



# **Prequalification Application User Guide for the Broadband Equity, Access, and Deployment (BEAD) Grant Program**

**The Delaware Department of Technology  
and Information (DTI)**

Version 1.1

June 2024

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# Introduction

The Broadband Equity, Access, and Deployment (BEAD) program is administered by the National Telecommunications and Information Administration (NTIA), which must approve a series of required plans and proposals prepared by the State before Delaware receives its \$107 million in allocated BEAD funding.

DTI is planning a multi-step process for selecting subgrantees and making BEAD funding awards:

1. DTI will begin with prequalification of applicants (**Prequalification Phase**).
2. NTIA approved DTI's BEAD Initial Proposal Volume II on May 7, 2024, and as such DTI will issue a grant application and then accept and score grant applications from prequalified applicants for projects (**Scoring Phase**).
3. If necessary, DTI will then proceed to negotiations with the highest-scoring applicants and make provisional grant awards (**Negotiation Phase**). The negotiation phase will occur only if (1) not every grant area receives a qualified application, or (2) the total cost of grant funding requests from qualified applicants exceeds Delaware's BEAD allocation.

The Prequalification Phase is designed to evaluate applicants' capability and eligibility to participate in the BEAD program. It will be part of a fair and transparent process designed to align with the BEAD program rules and with the commitments in Delaware's BEAD Initial Proposal.

All entities whose prequalification materials are determined to be sufficient will be qualified by DTI to proceed to the Scoring Phase of the program and submit proposals. For the purposes of this Prequalification Phase review, "sufficient" will mean meeting a minimum level of qualification such that DTI has confidence in the applicant's ability to complete a funded broadband project. Applicants will be evaluated on the thoroughness of their responses, transparency, and whether they have the capabilities required such that taxpayer money will be used effectively during BEAD implementation.

The following is a timeline for Delaware's Prequalification Phase of the BEAD application process:

- **Tuesday, May 14, 2024:** [Prequalification Phase Webinar](#) and release of [Prequalification Application](#)
- **5:00 PM, Friday, May 31, 2024:** Deadline for applicants to submit questions about the substance of the application
- **Thursday, June 13, 2024:** Delaware opens the portal for applicants to begin submitting Prequalification Applications via the state's Bonfire procurement portal
- **5:00 PM, Tuesday, July 9:** Deadline for applicants to submit Prequalification Applications

This Prequalification Application user guide aims to provide applicants with guidance and clear instructions as to how to approach Delaware's Prequalification Application, as well as the portal (Bonfire) where applicants will be completing the application. The user guide will offer applicants additional details that may be necessary to understand the requirements and documents to prepare.

## Program Eligibility

In order to be eligible for Delaware's BEAD program, applicants must adhere to the following eligibility criteria:

1. Satisfying financial requirements;
2. Satisfying organizational and operational requirements;
3. (In the Scoring Phase Application) Proposing a project that will offer a minimum of 100/20 Mbps service to all locations within the service area and 1/1 Gbps service to all Community Anchor Institutions (CAI) within the service area in accordance with the mandated timeline; and
4. Complying with all applicable requirements mandated by the BEAD Notice of Funding Opportunity (NOFO), 2 C.F.R. 200 Uniform Guidance, and the State of Delaware.

## Eligible Applicants

As per the BEAD NOFO, the State of Delaware “may not exclude, as a class, cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility as a subgrantee” (NOFO, p. 37).

## Eligible Project Areas

DTI will be defining prospective project areas through a Grant Area Determination Process in which it specifies the geographic boundaries of the Grant Areas for which applicants can apply. As noted in the Initial Proposal Volume II, the Grant Area Determination Process will rely upon the results of DTI's cost modeling and other data, as well as the map of unserved and underserved locations that results from the Challenge Process, in addition to other factors. (For more information, see page 28 of [DTI's Initial Proposal Volume II](#).)

## Eligible Program Costs

According to the BEAD NOFO, “Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations for States and non-profit organizations, and in 48 C.F.R. Part 31 for commercial organizations, as well as in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed project or other eligible activity and conform to generally accepted accounting principles. Funds committed to an award may only be used to cover allowable costs incurred during the period of performance, except for reasonable pre-award expenses as described above, and for allowable closeout costs incurred during the grant closeout process” (NOFO, p. 81-82).

## Prequalification Application Resources

Delaware's Initial Proposal Volume II describes the State's grant program design, proposed subgrantee selection process, grant application scoring criteria, plans for workforce development and affordability strategies, and other critical information. That document and other details about the BEAD program are available here:

<https://broadband.delaware.gov/pages/index.shtml?dc=bead>.

To support openness, fairness, and competition in its BEAD grant efforts, DTI established a formal process for applicants to submit questions about the substance of the Prequalification Application and user guide. Applicants could submit questions until 5:00 PM on Friday, May 31. Questions were required to be submitted to [BEAD@delaware.gov](mailto:BEAD@delaware.gov). Questions submitted to other email addresses would not be processed. Questions received after the deadline were not considered except in extraordinary circumstances (i.e., substantive errors in application materials, or conflict between application materials and the Initial Proposal Volume II or the BEAD NOFO).

Templates required as part of the Prequalification Application submission can be found and downloaded from DTI's website [here](#).

Note: Applicants should progress through the user guide in sequential order, unless specifically directed to proceed otherwise.

## Prequalification Requirements

The user guide has six sections outlining prequalification requirements that correspond directly to those in the Prequalification Application:

1. **Administrative:** Applicants will be required to submit basic background information, such as contact information, as well as State registration and SAM.gov registration.
2. **Financial Capability:** Applicants will be expected to demonstrate financial expertise, capabilities, and available resources to meet program requirements and successfully complete a funded project. Applicants will also be expected to offer legally binding certifications via Delaware's Certifications Template.
3. **Management and Organizational Capability:** Applicants will be expected to show comprehensive and robust managerial capabilities and a commitment to long-term success of the project through stable leadership, continued process improvements, and ongoing commitment of resources. Applicants will be asked to provide necessary documentation and evidence of technical expertise, knowledge, and capabilities, as a complement to their management capabilities, to participate in the program and successfully complete a funded project. Applicants will also be expected to offer legally binding certifications via Delaware's Certifications Template.
4. **Compliance with Applicable Laws:** Applicants will be asked to demonstrate awareness and understanding of all applicable State and federal laws and the qualifications and resources to perform BEAD-related commitments in compliance with all applicable laws. Applicants will also be expected to provide a full and complete picture of their corporate ownership and structure to demonstrate who is being entrusted with BEAD funding and ensure an efficient and effective use of funds that benefits the largest number of end users. Applicants will also be expected to offer legally binding certifications via Delaware's Certifications Template.
5. **Fair Labor Practices:** Applicants will be asked to demonstrate a history of prior compliance and a plan for future compliance with federal and State labor and employment law, as well as a commitment to programs that will develop a robust, diverse, and highly trained and skilled workforce. Applicants will also be expected to offer legally binding certifications via Delaware's Certifications Template.
6. **Risk Management:** Applicants will be required to answer questions about their history, such as previous suspensions and debarment, recoupment of payments under a grant program, and violations of other federal and State laws.

## Portal Navigation

### How to Complete the Application

The screenshots below show a sample application built for the purposes of a general tutorial. They are provided as examples only to demonstrate the functionality of the Bonfire portal and do not reflect the content of the Prequalification Application, which is covered in detail in subsequent sections.

### Registering an Account in Bonfire

For guidance related to creating an account on the Bonfire platform, please reference:

<https://vendorsupport.gobonfire.com/hc/en-us/articles/7322917689367-Creating-a-Bonfire-Account-VIDEO>.

### Starting the Prequalification Application

1. Log in to your Bonfire Vendor account using the 'Log in' tab OR the 'Log in/Register' button.

2. Search for DTI's Prequalification Application under 'Open Public Opportunities' using the name of the application, "**Broadband, Equity, Access, and Deployment (BEAD) Grant Program,**" or the reference number, **DTI240058-BEAD\_GTPRGM**. Select 'View Opportunity' for DTI's Prequalification Application. Note: If you received a direct email invite from DTI, the application would appear under 'My Opportunities.'

## Procurement Portal

Justine Phan

cloud DEMO

Department: All

Open Public Opportunities Past Public Opportunities My Opportunities

Search

Status	Ref. #	Project	Department	Close Date	Days Left	Action
OPEN	IFB-14136	Bulk Fluids	Purchasing	Jun 26th 2020, 3:00 PM EDT	18	<a href="#">View Opportunity</a>
OPEN	MX06	ERP Software Solution	Purchasing	Jun 26th 2020, 7:00 PM EDT	19	<a href="#">View Opportunity</a>
OPEN	MX05	Recruitment Services	Purchasing	Jul 5th 2020, 7:00 PM EDT	27	<a href="#">View Opportunity</a>
OPEN	RFP3948	Paper Products	Purchasing	Jul 6th 2020, 12:00 PM EDT	28	<a href="#">View Opportunity</a>

[Technical Support](#)
[Portal Security](#)
[Terms of Service](#)
[Privacy Policy](#)

Powered by Bonfire

- Take note of the information listed under 'Project Details,' such as the application's 'Open Date' and 'Closing Date,' downloadable documents needed for the application, and other required information in order to submit an application. Note: Deadlines will also be listed under 'Important Events.'

## RFP3948 - Paper Products

[Back to list](#)

cloud DEMO

Project Details

Project: Paper Products

Ref. #: RFP3948

Department: Purchasing

Type: RFP

Status: **OPEN**

Open Date: Jun 8th 2020, 12:00 PM EDT

Questions Due Date: Jul 6th 2020, 12:00 PM EDT

Close Date: Jul 6th 2020, 12:00 PM EDT

Days Left: 28

Project Description:  
CloudDemo is soliciting bids for a variety of paper products. Please refer to the attached RFP documentation for the full scope of work.

June 2020 prev next

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	1	2	3	4	5	6
7	8	9	10	11	12	13
	12p OPEN					
14	15	16	17	18	19	20
	OPEN					
21	22	23	24	25	26	27
	OPEN					
28	29	30	1	2	3	4
	OPEN					



#### Important Events:

Status	Event Name	Location	Description	Dates	Mandatory
ONGOING	Open Date	Online Portal	Posting date for the Opportunity	Jun 8th 2020, 12:00 PM EDT	N/A
UPCOMING	Intent to Bid Due Date	Online Portal	Deadline to indicate your intent to Bid	Jun 19th 2020, 12:00 PM EDT	N/A
UPCOMING	Close Date	Online Portal	Deadline for Submissions	Jul 6th 2020, 12:00 PM EDT	N/A
UPCOMING	Questions Due Date	Online Portal	Deadline to submit Questions	Jul 6th 2020, 12:00 PM EDT	N/A

- Go to the 'Submissions' section, which can be found at the bottom of the page. Select 'Prepare Your Submission' to begin your application.

Submission

Prepare


### Prepare Your Submission

Prepare as:

ABC Inc.

Prepare Your Submission

New to Bonfire? Here's a quick overview of the submission process.



## Downloading Supporting Documentation

DTI's Prequalification Application requires the applicant to fill out and upload additional supporting documents. These documents can be found by navigating to the 'Supporting Documentation' page. To download a single document, click on the 'Download' button on the far right. To download all files simultaneously, click on 'Download All Files.' Note: These files will also be available to download via DTI's website during the Prequalification Application period.

Supporting Documentation:				
File	Type	Description	Date Created	Actions
RFP - Waste Removal Services.pdf	Documentation	Please refer to this main RFP document.	Jul 19th 2022, 11:13 AM EDT	Download
Submission Instructions.pdf	Documentation	Please refer to these submission instructions.	Jul 19th 2022, 11:13 AM EDT	Download

## Working on the Application

Note: The questions in the Prequalification Application are referred to as 'Requested Information' in the Bonfire template.

While navigating the application, if a question requires a file upload, applicants can upload requested documentation by selecting the 'Upload File' button on the far-right side of the row with the question. Note: There is no maximum size for files being uploaded, but larger files may take longer to upload.

### Step 1: Provide Submission Information

Click Upload File to add a requested document. Please note the type and number of files allowed for each requested document. The maximum file size accepted is 1000 MB.

Click Edit to enter a data or text answer.



<div> </div> <b>Proposal</b> <div> <span>REQUIRED</span> File Type: PDF (.pdf) # Files: Multiple </div>	<div> </div> Upload File...
<div> </div> <b>Appendix A</b> <div> <span>REQUIRED</span> File Type: PDF (.pdf) # Files: Multiple </div>	<div> </div> Upload File...
<div> </div> <b>Appendix B</b> <div> <span>REQUIRED</span> File Type: PDF (.pdf) # Files: Multiple </div>	<div> </div> Upload File...
<div> </div> <b>Appendix C</b> <div> <span>REQUIRED</span> File Type: PDF (.pdf) # Files: Multiple </div>	<div> </div> Upload File...
<div> </div> <b>Do you have a WBE certification?</b> <div> <span>REQUIRED</span> Data Type : Yes/No </div> <div> <input type="radio"/> Yes <input type="radio"/> No </div>	<div> </div> Save Cancel
<div> </div> <b>Paper Products Pricing Sheet (BT-02HR)</b> <div> <span>REQUIRED</span> BidTable # Files: 1 </div>	<div> </div> <div>  Upload File... </div>

Questions requiring a Yes/No or numeric answer are denoted by Data Type. Fill in these questions according to the requested Data Type as seen below. **Note: You cannot save the application as a whole entity. Each individual question must be saved using the 'Save' button in the upper right corner of the question box.**



**Do you have a WBE certification?**  

REQUIRED
Data Type : Yes/No

☐ Yes ☐ No

Save Cancel

If you successfully answer a question, the portal will show a green validation circle. Insufficiently answered questions prompt red circles. If you see a red circle and you have already answered the question, please review the error message and update. All optional questions will appear with a yellow circle until sufficiently answered, at which point a green validation circle will appear.

## Step 1: Provide Submission Information

Click Upload File to add a requested document. Please note the type and number of files allowed for each requested document. The maximum file size accepted is 1000 MB.  
Click Edit to enter a data or text answer.

<div> <div>Proposal</div> <div>REQUIRED</div> <div>File Type: PDF (.pdf) # Files: Multiple</div> </div> <div> <div>✓ Test_Document_-_Assignment.pdf</div> </div>	<div>Upload File...</div> <div> <div>📎</div> <div>🗑️</div> </div>
<div> <div>Appendix A</div> <div>REQUIRED</div> <div>File Type: PDF (.pdf) # Files: Multiple</div> </div> <div> <div>✓ Test_Document_-_Assignment.pdf</div> </div>	<div>Upload File...</div> <div> <div>📎</div> <div>🗑️</div> </div>
<div> <div>Appendix B</div> <div>REQUIRED</div> <div>File Type: PDF (.pdf) # Files: Multiple</div> </div> <div> <div>✓ Test_Document_-_Assignment.pdf</div> </div>	<div>Upload File...</div> <div> <div>📎</div> <div>🗑️</div> </div>
<div> <div>Appendix C</div> <div>REQUIRED</div> <div>File Type: PDF (.pdf) # Files: Multiple</div> </div> <div> <div>✓ Test_Document_-_Assignment.pdf</div> </div>	<div>Upload File...</div> <div> <div>📎</div> <div>🗑️</div> </div>
<div> <div>Do you have a WBE certification?</div> <div>REQUIRED</div> <div>Data Type: Yes/No</div> </div> <div> <div>✓ Yes</div> </div>	<div>Edit</div> <div>Delete</div>
<div> <div>Paper Products Pricing Sheet (BT-02HR)</div> <div>REQUIRED</div> <div>BidTable # Files: 1</div> </div> <div> <div>✓ Paper_Products_Pricing_Sheet_(BT-02HR).xlsx</div> </div>	<div> <div>📎</div> <div>Upload File...</div> </div> <div> <div>📎</div> <div>🗑️</div> </div>

If you would like to replace previously uploaded requested documentation, click the trashcan icon on the far-right side of the row of the file that needs to be replaced. You will then be able to upload a new file once again.

<div> <div>Cover Sheet</div> <div>REQUIRED</div> <div>File Type: PDF (.pdf) # Files: 1</div> </div> <div> <div>✓ Test_Document_-_Assignment.pdf</div> </div>	<div>Upload File...</div> <div> <div>📎</div> <div>🗑️</div> </div>
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## Submitting the Application

Check the box stating, “I understand that I can't change any of the submission details or documents once the project closes.” Select ‘SUBMIT & FINALIZE MY SUBMISSION’ to submit the application.

### Step 2: Submit & Finalize

☒ I understand that I can't change any of the submission details or documents once the project closes.

SUBMIT & FINALIZE MY SUBMISSION




After submitting the application, the portal should redirect you to your Submission Receipt, detailing the information you provided in the application. You may download a copy of your submission materials on this page. You should receive an email of the Submission Receipt upon submitting the application, but if you fail to receive said email, you can select the ‘Send Email’ button at the bottom of the page to send it to your email again.

**SUBMISSION COMPLETE!**


Your submission has been finalized. Please see below for your confirmation details.

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### Confirmation Details

Project:	Paper Products
Ref. #:	RFP3948
Submission Time:	Jun 08, 2020 6:26 PM EDT
Name:	Angela Martin
Email:	 @gobonfire.com
Organization:	ABC Inc.
Requested Documents:	<b>Proposal - Required</b> <a href="#">Test_Document_-_Assignment.pdf</a> <b>Appendix A - Required</b> <a href="#">Test_Document_-_Assignment.pdf</a> <b>Appendix B - Required</b> <a href="#">Test_Document_-_Assignment.pdf</a> <b>Appendix C - Required</b> <a href="#">Test_Document_-_Assignment.pdf</a>
Requested BidTables:	<b>Paper Products Pricing Sheet (BT-02HR) - Required</b> <a href="#">Paper_Products_Pricing_Sheet_(BT-02HR).xlsx</a>
Requested Data:	<b>Do you have a WBE certification? - Required</b> Yes
Confirmation Code:	NzYyMzk=
Download All Files	 

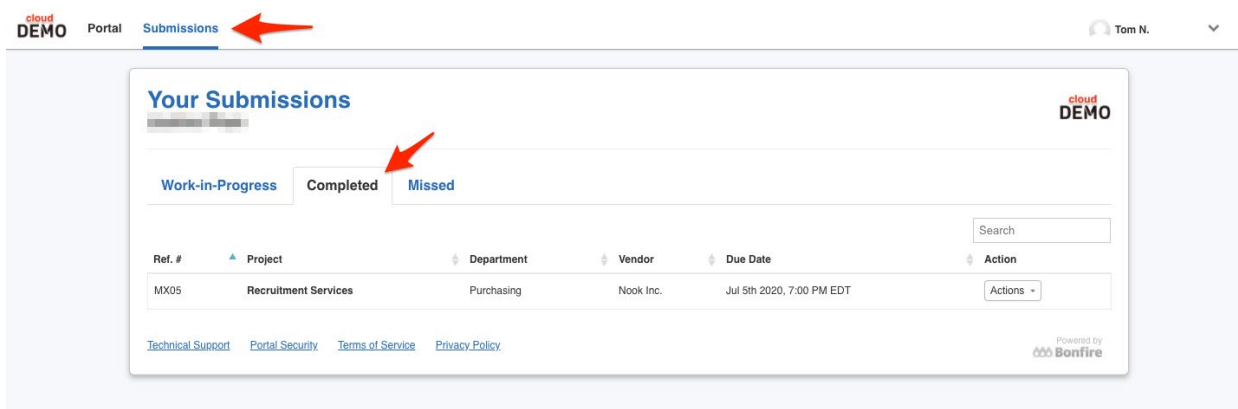
**Send Email**

Click to send an email to @gobonfire.com. A confirmation email has already been sent.

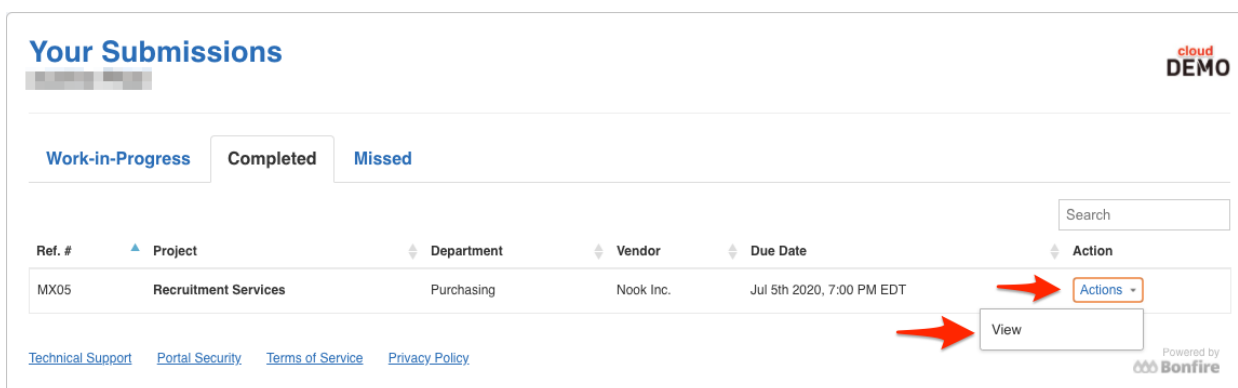
## Editing After Submission

Applicants may edit and update their applications after submission within the denoted Prequalification Application window. Applications cannot be edited after the submission window ends. To edit your submitted application:

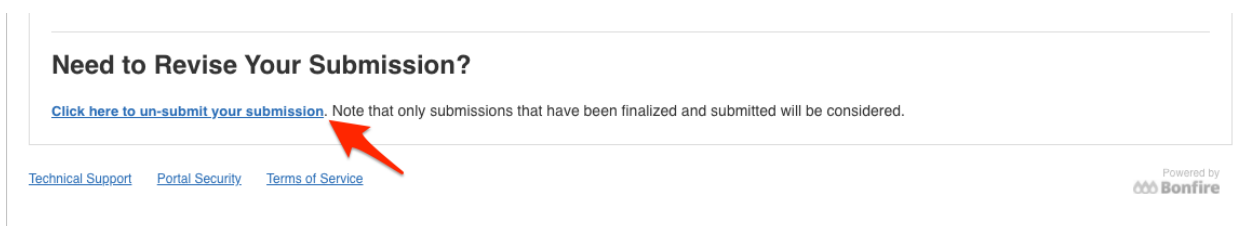
1. Verify that you are logged in to Bonfire. If not, log in using your Bonfire credentials.
2. Click on 'Submissions' at the top of the page.
3. Select the 'Completed' tab.



- Next to the Prequalification Application, click 'Actions' and then 'View' to see the submission receipt.



- Navigate to the bottom of the page to the 'Need to Revise Your Submission?' header and select 'Click here to un-submit your submission.'



- After un-submitting, you will be able to make edits to any questions on the application, including file uploads if need be.
- Once you have finished adjusting your application, resubmit your application following the steps noted above. Once you have submitted again, you will receive a new email confirmation receipt with a different confirmation number. Note: You must resubmit your application before the deadline, otherwise your application will remain as a Work-In-Progress.

For all other questions and concerns regarding portal navigation, please visit Bonfire's Vendor Help Center: <https://vendorsupport.gobonfire.com/hc/en-us>.

## Templates

Multiple questions throughout the application require applicants to complete and upload a templated document. A zip file containing all the template documents can be found [here](#) on the DTI Broadband website. Applicants should reference the instructions for each question and complete the templates to the best of their ability.

## Certification Questions

Throughout the sections in this user guide, applicants will see certification questions that do not appear in the Bonfire portal. These questions were kept in the user guide to provide context and instructions for how to progress through the application. Applicants will only see one (1) question in the Bonfire portal regarding certifications—question 7.1 will require a file upload of the completed Certifications Template. The template should be filled out with all required and conditional (if applicable) certifications. The Certifications Template may be printed and signed by hand before uploading, or applicants may utilize an electronic signature on the document and then upload the file.

Please note, there are some certification questions that an applicant may not be able to certify. Applicants should follow the instructions in this user guide to navigate to the next required question, as not all questions will be required for all applicants. The instructions for each certification question will also notify the applicant if the certification is required. To prequalify for Delaware's BEAD program, applicants must certify all required certifications (as applicable).

## Technical Support

For more Bonfire technical support, please reference the Bonfire Vendor Help Center site here: <https://vendorsupport.gobonfire.com/hc/en-us>. If you require additional assistance not provided by the resources on this website, please send questions to [BEAD@delaware.gov](mailto:BEAD@delaware.gov).

## Prequalification Documentation and Certifications

**Note:** Unless the instructions of a question specify which question to proceed to (depending on applicant's answer), please proceed through the application questions in sequential order.

### Section 1: Administrative

#### 1.1 Company Name

A response to this question is required from all applicants. Provide the applicant company name in the textbox. The name of the corporate entity provided must match the corporate entity authorized to do business in the State of Delaware.

#### 1.2 Company Address

A response to this question is required from all applicants. Provide the company's address in the textbox.

#### 1.3 Primary Contact First Name

A response to this question is required from all applicants. Provide the primary contact's first name in the textbox.

#### 1.4 Primary Contact Last Name

A response to this question is required from all applicants. Provide the primary contact's last name in the textbox.

#### 1.5 Primary Contact Title

A response to this question is required from all applicants. Provide the primary contact's title in the textbox.

#### 1.6 Primary Contact Email

A response to this question is required from all applicants. Provide the primary contact's email in the textbox.

#### 1.7 Primary Contact Phone

A response to this question is required from all applicants. Provide the primary contact's phone number in the textbox.

#### 1.8 Authorized Certifying Official First Name

Applicants should only respond to questions 1.8 through 1.11 if the Authorized Certifying Official is different from the primary contact listed above. Provide the first name of the Authorized Certifying Official in the textbox if this individual is different from the primary contact.

#### 1.9 Authorized Certifying Official Last Name

Provide the last name of the Authorized Certifying Official in the textbox if this individual is different from the primary contact.

### **1.10 Authorized Certifying Official Contact Email**

Provide the Authorized Certifying Official's email in the textbox if this individual is different from the primary contact.

### **1.11 Authorized Certifying Official Contact Phone**

Provide the Authorized Certifying Official's phone number in the textbox if this individual is different from the primary contact.

### **1.12 Alternative Contact First and Last Name**

Provide the first and last name of the alternative contact in the textbox if this individual is different from the primary contact. A response to this question is not required.

### **1.13 Alternative Contact Title**

Provide the alternative contact's title in the textbox. A response to this question is not required.

### **1.14 Alternative Contact Email**

Provide the alternative contact's email in the textbox. A response to this question is not required.

### **1.15 Alternative Contact Phone**

Provide the alternative contact's phone number in the textbox. A response to this question is not required.

### **1.16 SAM.gov Registration**

A response to this question is required from all applicants. Provide the unique entity identifier (UEI) from a SAM.gov registration pursuant to 2 C.F.R. § 25.300 (<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-25/subpart-C/section-25.300>) in the textbox offered in the portal.

Applicants do not need to complete the full registration to receive a UEI; however, the UEI must be active.

### **1.17 State Registration**

A response to this question is required from all applicants. Upload the State business registration to the portal. Multiple files may be uploaded. Uploads must be in PDF format. Applicants that are not registered with the State of Delaware must complete and upload the documentation found here:

<https://onestop.delaware.gov/>.

## **Section 2: Financial Capability**

### **2.1 Does the applicant have unqualified financial statements audited by an independent certified public accountant from the prior three years?**

A response to this question is required from all applicants. Provide an answer using the "Yes/No" dropdown menu. If "Yes," proceed to 2.1A. If "No," proceed to 2.1Ai.

Note: applicants who have unqualified audited financial statements for FY21 and FY22 but do not have a completed audit for FY23 in hand (or any combination of unaudited and audited) should still select "Yes" and proceed to 2.1A.



*An unqualified financial statement is a statement that “present[s] fairly, in all material respects, the financial position and the results of the entity’s operations in conformity with U.S. generally accepted accounting principles.”<sup>1</sup>*

**2.1A If applicant has unqualified financial statements audited by an independent certified public account from the prior year, please upload.**

This is required if the answer to 2.1 is “Yes.” If applicable, upload unqualified financial statements to the portal where prompted. If applicant only has unqualified audited financial statements for FY21 and FY22 and is currently undergoing an audit for the FY23 financial statements, upload the FY21 and FY22 statements along with a document stating the estimated completion date for the FY23 audit. Please upload an interim unaudited financial statement for FY23. Multiple files may be uploaded. Uploads must be in PDF or Excel format. Applicants able to answer this question should proceed directly to 2.2.

*An unqualified financial statement is a statement that “present[s] fairly, in all material respects, the financial position and the results of the entity’s operations in conformity with U.S. generally accepted accounting principles.”<sup>2</sup>*

**2.1Ai If the prior year’s unqualified audited financial statements are not available or has a qualified audit, the applicant must submit qualified audited financial statements from the previous three years.**

This question is required if the answer to 2.1 is “No.” If applicable, upload qualified audited financial statements from the previous three years. Multiple files may be uploaded. Uploads must be in PDF or Excel format. Proceed to 2.1Aii after uploading relevant files. If applicant does not have qualified audited financial statements and cannot answer this question, proceed to 2.1B.

*A qualified audited financial statement is a statement that presents fairly the financial position and results of an entity’s operations in conformity with generally accepted U.S. accounting principles, apart from the circumstances necessitating the qualification.*

**2.1Aii If the prior year’s unqualified audited financial statements are not available or has a qualified audit, the applicant must provide an explanation, the reason for the qualification, explain the qualification, and measures taken by the company to address the qualification if applicable.**

This question is required if the answer to 2.1 is “No” and applicant provided documents for 2.1Ai. If applicable, use the textbox to provide a response. Applicant should proceed directly to 2.2.

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<sup>1</sup> “Office of Justice Programs Annual Financial Statement - Fiscal Year 2008,” U.S. Department of Justice: Office of the Inspector General, March 2009, <https://oig.justice.gov/reports/OJP/a0917.htm>.

<sup>2</sup> “Office of Justice Programs Annual Financial Statement - Fiscal Year 2008,” U.S. Department of Justice: Office of the Inspector General, March 2009, <https://oig.justice.gov/reports/OJP/a0917.htm>.

**2.1B If applicant does not prepare audited financial statements in the ordinary course of business, please answer the following: Does applicant commit to submitting audited financial statements for the prior three years within eight months of the date of this application?**

This question is required if the applicant's answer to 2.1 is "No" and the applicant cannot provide materials for 2.1A, 2.1Ai, or 2.1Aii. If applicable, provide an answer using the "Yes/No" dropdown menu.

**2.1Bi If applicant does not prepare audited financial statements in the ordinary course of business, applicant should provide three years of interim unaudited financial statements that contain substantially the same level of information as audited statements.**

This question is required if the applicant's answer to 2.1 is "No" and the applicant cannot provide materials for 2.1A, 2.1Ai, and 2.1Aii. If applicable, upload interim unaudited financial statements where the portal prompts. Multiple files may be uploaded. Uploads must be in PDF, Word, or Excel format. Applicants that provide these materials should proceed directly to 2.2. Applicants unable to provide these materials should proceed to 2.1C.

**2.1C If applicant is a public entity or operates electric transmission or distribution services and does not prepare audited financial statements, applicant must provide 1) relevant financial and/or audit documentation that provides substantially similar information to substantiate applicant's financial qualifications; 2) an explanation of the financial documentation.**

This question is required if the applicant's answer to 2.1 is "No" and the applicant cannot provide materials for 2.1Bi. If applicable, upload the requested materials to the portal. Multiple files may be uploaded. Uploads must be in PDF, Word, or Excel format.

**2.1Ci If applicant is a public entity or operates electric transmission or distribution services and does not prepare audited financial statements, applicant must provide an explanation of the financial documentation.**

This question is required if the applicant's answer to 2.1 is "No" and the applicant cannot provide materials for 2.1Bi. If applicable, provide an explanation of the financial documentation in the textbox.

**2.2 In the Certifications Template, certify that the applicant has the necessary financial qualifications, capabilities, and resources to comply with all program requirements and successfully participate in the program.**

Please note, this question will not appear in the sequential list of questions in the "Required Information" tab of Bonfire. A response to this question is required from all applicants. Certify in a separate template document, which can be found [here](#). Applicants will upload the completed Certifications Template in Section 7 of the application. Additional guidance regarding the Certifications Template and questions can be found in the Certification Questions section.

**2.3 In the Certifications Template, applicant will certify that applicant 1) is aware of and understands the letter of credit or performance bond obligations and processes for the program and 2) has the qualifications and resources to obtain the required letter of commitment and letter of credit or performance bond. See BEAD Letter of Credit Waiver (11/01/23, NTIA Notice of Programmatic Waiver, <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>).**

A response to this question is required from all applicants. Certify in a separate template document, which can be found [here](#). Applicants will upload the completed Certifications Template in Section 7 of the application.

**2.4 In the Certifications Template, certify and acknowledge that BEAD funds will be issued as reimbursements and not advance funding, and that all BEAD awards are fixed-amount subawards and, if granted an award, the applicant will be a subgrantee, not a contractor or subcontractor, and that all relevant state and federal laws and regulations apply accordingly.**

A response to this question is required from all applicants. Certify in a separate template document, which can be found [here](#). Applicants will upload the completed Certifications Template in Section 7 of the application.

**2.4A In the Certifications Template, certify and acknowledge that minimal BEAD outlay includes a 25 percent match from prospective applicants.**

A response to this question is required from all applicants. Certify in a separate template document, which can be found [here](#). Applicants will upload the completed Certifications Template in Section 7 of the application.

## Section 3: Management and Organizational Capability

**3.1 Please upload *one* file containing a one-page resume for *each* essential financial, technical, and managerial key personnel and a narrative explaining the role this person is expected to play as part of an awarded BEAD project, including a Chief Technology Officer and oversight team. Each key personnel must be an employee of the applicant and cumulatively demonstrate a minimum of five years of relevant experience.**

A response to this question is required from all applicants. Upload the requested file to the portal. Only one file may be uploaded. The upload must be in PDF or Word format. Personally Identifiable Information, such as addresses, phone numbers, personal hobbies and activities, should be removed from resumes before submission.

**3.1A Include a detailed description of the applicant's managerial approach including the roles and responsibilities held by the individuals identified as key personnel in response to Question 3.1. Please identify one or more qualified project managers who can serve as dedicated BEAD points of contact and will manage the BEAD award that will be a separate project manager(s) from the company executives.**

A response to this question is required from all applicants. Use the textbox to provide this information. Please also describe plans to maintain sufficient levels of management resources throughout the project period, including any planned training, retention programs, and recruitment initiatives.

**3.2 Please upload detailed organizational charts that include the organization's structure; all management personnel, including but not limited to those key personnel provided in 3.1; relevant operational teams; and information about parent companies or affiliates, if any.**

A response to this question is required from all applicants. Upload the organizational chart(s) to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format.

**3.2A Please include a description of any recent or expected changes to the organization's structure, processes, or planning that may impact BEAD project operations.**

A response to this question is required from all applicants. Use the textbox to provide this description. Relevant information may include mergers, acquisitions, and organizational policies. If not applicable, write "NA" in the textbox.

**3.2B Please describe the applicant's processes and structure to manage large projects.**

A response to this question is required from all applicants. Use the textbox to provide this description. Relevant information may include the applicant demonstrating having the managerial capabilities to support a BEAD-funded project, with specific reference to how past project performance is applicable to the uniqueness of the current project.

**3.3 Please use the Past Performance template to provide evidence detailing applicant's past performance for recent broadband projects.**

A response to this question is required from all applicants. Download the Past Performance template [here](#) and complete. Upload the completed Past Performance template to the portal. Uploads must be in Excel format.

In the template, discuss the scope, amount, timeframe, reimbursement structure, and funding source for the included projects. Include any past involvement in similar-scale telecommunications deployments projects.

Additionally, provide information about methods and strategies, resources and readiness, and key managerial and technical personnel and teams that were involved in handling projects of a comparable size and scope. Describe the organization's experience, resources, and readiness to provide the required service offerings, level of service, and maintenance over the completed network.

**3.3A Please use the Other Public Funding Sources template to submit a list of all of applicant's broadband deployment projects that have received or are expected to receive public funding (both State and federal). Include projects for which applicant has applied or intends to apply and publicly funded broadband deployment projects conducted or planned by applicant's parent company or any affiliates.**

A response to this question is required from all applicants. Download the Other Public Funding Sources template [here](#) and complete. Upload the completed Other Public Funding Sources template to the portal. The template upload must be in Excel format.

For all projects that use State or federal funds for broadband deployment, applicants will be required to upload a narrative that includes:

- Any application the applicant or its affiliates have submitted or plan to submit
- Every broadband deployment project that the applicant or its affiliates are undertaking or have committed to undertake at the time of the application

These projects may include but are not limited to those associated with programs in the below list of relevant federal and State statutes:

- 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 Act of 2021 (Public Law 117-2; 135 Stat. 4)
- Any federal Universal Service Fund high-cost program (e.g., RDOF, CAF)
- DTI's own broadband grant programs, as well as any State or local universal service or broadband deployment funding programs

For each broadband deployment project identified that meets the requirements above, applicants must provide:

- 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
- Matching commitment, if any, provided by the applicant or its affiliates

**3.3B Please use the “Service Pricing in Non-Grant Funded Areas” template to submit the current pricing of products or services that applicant offers in non-grant-funded areas that are analogous to those products that applicant expects to offer as part of a BEAD funded project; please include speeds, rates, and any terms of service including ETFs or data caps.**

A response to this question is required from all applicants. Download the Service Pricing in Non-Grant Funded Areas template [here](#) and complete. Upload the completed Service Pricing in Non-Grant Funded Areas template to the portal. The template upload must be in Excel format. If applicant has not provided broadband service and cannot complete the template, please upload a blank copy of the template.

**3.4 In the Certifications Template, certify that the applicant possesses the operational expertise, capabilities, and resources to successfully complete and operate a BEAD funded project. To certify, the applicant must possess at least three years of experience providing broadband transmission to end users or be a wholly owned subsidiary of a parent entity that has three years of operational experience in the communications industry.**

A response to this question is required from all applicants. Certify in a separate template document, which can be found [here](#). Applicants will upload the completed Certifications Template in Section 7 of the application. Note that if the applicant cannot certify 3.4, the applicant must provide a narrative in 3.4D and 3.5, as well as additional documentation.

**3.4A How many years of experience providing broadband transmission does the applicant, or its parent entity, possess?**

A response to this question is required from all applicants. Provide an answer in the number box. Please provide an answer in years, rounded to one (1) decimal place. (Example: 5 years and 6 months of experience should be written as 5.5). If response is *greater than or equal to three years* proceed to 3.4B. Applicants that possess *less than three years* of experience providing broadband transmission must proceed directly to 3.4C.

**3.4B If applicant is not a new entrant, in the Certifications Template, certify the applicant is technically qualified to complete and operate a broadband network and capable of carrying out BEAD funded activities in a competent manner.**

A response to this question is only required if response to 3.4A is *greater than or equal to three years*. If applicable, certify in a separate template document, which can be found [here](#). Applicants will upload the completed Certifications Template in Section 7 of the application. *A new entrant is generally defined as an internet service provider that has entered the market within the past few years, or has begun offering services within a recent time frame.*

**3.4C If applicant is referencing operations in other states to demonstrate operational capabilities, please provide a list of those operations including licensing and certification identifiers, years of operating experience, and description of services provided by applicant or by its affiliates or parent organization.**

A response to this question is required from all applicants, if applicable. If an applicant is not referencing operations outside of Delaware, a response to this question is not required. Upload the requested materials to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format. If the response to 3.4A is *less than three years*, proceed to 3.4D. If response to 3.4A is *greater than or equal to three years* proceed directly to 3.5A.

**3.4D If applicant is a new entrant (e.g., electric cooperative, local government), it must provide information about its partner, contractor, or key personnel as part of its demonstration of managerial, technical, or operational capabilities. The organization will be required to provide a list or chart from such partner, contractor, or key personnel describing experience with operations providing broadband services.**

This question is only required if response to 3.4A is *less than three years*. If applicable, upload the requested materials to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format. The list must include licensing and certification identifiers, years of operating experience, and descriptions of the services provided.

**3.5 If an applicant cannot provide evidence of past performance for broadband projects of similar scope and scale to BEAD funded projects in response to Question 3.3 and at least**

**three years of experience offering broadband transmission services, please provide a narrative demonstrating that the applicant has obtained, through internal or external resources, sufficient operational capabilities.**

This question is only required if response to 3.4A is *less than three years*. If applicable, upload the requested materials to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format. Evidence may include resumes from key personnel, project descriptions and narratives from contractors, subcontractors, or other partners with relevant operational experience, or other comparable evidence (NOFO, p.75). Also, provide qualified operating or financial reports that were filed with the relevant financial institution for the relevant time period.

DTI welcomes applications from applicants who have experience operating an electric transmission or distribution service and have built or acquired the relevant expertise to deploy and provide broadband service within Delaware. As required by NTIA, electric transmission applicants will be required to submit the appropriate financial and operating reports during prequalification. Acceptable submissions to fulfill this requirement include Rural Utilities Service (RUS) Form 7, Financial and Operating Report Electric Distribution; the RUS Form 12, Financial and Operating Report Electric Power Supply; the National Rural Utilities Cooperative Finance Corporation (CFC) Form 7, Financial and Statistical Report; the CFC Form 12, Operating Report; or the CoBank Form 7; or the functional replacement of one of these reports.

**3.5A In the Certifications Template, certify that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution (NOFO, p.75).**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**3.5B In the Certifications Template, certify that key directors and managers have at least three years of experience operating a network.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**3.6 In the Certifications Template, certify that the applicant is fully and properly licensed in Delaware to conduct funded activities and comply with all post-award activities.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**3.6A Please provide a list with the relevant business, technical, and management certifications and licenses held by staff and by the organization that it holds nationally and in Delaware that are relevant for the deployment of broadband infrastructure as mandated by State and federal law.**

A response to this question is required from all applicants. Upload a list with the requested information to the portal. Only one file may be uploaded. The upload must be in PDF or Word



format. This list should be organized by role and have a brief description of each certification and any unique identifiers and license numbers to allow DTI to validate the reported data.

**3.6B In the Certifications Template, certify that applicant has training programs, hiring and retention processes, and employee resources in place to ensure proper certifications and employ appropriately skilled and credentialed workforce necessary to successfully complete a BEAD funded program, including but not limited to a chief technology officer, project engineer, and contractor oversight team with appropriate skills and certifications, and that key technical personnel and technical team members are current on all required training, licensing, and license renewals.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**3.7 Does applicant intend to contract or subcontract for resources if it is chosen as subgrantee for one or more BEAD-funded projects?**

A response to this question is required from all applicants. Provide an answer using the “Yes/No” dropdown menu. Applicants that respond “Yes” should proceed to 3.7A. Applicants that respond “No” should proceed directly to 3.7B.

**3.7A If answer to Question 3.7 is “Yes,” be prepared in the Scoring Phase to answer questions about these resources. Select yes to indicate understanding of this requirement.**

This is required for applicants who respond “Yes” to 3.7. Applicants will be asked to acknowledge their understanding of the requirement with the “Yes/No” dropdown menu. Some helpful resources regarding MWB contractors are as follows: <https://business.delaware.gov/directory-of-certified-businesses/>; <https://business.delaware.gov/osd-search/?osd-certification=MBE>, and <https://business.delaware.gov/osd-search/?osd-certification=WBE>; <https://deldotcivilrights.dbesystem.com/>.

**3.7B In the Certifications Template, certify that if applicant chooses to contract resources, all contracted resources will have the relevant and necessary technical skills.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**3.8 In the Certifications Template, certify that (Guidance 2.16.4, p.96):**

- 1. Applicant has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the applicant is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the applicant is not yet providing service prior to the grant award**
- 2. The plan specifies the security and privacy controls being implemented and reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 2.0,**



see <https://www.nist.gov/cyberframework>) and the standards and controls set forth in Executive Order 14028

3. The plan will be reevaluated and updated on a periodic basis and as events warrant
4. The plan will be submitted to DTI prior to the allocation of funds. If the applicant makes any substantive changes to the plan, a new version will be submitted to DTI within 30 days.

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

### **3.8A How frequently is the cybersecurity plan reevaluated and updated?**

A response to this question is required from all applicants. Use the number box. Responses should be provided in months.

### **3.9 In the Certifications Template, certify that (Guidance 2.16.4, p.96):**

- 1) The applicant has a Supply Chain Risk Management (SCRM) plan in place (and will provide it to DTI) that is either: (a) operational, if the applicant is already providing service at the time of the grant; or (b) ready to be operationalized, if the applicant is not yet providing service at the time of grant award
- 2) The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented
- 3) The plan will be reevaluated and updated on a periodic basis and as events warrant
- 4) The plan will be submitted to DTI prior to the allocation of funds. If the applicant makes any substantive changes to the plan, a new version will be submitted to DTI within 30 days. Please take note that, if the applicant becomes a subgrantee, DTI must provide a subgrantee's plan to NTIA upon NTIA's request.

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

### **3.9A How frequently is the Supply Chain Risk Management (SCRM) plan reevaluated and updated?**

A response to this question is required from all applicants. Use the number box to provide an answer. Responses should be provided in months.

## **Section 4: Compliance with Applicable Laws**

**4.1 In the Certifications Template, certify that the applicant understands and will comply with the Environmental and Historical Preservation (EHP) requirements outlined in the BEAD NOFO and the DTI solicitation for this program (link to NOFO:**

<https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>).

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**4.1A In the Certifications Template, certify that the applicant has no history of failure to comply with environmental and historic preservation requirements.**

If applicable, certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application. Applicants who cannot certify should proceed to 4.1Bi. Applicants who are able to certify should proceed directly to 4.2.

**4.1Bi If applicant cannot certify a track record of full compliance, provide a detailed narrative regarding the applicant’s histories of challenges or noncompliance.**

4.1Bi is required for applicants who cannot certify 4.1A. If applicable, use the textbox to provide the requested detailed narrative.

**4.1Bii If applicant cannot certify a track record of full compliance, provide documentation regarding the applicant’s histories of challenges or noncompliance.**

4.1Bii is required for applicants who cannot certify 4.1A. If applicable, upload the requested documentation to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format.

**4.2 In the Certifications Template, certify that the applicant understands and will comply with the Build America, Buy America Act (BABA) requirements as outlined in the Department of Commerce Final Waiver dated February 2024**

(<https://www.commerce.gov/sites/default/files/2024-02/BABA%20Waiver%20Signed.pdf>)

and the BEAD NOFO including Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608) (see the regularly updated “List of Equipment and Services Covered By Section 2 of The Secure Networks Act,” FCC,

<https://www.fcc.gov/supplychain/coveredlist>):

- All iron, steel, and manufactured products (including but not limited to fiber-optic communications facilities) (with exceptions as outlined in the Final Waiver) and
- Construction materials used in the project must be produced in the United States (with exceptions as outlined in the Final Waiver)
- Section 70912 of BABA and the Final Waiver outlines the definition of “produced in the United States” with respect to manufactured products

**Subgrantees are prohibited from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People’s Republic of China unless a waiver is received from the Assistant Secretary of Commerce.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**4.2A In the Certifications Template, certify that the applicant is aware of and intends to reference Delaware’s resources for Minority and Women-Owned Business Enterprises and Labor Surplus Area Firms, including the Division of Small Business’s Office of Supplier**

**Diversity and its resources and database (<https://business.delaware.gov/directory-of-certified-businesses/>).**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**4.3 In the Certifications Template, please acknowledge that the applicant plans to comply in the Scoring Phase by submitting a letter signed by an attorney regarding the applicant's qualifications and past compliance with federal and state laws.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**4.4 Please provide a narrative description of the monitoring and compliance tracking processes the applicant has in place to conduct funding activities in compliance with all State and federal laws, including procurement practices. Please also include an explanation of any circumstances that may prevent compliance and plans to mitigate the impact of that noncompliance on its participation in the program.**

A response to this question is required from all applicants. Use the textbox to provide the requested detailed narrative. Please consider adding information about your procurement processes, internal controls for review and reimbursement of contract invoices, etc.

**4.5 In the Certifications Template, certify that the applicant will permit workers to create worker-led health and safety committees that management will meet with upon reasonable request, and will recertify this annually for the duration of the BEAD implementation period. Also certify that the applicant understands that every successful applicant will be required to ensure that it and any subcontractors on BEAD deployment projects will be contractually obligated to allow for the creation of worker-led health and safety committees that management will meet with upon reasonable request.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application. Note that if this question is not certified, the application will not be considered complete.

**4.5A In the Certifications Template, certify that applicant has or will have a process in place to monitor and support compliance with specific State and federal safety regulations applicable to work on BEAD program projects, including federal Occupational Safety and Health Act and related State and federal regulations.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**4.5B Please provide documentation of the organization's policies and practices regarding compliance with applicable federal and State health and safety laws and regulations and of applicant's outreach to workers on these topics.**

A response to this question is required from all applicants. Upload the requested documentation to the portal. Multiple files may be uploaded. Uploads must be in PDF format.

**4.6 Has the applicant provided a voice and/or broadband service for at least three years?**

A response to this question is required from all applicants. Provide an answer using the “Yes/No” checkbox. Applicants that respond “Yes” will proceed to 4.6A. Applicants that respond “No” will proceed directly to 4.7.

**4.6A If applicant has provided a voice and/or broadband service for at least three years, in the Certifications Template, certify that applicant has filed Federal Communication Commission Forms 477 and the Broadband DATA Act submission, as applicable and required, and otherwise complied with the Commission’s rules and regulations.**

This question is only required if response to 4.6 is “Yes.” If applicable, certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application. Applicants that cannot certify will proceed to 4.6B. Applicants that can certify will proceed directly to 4.7.

**4.6B If the applicant previously provided a voice and/or broadband service for at least three years, but has not complied, or is accused of failing to comply, with the Commission’s rules and regulations, please provide a description of any pending or completed enforcement action, litigation, or other action regarding said non-compliance and provide a description of any effort to cure the noncompliance or violation.**

This question is required only if applicant cannot certify 4.6A. If applicable, use the textbox to provide the requested description.

**4.7 Please submit the relevant ownership information, including demonstration of foreign interests, as required by 47 C.F.R. § 1.2112(a)(1)-(7).**

A response to this question is required from all applicants. Download the Ownership Information template [here](#) and complete it. Upload the Ownership Information template to the portal. The template upload must be in Word format.

The template will ask applicants to list the following information:

- List the real party or parties in interest in the applicant or application, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the applicant.
- List the name, address, and citizenship of any party holding 10 percent or more of stock in the applicant, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held.
- List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the applicant is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses).
- List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation in the partnership.

- List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the applicant is 10 percent or greater.
- List all parties holding indirect ownership interests in the applicant as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, that equals 10 percent or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest.
- List any FCC-regulated entity or applicant for an FCC license, in which the applicant or any of the parties identified in other bullets as part of this section, owns 10 percent or more of stock, whether voting or nonvoting, common or preferred. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the applicant (e.g., Company A owns 10 percent of Company B (the applicant) and 10 percent of Company C, then Companies A and C must be listed on Company B's application, where C is an FCC licensee and/or license applicant).

**4.7A Are there any discrepancies between the information provided in this application and the information provided by the applicant to the FCC in compliance with 47 C.F.R. §1.2112?**

A response to this question is required from all applicants. Provide an answer using the "Yes/No" dropdown menu. Applicants that respond "Yes" will proceed to 4.7Ai. Applicants that respond "No" will proceed directly to 4.8.

**4.7Ai Identify and explain any discrepancies or inconsistencies in the reported ownership and corporate structure information between the information reported to the FCC and the information submitted as part of this application.**

This question is only required if response to 4.7A is "Yes." If applicable, use the textbox to provide the requested information.

**4.8 In the Certifications Template, please certify that there is no collusion, bias or conflict of interest or provide the necessary ownership and partnership disclosures pursuant to 47 CFR 1.2105(a):**

- (1) that the applicant is the real party in interest in this application and that there are no agreements or understandings other than those specified in this application, which provide that someone other than the applicant shall have an interest in the application
- (2) that the applicant is aware that, if upon inspection, this application is shown to be defective, the application may be dismissed without further consideration, and any fees forfeited. Other penalties may also apply
- (3) except as explicitly provided in the rules for the BEAD program and in this application, that the applicant has not entered into and will not enter into any explicit or implicit agreements or understandings of any kind with parties not identified in this application regarding the amount to be bid, bidding strategies, or the particular area on which the applicant or other parties will or will not bid
- (4) that the applicant, or any party to this application, is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988

- (5) that the applicant is and will, during the pendency of its application(s), remain in compliance with any service specific qualifications detailed in this application including, but not limited to, the qualifications in this application regarding financial, technical, and organizational capabilities**
- (6) that the applicant is not in default on any payment to the State of Delaware and that it is not delinquent on any non-tax debt owed to any federal agency**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

## Section 5: Fair Labor Practices

### **5.1 Does applicant and any contractors or subcontractors, have a history of compliance with federal and State labor and employment and unfair trade practices laws during the preceding three years, such as the Occupational Safety and Health Act and the Fair Labor Standards Act?**

A response to this question is required from all applicants. Provide an answer using the “Yes/No” dropdown menu. Applicants that answer “Yes” should proceed to 5.1Ai. Applicants that answer “No” should proceed directly to 5.1Bi.

#### **5.1Ai In the Certifications Template, certify that the applicant has complied with federal labor and employment laws on broadband deployment projects over the last three years preceding the date of the application by applicant and by its planned contractors and subcontractors.**

This question is required only if applicant responds “Yes” to 5.1. If applicable, certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

#### **5.1Aii In the Certifications Template, please certify that the applicant, its contractors, and its subcontractors have consistently complied with federal labor and employment laws.**

This question is required only if applicant responds “Yes” to 5.1. If applicable, certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application. Regardless of whether applicants can certify 5.1Aii, proceed directly to 5.1Ci from here.

#### **5.1Bi Please document any history of violations by applicant, or any of its planned contractors or subcontractors, of federal and state labor and employment laws for the prior three years.**

This question is only required for applicants that respond “No” to 5.1. If applicable, use the textbox to provide the requested information.

Include the following violations, if accrued:

- Injunctions, fines, defaults, penalties or debarment from other state or federal grant programs;

- Any regulatory enforcement actions or legal or administrative proceedings that concluded adversely against the applicant;
- Penalties, notices of violation, or other disciplinary action taken by a state or federal agency for any conduct of an applicant or contractors or subcontractors working on their behalf;
- And/or findings of negligence, denial of civil rights, and/or breach of contract to provide services.

Also include discussion of any steps taken to mitigate the impact of those violations on workers. New entrants with less than two years of experience offering voice or broadband services will proceed to 5.1Bii. Applicants that are not new entrants will proceed directly to 5.1Ci.

**5.1Bii Please provide a description of specific, concrete commitments to strong labor and employment standards and protections going forward.**

This question is required for applicants that respond “No” to 5.1 and are new entrants with less than two years of experience offering voice or broadband services. If applicable, use the textbox to provide the requested description.

**5.1Ci In the Certifications Template, certify that that the applicant, its contractors, and its subcontractors, have existing labor and employment practices in place, and commit to annual recertification for the duration of BEAD implementation.**

A response to this question is required from all applicants. Certify in a separate template document. Applicants will upload the completed Certifications Template in Section 7 of the application.

**5.1Cii Please submit a brief narrative detailing the applicant’s existing labor and employment practices and submit any relevant supporting materials as PDF attachments.**

A response to this question is required from all applicants. Upload the requested narrative to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format.

**5.1Ciii Please upload documentation describing applicable wage scales, as well as wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network.**

A response to this question is required from all applicants. Upload the requested documentation to the portal. Multiple files may be uploaded. Uploads must be in PDF or Word format.

**5.1CIV Please indicate if the applicant’s workforce is unionized.**

A response to this question is required from all applicants. Provide an answer using the “Yes/No” dropdown menu.

**5.2 Provide an initial workforce evaluation by responding to 5.2A – 5.2G.**

A response is not required for this question. Proceed to 5.2A.

**5.2A Provide information on workforce safety and training, including a description of how the Prospective Applicants will ensure that the workforce is properly trained to conduct the work safely and effectively, including a description of training, certification and/or licensure requirements for each job title, a description of any in-house training program and whether training is tied to certifications, titles, and uniform wage scales.**

A response to this question is required from all applicants. Use the textbox to provide the requested information. Applicants should note if they participate in a labor-management apprenticeship program. If so, they should describe the program requirements. Applicants should state if there is a labor-management health and safety committee on the worksite. If so, describe how the committee operates and its composition.

**5.2B Provide a narrative discussion of current and planned future practices regarding using a directly employed workforce, robust in-house training, wages and benefits, and a locally based workforce. Prospective Applicants should state what percentage of their existing workforce resides in Delaware and what, if any, commitments they are willing to make to grow their Delaware-based workforce.**

A response to this question is required from all applicants. Use the textbox to provide the requested narrative discussion.

**5.2C Provide a narrative discussion of the workforce for ongoing network operations. Prospective Applicants should discuss their existing workforce for customer service and operations work, whether those workers will be directly hired or contracted, and what the wage scales are for these jobs.**

A response to this question is required from all applicants. Use the textbox to provide the requested narrative discussion.

**5.2D Provide a narrative of current and planned future practice regarding public disclosure of workforce plans and labor commitments on a website or online portal.**

A response to this question is required from all applicants. Use the textbox to provide the requested narrative.

**5.2E Provide a narrative discussion of job quality considerations as part of the Prospective Applicant's workforce development strategies, including a description of wage scales and minimum wage rates, overtime rates, benefits for each job title that will carry out the proposed work, and whether and to what extent the Prospective Applicant uses unionized labor.**

A response to this question is required from all applicants. Use the textbox to provide the requested narrative discussion. For each job title, provide an estimate of the number of workers or work hours required and the entity that will employ the workforce. If the Prospective Applicant plans to use subcontractors, a description of the job quality standards, including the above, they will hold their subcontractors to.



**5.2F Provide a narrative discussion of all efforts to increase the diversity of the Prospective Applicant’s workforce, including directly employed workforce and subcontractors, as well as policies or programs that encourage career pathways and hiring for marginalized communities or the local community, including any programs for women and people of color, as well as veterans.**

A response to this question is required from all applicants. Use the textbox to provide the requested narrative discussion.

**5.2G Provide a narrative discussion of whether the construction workforce will be directly employed or subcontracted, the anticipated size of the workforce required to carry out the proposed work, a description of plans to maximize use of local or regional workforce, and a description of the expected workplace safety standards and training to ensure the project is completed at a high standard.**

A response to this question is required from all applicants. Use the textbox to provide the requested narrative discussion.

**5.3 Submit a description of workforce training and certification programs that the applicant relies on, or expects to rely on, to support a continued commitment to a highly skilled and trained workforce. These programs should include certified apprenticeship programs, community college curricula, and for-profit certification programs, programs offered by trade and labor unions, as well as industry sponsored programs.**

A response to this question is required from all applicants. Use the textbox to provide the requested description.

## Section 6: Risk Management

**6.1 Has the applicant currently or previously been suspended or debarred by any federal/state agency?**

A response to this question is required from all applicants. Answer using the “Yes/No” dropdown menu.

**6.2 Has your business ever been subject to recoupment of payments under any federal/state grant?**

A response to this question is required from all applicants. Answer using the “Yes/No” dropdown menu.

**6.3 Has the applicant ever been found to have violated federal, state, or local labor, nondiscrimination, or equal employment opportunity laws?**

A response to this question is required from all applicants. Answer using the “Yes/No” dropdown menu.

## Section 7: Certifications Template

### **7.1 Upload the Certifications Template to the portal.**


A response to this question is required from all applicants. To do this, please upload the Certifications Template to the portal. The template should be filled out with all required and conditional (if applicable) certifications. The Certifications Template may be printed and signed by hand before uploading, or applicants may utilize an electronic signature on the document and then upload the file. Only one file may be uploaded. Files can be in Word or PDF format.

### **Extra Question**


Applicants should use this question to upload separate documents for textbox-input questions where the applicant's narrative answer exceeded the character limit. Upload separate documents for each question if applicable. Each file should be labeled using the following structure: "Applicant Name-Question Number."

If response exceeds character limitations in the portal, please upload full response as a separate document in "Extra Question," following 7.1.

## Appendix A: Past Performance Template

											
Prequalification template: Past performance and experience Delaware BEAD Program											
#	Name of project	Location	Project Budget	Scope (number of passings)	Project start date	Project completion date	Funding source	Key management personnel and teams involved	Technical specifications of resulting service	Narrative of experience (including methods and strategies, technical teams and expertise, resources, comparison to anticipated project, resulting experience in designing and constructing broadband projects and working with operating networks to provide last-mile services)	Other notes
1											
2											
3											

## Appendix B: Other Public Funding Sources Template



Prequalification template: Other public funding for existing broadband projects  
Delaware BEAD Program

**Instructions:** Please submit a list of all broadband deployment projects that have received or are expected to receive public funding (both state and federal). Include projects for which the applicant has applied or intends to apply, are undertaking or have committed to undertake, and publicly funded broadband deployment projects conducted or phased by applicant's parent company or any affiliates. These projects could be, but do not necessarily have to be, associated with programs in the below list of relevant federal and state statutes: Families First Coronavirus Response Act, CARES Act, Consolidated Appropriations Act 2021, American Rescue Plan of 2021, any federal Universal Service Fund high-cost program (e.g., RDOF, CAF), and any State of Delaware broadband grant program.

#	Project name (include URL for project if possible)	Funding agency and funding program	Prior, Current, or Upcoming Application	Date of application submission	Date of funding award (if any)	Minimum speed of service to be provided	Latency of service (provided or expect to be provided)	Geographic area (County and census blocks; if project spans multiple counties, separate each county name by a comma)	Number of unserved or underserved locations to be served (or percentage of locations within area)	Amount of public funding (if multiple sources of public funding, list the)	Maximum cost of service to consumer	Matching commitment provided by applicant or affiliate
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## Appendix C: Service Pricing in Non-Grant Funded Areas Template



### Prequalification template: Service pricing in non-grant funded areas Delaware BEAD Program

**Instructions:** Please submit a list of applicant's current pricing of products or services that applicant offers in non-grant-funded areas in Delaware that are analogous to those products that applicant expects to offer as part of a BEAD funded project; please include speeds, rates, and any terms of service including ETFs or data caps.

#	Product or service	Technology used	As-advertised speed provided (download)	As-advertised speed provided (upload)	Latency provided	Non-promotional pricing of product or service offered (including recurring and non-recurring rates)	Is the product a "low cost plan" or does it have income-eligibility requirements? If so, describe them.	Is the product subsidized by state or federal funding such as the Affordable Connectivity Program or Lifeline? If so, describe the funding source.	Terms of service (including data caps, early termination fees, speed adjustments, bundling requirements, contract terms, and other terms and fees)
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2									
3									
4									
5									
6									

## Appendix D: Ownership Information Template



Delaware Department of Technology and Information

### Pre-qualification Application for the Broadband, Equity, Access, and Deployment (BEAD) Grant Program

#### Ownership Information Template

Please use **Table 1** below to provide the requested information regarding applicant's ownership structure and "real parties in interest," including demonstration of foreign interests. Please include entities with direct and indirect ownership and control as of the submission date of the application.

Please use **Table 2** below to provide the requested information regarding applicant's ownership interest of 10 percent or more of stock (voting or nonvoting, common or preferred) in any FCC-regulated entity or applicant for an FCC license. Please also use Table 2 to provide information regarding the ownership interest of 10 percent or more in any FCC regulated entity or applicant for an FCC license by any of the entities listed in Table 1 as having an ownership interest in applicant.

Applicants will be required to provide updates, corrections and other changes to the information provided below on an ongoing basis while participating in all aspects of the BEAD program, including the prequalification and scoring processes. Awarded subgrantees

will be required to provide updates, corrections, and other changes to their submitted ownership information until project completion.

These requirements follow federal regulations developed by the Federal Communications Commission for its funding and auction programs. Please provide the information in the tables below using the definitions and guidance of the regulations in 47 C.F.R. §1.2112(a)(1)-(7)) and related instructions and guidance of FCC Form 602.

Please state “not-applicable” or “NA” for any question that does not apply to the applicant’s ownership structure or circumstances.

Please add additional rows in the table if required to provide complete information.

**Questions**

- 1.) Please describe applicant’s corporate ownership structure (e.g. general partnership, cooperative, limited liability partnership, limited liability corporation, corporation, government entity) and list any corporate affiliates. If applicant is a cooperative, government entity, nonprofit organization, or consortium please describe the applicant’s governance structure and, in Table 1 below, identify individuals holding direct or indirect control of the organization including board members, directors and officers, governing boards and committees and their members.

Insert response here.

- 2.) Please provide the requested ownership and real parties in interest of the Applicant in Table 1 below.

**Table 1- Real Parties in Interest of Applicant**

Indirect ownership interests in the subgrantee applicant are determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest.

1.) List the real party or parties in interest in the applicant, including the identity and relationship of those persons or entities directly or indirectly owning or controlling the applicant. (47 C.F.R. §1.2112(a)(1))			
Full Name (individual or entity)		Relationship to applicant	

2.) List the name, address, and citizenship of any party (individual or entity) holding 10 percent or more of any class of stock in the applicant (voting or nonvoting, common or preferred) and state the amount of interest or percentage held for each entry. (47 C.F.R. §1.2112(a)(2))			
Full Name (individual or entity)	Address	Country of citizenship or, if entity, jurisdiction of formation	Amount or percent of ownership interest, whether direct or indirect, held in applicant



<b>3.) If applicant is a limited partnership, list the name, address, and citizen of each limited partner with a 10 percent or greater interest in applicant, and state the amount of interest or percentage held for each entry. (47 C.F.R. §1.2112(a)(3))</b>			
<b>Full Name (individual or entity)</b>	<b>Address</b>	<b>Country of citizenship or, if entity, jurisdiction of formation</b>	<b>Percent of ownership interest, whether direct or indirect, held in applicant</b>
<b>4.) If applicant is a general partnership, list the name, address, and citizenship of each partner and the share or interest participation in the partnership for each entry. (47 C.F.R. §1.2112(a)(4))</b>			
<b>Full Name (individual or entity)</b>	<b>Address</b>	<b>Country of citizenship or, if entity, jurisdiction of formation</b>	<b>Percent of ownership interest, whether direct or indirect, held in applicant</b>

<b>5.) If applicant is a limited liability company, list the name, address and citizenship of each of its members with a 10 percent or greater interest in applicant and state the amount of interest or percentage held for each entry. (47 C.F.R. §1.2112(a)(5))</b>			
<b>Full Name (individual or entity)</b>	<b>Address</b>	<b>Country of citizenship or, if entity, jurisdiction of formation</b>	<b>Percent of ownership interest, whether direct or indirect, held in applicant</b>
<b>6.) List the name, address, and citizenship of any party (individual or entity) holding a 10 percent or greater interest in applicant, whether direct or indirect, and state the amount of interest for each entry. (47 C.F.R. §1.2112(a)(6))</b>			
<b>Full Name (individual or entity)</b>	<b>Address</b>	<b>Country of citizenship or, if entity, jurisdiction of formation</b>	<b>Amount or percent of ownership interest, whether direct or indirect, held in applicant</b>

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3.) Please provide the requested information regarding ownership information in any FCC-regulated entity or applicant for an FCC license by applicant in Table 2 below.

**Table 2**

List any FCC-regulated businesses where applicant owns 10 percent or more of the stock. (47 C.F.R. §1.2112(a)(7))			
Name and address	Principal nature of business	FCC Registration Number	Percent of interest held by applicant in the FCC regulated business

List FCC regulated businesses where direct and indirect owners of the applicant, as listed in Table 1, have a 10 percent or greater direct or indirect ownership interest:				
Name of direct or indirect owner of applicant	Name and address of FCC regulated business	Principal nature of business	FCC Registration Number	Percent of interest held in related FCC regulated business

## Appendix E: Certifications Template



### Certifications Template for Prequalification for the Broadband, Equity, Access, and Deployment (BEAD) Grant Program

The Delaware Department of Technology and  
Information (DTI)

Certification	Initials
2.2. Certify that the applicant has the necessary financial qualifications, capabilities, and resources to comply with all program requirements and successfully participate in the program.	
2.3 Certify that applicant 1) is aware of and understands the letter of credit or performance bond obligations and processes for the Program and 2) has the qualifications and resources to obtain the required letter of commitment and letter of credit or performance bond. See BEAD Letter of Credit Waiver (11/01/23, NTIA Notice of Programmatic Waiver, <a href="https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver">https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver</a> ).	
2.4 Certify and acknowledge that BEAD funds will be issued as reimbursements and not advance funding, and that all BEAD awards are fixed-amount subawards and, if granted an award, the Applicant will be a subgrantee, not a contractor or subcontractor, and that all relevant state and federal laws and regulations apply accordingly.	
2.4a Certify and acknowledge that minimal BEAD outlay includes a 25 percent match from prospective applicants.	
3.4 Certify that the applicant possesses the operational expertise, capabilities, and resources to successfully complete and operate a BEAD funded project. To certify, the applicant must possess at least <b>three years</b> of experience providing broadband transmission to end users or be a wholly owned subsidiary of a parent entity that has three years of operational experience in the communications industry.  Note that if applicant cannot certify 3.4, applicant must provide a narrative to 3.4D and 3.5 and additional documentation.	
3.4B Certify the applicant is technically qualified to complete and operate a broadband network and capable of carrying out BEAD funded activities in a competent manner.	
3.5A Certify that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution (NOFO, p.75).	
3.5B Certify that key directors and managers have at least three years of experience operating a network.	
3.6 Certify that the applicant is fully and properly licensed in Delaware to conduct funded activities and comply with all post-award activities.	
3.6B Certify that applicant has training programs, hiring and retention processes, and employee resources in place to ensure proper certifications and employ appropriately skilled and credentialed workforce necessary to successfully complete a BEAD funded program, including but not limited to a chief technology officer, project engineer, and contractor oversight team with appropriate skills and certifications, and that key technical personnel and technical team members are current on all required training, licensing, and license renewals.	
3.7B Certify that if applicant chooses to contract resources, all contracted resources will have the relevant and necessary skills.	

Certification	Initials
<p>3.8 Certify that (Guidance 2.16.4, p.96):</p> <p>1) Applicant has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the applicant is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the applicant is not yet providing service prior to the grant award</p> <p>2) The plan specifies the security and privacy controls being implemented and reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 2.0, see <a href="https://www.nist.gov/cyberframework">https://www.nist.gov/cyberframework</a>) and the standards and controls set forth in Executive Order 14028</p> <p>3) The plan will be reevaluated and updated on a periodic basis and as events warrant</p> <p>4) The plan will be submitted to DTI prior to the allocation of funds. If the applicant makes any substantive changes to the plan, a new version will be submitted to DTI within 30 days.</p>	
<p>3.9 Certify that (Guidance 2.16.4, p.96):</p> <p>1) The applicant has a Supply Chain Risk Management (SCRM) plan in place (and will provide it to DTI) that is either: (a) operational, if the applicant is already providing service at the time of the grant; or (b) ready to be operationalized, if the applicant is not yet providing service at the time of grant award</p> <p>2) The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented</p> <p>3) The plan will be reevaluated and updated on a periodic basis and as events warrant</p> <p>4) The plan will be submitted to DTI prior to the allocation of funds. If the applicant makes any substantive changes to the plan, a new version will be submitted to DTI within 30 days. Please take note that, if the applicant becomes a subgrantee, DTI must provide a subgrantee's plan to NTIA upon NTIA's request.</p>	
<p>4.1 Please certify that the applicant understands and will comply with the Environmental and Historical Preservation (EHP) requirements outlined in the BEAD NOFO and the DTI solicitation for this program (link to NOFO: <a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf</a>).</p>	
<p>4.1A Please certify that the applicant has no history of failure to comply with environmental and historic preservation requirements.</p>	

Certification	Initials
<p>4.2 Please certify that the applicant understands and will comply with the Build America, Buy America Act (BABA) requirements as outlined in the Department of Commerce Final Waiver dated February 2024 (<a href="https://www.commerce.gov/sites/default/files/2024-02/BABA%20Waiver%20Signed.pdf">https://www.commerce.gov/sites/default/files/2024-02/BABA%20Waiver%20Signed.pdf</a>) and the BEAD NOFO (link to NOFO: <a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf</a>) including Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608) (see the regularly updated “List of Equipment and Services Covered By Section 2 of The Secure Networks Act,” FCC, <a href="https://www.fcc.gov/supplychain/coveredlist">https://www.fcc.gov/supplychain/coveredlist</a>):</p> <ul style="list-style-type: none"> <li>• All iron, steel, and manufactured products (including but not limited to fiber-optic communications facilities) (with exceptions as outlined in the Final Waiver) and</li> <li>• Construction materials used in the project must be produced in the United States (with exceptions as outlined in the Final Waiver)</li> <li>• Section 70912 of BABA and the Final Waiver outlines the definition of “produced in the United States” with respect to manufactured products</li> </ul> <p>Subgrantees are prohibited from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People’s Republic of China unless a waiver is received from the Assistant Secretary of Commerce</p>	
<p>4.2A Please certify that the applicant is aware of and intends to reference Delaware’s resources for Minority and Women-Owned Business Enterprises and Labor Surplus Area Firms, including the Division of Small Business’s Office of Supplier Diversity and its resources and database (<a href="https://business.delaware.gov/directory-of-certified-businesses/">https://business.delaware.gov/directory-of-certified-businesses/</a>).</p>	
<p>4.3 Please acknowledge that the applicant plans to comply in the Scoring Phase by submitting a letter signed by an attorney regarding the applicant’s qualifications and past compliance with federal and state laws.</p>	
<p>4.5 Please certify that the applicant will permit workers to create worker-led health and safety committees that management will meet with upon reasonable request, and will recertify this annually for the duration of the BEAD implementation period. Also certify that the applicant understands that every successful applicant will be required to ensure that it and any subcontractors on BEAD deployment projects will be contractually obligated to allow for the creation of worker-led health and safety committees that management will meet with upon reasonable request. Please note that without this certification, the application will not be considered complete.</p>	
<p>4.5A Please certify that applicant has or will have a process in place to monitor and support compliance with specific State and federal safety regulations applicable to work on BEAD program projects, including federal Occupational Safety and Health Act and related State and federal regulations.</p>	
<p>4.6A. If applicant has provided a voice and/or broadband service for at least three years, certify that applicant has filed Federal Communication Commission Forms 477 and the Broadband DATA Act submission, as applicable and required, and otherwise complied with the Commission’s rules and regulations.</p>	

Certification	Initials
<p>4.8 Please certify that there is no collusion, bias or conflict of interest or provide the necessary ownership and partnership disclosures pursuant to 47 CFR 1.2105(a):</p> <p>(1) that the applicant is the real party in interest in this application and that there are no agreements or understandings other than those specified in this application, which provide that someone other than the applicant shall have an interest in the application</p> <p>(2) that the applicant is aware that, if upon inspection, this application is shown to be defective, the application may be dismissed without further consideration, and any fees forfeited. Other penalties may also apply</p> <p>(3) except as explicitly provided in the rules for the BEAD program and in this application, that the applicant has not entered into and will not enter into any explicit or implicit agreements or understandings of any kind with parties not identified in this application regarding the amount to be bid, bidding strategies, or the particular area on which the applicant or other parties will or will not bid</p> <p>(4) that the applicant, or any party to this application, is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988</p> <p>(5) that the applicant is and will, during the pendency of its application(s), remain in compliance with any service specific qualifications detailed in this application including, but not limited to, the qualifications in this application regarding financial, technical, and organizational capabilities</p> <p>(6) that the applicant is not in default on any payment to the State of Delaware and that it is not delinquent on any non-tax debt owed to any federal agency</p>	
4.8A Certify that the applicant will not engage in prohibited communications as defined in 47 C.F.R. 1.2105 starting from the date of submission of prequalification application until final award	
5.1Ai If applicant and any contractors or subcontractors, have a history of compliance with federal and State labor and employment and unfair trade practices laws during the preceding three years, such as the Occupational Safety and Health Act and the Fair Labor Standards Act, certify that applicant has complied with federal labor and employment laws on broadband deployment projects over the last three years preceding the date of the application by applicant and by its planned contractors and subcontractors.	
5.1Aii If applicant and any contractors or subcontractors, have a history of compliance with federal and State labor and employment and unfair trade practices laws during the preceding three years, such as the Occupational Safety and Health Act and the Fair Labor Standards Act, certify that that applicant, its contractors, and its subcontractors have consistently complied with federal labor and employment laws.	
5.1Ci Certify that that the applicant, its contractors, and its subcontractors, have existing labor and employment practices in place, and commit to annual recertification for the duration of BEAD implementation.	

Signature

I, the undersigned, am an officer, director, or equivalent, authorized to obligate my entity and enter into agreements for my organization. I understand that the above certifications and assurances, which I have initialed, do not guarantee funding. I



further understand that a subaward agreement, which may contain terms and conditions, will be executed prior to project funds being awarded. I further understand that, if the information provided by my organization to DTI in the application is materially false or the application information cannot be verified, no grant funds will be awarded under this program. Finally, to the best of my knowledge, the information in this application, including all certifications and assurances as well as information input into the portal and uploaded to the portal, is true and correct.

Signature of Applicant:

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Title of Applicant and Name of Employer:

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Contact information:

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Date:

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## Version History