanding of with applicable requirements

DHCD Office of Broadband: Evaluate applications

Subgrantee: Comply with applicable requirements

4 DESCRIPTION: HOW?

The Office of Broadband has adopted BEAD's guidelines and has provided examples on how applicants should provide proof of compliance with the requirements

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov

Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant to include information on workforce credentials, registered apprenticeships, unionization, etc.	Application
Applicant to certify understanding of and compliance with workforce requirements	Application
Subgrantee to comply with labor reporting requirements	Ongoing

Section 2.8.2 Skilled and Credentialed Workforce Breakdown

1. Skilled and Credentialed Workforce

The Office of Broadband is committed to ensuring that subgrantees utilize an appropriately skilled and credentialed workforce. The Office of Broadband will also require ongoing labor reporting throughout the BEAD process to ensure compliance with all applicable state and federal employment, labor, and workforce laws. This reporting process is described on Page 43 of the [Initial Proposal Volume 2](#) and outlined in the BEAD NOFO.

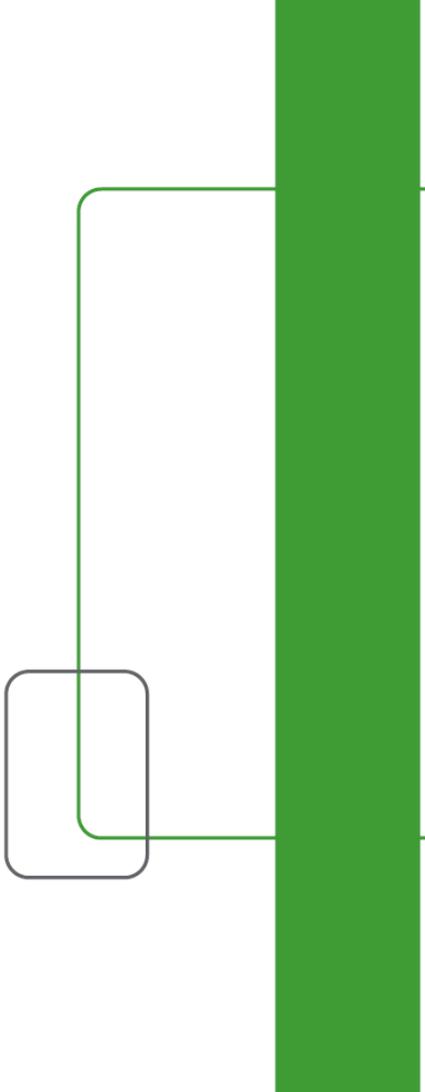
The Office of Broadband will require the following information from applicants in the application process, which will be evaluated for completeness:

- The ways in which the applicant will ensure the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers;
- The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure;
- Whether the workforce is unionized;
- Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.

For workforces that are not unionized, the Office of Broadband will require the following information from applicants:

- The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) necessary to carry out the proposed activities over the course of the project and the entity(ies) that will employ each portion of the workforce;
- For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and
 - Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.
- **Certify that the applicant is committed to utilizing a skilled, credentialed workforce for BEAD projects**
- **Certify that the applicant has included all necessary information required by the Office of Broadband and/or NTIA**

*requirements are subject to change as the NTIA continues to issue further guidance.



VIRGINIA OFFICE OF BROADBAND

BEAD APPLICATION REQUIREMENTS OVERVIEW

- Engaging Minority Business Enterprises, Women's Business Enterprises, and Labor Surplus Area Firms
- Section 2.9.1

Section 2.9.1 Engaging MBEs, WBEs, LSAs Summary

1 DESCRIPTION: WHAT?

- Section 2.9.1 relates to how DHCD will ensure minority business enterprises (MBEs), women's business enterprises (WBEs), and labor surplus area firms (LSAs) are included in the BEAD process

2 RATIONALE: WHY?

- To include a diverse contracting system that includes historically underrepresented businesses

3 ROLES AND RESPONSIBILITIES: WHO?

Applicant: Demonstrate and certify understanding and compliance

DHCD Office of Broadband:
Evaluate applications

4 DESCRIPTION: HOW?

The Office of Broadband has adopted NTIA's guidelines and will work to ensure these groups are included in the process. Applicants utilizing contractors and subcontractors must abide by the same standards.

5 QUESTIONS?

Contact: broadband@dhcd.virginia.gov

Additional Resources: <https://www.dhcd.virginia.gov/bead>

6 ROADMAP: WHEN?

Milestone	Phase
Applicant utilizing subcontractors must take the described steps to ensure all groups are considered	Application
Applicant to certify understanding of and compliance with disadvantaged businesses requirements	Application
Applicant to include a narrative detailing plans for including disadvantaged businesses if utilizing subcontractors	Application

Section 2.9.1 Engaging MBEs, WBEs, LSAs Breakdown

1. Engaging MBEs, WBEs, and LSAs in the BEAD program

The Office of Broadband is committed to ensuring that minority business enterprises (MBEs), women's business enterprises (WBEs), and labor surplus area firms (LSAs) are recruited, used, and retained when possible, as outlined in the BEAD NOFO*.

- **Applicant to certify that if utilizing subcontractors, they will take the affirmative steps laid out in 2 C.F.R. § 200.321 which have been adopted by the Office of Broadband:**
 - Assure that small, women and minority owned businesses, and women's business enterprises are solicited whenever they are potential sources
 - Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises
 - Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises
 - Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce
- **Certify that the Applicant has included all necessary information required by the Office of Broadband and/or NTIA**
- **Applicants utilizing contractors and subcontractors must describe their plans for including historically underrepresented businesses and complying with the above requirements**

*requirements are subject to change as the NTIA continues to issue further guidance.



NTIA Permitting Overview

NTIA Staff



VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT
Partners for Better Communities

**INTERNET
FOR ALL**

NTIA Permitting and Mapping Tools: Virginia ISP Presentation

May 15, 2024



Agenda

- 1 NTIA Programs
- 2 New Permitting Tools
- 3 Permitting and Environmental Information Application Demo

NTIA Programs

NTIA's Broadband Grant Programs

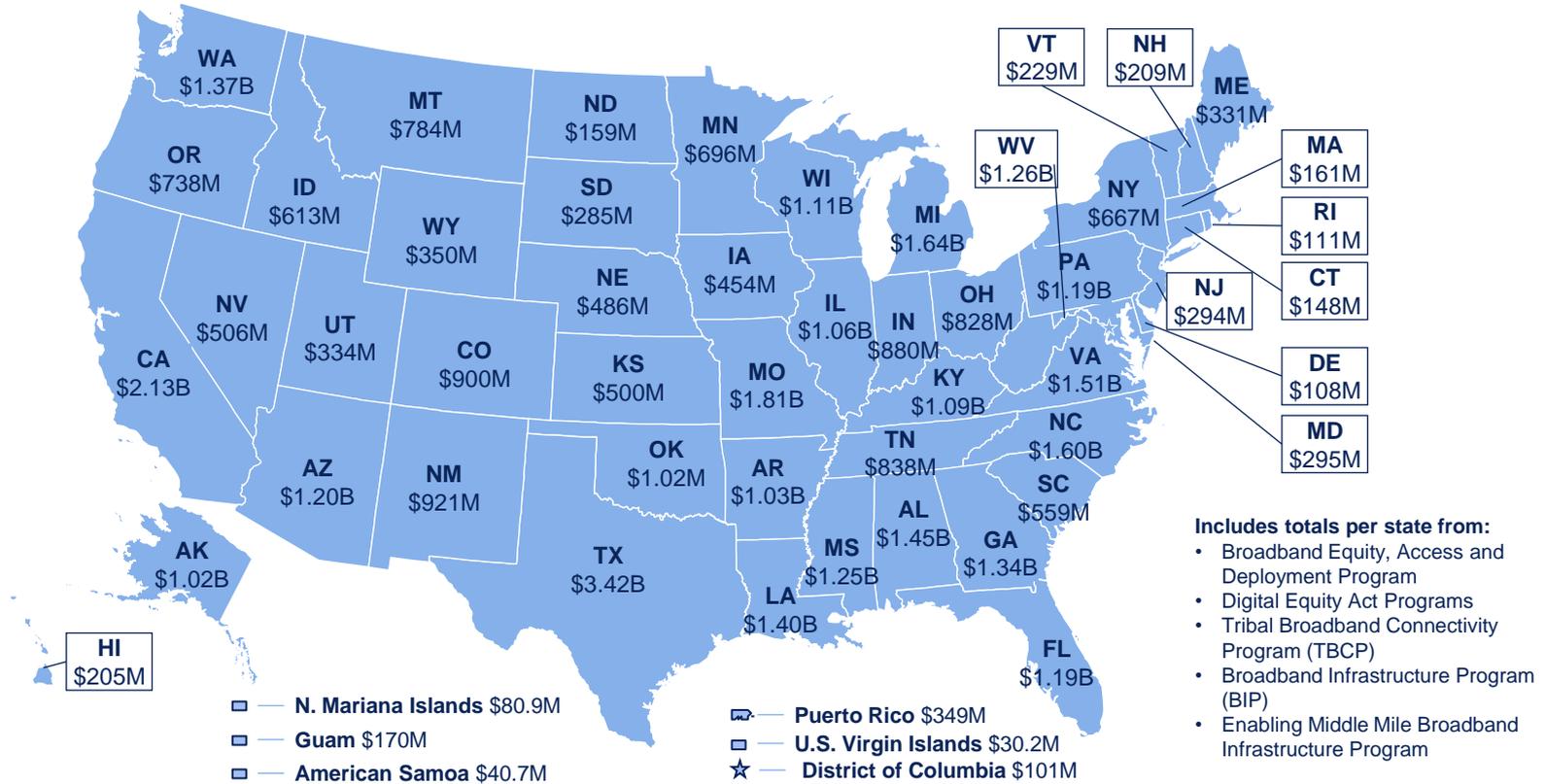


The Consolidated Appropriations Act of 2021 (CAA) and the Infrastructure Investment and Jobs Act (IIJA) authorized \$49.5B across 7 programs to achieve universal access to reliable, high speed, and affordable Internet.

Program	Funding Source	Purpose
Broadband Equity, Access and Deployment Program (BEAD)	 \$42.45B <i>Formula</i>	Planning and execution of competitive broadband subgrants to deploy infrastructure and promote accessibility and equity
State Digital Equity Planning and Capacity Grant Programs	 \$1.5B <i>Formula</i>	Promote achievement of digital equity, support digital inclusion activities, and broadband adoption
Digital Equity Competitive Grant Program	 \$1.25B <i>Competitive</i>	Promote achievement of digital equity, support digital inclusion activities, and broadband adoption
Middle Mile Deployment Grant Program	 \$1B <i>Competitive</i>	Encourage expansion and extension of middle mile infrastructure and promote resiliency
Tribal Broadband Connectivity Program (TBCP)	 \$1B (CAA) +  \$2B (IIJA) <i>Competitive</i>	Build broadband infrastructure deployment projects, use and adoption and equitable distributions
Connecting Minority Communities (CMC) Pilot Program	 \$268M <i>Competitive</i>	Support purchase of broadband service, equipment and devices, and hiring/training of IT personnel
Broadband Infrastructure Program (BIP)	 \$288M <i>Competitive</i>	Support broadband infrastructure deployment to areas lacking broadband, especially rural areas



Internet For All | NTIA Funding by State/Territory

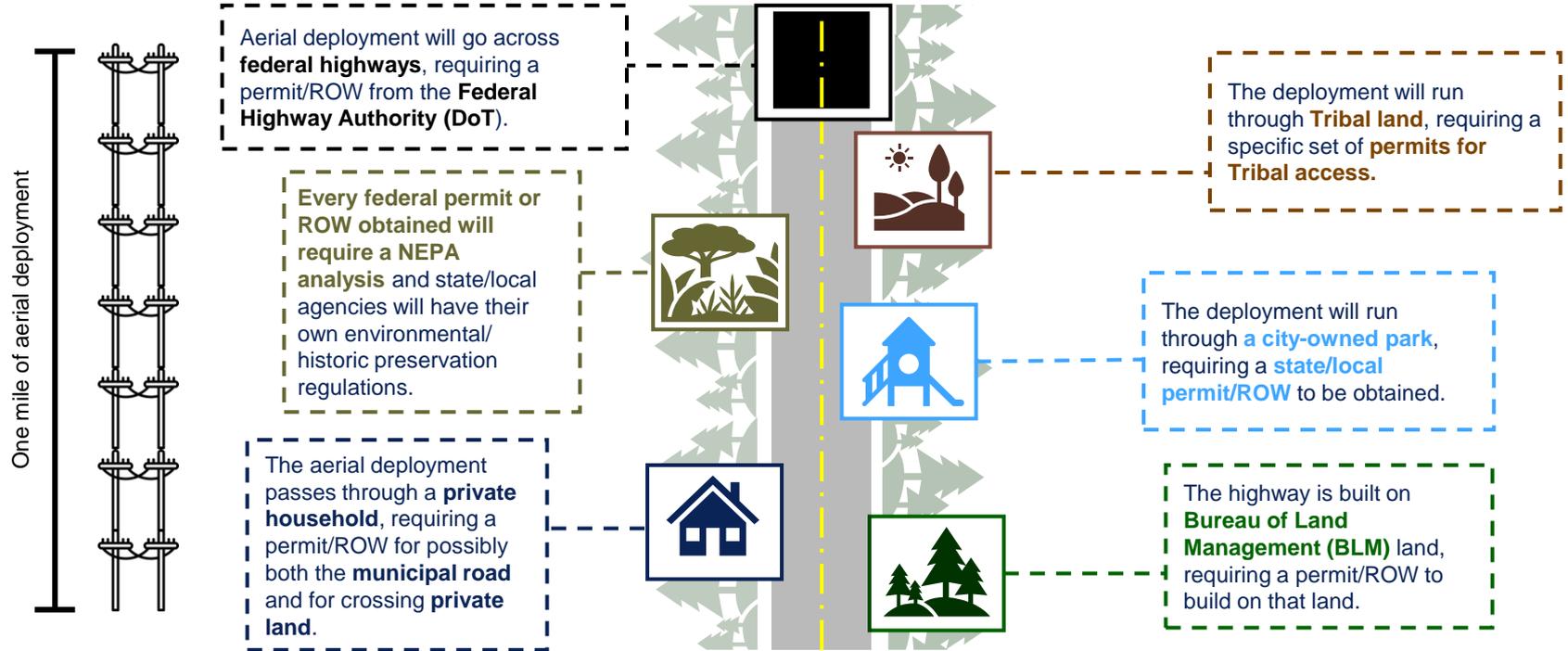


- Includes totals per state from:**
- Broadband Equity, Access and Deployment Program
 - Digital Equity Act Programs
 - Tribal Broadband Connectivity Program (TBCP)
 - Broadband Infrastructure Program (BIP)
 - Enabling Middle Mile Broadband Infrastructure Program



Permitting Landscape

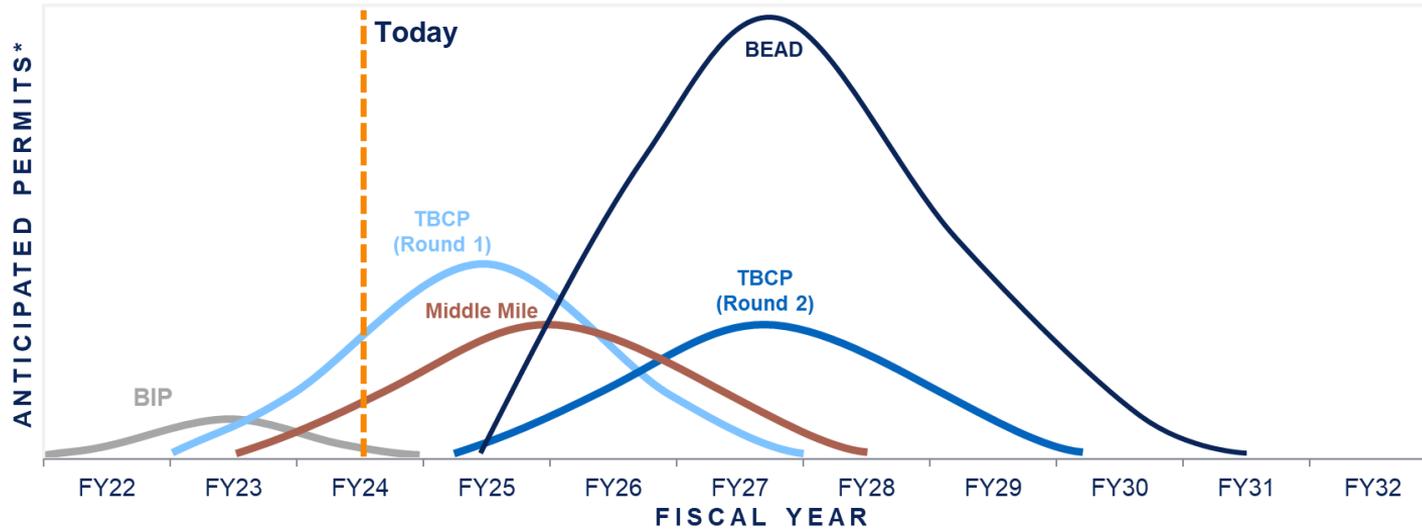
Construction of a simple one-mile broadband deployment can require various local, state, and/or federal permits.



Conceptual Timeline for Broadband Permit Applications



The highest volume of permitting activity is anticipated for projects funded by the BEAD Program. BEAD projects are expected to begin execution in 2024, with permitting activity expected to reach its peak in late 2026 to 2028.



Permitting requests and processes across infrastructure programs, including broadband, will have compounding effects on federal resource management agencies, requiring greater resources to meet permitting needs.

*Note: This timeline is conceptual in nature and not intended to depict accurate permitting magnitude.



New Permitting Tools

NTIA Broadband Permitting Work Streams



1. NTIA NEPA APPROVALS

Adapt and streamline NTIA's environmental and historic preservation reviews

2. OTHER FEDERAL APPROVALS

Unify Federal message and action, address agency needs, provide planning tools, prepare applicants

3. STATE, LOCAL, AND PRIVATE APPROVALS

Identify actions with greatest potential universal benefit



Program Comment for Federal Communications Projects



In 2017, the ACHP issued a *Program Comment for Communications Projects on Federal Lands and Property* to expedite the review of broadband deployments by providing Federal land and property management agencies with a uniform Section 106 review standard tailored to broadband build outs.

2024 PROGRAM COMMENT AMENDMENT

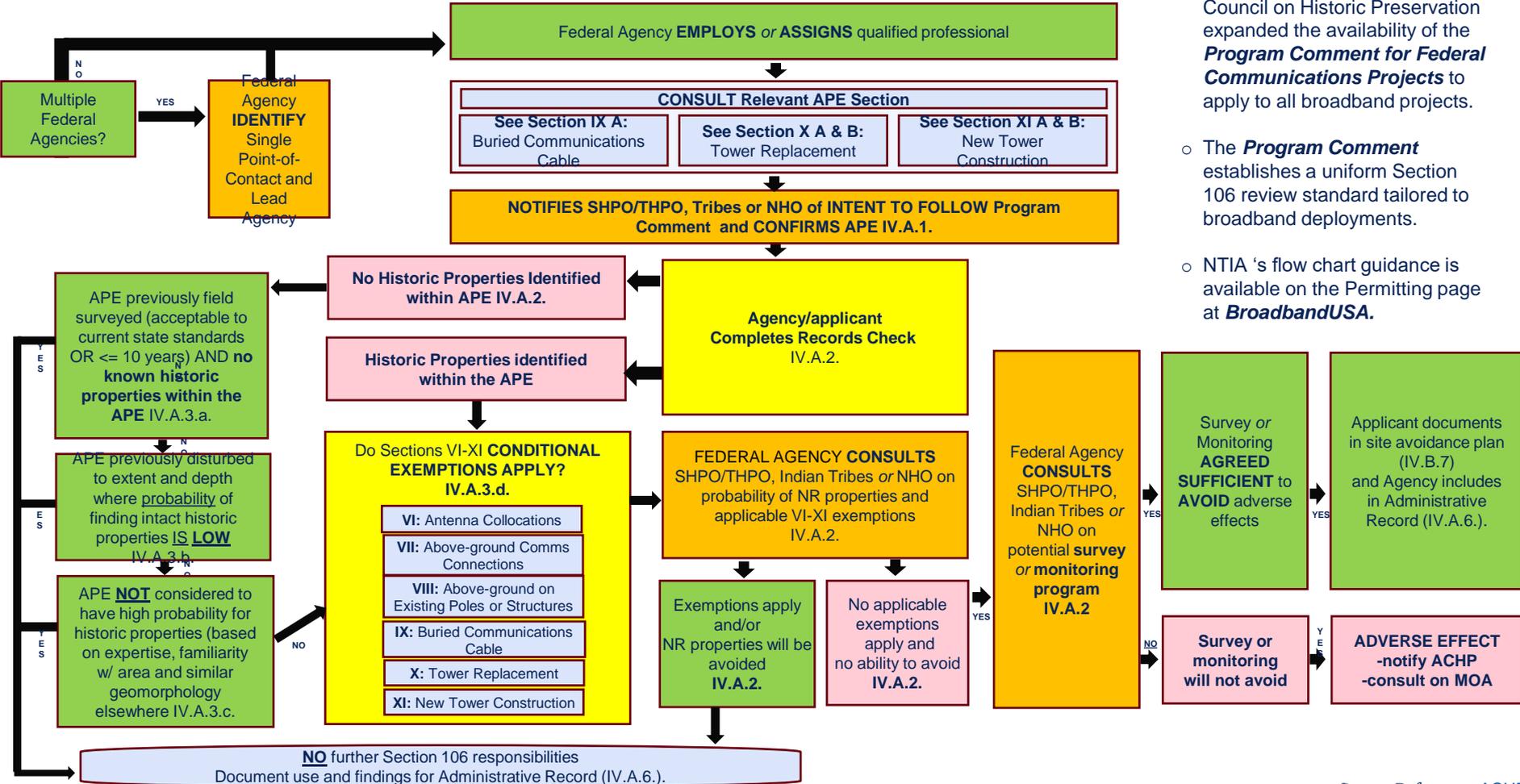
- NTIA requested that the ACHP make the program comment available to all agencies for all broadband projects everywhere
- The ACHP consulted with SHPOs, Tribes, federal agencies, the National Trust for Historic Preservation and broadband stakeholders and issued the amendment, which changed its name to the ***Program Comment for Federal Communications Projects***
- In addition to expanding the availability of the program comment, the ACHP has:
 - Expanded exclusions for pole replacements at industry’s request
 - Provided the option for applying the program comments to reviews including National Historic Landmarks and Tribal lands upon agreement of the National Park Service or affected Tribe
 - Added a provision addressing compensation for consulting parties that is consistent with its past guidance (if an agency or applicant requests a consulting party to perform specific duties, a contractual agreement is appropriate)
- The program comment simplifies and clarifies historic preservation review rules for broadband infrastructure and limits or removes Section 106 review requirements if certain conditions apply
- Historic properties and threatened and endangered species are the top two environmental resource risk areas for broadband projects

NTIA did not previously have a comprehensive broadband program alternative, requiring each project review to be negotiated independently.



Section 106: The New Program Comment Process

- At NTIA's request, the Advisory Council on Historic Preservation expanded the availability of the **Program Comment for Federal Communications Projects** to apply to all broadband projects.
- The **Program Comment** establishes a uniform Section 106 review standard tailored to broadband deployments.
- NTIA's flow chart guidance is available on the Permitting page at **BroadbandUSA**.



NTIA NEPA Update



NTIA has added 36 Categorical Exclusions and developed a programmatic strategy to facilitate NEPA compliance.

NEPA



30 New Categorical Exclusions

The Council on Environmental Quality approved 30 new Categorical Exclusions that are available as of Federal Register Publication on April 2, 2024.



Adoption of Six Additional Categorical Exclusions from FirstNet

NTIA supplemented the new Categorical Exclusions by adopting six from FirstNet (Federal Register Notice) and clarifying that Departmental Categorical Exclusions remain available for IFA programs.



Adoption of Programmatic Environmental Impact Statements (PEIS) Applicable in Each State and Territory

NTIA is revalidating and adopting the analysis in the First Responder Network Authority’s Regional Programmatic Environmental Impact Statements (PEISs). Eligible Entities that evaluate the analysis in the PEIS covering their state may streamline many project specific NEPA reviews by “tiering off” the detailed NEPA studies and incorporating Best Management Practices (BMP) or mitigation measures.



Web-based GIS Permitting and Environmental Screening Templates



Integrated BEAD Project Tracking System



Technical Assistance and Support

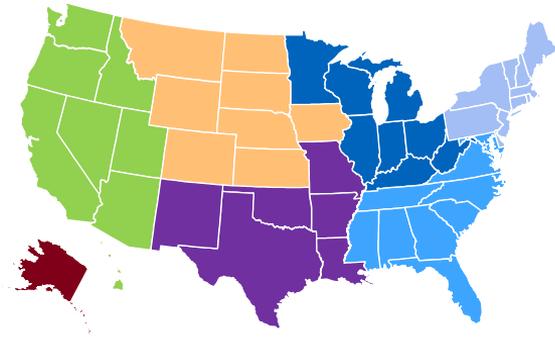


Regional Permitting Interagency Broadband Meetings



NTIA has held regional interagency broadband permitting meetings between September 2023 and March 2024 to share permitting information and establish relationships with key federal participants.

REGIONAL INTERAGENCY MEETINGS



Purpose: Share permitting information, key program deadlines, and foster a bi-lateral dialogue between NTIA and other federal agencies across the permitting landscape.

Regions:

- September 2023: **Northern Plains**
- October 2023: **Midwest**
- November 2023: **West**
- December 2023: **Northeast**
- January 2024: **Southeast**
- February 2024: **Southwest**
- March 2024: **Alaska/Territories**

8 agencies represented:

- Army Corps of Engineers
- Bureau of Indian Affairs
- Bureau of Land Management
- Forest Service
- Fish and Wildlife Service
- National Parks Service
- Federal Highway Administration
- NOAA

400+ Total Federal Participants



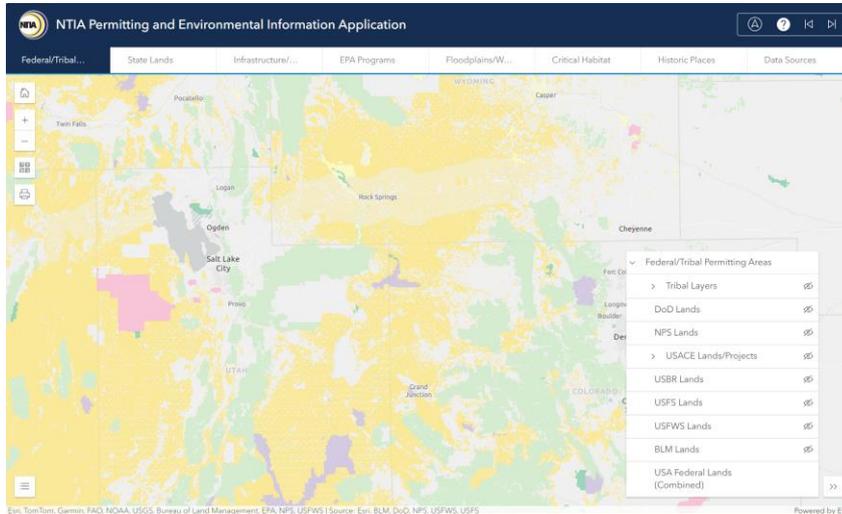
Permitting and Environmental Information Application



The NTIA Permitting and Environmental Information Application can help identify permit requirements and screen for potential environmental impacts when deploying broadband infrastructure.

WHAT IS THE PERMITTING AND ENVIRONMENTAL INFORMATION APPLICATION?

The **Permitting and Environmental Information Application** was created to help with planning for permitting and environmental review by providing access to multiple maps from publicly available sources, including state and federal review, permitting, and resource agencies.



Sample of the USA Federal Lands (Combined) Layer taken from NBAM on 4/8/2024.

Uses of the tool may include:

-  Identify and understand the types of permits that may be required for deployment
-  Plan routes to utilize existing rights of ways or avoid sensitive resources
-  Print route maps to pdf or export data to existing GIS systems



Permitting and Environmental Information Application



Permitting Page

<https://broadbandusa.ntia.doc.gov/assistance/permitting>



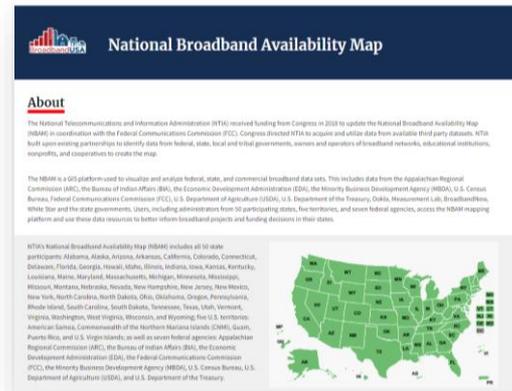
Home

Permitting



NBAM Public Site

nbam.ntia.gov



Live Demo: Permitting and Environmental Information Application

Q&A



What's Coming Next?



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Order of Events & “Timeline” – Main Application

TBD – NTIA Approves Initial Proposal Volume 2

TBD – NTIA Approves Challenge Process Results

TBD – Virginia Office of Broadband Announces Start of BEAD Application Process

~7 Days Later – Letter of Intent Submission Window Begins

60 Days Later – Letter of Intent Submission Window Closes

90 Days After Letter of Intent Submission Window Closes – Application Window Closes

TBA – Office of Broadband Recommends Proposed Awards to Governor Youngkin

TBA – Governor Youngkin Recommends Proposed Awards to NTIA

TBA – Announcement of Proposed Awards to NTIA, Pending Approval of Virginia’s BEAD Final Proposal

Order of Events & “Timeline” – 30 Day App. Window

TBD – Office of Broadband staff Opens Applications for No-Bid Areas and Locations

30 Days Later – No-Bid Areas and Locations Application Window Closes

TBA – Office of Broadband Recommends Proposed Awards to Governor Youngkin

TBA – Governor Youngkin Recommends Proposed Awards to NTIA

**TBA – Announcement of Proposed Awards to NTIA, Pending Approval of Virginia’s
BEAD Final Proposal**



Questions and Answers

Discussion



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