# Georgia Technology Authority (GTA) Georgia Broadband, Equity, Access and Deployment (BEAD) Grant Program Frequently Asked Questions As of January 17, 2025

#### **DISCLAIMER**

These Frequently Asked Questions ("FAQs") are intended to be a guide to the application process for prospective applicants applying for consideration of funding through the Georgia Broadband, Equity, Access and Deployment Grant Program ("BEAD Grant Program"). This guidance is not exhaustive, binding, or final.

#### **Abbreviations & Acronyms**

BEAD	Broadband, Equity, Access, and Deployment		
BSL	Broadband Serviceable Location		
CAI	Community Anchor Institution		
EHCT	Extremely High-Cost Threshold (per location)		
FCC	Federal Communications Commission		
GTA	Georgia Technology Authority		
IPV2	Initial Proposal Volume II		
Mbps	Megabits per second		
NOFO	Notice of Funding Opportunity		
NTIA	National Telecommunications and Information Administration		

#### General

#### 1. What is BEAD?

The Broadband Equity, Access, and Deployment (BEAD) program provides \$42.45 billion to expand high-speed internet access by funding planning, infrastructure deployment, and adoption programs. Georgia will receive a \$1.3 billion grant under the BEAD program to improve broadband coverage across the state. BEAD program requirements focus this funding on unserved, locations unable to obtain broadband service of at least 25 Megabits per second (Mbps) downstream and three (3) Mbps (25/3 Mbps), and underserved locations, those locations with broadband service between 25/3 Mbps and 100/20 Mbps, and 1 Gbps symmetric for community anchor institutions (CAIs). For the purposes of BEAD, locations with unlicensed fixed wireless or satellite service are considered unserved. Unserved or underserved locations that have received recent grant funding or have demonstrated commitments to be completed shortly are not eligible for BEAD funding.

#### 1.1 When will Georgia's BEAD application process open?

Georgia's BEAD Round 1 application for priority projects is tentatively scheduled to open on December 2, 2024. Updates to this timeline may occur and will be updated on GTA's website as they occur.

#### 2. Who administers the BEAD program in Georgia?

Georgia's BEAD Round 1 application for priority projects is tentatively scheduled to open on December 2, 2024. Updates to this timeline may occur and will be updated on GTA's website as they occur.

#### 3. Who should I reach out to if I have any questions?

Potential applicants may reach out to the Georgia Broadband Team at <a href="mailto:broadband@gta.ga.gov">broadband@gta.ga.gov</a> with any questions.

#### 4. Is technical assistance available for potential applicants?

Yes, in addition to a kickoff online application workshop, GTA will provide a program and office hours sessions to assist applicants with any questions in addition to providing FAQs to address ongoing questions arising from the program. GTA will also host an additional online application workshop within 2 business days of the grant window opening.

#### 5. Where can I find BEAD-eligible locations?

This link provides CSV files that can be downloaded to show Approved Unserved Locations, Approved Underserved Locations, and Approved Community Anchor Institutions (CAIs). <a href="https://broadband.georgia.gov/bead-challenges/supplemental-info">https://broadband.georgia.gov/bead-challenges/supplemental-info</a>

## 6. Can BEAD provide funding to areas considered underserved or are only areas deemed unserved eligible for funding? Is there a required prioritization of eligible locations?

As defined on page 7 of NTIA's BEAD NOFO, the program's principal focus will be on deploying broadband service to unserved locations (those without any broadband service at all or with broadband service offering speeds below 25 megabits per second (Mbps) downstream/3 Mbps upstream) and underserved locations (those lacking broadband service offering speeds of 100 Mbps downstream/20 Mbps upstream). The State must prioritize awarding projects that provide coverage to all unserved locations first, followed by all underserved locations.

However, Georgia will offer applicants the opportunity to apply for project areas at the county level, such that all applications will be required to propose to build to unserved and underserved BSLs countywide (each county and its eligible locations will hereinafter be referred to as "County Grant Area"). This approach is intended to streamline the application process, minimizing overlap and the need for deconfliction.

#### 7. Who is eligible to receive BEAD funding?

The following entity types are eligible to apply for BEAD funding:

- For Profit Organizations
- Cooperatives
- Non-Profit Organizations
- Public-Private Partnerships
- Local governments
- Public Utilities
- Private Utilities
- Public utility district
- Other Internet Service Providers (ISPs)

#### 8. Can new entrants apply for BEAD funding?

Yes, in line with Georgia's Initial Proposal Volume II (IPV2), new entrants may apply for BEAD project areas. If the applicant is a provider without two years of experience offering communications services or is a new entrant to the communications market, the applicant will be required to provide additional

documentation to demonstrate its operational capabilities to successfully complete and operate a BEAD funded project.

Such documentation may be considered if it clearly substantiates the applicant's expertise and resources to deploy and operate a broadband network in compliance with BEAD program requirements. Acceptable documentation may include operational or financial reports the provider or new entrant had originally submitted to financial institutions or relevant regulatory agencies. These reports must be accompanied by a certification from an officer or director of the organization confirming that they are true and accurate copies of the original documents provided to the financial institution or regulatory agency.

Providers and new entrants will also be required to submit documentation outlining their plans to acquire additional resources to strengthen their organizational capabilities. This may include engaging third-party contractors and partners with relevant operational expertise, particularly if the applicant cannot demonstrate that they have already secured these capabilities. For the purposes of this section, the two-year timeframe begins when the applicant initiated verifiable operational efforts to build networks providing "last mile" service.

For more information on application questions, please see the Georgia BEAD Application Questions (link: <a href="https://gta.georgia.gov/document/document/georgia-bead-application-questions/download">https://gta.georgia.gov/document/document/georgia-bead-application-questions/download</a>)

9. Will the same subrecipients who received funding through ARPA programs receive BEAD funding?
The Georgia Technology Authority will perform a competitive subrecipient selection process consistent with Georgia's Initial Proposal Volume II (IPV2). Subrecipients that received ARPA funding may choose to apply for BEAD project areas for eligible BEAD locations identified by the State. Please note that the requirements and regulations vary across federal grant programs and applicants should review the requirements under the BEAD program and consider them independently from any previously award grant programs.

#### 10. Is there a minimum or maximum funding limit per project?

There is not a defined minimum or maximum funding amount per project. However, as noted on page 40 of Georgia's Initial Proposal Volume II (IPV2), applications will receive up to 50 points for being the most cost-efficient proposal submitted for a particular County Grant Area. The most cost-efficient proposal, evaluated based on the total funding requested to provide broadband access to a County Grant Area divided by the number of locations proposed to be served in that County Grant Area (BEAD funding requested per location), will receive full points under this section. Less cost-efficient proposals will receive a percentage of points available relative to the most efficient application received for that County Grant Area.

#### 11. Can BEAD funds be used for planning or only implementation?

In certain instances, BEAD funding may be used to support both implementation and planning activities.

Implementation activities (site preparation, demolition, construction, ground disturbance, fixed installation, or any other implementation activities) may not begin prior to the completion of all Environmental and Historic Preservation (EHP) requirements. The subgrantee must comply with all conditions placed on the grant funded activities as the result of The National Environmental Policy Act (NEPA) or The National Historic Preservation Act (NHPA) consultation or processes under other applicable laws—e.g., mitigation requirements, best management practices, or other measures necessary to reduce environmental impact. The subgrantee must also provide any information requested by GTA or NTIA to ensure both initial and ongoing compliance with all requirements described above.

#### 11.1 When can applicants begin recording costs for pre-award expenses?

Implementation activities (site preparation, demolition, construction, ground disturbance, fixed installation, or any other implementation activities) may not begin prior to the completion of all EHP requirements.

Based on the guidelines outlined by the NTIA, GTA will allow limited permissible activities under NEPA to proceed using award funds prior to the completion of the EHP review process, including the following:

- Pre-construction planning, including collecting information necessary to complete environmental reviews;
- Applications for environmental permits;
- Studies including, but not limited to, Environmental Assessments (EA), wetland delineations, biological assessments, archaeological surveys, and other environmental reviews and analyses;
- Administrative costs;
- Pre-award application costs;
- Activities supporting consultations required under the NHPA, the Endangered Species Act, and the Clean Water Act; and/or
- Limited, preliminary procurement, including the purchase or lease of equipment, or entering into binding contracts to do so; the purchase of applicable or conditional insurance; and/or funds used to secure land or building leases (including right-of-way easements).

Subgrantees that undertake unauthorized project activities in contravention of this Section proceed at their own risk and may face de-obligation of funding. Furthermore, subgrantees that incur costs prior to execution of final award agreement proceed at their own risk and may face rejection if deemed unallowable.

#### 12. Are permitting fees and right of way (ROW) fees considered part of eligible expenses?

NTIA has provided that eligible costs are those directly related to the project and consistent with 2 CFR 200. As stated on page 22 of the BEAD NOFO, these may include fees associated with permitting and ROW. In addition, waiver of fees associated with access to rights of way, pole attachments, conduits, easements, or other types of infrastructure related to the project may be used as an in-kind match.

#### 13. Are assets purchased under this program subject to federal interest?

Yes, as noted on page 87 of the BEAD NOFO, in accordance with 2 C.F.R. § 200.316, any real property, equipment, or intangible property acquired or improved with a federal award must be held in trust by the Eligible Entity or subgrantee as trustee for the beneficiaries of the project, other eligible activity, or program under which the property was acquired or improved. This trust relationship exists throughout the duration of the property's estimated useful life, as determined by the Grants Officer in consultation with the Program Office, during which time the federal government retains an undivided, equitable reversionary interest in the property (Federal Interest). In this connection, NTIA may require the non-federal entity to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a federal award and that use and disposition conditions apply to the property. Awards issued pursuant to this NOFO may contain specific award conditions pertaining to the use and disposition of grant-acquired property and to a requirement that the recipient or subgrantee file certain public notices (e.g., UCC-1, Covenant of Purpose, Use and Ownership, etc.) with respect to grant-acquired property. NTIA will provide information regarding the useful life schedules associated with assets acquired with grant funds.

#### 14. What is the Federal interest period for the BEAD program?

The Federal interest in all real property or equipment acquired or improved as part of a subgrant for which the major purpose is a broadband infrastructure project will continue for ten years after the year in which that subgrant has been closed out in accordance with 2 CFR 200.344.

#### 15. Are interest costs associated with the ten percent hold-back grant eligible?

Interest is not an eligible cost per the allowable deployment uses in NTIA's Eligible Expenses and Reimbursement Fact Sheet. Additionally, this Fact Sheet expressly indicates that payments related to loans are unallowable costs.

#### 16. What is the matching requirement for BEAD?

All Georgia BEAD subrecipients will be required to comply with the requirements for match that are mandated by the language of the statue and NTIA's rules (Section III.B). These requirements are for a minimum 25 percent match for all locations other than those that exceed the Extreme High Cost Per Location Threshold set by the State.

#### 17. What other funding sources are eligible for match?

The Infrastructure Act expressly provides that matching funds for the BEAD Program may come from a federal regional commission or authority and from funds that were provided to an Eligible Entity or a subgrantee for the purpose of deploying broadband service under the Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281), the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); or the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 4), to the extent permitted by those laws. Loan funding issued through a federal agency, such as through the USDA ReConnect Program, may also be used as match funding.

As noted on page 21 of the BEAD NOFO, except as expressly provided for in the Infrastructure Act, funds from other Federal programs (including funds from the Commission's Universal Service Fund programs) may not be used as matching funds. The Infrastructure Act expressly provides that matching funds for the BEAD Program may come from a federal regional commission or authority and from funds that were provided to an Eligible Entity or a subgrantee for the purpose of deploying broadband service under the Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281), the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); or the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 4), to the extent permitted by those laws.

#### 18. What will be considered as in-kind match?

The following is a list of acceptable forms of in-kind match for BEAD:

- Employee or volunteer services
- Equipment
- Supplies
- Indirect Costs
- Computer hardware & software
- Use of facilities
- Waiver of fees associated with access to rights of way, pole attachments, conduits, easements, or access to other types of infrastructure

## 18.1 Can an applicant remove locations in an application but indicate that they would be willing to serve the whole project if the 25% match requirement is waived?

No. Except in certain specific circumstances (including projects in designated "high-cost areas" and other cases in which NTIA has waived the matching requirement), in the context of subgrants used to fund broadband network infrastructure deployment, the match requirement is no less than 25% of project costs. Per the state's IPV2, "Throughout the EHCPLT process, GTA may allow applicants to request a waiver for the 25 percent matching funds requirement to ultimately secure commitments to serve all required locations." Therefore, an application must meet the 25% match requirement upon submission.

#### 19. What is the Extremely High Cost Per Location Threshold?

As noted on page 13 of the BEAD NOFO, an Extremely High Cost Per Location Threshold is a BEAD subsidy cost per location to be utilized during the subgrantee selection process where an Eligible Entity may decline to

select a proposal if use of an alternative technology meeting the BEAD Program's technical requirements would be less expensive.

The Extremely High Cost Per Location threshold (EHCPLT) will not be set until all Round 1 bids are received, as the threshold will be used to ensure the limited funds available to the State are used efficiently in order to meet the State's service goals. Page 50 of Georgia's Initial Proposal Volume II (IPV2) states that GTA will use the data received in the Round 1 application process and its own benchmark data to calculate the Extremely High Cost Per Location Threshold (EHCPLT).

#### 20. What are the milestones that will be used for payment distributions?

GTA will utilize fixed subawards due to the fact that NTIA is permitting greater flexibility in the requirements that apply to fixed amount subawards. If GTA chooses to use fixed amount subawards, several requirements in 2 CFR 200 do not apply. In accordance with NTIA guidance, GTA will utilize a reimbursement method of repayment in which costs will be reimbursed to subrecipients in accordance with either objectives met, units built, or total project complete. An Eligible Entity may not provide advance payments, or reimburse any amount of a fixed amount subgrant, upfront or before the agreed upon milestone is met.

Reimbursement requests will be based on the completion of (fiber) mils and the service of locations. Funding will be tracked alongside the percentage completion following milestones:

- If cumulative spending is between 0% and 50% of the award amount, a range of 35% between the cumulative spend and the percentage of miles completed or locations served is allowed. If either of these metrics falls outside of the threshold, the reimbursement request will be rejected unless a written justification is provided and approved by GTA. For example, a subrecipient can request up to 35% of their project budget without reporting miles/locations completed. If they request 50% of their budget, they must report a minimum of 15% complete for miles and locations.
- If cumulative spending is between 50% and 90% of the award, the acceptable range is 15%. If the request exceeds the acceptable range, the reimbursement request will be rejected unless a written justification is provided and approved by GTA. For example, if a subrecipient requests 90% of their budget, they must report a minimum of 80% complete for miles and locations.
- To obtain the final 10% of the project budget, both miles completed and locations must 100% complete. Note: All served locations should be online on the current version of the FCC map to close out the subrecipients grant award.

## 20.1 Will the State re-evaluate the milestones under the milestone-based repayment of the fixed subaward throughout the process?

The State will align the milestones for BEAD similar to the <u>SLFRF and CPF milestones</u>. Due to the evolving timelines from various factors including the potential for multiple rounds of applications, evolving guidance, and uncertainty around the timeline for the approval of GTA's final proposal, the State will re-evaluate the milestones prior to initiating subgrantee agreements. Any changes to the milestones will be Any changes to the milestones will be updated in the FAQs and will be communicated via GTA's listserv.

#### 21. If an applicant proposes all fiber, would they be able to then mix technologies?

No. As stated in NTIA's definition of a priority broadband project, a priority broadband project is one that utilizes end to end fiber. If an applicant proposes a project with mixed technology types, it would not be considered a priority project regardless of the inclusion of fiber.

#### 22. How will the program measure its impact on broadband access?

GTA will leverage subrecipient reporting and regular check-ins to identify and mitigate risks, ensuring compliance with statutory requirements, 2 C.F.R. Part 200, and BEAD program guidelines, while also measuring the program's impact. Additionally, the State will employ various monitoring activities to gather data on subgrantee performance and progress, enabling the assessment of individual and portfolio risks. This data will inform decisions regarding the need for technical assistance, corrective actions, or enforcement measures, as necessary.

#### 23. How long will subgrantees have to complete construction?

As noted on page 18 of the BEAD NOFO, subrecipients that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband service within the project area not later than four years after the date on which the subgrantee receives the subgrant from the Eligible Entity.

## 24. Does the State have any resources available to assist with the creation of cybersecurity risk management plans?

The State has published a checklist. The checklist can be found here.

#### 25. Do Professional Engineers on project teams need to be licensed in the state of Georgia?

Professional Engineers do not need to be specifically licensed in the state of Georgia and may be licensed in another state. However, as noted on page 63 of Georgia's Initial Proposal Volume 2, the professional engineer is required to hold all applicable professional licenses.

## 26. If an application is proposing more than one technology, is the application completely rigid in terms of committing to amounts of specific technology?

Application design plans include a description of technology type. Funding is awarded based on a review of these technical specifications and divergence from the application would constitute a scope change.

#### 27. What happens if a project does not meet compliance standards?

As provided on page 51 of the BEAD NOFO, each Eligible Entity (State) must, at a minimum, include in any subgrant agreement reasonable provisions allowing for recovery of funds in the event of a subgrantee's noncompliance with the BEAD Program's requirements, including but not limited to failure to deploy network infrastructure in accordance with mandated deadlines. Each Eligible Entity must, at a minimum, employ the following practices: (1) distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize); (2) the inclusion of claw back provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee; (3) timely subgrantee reporting mandates; and (4) robust subgrantee monitoring practices. As a result, the State of Georgia reserves the right to withhold undisbursed funds and/or recoup previously disbursed funds if subrecipients fail to comply with BEAD requirements and applicable laws.

## 28. The BEAD plan allows for 20% overbuilding. How will that work in the application and will the State fund locations that are already deemed as served based on the State's Challenge Process data? While NTIA's BEAD NOFO allows up to 20% overbuild, GA's IPV2 does not include allowance of overbuild and

the State has subsequently published the list of allowable unserved and underserved locations here: <a href="https://broadband.georgia.gov/">https://broadband.georgia.gov/</a>.

#### 29. Can an applicant submit more than one application per project area?

To maintain the competitive nature of the BEAD program, applicants will only be allowed to submit one best and final (prior to the negotiation phase) per project area.

#### 30. Can an applicant propose a \$0 bid on locations already served in a project area?

While not prohibited under the BEAD program, the rules and regulations including but not limited to BABA, Labor, NEPA/NHPA, Project Milestones, Reporting, Applicable Uniform Guidance, as well as other state and federal laws and regulations will apply to any locations that are proposed with a zero-dollar bid. If awarded, the applicant assumes responsibility for meeting BEAD rules and regulations for all locations included in the project area, regardless of funding source.

31. Will there be a way that locations that should not have a broadband connection (i.e., a barn, hay bale, rock, etc.) can be removed from BEAD eligibility?

Yes, GTA will accept evidence-based submissions using the State's provided template which can be found <a href="https://nexample.com/here">here</a>. Please reference NTIA's pre-decisional guidance for "Non-Service Codes" which can be found online <a href="https://nexample.com/here">here</a>. A reason code, sub-code (if eligible), and one or more sources of allowable evidence must be submitted per location, and the location must be included in Georgia's approved unserved or underserved data set for the State to make a final determination. Complete submissions must be sent to <a href="https://nexample.com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here-com/here

- 32. Will there be a way to remove locations that are currently in the State's BEAD eligible dataset, but the locations have been removed in the latest version of the fabric by the FCC?
  - Yes, throughout the BEAD grant program, GTA will closely monitor updates to the fabric and will communicate with applicants and/or subawardees regarding locations that are removed from the fabric by the FCC.
- 33. Will there be a way to remove locations that are currently in the State's BEAD eligible dataset, but the locations will be served through another enforceable funding commitment?

Yes, GTA will accept evidence-based submissions using the State's provided template which can be found <a href="https://nexample.com/here">here</a>. Submissions will only be accepted from the internet service providers with the enforceable funding commitments. Please reference NTIA's pre-decisional guidance for "Non-Service Codes" which can be found <a href="here">here</a>. A reason code, sub-code (if eligible), and one or more sources of allowable evidence must be submitted per location, and the location must be included in Georgia's approved unserved or underserved data set for the State to make a final determination. Complete submissions must be sent to <a href="mailto:broadband@gta.ga.gov">broadband@gta.ga.gov</a> to be considered.

- 34. Will there be a way to remove locations that are currently in the State's BEAD eligible dataset, but the locations are already served (at a minimum of 100/20 Mbps reliable service) by non-subsidized service? Yes, GTA will accept evidence-based submissions using the State's provided template which can be found here. Submissions will only be accepted from the internet service providers that currently serve the location. Please reference NTIA's pre-decisional guidance for "Non-Service Codes" which can be found here. A reason code, sub-code (if eligible), and one or more sources of allowable evidence must be submitted per location, and the location must be included in Georgia's approved unserved or underserved data set for the State to make a final determination. Complete submissions must be sent to broadband@gta.ga.gov to be considered.
- 35. If an ISP has submitted evidence to the State and is waiting on a final determination on location eligibility, how should those locations be treated in the two spreadsheets uploaded in the application regarding locations included in the grant proposal and locations removed?

Applicants should use their best judgement to determine which of the two lists in which the locations should be included. Submitting evidence to the State does not guarantee the removal of a location from eligibility. In the case that an applicant is confident that a location should be removed (i.e., clear evidence that a location is a hay bale), that location should be included on the locations removed template.

36. At what point can deployment activity occur?

The NTIA requires projects funded under the BEAD program to be analyzed for potential environmental impacts before infrastructure deployment can begin. The Subgrantee will not commence implementation (site preparation, demolition, construction, ground disturbance, fixed installation, or any other implementation activities) and funds will not be disbursed until any necessary environmental review is complete. Awardees will be required to obtain all required federal, tribal, state and local governmental permits and approvals and

complete all agency consultations prior to beginning their project (NEPA: Environmental and Historic Preservation Compliance webinar November 2023). Additional guidance from NTIA can be found here.

As new guidance is issued regarding the timing of deployment activities and the content of EHP document submissions, the State will provide relevant updates to this FAQ.

37. For any in-kind contribution, what support is needed? For a valuation, will support beyond how the applicant determined the value be required? If so, what will specifically be requested?

In-Kind contributions may be in the form of real property, services, equipment, and supplies, while pre-project costs are also eligible to be considered, if it directly benefits and can be specifically tied to the proposed project. In-Kind contributions must be reasonable, allocable, and necessary, and shall not exceed the current fair market value of the property at the time of the donation to the project (i.e., when the in-kind contribution is presented for match and added to the project budget).

NTIA and GTA encourage applicants to thoroughly consider potential sources of in-kind contributions that, depending on the particular property or service and the applicable federal cost principles, could include: (i) employee or volunteer services; (ii) equipment; (iii) supplies; (iv) indirect costs; (v) computer hardware and software; (vi) use of facilities, or (vii) professional services. In the broadband context this could include, consistent with federal cost principles, waiver of fees associated with access to rights of way, pole attachments, conduits, easements, or access to other types of infrastructure.

With regards to in-kind match, the values for recipient or subrecipient contributions of services and property must be established in accordance with the cost principles in subpart E. Accordingly, the value of the remaining life of the property recorded in the recipient's or subrecipient's accounting records at the time of donation. (eCFR :: 2 CFR 200.306 -- Cost sharing.)

Note: In-Kind Match must meet all applicable NTIA BEAD requirements and values for recipient or subrecipient contributions of services and property must be established in accordance with the <u>cost principles in subpart E.</u>

GTA is required to maintain thorough documentation to justify the valuation of any in-kind property and services contributed toward meeting BEAD's matching requirements, so prospective subrecipients will need to provide support. This documentation must clearly show how the assigned value was determined. Records should include details on the contribution, the valuation method used, and the donation terms to support the amount claimed as matching funds for the project. Additionally, the contribution should be both relevant and necessary for the project. The valuation methodology and supporting documentation should reflect actual market conditions.

#### **Application**

1. Can two or more companies submit a bid as a joint application?

To allow for more flexibility regarding County Grant Areas, GTA will allow applicants the option to partner with other applicants to apply for a County Grant Area. If applicants choose to form a partnership, details of the partnership must be clearly outlined in the prospective subgrantees' applications at the time of submission. Each applicant partnering will submit an individual application detailing their prospective specific project area(s) and proposed Broadband Serviceable Locations (BSLs) within the County Grant Area and reference the other project(s) and applicant(s) working to serve locations in such a way that a comprehensive plan is formulated to solve broadband for the county in which they applied. (GA IPV2)

A partnership application should be between two subrecipients who will carry out the BEAD program rather than a contractor/subrecipient relationships given the fact that the State will enter into a subrecipient agreement with both entities. Contractors providing goods or services to the primary applicant do not need to

apply in partnership with the applicant but the applicant should include the contractor selected to provide the services for the subrecipient to meet the broadband deployment related to the BEAD program.

In the event that an application requires ownership of network(s) across multiple entities, rather than providing a good or service, a partnership application would be applicable.

- 1.1 How should entities partner without violating rules and regulations such as antitrust?
  Prospective applicants who are interested in partnering should obtain advice from the entity's general counsel regarding how the partnership is conducted to ensure the partnership abides by all
- 2. If an applicant submits more than one application, can the same documents be uploaded for all applications?

laws, rules, and regulations.

The application is designed to allow applicants to submit organization level materials once per applicant; however, project specific documents must be provided at the project area level and therefore would not be applicable across multiple applications.

3. In the case that an applicant submits multiple applications, should the pro forma be done separately for each proposed project or should all proposals be included in a single pro forma?

The application is designed so that an organization submits organizational-level information only once, regardless of the number of project area applications. However, project area details must be provided for each area applied for. Therefore, the pro forma for each application must include all Georgia BEAD construction associated with the Broadband Serviceable Locations (BSLs) the applicant intends to serve. If an applicant submits multiple applications, each application must include a separate project pro forma detailing all proposed construction, independent of any other applications.

4. In the case that an applicant submits multiple applications, can a single Letter of Credit apply to multiple projects or does a separate Letter of Credit need to be completed on a case-by-case basis?

GTA will require applicants to certify that they are aware of and understand the letter of credit, performance

bond obligation, and other alternatives based on NTIA's guidance. Applicants must further certify that they have the qualifications and resources to obtain the required letter of commitment and letter of credit from an eligible financial institution or, if they choose to obtain a performance bond, submit a letter from a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570 which contains the dollar amount of the performance bond. Applicants choosing to obtain a letter of credit will be required to present a letter of commitment from a qualified financial institution prior to final award execution.

- 4.1 When are the letters of credit commitment letters and final letter of credit issuance required? Prospective Subrecipients relying on LOCs to meet this requirement must provide the actual LOC as well as an opinion letter from their legal counsel confirming that the LOC or its proceeds will not be treated as the Subrecipient's property in any subsequent bankruptcy proceeding. This must be provided prior to the execution of final Terms & Conditions.
- 5. How much detail will the state request for the fixed wireless propagation analysis?

  The State will provide a template that outlines all key attributes of network design to be collected.
- 6. Can I download the application as a PDF?

Yes, applicants will be able to download a pdf version of their submitted application.

7. Can multiple users work on an application?

Each organization must be set up by an authorized user utilizing the organization's FEIN number. Additional users must be added by the authorized user who set up the organizational profile. If a user attempts to set up an organization's account that has already been created, the user will receive a pop-up error.

#### 8. Can I cancel an application before submission or withdraw an application after submission?

Yes, users will have the ability to cancel an application prior to submission as well as withdraw an application after it has been submitted.

#### 9. When will the state accept applications for other reliable and alternative technologies?

The State will open Round 1 for priority applications and may open additional rounds allowing for other reliable and/or alternative technology projects based on the outcome of Round 1.

#### 10. When do restrictions on communications between applicants and the State administering agencies begin?

The State will impose a quiet period beginning on the day after the application window ends for each round until preliminary awards are offered to the selected applicants. During the quiet period, GTA and/or OPB may continue some types of communications with prospective subrecipients such as requesting additional information or engaging in State-initiated negotiations. Additionally, GTA and OPB acknowledge that some prospective subrecipients may have business arrangements with the State outside of BEAD and may need to communicate as part of those arrangements.

#### 11. Can multiple users register under an organization in the application portal?

Each organization must be set up by an authorized user utilizing the organization's FEIN number. Additional users must be added by the authorized user who set up the organizational profile. If a user attempts to set up an organization's account that has already been created, a pop up will appear indicating that this organization has already been created.

#### 12. What is an Authorized Official for application purposes?

An Authorized Official is named by the applicant organization and is authorized to act for the applicant and assume the obligations imposed by federal and state laws, regulations, requirements, and conditions that apply to grant applications or grant awards. This is commonly a board member or an executive of the organization.

## 13. How can an applicant demonstrate the organization's current compliance with all relevant federal and state laws and policies regarding grant funding?

Applicants must demonstrate an understanding of the relevant BEAD federal and state laws and policies including 2 CFR Uniform Guidance. An attestation confirming that an applicant will comply with such requirements will not be considered sufficient. Applicants should provide a narrative including how they currently adhere to the applicable laws and policies; or in the absence of established compliance framework include a description of the policies and procedures the organization has in place to align with federal and state grant policies and regulations, including documented procurement practices.

#### 14. Can a non-ISP be the lead applicant in a partnership or consortium with an ISP?

While this is technically allowable, it is a best practice to have the entity that will actually build and/or own the network be the lead applicant, as the lead applicant will be held accountable for meeting BEAD requirements associated with the deployment project.

## 15. Can you provide a list of questions that have a narrative response type with a maximum number of characters allowed?

There is only one question where there is a character limit. It is in the Project Information section, question 10, which asks for the Project Description. There is a maximum of 1,000 characters allowed for that response. All other questions with narrative response types have an unlimited character maximum.

#### 16. Are ONTs an allowable BEAD expense?

Yes, ONTs are an allowable BEAD expense. NTIA's Frequently Asked Questions (FAQ) Related to the Broadband Equity, Access, and Deployment (BEAD) Program provides the following guidance related to ONTs:

For purposes of the BEAD Program, broadband infrastructure extends to the device that terminates service to the location served. [7]

For example, in an end-to-end fiber optic deployment, the broadband infrastructure project would terminate at the Optical Network Terminal (ONT) or Optical Network Unit (ONU) at the customer premises, whether that ONT/ONU is a standalone ONT/ONU or a combined ONT/ONU.[8]

In a fixed wireless network, the broadband infrastructure project would terminate at the subscriber radio.

For purposes of the BEAD Program, broadband infrastructure does not include consumer/customer premises equipment, such as standalone household routers used downstream of an ONT/ONU.[9]

- [7] This includes, but is not limited to, broadband network infrastructure such as fiber optic cable, optical network equipment, and electronics including fixed wireless and satellite broadband transmitters and receivers.
- [8] Combined ONT/ONUs are devices that provide the functions of an ONT or ONU, provide Ethernet and/or Wi-Fi access to the customer premises, and perform routing, security, and other management functions (e.g., a combination ONT/gateway router that provides all ONT and gateway router functions on a single device). See BEAD BABA Waiver at 8.
- [9] See OMB M-24-02 at 4 ("A Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to . . . Equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.")
- 17. What is the timeframe in which audit financial statements should be submitted for applicants who do not prepare audited financials in the ordinary course of business?
  - An applicant who does not obtain audited financial statements in the ordinary course of its business must commit to providing audited financial statements of its most recent fiscal year within 90 days of the execution of final terms and conditions. Applicants may request an extension supported by evidence that the applicant has engaged an accounting firm to perform the audit and is making reasonable progress toward obtaining the opinion and accompanying financial statements.
- 18. In the following question found in the Project Information section (question 11), "Please indicate the estimated number of employment opportunities created by the project," should applicants include only ISP employees or if we also include contractors in this number?
  - Applicants should provide an overall estimate of employment opportunities created by the project including the ISP's employees and beyond, including and contractors.
- 19. In the following question found in Gating Section 1 (question 6), "Upload the business plans or pro forma for the proposed project," should the pro forma required be completed at the project level or include financials at the entity level?

As indicated in the question above, the business plan or pro form should be for the proposed project, or project specific. However, as a part of the projects, an applicant may utilize entity level information to make the assumptions for the projections requested within the question.

#### **Application Submission**

1. How do I apply for Georgia's BEAD program?

The link to the State's BEAD application portal will be made available on December 2, 2024.

#### 2. What is the definition of partnership and consortium as it relates to the application process?

To allow for more flexibility regarding County Grant Areas, GTA will allow applicants the option to partner with other applicants to apply for a County Grant Area. If applicants choose to form a partnership, details of the partnership must be clearly outlined in the prospective subgrantees' applications at the time of submission. Each applicant partnering will submit an individual application detailing their prospective specific project area(s) and proposed BSLs within the county and reference the other project(s) and applicant(s) working to serve locations in such a way that a comprehensive plan is formulated to solve broadband for the county in which they applied. A partnership would include two organizations working on one project. A consortium would be more than two organizations working on two projects.

#### 3. How long will the application be open?

The application will remain open for submission for 45 days. The application portal opens on Monday, December 2, 2024, and will close on Friday, January 30, 2025, at 5 PM EST. The State strongly encourages applicants to submit well in advance of the deadline. No late applications will be accepted per the State's IPV2.

#### **Awards**

#### 1. Will the state utilize fixed subaward awards?

NTIA held in the Uniform Guidance Policy Notice that the BEAD competitive subrecipient selection process will allow states to establish fixed amount subawards for broadband infrastructure projects that are based on a reasonable estimate of actual costs, subject to the requirement that each state monitor "the reasonableness of the subrecipient costs." that the BEAD competitive subrecipient selection process will allow states to establish fixed amount subawards for broadband infrastructure projects that are based on a reasonable estimate of actual costs, subject to the requirement that each state monitor "the reasonableness of the subrecipient costs."

As such, the State intends to utilize fixed amount subawards to reduce the program's administrative costs to both applicants and GTA. Fixed amount subawards should also encourage broader participation in the program.

A fixed amount subaward is a type of subgrant agreement where payments are based on meeting specific requirements of the federal award (e.g., performance and results), rather than actual costs incurred. This type of award reduces some of the administrative burden for the recipient and subrecipient. Utilizing fixed award subawards may render certain requirements of 2 CFR 200 inapplicable, as described below.

- Cost Principles: The cost principles do not apply as compliance requirements to fixed amount subawards. Instead, the cost principles or other pricing information are used as a guide when budgeting for the work that will be performed under the fixed amount subaward.
- Procurement: Subgrantees that receive a fixed amount subaward are not required to comply with the procurement practices of the Uniform Guidance.
- Property Standards: Fixed Award Subgrantees that receive a fixed amount subaward have more
  flexible property standard options including exceptions, adjustments, and clarifications for fixed
  amount subawards, including title, management and use requirements, liens, encumbrance and
  disposition.

#### Compliance

#### 1. Please define the term "useful life of an asset."

As provided in Term 48(a) of the BEAD IPFR General Terms & Conditions, for the purposes of this award, the useful life of the real property or equipment acquired or improved using BEAD funds shall coincide with the Federal Interest Period as defined in Term 49 below. During the useful life of the BEAD-funded property, the

Grantee must adhere to the requirements contained in the terms and conditions of the award, including adherence to the use, management, and disposition requirements set forth in 2 CFR 200.311 or 200.313, as applicable. NTIA will provide additional information concerning the review and approval process for transactions involving BEAD-funded real property and equipment in subsequent guidance.

#### Cybersecurity

- 1. Is there a definition of what constitutes met or unmet with regards to the cybersecurity plan?

  The definition of met or unmet is reflected in the checklist "steps to incorporate." Please note there are steps which are only applicable to the plan template (where no NOFO or NIST requirement is specified see columns F, G, and H) and are for support to ensure the document is fully updated. The NOFO and NIST requirements are the elements that align to the subgrantee requirements.
- 2. If an applicant has a legitimate N/A on an objective, how do they represent that in the form?

  Applicants should represent it as noted within the template in the implementation summary table. In the checklist, it would be noted as not met and with an explanation. See the example below.

#### 3.1 Prepare

[INSTRUCTIONS: Update the table below with implementation status of controls in this section.]

Table 3-1: Prepare Implementation Summary

Prepare Implementation Summary				
Implementation Status (ch	neck all that apply):	Responsible F	Role:	
<ul> <li>☐ Implemented</li> <li>☐ Partially Implemented</li> <li>☐ Planned</li> </ul>	<ul> <li>□ Alternative Implementation</li> <li>□ Not Applicable</li> </ul>	[Named Role(s)] Instruction: Ensure this role matches roles defined earlier in the plan		
If not implemented, what is the implementation plan?		Planned Date for Full Implementation:		
[If applicable, insert text or replace with "N/A"]		DD Month YYYY		

3. What are the expectations around meeting the list itself? Is the State looking for an applicant to meet 100% of the list?

No, the State expects that any cybersecurity program will always have areas of maturity and improvement due to the ever-changing cyber risk landscape. The State will be looking for all controls to be in a state of implementation or have a plan for implementation (or associated detailed N/A).

4. Are there any specific evidentiary requirements around checklist requirements? Including on-going monitoring, e.g. follow-up reviews in years following applications?

The evidence is the two plans (or documentation that supports the requirements elements of the plan). The State will monitor cybersecurity plans in accordance with the requirements set forth by NTIA. Follow-ups are subject to the discretion of the State and will be derived from elements such as the completeness of the plan, level/number of PoAMs (Plans of Actions and Milestones), and associated funding level provided to the grantee. Furthermore, the requirement per the NOFO is for the plan to be resubmitted when substantially changed.

- 5. Are Plans of Actions and Milestones (PoAMs) allowed? How long do organizations have to finish PoAMs? Yes, it is expected that BEAD subgrantees will have areas of potential improvement.
- 6. Some checklist requirements state the plan can "contain or reference," however this is not everywhere in the checklist. Should all requirements be understood to be "contain or reference" statements? i.e. Does the State want a single plan document with every component spelled out and provided? Or can there be a plan that contains referential information?

The State recognizes that many organizations will have existing cybersecurity program documents that exist outside of the provided templates. It is not a requirement to use the provided template but rather is intended to be an accelerator to meet the asks of NTIA and the State. If the organization has other documentation that supports the NOFO requirements, then it can be provided in place of the template.

- 7. Where systems are mentioned, or implied, in the requirements, are all systems expected to be covered by (or mentioned in) the plan, or just ones identified as critical by the organization?
  - a. As example (Cybersecurity req. 23): The Plan specifies how the organization will document the controls and security/privacy requirements for each system, including elements such as configuration baselines and security/privacy plans.
  - b. Question: Is GTA looking for documentation of each and every system? Or each "Critical" system? Is there a definition of Critical GTA plans to utilize?

The intention is that this is not a system-level series of documentation but an enterprise approach to how this will be done at a system level (e.g., how will you risk rank systems, is there a hardened, validated baseline you are using (e.g., CIS), how will this be managed)? See NIST CSF PR.PS-01: Configuration management practices are established and applied and NIST CSF PR.IR-02: The organization's technology assets are protected from environmental threats for more details.

- 8. Please provide insight to advise how applicants would be able to meet these two requirements:
  - a. The organization must maintain visibility into suppliers' production processes, including tracking defect rates, causes of failure, and testing procedures.
  - b. The organization must ensure that security requirements are communicated to relevant suppliers. These are based on key practices as discussed within both NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST 800-161: Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations. The specific operationalization of controls is up to the individual applicant and the State is more concerned with meeting the objective of these requests as defined by the NOFO requirement.

#### Reporting

1. Has NTIA provided guidance on what will be required for internal reporting (items such as payroll, wage licenses, etc.)?

Subgrantees will be required to submit reports to the State, at least semiannually, for the duration of the subgrant to track the effectiveness of the use of funds provided.

Subgrantee reports must include the following items:

- Description of each type of project and/or other eligible activities carried out using the subgrant and the duration of the subgrant
- A list of addresses or location identifications (including the Broadband Serviceable Location Fabric established under 47 U.S.C. 642(b)(1)(B)) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each project
- Identification of new locations served within each project area at the relevant reporting intervals, and service taken (if applicable)
- Identification of whether each address or location is residential, commercial, or a community anchor institution
- Description of the types of facilities that have been constructed and installed
- Description of the peak and off-peak actual speeds of the broadband service being offered
- Description of the maximum advertised speed of the broadband service being offered
- Description of the non-promotional prices, including any associated fees, charged for different tiers of broadband service being offered
- List of all interconnection agreements that were requested, and their current status

- The number and value of contracts and subcontracts awarded by the Subgrantee disaggregated by recipients of those such contracts or subcontracts that are Minority Business Enterprises (MBE) or Women's Business Enterprises (WBE).
- Any other data that would be required to comply with the data and mapping collection standards of the Commission under Section 1.7004 of title 47, Code of Federal Regulations, or any successor regulation, for broadband infrastructure projects
- Inclusion of an SF-425, Federal Financial Report and meeting the requirements described in the Department of Commerce Financial Assistance Standard Terms and Conditions, Section A.01 for Financial Reports
- Compliance with any other reasonable reporting requirements determined by the Eligible
   Entity to meet the reporting requirements established by the Assistant Secretary, and certify
   that the information in the report is accurate
- Subgrantee reports for projects over \$5 million (based on expected total cost) have a few additional requirements for subgrantee reports:
- Certification that laborers and mechanics employed by contractors or subcontractors
  working on the project are paid wages at rates not less than those prevailing, as determined
  by the U.S. Secretary of Labor in accordance with the Davis-Bacon Act or by the appropriate
  State entity pursuant to a corollary State prevailing-wage-in-construction law
  - If such certification is not provided, the Subgrantee must provide a project employment and local impact report. Please see further details on page 91 of the BEAD NOFO.
- Certification that a project either will use a unionized project workforce or includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f))
  - If such certification is not provided, the Subgrantee must provide a project workforce continuity plan.

#### 2. What will the project employment and local impact report require?

Projects over \$5 million are required to provide certification that laborers and mechanics employed by contractors or subcontractors working on the project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with the Davis-Bacon Act or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law.

If such certification is not provided, the Subgrantee must provide a project employment and local impact report, which must include the following: the number of contractors and sub-contractors working on the project, the number of workers on the project hired directly and hired through a third party, the wages and benefits of workers on the project by classification, and whether those wages are less than prevailing wage rates.

#### 3. What will the workforce continuity plan report require?

Workforce continuity plan report will require applicants to include 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 (as required in Section IV.C.1.e), including a description of any required professional certifications and/or in-house training, Registered Apprenticeships or labor-management partnership training programs, and partnerships with entities like unions, community colleges, or community-based groups; Steps taken and to be taken to minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the Project;

Steps taken and to be taken to ensure a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30, confined space, traffic control, or

other training required of workers employed by contractors), including issues raised by workplace safety committees and their resolution;

The name of any subcontracted entity performing work on the Project, and the total number of workers employed by each such entity, disaggregated by job title; and

Steps taken and to be taken to ensure that workers on the Project receive wages and benefits sufficient to secure an appropriately skilled workforce in the context of the local or regional labor market.

#### Scoring

#### 1. What criteria are used to evaluate applications submitted for Georgia's BEAD program?

GTA will begin its evaluation of proposals by ensuring that the applicant has provided all required materials. Incomplete proposals will not be considered. Following a determination of completeness, GTA will review and evaluate the proposals based on the following criteria, which can add up to a total score of 100:

#### **Primary Scoring Criteria:**

Minimal BEAD Program Outlay - Up to 50 points

Affordability - up to 15 points

Fair Labor Practices - up to 10 points

Secondary Scoring Criteria:

Speed to Deployment - up to 5 points

Community/local government support - up to 9 points

Connecting CAIs at a gigabit symmetrical - up to 3 points

Universality of applications - up to 8 points (for priority projects only)

Speed of Network and Other Technical Capabilities - up to 8 points (for other last-mile projects only)

Project areas consisting of CAI only locations will utilize a variation of this scoring. Please see question 3 in this section for CAI only scoring.

## 2. If there are no BEAD eligible CAIs in a County Grant Area, how will an applicant get points for that scoring section?

The State's approved Initial Proposal Volume II provides applicants the opportunity to earn up to 3 points in each County Grant Area for attesting to provide gig symmetrical service to CAIs at no additional cost to the State. Following NTIA's validation of the State's Challenge Process Data, it was determined that a total of 7 County Project Areas do not contain BEAD eligible CAIs (Irwin, Jenkins, Jones, Miller, Putnam, Towns, and Union Counties) which would only allow for a maximum score of 97 points based on Georgia's approved Initial Proposal Volume II. In order to allow applicants to reach 100 points, the State is hereby clarifying that, for these 7 specific County Grant Areas only, the State will award 3 points in the Connecting CAI secondary to any and all applicants for these specific counties.

#### 3. How will County Grant Areas with only eligible CAIs and no BSLs be scored?

The State's approved Initial Proposal Volume II provides applicants the opportunity to earn up to 3 points in each County Grant Area for attesting to provide gig symmetrical service to CAIs at no additional cost to the State. Following NTIA's validation of the State's Challenge Process Data, it was determined that a total of 4 County Grant Areas contain only BEAD eligible CAIs (Bacon, McIntosh, Taliaferro, and Treutlen Counties). Limited to these 4 specific County Grant Areas, the scoring as written must be clarified because there are no BEAD eligible non-CAI BSLs within those counties. In order to ensure a fair, transparent, and open process for these 4 County Grant Areas, the State is hereby clarifying that any and all applications for these 4 specific County Grant Areas will be scored as follows:

Scoring Criteria	Points available	
Primary Criteria subtotal (all are mandatory under NTIA rules)		
Total outlay of funds	50	
Affordability	15	
Compliance with Federal Fair Labor laws	10	
Primary Criteria subtotal	75	
Secondary Criteria		
Speed to deployment (mandatory under NTIA rules)	8	
Community/local government support	9	
Community Anchor Institutions	8	
Secondary Criteria subtotal	25	
Total	100	

#### Affordability: up to 15 points

Applicants will be awarded full points under the Affordability criterion for their commitment to provide broadband service in BEAD Program-funded project areas at rates in BEAD Program-funded service areas that is consistent with the broadband pricing the applicant makes available in unsubsidized areas within Georgia for the same or substantially the same level of service, for providers already serving Georgians.

Speed to deployment for CAI only project areas: up to 8 points

For applications where the project area only contains eligible CAIs and no other BEAD eligible locations, speed to deployment will be worth up to 8 points based on the same speed to deployment scoring criteria as other project areas.

Connecting CAIs at a gigabit symmetrical: up to 8 points (for CAI Only Project Areas)

The State of Georgia places a high value on best-in-class, future-proof connectivity to CAIs statewide. In particular, the state recognizes the necessity of end-to-end connectivity to community anchors such as government buildings, libraries, schools, higher education, and institutions that provide internet services to the public.

For these reasons, GTA will award up to 8 points to applicants demonstrating that they will deploy infrastructure to make 1 Gbps symmetrical service with latency less than or equal to 100 milliseconds (ms) available to CAIs that currently lack such service as determined through the Challenge Process in early 2024. (The State notes that the BEAD program considers a CAI served if it has access to 1 Gbps symmetrical service or better. If a CAI requires more than a 1 Gbps symmetrical connection, the CAI must independently work with the applicant/awardee to determine available options.)

All 8 points will be awarded to an applicant that demonstrates it will provide access to connectivity to all currently unserved CAIs, identified through the Challenge Process, in the County Grant Area it proposes to serve.

#### Percentage of CAIs included:

Connectivity available to all CAIs in County Grant Area that do not have 1 Gbps symmetrical capable connection and latency less than or equal to 100 ms: 8pts

Connectivity available to 66.7-99.9% CAIs in County Grant Area that do not have 1 Gbps symmetrical capable connection and latency less than or equal to 100 ms 6pts

Connectivity available to 33.4-66.6% CAIs in County Grant Area that do not have 1 Gbps symmetrical capable connection and latency less than or equal to 100 ms: 4pts

Connectivity available to 0-33.3% CAIs in County Grant Area that do not have 1 Gbps symmetrical capable connection and latency less than or equal to 100 ms: 2pts

4. For the community and local government support section, how many points will support from a unified government (combined county and city government) count?

Based on the State's IPV2, GTA will award two points for support from the county, and one point for support from each local government, elected official, or other community institution in the proposed County Grant Area, up to a maximum of nine points. A letter of support from a unified government will be worth three points (two points for support from the county and one point for support from the local government).

- 5. Will a letter of support that has multiple co-signers count as one point or one point per signature?

  Based on the State's IPV2, GTA will award two points for support from the county, and one point for support from each local government, elected official, or other community institution in the proposed County Grant Area, up to a maximum of nine points. A letter of support containing multiple signatures from elected officials will count as one point per elected official signature.
- 6. Can the state define what an "other community institution" is to count for community and local government support?

GTA will award up to nine points to applicants for demonstrations of support from local governments and other community institutions and stakeholders. GTA will award two points for support from the county, and one point for support from each local government, elected official, or other community institution in the proposed County Grant Area. For this section GTA clarifies that a community institution is any entity that qualifies as a community anchor institution based on GTA's definition in the State's approved Initial Proposal Volume I, along with other organizations such as local chambers of commerce, county development or economic development authorities, regional commissions, and other organizations that have a significant impact on the community in the County Project Area.

7. If locations will potentially be removed from BEAD eligibility based on the previous FAQs, how will universality of applications be scored?

If locations are removed by the State from a County Grant Area, universality of applications will be scored based on the updated number of eligible locations within the County Grant Area.

As the State approves the removal of locations, a list will be periodically updated at https://broadband.georgia.gov/bead-grant-applications in order to keep applicants informed about changes to County Grant Areas.

#### **Technical Capabilities**

- 1. Are full low-level designs required for the planning and design portions of the application?

  Applicants are required to provide design documentation substantially similar to what is demonstrated in the templates and samples.
- 2. Can you please clarify the level of engineering required prior to applying for BEAD? Do we need to have our network fully engineered prior to the application being submitted or do we just need an engineering firm's certification that our network concept has been reviewed?

Applicants do not need to provide a fully engineered network to apply for BEAD funding. Instead, applicants will need to provide a detailed project description that includes the type(s) of technology expected to be deployed, a logical network design, and a timeline. These details will need to be certified by a licensed Professional Engineer. The BEAD NOFO (page 74) and Georgia IPv2 (pages 60-61) provide details about what documentation is expected from applications. NTIA has waived the requirement that the Professional Engineer be licensed by the state, so the license can be from another state or other approved entity (see, "BEAD Program—Conditional Limited Programmatic Waiver and Clarification of Professional Engineer

Certification," NTIA, March 7, 2024, <a href="https://broadbandusa.ntia.doc.gov/funding-programs/policies-waivers/BEAD">https://broadbandusa.ntia.doc.gov/funding-programs/policies-waivers/BEAD</a> -

<u>Conditional Limited Programmatic Waiver and Clarification of Professional Engineer Certification</u>).

- 3. Who can certify the technical documents and plans that the applicant uploads?

  Applicants must have a licensed professional engineer review and certify required project technical documents, including network design, diagram, project costs, build-out timeline, and milestones.
- 4. Can you clarify the requirements for the professional engineer providing the project certification?

  The professional engineer must be licensed, though it is not required they be licensed in Georgia. Per the NTIA Conditional Limited Programmatic Waiver and Clarification of Professional Engineer Certification, issued in March 2024, the professional engineer's license may be in any of the 56 BEAD Program Eligible Entities.