



# **Broadband Equity, Access, and Deployment (BEAD) Program**

**Delaware Final Proposal  
DRAFT FOR PUBLIC COMMENT | December 2024**

**Delaware Broadband Office  
Department of Technology and Information**

This report was prepared by the Delaware Broadband Office of Delaware's Department of Technology and Information (DTI) using federal funds under award BEAD 10-20-B136 from the National Telecommunications and Information Administration (NTIA). The statements, findings, conclusions, and recommendations are those of the authors and do not necessarily reflect the views of NTIA or the U.S. Department of Commerce.

This is a draft document being posted for public comment for eventual submission to NTIA, consistent with NTIA's BEAD Final Proposal Guidance v1.2. Comments submitted will be considered and changes may be made to this document before its updated Final Proposal submission to NTIA as part of the BEAD process. Accordingly, nothing in this document should be considered a binding commitment by DTI, as significant changes are possible prior to final submission.

This document and all attachments are formatted as required by NTIA. The NTIA-mandated prompts are included verbatim to help the public understand the information flow contained herein. Comments as to this document should be sent by email to [BEAD@delaware.gov](mailto:BEAD@delaware.gov) Comments will be received until 5:00 PM on Tuesday, December 24.

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0.7 Attachment (Required – Conditional on a ‘Yes’ Response to Intake Question 0.6): Complete and submit the CAIs CSV file (named “fp\_cai.csv”) using the NTIA template provided. Although CAIs are not included under (f)(1) deployment projects, to confirm the Eligible Entity’s compliance with the BEAD prioritization framework and identify BEAD-funded CAIs, the NTIA template is required. This list must match the approved final list from the Eligible Entity’s Challenge Process results. .... 1

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BEAD NOFO. The response must describe how local coordination efforts undertaken reasonably ensure:

- a. Full geographic coverage of the Eligible Entity;
- b. Meaningful engagement and outreach to diverse stakeholder groups, labor organizations, and community organizations, including to promote the recruitment of women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible activities;
- c. Utilization of multiple awareness and participation mechanisms and different methods to convey information and outreach;
- d. Transparency of processes, to include the documentation and publication of results and outcomes of such coordination and outreach efforts, including additions or changes to the Eligible Entity’s Final Proposal; and
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17.2 Attachment (Optional): If not already submitted to NTIA, and the Eligible Entity needs to request a waiver for a BEAD program requirement, upload a completed Waiver Request Form here. If documentation is already in process or has been approved by NTIA, the Eligible Entity does NOT have to upload waiver documentation again. .... 49

17.3 Text Box: Describe the public comment period and provide a high-level summary of the comments received by the Eligible Entity during the public comment period and how the Eligible Entity addressed the comments. The response must demonstrate: a. The public comment period was no less than 14 days; and b. Outreach and engagement activities were conducted to promote feedback during the public comment period. .... 49

Appendix: Final Proposal Funding Request (Required) ..... 50

## 0 Final Proposal Data Submission

- 0.1 Attachment (Required):** Complete and submit the Subgrantees CSV file (named “fp\_subgrantees.csv”) using the NTIA template provided.

See attached.

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See attached.

- 0.3 Attachment (Required):** Complete and submit the Locations CSV file (named “fp\_locations.csv”) using the NTIA template provided. This list must match the approved final list from the Eligible Entity’s Challenge Process results.

See attached.

- 0.4 Question (Y/N):** Does the Eligible Entity intend to use BEAD funds to serve CAIs?

Yes

- 0.5 Attachment (Required – Conditional on a ‘Yes’ Response to Intake Question 0.4)**

*Complete and submit the No BEAD Locations CSV file (named “fp\_no\_BEAD\_locations.csv”) using the NTIA template provided. The location IDs in this list must match the approved final list from the Eligible Entity’s Challenge Process results (i.e., the fabric version selected).*

See attached.

- 0.6 Question (Y/N):** If the Eligible Entity intends to use BEAD funds to serve CAIs, does the Eligible Entity certify that it ensures coverage of broadband service to all unserved and underserved locations, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2)?

Yes

- 0.7 Attachment (Required – Conditional on a ‘Yes’ Response to Intake Question 0.6):** Complete and submit the CAIs CSV file (named “fp\_cai.csv”) using the NTIA template provided. Although CAIs are not included under (f)(1) deployment projects, to confirm the Eligible Entity’s compliance with the BEAD prioritization framework and identify BEAD-funded CAIs, the NTIA template is required. This list must match the approved final list from the Eligible Entity’s Challenge Process results.

See attached

- 0.8 Question (Y/N):** Is the Eligible Entity conducting non-deployment projects?

Yes

**0.9 Attachment (Required – Conditional on a ‘Yes’ Response to Intake Question 0.8):** If ‘Yes’ [to Intake Question 0.8], the Eligible Entity is conducting non-deployment projects, complete and submit the Non-Deployment Projects CSV file (named “fp\_non\_deployment\_projects.csv”) using the NTIA template provided.

Attached.

## 1 Subgrantee Selection Process Outcomes (Requirement 1)

- 1.1 Text Box:** Describe how the Eligible Entity's deployment Subgrantee Selection Process undertaken is consistent with that approved by NTIA in Volume II of the Initial Proposal.

*The Eligible Entity may respond to this question in one or more of the following ways:*

- *A description that the deployment Subgrantee Selection Process undertaken was consistent with that approved in the Initial Proposal.*
- *A description that, if the deployment Subgrantee Selection Process undertaken differed from that approved in the original Initial Proposal, the Eligible Entity received written approval for the change(s) from NTIA.*

The Subgrantee Selection Process was consistent with Delaware's approved Initial Proposal. Delaware needed only a single round of applications and was fortunate to have competition in all its grant areas.

- 1.2 Text Box:** Describe the steps that the Eligible Entity took to ensure a fair, open, and competitive process, including processes in place to ensure training, qualifications, and objectiveness of reviewers.

To ensure fairness, openness, and competition, DTI's deployment Subgrantee Selection Process followed the steps identified in its approved Initial Proposal (Section 4.1.2). All elements of the BEAD program were designed with these goals at the forefront, with a commitment to openness, fairness, and competition and informed by the capabilities and structures developed for pre-BEAD programs to deploy broadband to unserved and underserved Delaware residents.

Openness represents a core value and guiding principle for DTI as it has undertaken both the BEAD program and other broadband and digital equity initiatives. Openness was crucial to ensure the best outcomes for unserved and underserved communities and involved a range of strategies:

1. Open and inclusive eligibility for grant awards, welcoming applications from both public and private entities, as well as collaborations and public-private partnerships. We provided notice to potential applicants through our newsletter listserv and by putting notice on the DTI website. We also used DTI social media, press releases, and pitching to relevant reporters to spread the word through mainstream and industry media.
2. Community input at all stages of the BEAD process, including engagement and feedback to the planning process and the plans themselves.
3. Openness and transparency in the evaluation process, with feedback offered to ISPs that applied for BEAD funds and were unsuccessful to build trust and encourage participation.

Fairness for applicants in a competitive grant program for building broadband infrastructure is essential to encourage competition, innovation, and the efficient use of resources while ensuring that both unserved and underserved areas receive the connectivity they need. To ensure fairness in its BEAD grant process, DTI took the following steps:

1. An open and transparent process, with all grant materials and guidance available to all potential applicants on the same timeline, including publication of the scoring rubric and guidance for how to self-score applications based on the scoring criteria established by DTI.
2. Ongoing and frequent communications with written materials and live Q&A events to enable maximum information sharing with potential applicants.

3. Inclusive eligibility criteria that were clear, inclusive, and not overly restrictive, within the parameters of the BEAD program, to ensure that entities of all sizes, both public and private, could participate.
4. Transparent scoring criteria.
5. Competitive process that encouraged applicants to submit innovative proposals and cost-effective solutions.
6. Fair review process that was impartial and based in data and quantitative measures as a safeguard against bias. Any person involved in scoring applications was screened for conflicts of interest and was required to sign a notice verifying their independence from any applicant as a safeguard against bias.
7. Safeguards against collusion, including requiring applicants to certify that they would not engage in prohibited communications as defined in 47 C.F.R. 1.2105(a) starting from the date of submission of preregistration application until final award in order to mitigate against direct collusion or indirect collusion in the form of communications about grant plans. As another safeguard against collusion, DTI did not disclose information to applicants about competing applications or competitors' grant decisions until the point in the established timeline designated for such disclosures and announcements.

Competition is at the heart of DTI's goals, methodology, and commitments. Creating a competitive environment for the BEAD grant program was ensured through multiple means:

1. Broad eligibility and participation, including both public and private entities.
2. Incentives for collaboration by applicants with other providers, local governments, and community organizations.

Unbiased, informed review of each application is critical to ensure a fair, open, and competitive grantmaking process. DTI put the following processes in place to ensure the training, qualifications, and objectiveness of reviewers for its BEAD program:

- Any person involved in scoring applications was screened for conflicts of interest and was required to sign a notice verifying their independence from any applicant as a safeguard against bias. Selection officers were required to certify that they do not have conflicts of interest and that they will apply grant rules fairly and without bias.
- DTI implemented a fair, impartial review process that was based in data and quantitative measures as a safeguard against bias.

**1.3 Text Box:** Affirm that, when no applicable was initially received, the Eligible Entity followed a procedure consistent with the process approved in the Initial Proposal. If there was a divergence, please explain how the process conducted diverged from the approved process.

Not applicable.

**1.4 Text Box:** Provide the Extremely High Cost Per Location Threshold(s) the Eligible Entity used during the Subgrantee Selection Process.

Because Delaware received sufficient applications for Priority projects to cover all unserved, underserved, and CAI BSLs, there is no need for the state to set an Extremely High Cost Per Location Threshold (EHCPLT) because Delaware will not fund any technology other than end-to-end fiber with its BEAD allocation. Had there been a need to set such a threshold, it would have been \$100,000 or higher,

reflecting Delaware’s success in attracting Priority applications for end-to-end fiber and commitment to using the BEAD allocation to fund best-in-class, long-term broadband infrastructure.”

- 1.5 **Question (Y/N):** Certify that the Eligible Entity will retain all subgrantee records in accordance with 2 C.F.R. § 200.334 at all times, including retaining subgrantee records for a period of at least 3 years from the date of submission of the subgrant’s final expenditure report. This should include all subgrantee network designs, diagrams, project costs, build-out timelines and milestones for project implementation, and capital investment schedules submitted as a part of the application process.

Yes

## **2 Intentionally Omitted**

This section is intentionally left blank. Section 2 is omitted from NTIA's Final Proposal Guidance because the BEAD Program Notice of Funding Opportunity does not include a Requirement 2 for the Final Proposal.<sup>1</sup>

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<sup>1</sup> See BEAD NOFO, §IV.B.9.b.

### 3 Timeline for Implementation (Requirement 3)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 47:**

*The Final Proposal must include...: 3. A timeline for implementation of the detailed plan and completion of each project and other eligible activity to be funded.*

**Relevant Instructions from NOFO Section IV.D.2.c., Page 74:**

*Prospective subgrantees must submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project. An Eligible Entity shall not approve any grant for the deployment or upgrading of network facilities unless it determines that the materials submitted to it demonstrate the prospective subgrantee's technical capability with respect to the proposed project.*

**Relevant Instructions from NOFO Section II.B, Page 18:**

*As established in [47 U.S.C. § 1702(h)(4)(C)], subgrantees that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband service within the project area not later than four years after the date on which the subgrantee receives the subgrant from the Eligible Entity.*

**3.1 Text Box:** If the Eligible Entity anticipates eligible non-deployment activities and has not already selected those projects, describe the estimated timeline for completion of subgrantee selection, if applicable. If non-deployment is not anticipated under this program, indicate 'N/A'.

DTI will conduct a phased subgrantee selection process to allow for the development of detailed scoring rubrics, key performance indicators, and other criteria that best position non-deployment projects for success. DTI plans to complete subgrantee selection for the Statewide Internet Resiliency Program and Wireless Resiliency Programs first. Based on the results of the Statewide Internet Resiliency Program and Wireless Resiliency Program subgrantee selections and cost allocations, DTI will then complete subgrantee selection for the Community Connection Hubs and Workforce Investment and Digital Upskilling programs.

DTI's estimated timeline for completing subgrantee selection per competitive grant project:

- Delaware Statewide Internet Resiliency Program: Fall 2025
- Wireless Resiliency Program: Winter 2026
- Community Connection Hubs: Summer 2026
- Workforce Investment and Digital Upskilling Program: Winter 2027

**3.2 Text Box:** Has the Eligible Entity taken measures to:

- (a) ensure that each subgrantees will begin providing services to each customer that desires broadband service within the project area not later than four years after the date on which the subgrantee receives the subgrant;
- (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the period of performance, in accordance with 2 C.F.R. 200.344; and
- (c) ensure that all programmatic BEAD grant activities undertaken by the Eligible Entity are completed by the end of the period of performance, in accordance with 2 C.F.R. 200.344.

DTI required applications to include a certification by a Professional Engineer that the proposed network “can deliver broadband service that meets the requisite performance requirements to all locations served by the project within the required four-year deployment timeline.” DTI also required applications to map their deployment timeline according to the following categories:

- Planning/Detailed Engineering
- Permitting/Make-Ready
- Material & Equipment Procurement
- Network Deployment (Construction)
- Subscriber Activations
- Program Closeout Submission

In its subgrantee monitoring activities and project management plan, described elsewhere in this Final Proposal, DTI will track project progress according to the milestones submitted in the application and, as applicable, milestones set in the subgrant agreement. DTI will provide technical assistance and also will have the right to take corrective action for projects that are not on schedule.

As described in the BEAD Program Monitoring Plan, DTI will work with subgrantees to help clear barriers to deployment and will monitor deployment activities to track deployment milestones, using a variety of monitoring activities. Through consistent engagement with subgrantees, DTI will work with subgrantees to support their project completion with the goal that all BEAD subgrant activities are completed at least 120 days prior to the end of the period of performance, in accordance with 2 C.F.R. 200.344. That way, DTI should finish its programmatic BEAD grant activities by the end of the period of performance, in accordance with 2 C.F.R. 200.344.

#### 4 Oversight and Accountability Processes (Requirement 4)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 47:**

*The Final Proposal must include...: 4. Processes for oversight and accountability to ensure the proper use of the grant funds allocated to the Eligible Entity under the BEAD Program consistent with Section IX.G of this NOFO.*

**Relevant Instructions from NOFO Section IV.C.1.b, Page 51:**

*In addition to demonstrating how it expects to satisfy the subrecipient monitoring and management requirements identified in 2 C.F.R. Part 200 Subpart D, each Eligible Entity must include sufficient accountability procedures within its program to ensure subgrantee compliance with all applicable Program requirements. Each Eligible Entity must, at a minimum, include in any subgrant agreement reasonable provisions allowing for recovery of funds in the event of a subgrantee's noncompliance with the BEAD Program's requirements, including but not limited to failure to deploy network infrastructure in accordance with mandated deadlines. Each Eligible Entity must, at a minimum, employ the following practices: (1) distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize); (2) the inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee; (3) timely subgrantee reporting mandates; and (4) robust subgrantee monitoring practices. NTIA will review proposed subgrant processes during the Initial Proposal and Final Proposal review phases and will reject Proposals that fail to provide sufficient recourse against subgrantees that do not fulfill their legal and contractual responsibilities. NTIA likewise will pursue clawback of funds directly from Eligible Entities that fail to ensure subgrantee accountability to the fullest extent of the law.*

**Relevant Instructions from NOFO Section IX.G.1, Pages 95:**

*NTIA, Eligible Entities, and subgrantees each have a critical role to play in ensuring that the BEAD Program is implemented in a manner that ensures transparency, accountability, and oversight sufficient to, among other things:*

- 1. Minimize the opportunity for waste, fraud, and abuse;*
- 2. Ensure that recipients of grants under the Program use grant funds to further the overall purpose of the Program in compliance with the requirements of the Infrastructure Act, this NOFO, 2 C.F.R. Part 200, the terms and conditions of the award, and other applicable law; and*
- 3. Allow the public to understand and monitor grants and subgrants awarded under the Program.*

*To that end, NTIA and Eligible Entities shall:*

- 1. Conduct such audits of grantees and subgrantees as are necessary and appropriate, including audit requirements described in Section VII.G. Eligible Entities shall report the full results of any audits they conduct to the appropriate Federal Program Officer.*
- 2. Develop monitoring plans, subject to the approval of the Assistant Secretary, which may include site visits or desk reviews, technical assistance, and random sampling of compliance requirements.*
- 3. Impose specific conditions on grant awards designed to mitigate the risk of nonperformance where appropriate.*

*Each Eligible Entity and/or subgrantee shall, as appropriate:*

- 1. Comply with the reporting requirements set forth in Section I.E of this NOFO.*
- 2. Comply with the obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions.*

*3. Establish and widely publicize telephone numbers and email addresses for the Eligible Entity's Office of Inspector General (or comparable entity) or subgrantees' internal ethics office (or comparable entity) for the purpose of reporting waste, fraud or abuse in the Program. Eligible Entities and subgrantees shall produce copies of materials used for such purpose upon request of the Federal Program Officer.*

**4.1 Question (Y/N):** Does the Eligible Entity have a public waste, fraud, and abuse hotline and a plan to publicize the contact information for this hotline?

Yes. The Delaware waste, fraud, and abuse hotline number is 1-800-55-FRAUD. Reports can also be made online at <https://reportfraud.auditor.delaware.gov/>.

**4.2 Attachments (Required):** Upload the following two required documents:

**4.2(1) BEAD Program Monitoring Plan**

Attached as "Del FP – BEAD Program Monitoring.pdf."

**4.2(2) Agency policy documentation which includes the following practices: a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize) or on a basis determined by the terms and conditions of a fixed amount subaward agreement; and b. Timely subgrantee (to Eligible Entity) reporting mandates**

Attached as "Del FP – Sample Preliminary Subgrantee SOW.pdf"

- 4.3 Question (Y/N):** Certify that the subgrant agreements will include, at a minimum, the following conditions:
- a. Compliance with Section VII.E of the BEAD NOFO, including timely subgrantee reporting mandates, including at least semiannual reporting, for the duration of the subgrant to track the effectiveness of the use of funds provided;
  - b. Compliance with obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions;
  - c. Compliance with all relevant obligations in the Eligible Entity’s approved Initial and Final Proposals, including the BEAD General Terms and Conditions and the Specific Award Conditions incorporated into the Eligible Entity’s BEAD award;
  - d. Subgrantee accountability practices that include distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis;
  - e. Subgrantee accountability practices that include the use of clawback provisions between the Eligible Entity and any subgrantee (i.e., provisions allowing recoupment of funds previously disbursed);
  - f. Mandate for subgrantees to publicize telephone numbers and email addresses for the Eligible Entity’s Office of Inspector General (or comparable entity) and/or subgrantees’ internal ethics office (or comparable entity) for the purpose of reporting waste, fraud or abuse in the Program. This includes an acknowledge of the responsibility to produce copies of materials used for such purposes upon request of the Federal Program Officer; and
  - g. Mechanisms to provide effective oversight, such as subgrantee accountability procedures and practices in use during subgrantee performance, financial management, compliance, and program performance at regular intervals to ensure that subgrantee performance is consistently assessed and tracked over time.

Yes

## 5 Local Coordination (Requirement 5)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 47:**

*The Final Proposal must include...: 5. Certification that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, and unions and worker organizations, consistent with the requirements set forth in Section IV.C.1.c of this NOFO, a description of the coordination conducted, and a summary of the impact such coordination had on the content of the Final Proposal.*

**Relevant Instructions from NOFO Section IV.C.1.c, Page 52:**

*In evaluating whether local coordination and outreach efforts meet the programmatic requirements, the Assistant Secretary will assess whether plans and activities undertaken ensure: (1) full geographic coverage of the Eligible Entity; (2) meaningful engagement and outreach to diverse stakeholder groups, labor organizations, and community organizations, including to promote the recruitment of women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible activities; (3) utilization of multiple awareness and participation mechanisms and different methods to convey information and outreach; (4) transparency of processes, to include the documentation and publication of results and outcomes of such coordination and outreach efforts, including additions or changes to the Eligible Entity's Initial Proposal and/or Final Proposal; and (5) outreach to and direct engagement of unserved and underserved communities to include historically underrepresented and marginalized groups and/or communities. These requirements are designed to allow Eligible Entities to tailor the program for the unique environments within its boundaries. In evaluating the sufficiency of local coordination efforts, the Assistant Secretary will consider quantitative measures as well as the quality of the engagements.*

- 5.1 Text Box:** Provide a description of the local coordination conducted since the submission of the Eligible Entity’s approved Initial Proposal only, and a summary of the impact such coordination had on the content of the Final Proposal, consistent with the requirements set forth in Section IV.C.1.c of the BEAD NOFO. The response must describe how local coordination efforts undertaken reasonably ensure:
- a. Full geographic coverage of the Eligible Entity;
  - b. Meaningful engagement and outreach to diverse stakeholder groups, labor organizations, and community organizations, including to promote the recruitment of women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible activities;
  - c. Utilization of multiple awareness and participation mechanisms and different methods to convey information and outreach;
  - d. Transparency of processes, to include the documentation and publication of results and outcomes of such coordination and outreach efforts, including additions or changes to the Eligible Entity’s Final Proposal; and
  - e. Outreach to and direct engagement of unserved and underserved communities to include historically underrepresented and marginalized groups and/or communities.

#### **5.1a Geographic coverage**

DTI has implemented a comprehensive outreach and local coordination strategy. This included holding virtual and, when appropriate, in-person town hall meetings, ongoing one-on-one meetings with key stakeholders, regular communications that can reach residents of Delaware statewide, and coordination with both local and State officials and agencies.

DTI engaged the full geographic range of Delaware through both stakeholder outreach and public engagement. DTI maintains ongoing communication with the organizations and agencies that it services—including legislative, executive, and judicial government branches, public schools, and other government and non-government agencies that serve Delaware. Additionally, the Delaware Broadband Office staff engages in outreach via interviews and small group conversations with government agencies, organizations, key stakeholders, legislators, and constituents.

#### **5.1b Outreach to diverse groups**

DTI used its extensive email list of stakeholders, including service providers, local governments, Community Anchor Institutions (CAI), State agencies, nonprofit organizations, and constituents. DTI also has a web and social media presence. DTI will use these tools to alert potential applicants of each part of the BEAD process, as well as providing information on technical assistance opportunities or updated information about program requirements. DTI’s partners were encouraged to further distribute information about the BEAD program through their own email lists and website postings. DTI used its website as a repository for potential applicants to access detailed application materials and technical assistance resources.

### **5.1c Multiple awareness mechanisms**

DTI maintains a robust and inclusive stakeholder contact list and communicates regularly through its website, social media, email newsletter, and town halls. DTI's outreach processes and technical assistance materials provided guidance, templates, and information about each of the subgrantee selection process elements. For all stakeholder engagements, DTI sent a mass invite through email to all contacts on the stakeholder list in advance of the forums.

### **5.1d Transparency**

DTI took significant steps to ensure compliance with all applicable laws and best-practice procedures. This included following requirements of public meetings, including providing advance notice and the availability of meeting notes and presentations afterwards. Participants were able to attend meetings anonymously and closed-caption transcripts were available in real time to enable additional engagement for some participants with differing abilities.

Information was collected from meeting chats, and Q&A sessions. If contact information was provided, individuals were added to the stakeholder list. The intent to include the participants in future stakeholder outreach was clearly communicated during meetings.

### **5.1e Underrepresented engagement**

DTI leveraged its existing collaborative relationship with stakeholders to expand its already inclusive, diverse outreach list. Entities on the list included organizations representing aging populations, unions, universities, regional governments, school districts, healthcare facilities, internet service providers (ISP), organizations representing veterans, community centers, industry-associated organizations, and many more, all representing the diverse communities of Delaware.

## 6 Challenge Process Results (Requirement 6)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 47:**

*The Final Proposal must include...: 6. Description of the results of the challenge process conducted by the Eligible Entity under Section IV.B.6.*

- 6.1 Question (Y/N):** Certify that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from NTIA.

Yes

- 6.2 Text Box:** Provide a link to the website where the Eligible Entity has publicly posted the final location classifications (unserved/underserved/CAIs) and note the date that it was publicly posted.

DTI publicly posted the final location classifications resulting from the Challenge Process on its website on August 29, 2024. Prequalified applicants were also given notice of final classifications on August 29, 2024, fulfilling DTI's requirement to provide this notice at least 60 days before allocation of grant funds for network deployment. The approved final classification of locations for unserved and unserved locations, as well as eligible CAIs are available at the following link:

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

## 7 Unserved and Underserved Locations (Requirement 7)

### **Relevant Instructions from NOFO Section IV.B.9.b, Page 47:**

*The Final Proposal must include...: 7. Certification that the Eligible Entity will provide service to all unserved and underserved locations, if the Eligible Entity is seeking to use BEAD funding for deployment to CAls or for other eligible activities.*

### Coverage of unserved locations

- 7.1 Question (Y/N):** Certify whether the Eligible Entity will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

Yes

- 7.2 Question (Y/N):** Indicate whether the Eligible Entity will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2), through a BEAD project.

No

Note: After NTIA approved Delaware's challenge process results, DTI identified a location on Pea Patch Island that was improperly identified as a BSL. Delaware submitted a challenge with the FCC for that location on September 18, 2024. The details of the challenge are as follows:

Challenge ID: 30043394

Challenge Category:

Location is Not Broadband Serviceable Date

Challenge Received: 9/18/2024

Location ID: 1485467576

Location Data Vintage: 12/31/2023

- 7.3 Text Box (Optional – Conditional on a 'No' Response to Intake Question 7.1):** If the Eligible Entity does not provide the certification, explain and include a strong showing that the Eligible Entity is financially incapable of ensuring universal coverage of all unserved locations.

N/A

- 7.4 Attachment (Optional – Conditional on a 'No' Response to Intake Question 7.1):** If the Eligible Entity does not provide the certification, explain and include a strong showing that the Eligible Entity is financially incapable of ensuring universal coverage of all unserved locations.

N/A

### Coverage of underserved locations

- 7.5 Question (Y/N):** Certify whether the Eligible Entity will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

Yes

**7.6 Question (Y/N):** Indicate whether the Eligible Entity will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2), through a BEAD project.

Yes

**7.7 Textbox (Optional – Conditional on a ‘No’ Response to Intake Question 7.5):** If the Eligible Entity certifies that it will not ensure coverage of broadband service to all underserved locations, but any such locations will not be served through a BEAD project, provide a brief narrative explaining the methodology of how these locations were identified.

N/A

**7.8 Text Box (Optional – Conditional on a ‘No’ Response to Intake Question 7.5):** If the Eligible Entity does not provide the certification, explain and include a strong showing that the Eligible Entity is financially incapable of ensuring universal coverage of all underserved locations.

N/A

**7.9 Question (Y/N):** Certify that the Eligible Entity will maintain documentation, following the guidelines provided by NTIA, to justify its determination if there is a reason to not serve any unserved or underserved location on the NTIA-approved Challenge Process list through a BEAD project.

Yes

**7.10 Question (Y/N):** Certify that the Eligible Entity has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that the Eligible Entity was notified of and did not object to, and/or federally-funded awards for which the Eligible Entity has discretion over where they are spent (e.g., regional commission funding or Capital Projects Fund/State and Local Fiscal Recovery Funds), in its list of proposed projects.

Yes

## 8 Non-Deployment Uses (Requirement 8) & Non-Deployment Subgrantee Selection (Requirement 9)<sup>2</sup>

### **Relevant Instructions from NOFO Section IV.B.9.b, Page 47:**

*The Final Proposal must include...: 8. A detailed description of all planned uses of BEAD funding that are not last-mile broadband deployment projects, including the nature of each funded initiative, how those uses are consistent with Section IV.B.7.a.iii of this NOFO, how the Eligible Entity expects the initiative to address the needs of the Eligible Entity's residents, the ways in which engagement with localities and stakeholders informed the selection of such eligible activities, and any efforts the Eligible Entity undertook to determine whether other uses of the funds might have been more effective in achieving the BEAD Program's equity, access, and deployment goals.*

### **Relevant Instructions from NOFO Section IV.B.7.a.iii, Pages 39 - 40:**

*An Eligible Entity that can demonstrate it has a plan for bringing affordable, high-speed broadband service to all unserved and underserved locations within its jurisdiction may also allocate funding to non-deployment activities. Such eligible non-deployment uses include, but are not limited to, the following:*

- 1. User training with respect to cybersecurity, privacy, and other digital safety matters.*
- 2. Remote learning or telehealth services/facilities.*
- 3. Digital literacy/upskilling (from beginner-level to advanced).*
- 4. Computer science, coding and cybersecurity education programs.*
- 5. Implementation of Eligible Entity digital equity plans (to supplement, but not to duplicate or supplant, Planning Grant funds received by the Eligible Entity in connection with the Digital Equity Act of 2021).*
- 6. Broadband sign-up assistance and programs that provide technology support.*
- 7. Multi-lingual outreach to support adoption and digital literacy.*
- 8. Prisoner education to promote pre-release digital literacy, job skills, online job-acquisition skills, etc.*
- 9. Digital navigators.*
- 10. Direct subsidies for use toward broadband subscription, where the Eligible Entity shows the subsidies will improve affordability for the end user population (and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program).*
- 11. Costs associated with stakeholder engagement, including travel, capacity-building, or contract support.*
- 12. Other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described below in Section V.H.2 of this NOFO.*

*When selecting subgrantees for non-deployment uses of BEAD funds, an Eligible Entity must adhere to the Infrastructure Act's requirement that subgrants be awarded "competitively." NTIA recognizes that the breadth of potential non-deployment eligible activities could necessitate a broad range of subgrantee selection processes, even within a single Eligible Entity, and that such processes might even require the Eligible Entity to compare and choose among very different proposals (e.g., whether to allocate funds to an affordability program, a cybersecurity training program, or a digital literacy drive). Accordingly, NTIA does not prescribe any specific framework. NTIA reminds Eligible Entities that federal grant regulations "flow through" to subrecipients (i.e., subgrantees), and that subrecipients are responsible for adherence to applicable Federal program requirements specified in the Federal award.*

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<sup>2</sup> Requirements 8 and 9 are combined per NTIA's Guidance, which specifies that "[d]ue to congruencies in intake design across NOFO FP Requirements 8 and 9, these will be submitted together;" BEAD Final Proposal Guidance, NTIA, p. 42.

*As with deployment projects, NTIA encourages Eligible Entities to promote participation by minority-owned businesses and other socially or economically disadvantaged individual-owned businesses.*

**Relevant Instructions from NOFO Section IV.B.7.b.1, Page 41 - 42:**

*The requirement that an Eligible Entity have a plan to ensure deployment to all unserved and underserved locations before contemplating non-deployment uses of funds does not impose any temporal requirement as to the order in which BEAD-funded initiatives are undertaken or completed. NTIA recognizes that broadband deployment projects often take months or years to complete, whereas certain other eligible uses of BEAD funds can be implemented more quickly. Thus, if an Eligible Entity has a plan to deploy service to all unserved and underserved locations within its jurisdiction, it may pursue non-deployment initiatives using BEAD funds before or while deployment projects are underway. For example, while an Eligible Entity is only permitted to pursue a device-subsidy program using BEAD funds if it has a plan to deploy service to all unserved and underserved locations within its jurisdiction, an Eligible Entity proposing such a program is both permitted and encouraged to implement it as soon as is feasible once its Initial Proposal has been approved. Eligible Entity need not wait for its last-mile deployment projects to be completed before it can pursue its approved non-deployment uses. Rather, it is both permitted and encouraged to undertake those non-deployment activities as soon as is feasible.*

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include: 9. The means by which subgrantees for non-deployment eligible activities were selected, if the Eligible Entity pursued those initiatives via subgrant, or, alternatively, how the Eligible Entity determined that it should undertake the initiative itself*

**8.1 Question (Y/N):** Indicate whether the Eligible Entity has selected or will pursue projects using BEAD funding that are not (f)(1) last-mile broadband deployment projects.

Yes

**8.2 Question (Y/N - Conditional on a 'Yes' response to Intake Question 8.1):** Confirm whether the Eligible Entity has certified plans to serve ALL (f)(1) last-mile deployment unserved and underserved locations before pursuing projects using BEAD funding that are not (f)(1) last-mile broadband deployment projects, or received approval in its Initial Proposal to pursue projects using BEAD funds that are not (f)(1) last-mile broadband deployment projects prior to the certification.

Yes

**8.3 Text Box (Optional):** If the Eligible Entity has or intends to pursue non-deployment projects itself without making a subgrant, describe the activities.

Lengthier descriptions of each program are included in response to prompt 8.7.

**Delaware Statewide Internet Resiliency Program**

This program would fund the creation of new carrier-neutral internet exchange points and data centers, improving connectivity for residents, businesses, and community anchor institutions while fostering innovation and economic growth. These facilities would increase network reliability, reduce outages, and promote competitive, open access broadband infrastructure, positioning Delaware as a competitive digital hub for the Mid-Atlantic region with the potential for transatlantic and international connectivity.

DTI plans to fund two facilities. One would be funded by a grant made in a competitive process. The other would be funded via an MOU to the University of Delaware, a public university.

### **Public-School Cybersecurity and Resiliency Program**

DTI would upgrade cybersecurity and network infrastructure in all public K-12 schools to ensure students have reliable, secure internet access while improving efficiency and standardizing technology across the state. This project ensures Delaware’s public schools have reliable, resilient, and secure access to the online resources students need to thrive in a digital economy.

**8.4 Question (Y/N):** Has the Eligible Entity completed the competitive non-deployment Subgrantee Selection Process?

No

**8.5 Text Box (Required – Conditional on a ‘Yes’ Response to Intake Question 8.4):** If ‘Yes’ [to Intake Question 8.4], non-deployment subgrantee selection has been completed, describe the steps that the Eligible Entity took to ensure a fair, open, and competitive process, including processes in place to ensure training, qualifications, and objectiveness of reviewers.

N/A

**8.6 Text Box (Required – Conditional on a ‘No’ Response to Intake Question 8.4):** If ‘Yes’ [to Intake Question 8.4], non-deployment subgrantee selection has been completed, describe the steps that the Eligible Entity took to ensure a fair, open, and competitive process, including processes in place to ensure training, qualifications, and objectiveness of reviewers.

If the Eligible Entity has not finalized its plans to conduct non-deployment subgrantee selection after the Final Proposal, it may provide high-level details of its planned process. NTIA will apply a Specific Award Condition specifying that the Eligible Entity cannot begin its non-deployment Subgrantee Selection Process until it is ready to submit sufficient information, including details on scoring processes (see Intake Question 8.8) after Final Proposal approval.

Final Proposals will be evaluated against the specific steps identified in the Eligible Entity’s approved Initial Proposal. If the Eligible Entity required a correction to its approved Initial Proposal and received written NTIA approval for the correction, the Eligible Entity must describe the ways in which the executed non-deployment Subgrantee Selection Process differed from the process outlined in the original approved Initial Proposal. Additionally, it must describe how the Eligible Entity engaged NTIA to notify them of the need for a change and provide a justification for the change.

N/A

**8.7 Text Box (Required – Conditional on a ‘No’ Response to Intake Question 8.4):** Subgrantee Selection Process: If ‘No’ [to Intake Question 8.4], describe how and whether the scoring process to select non-deployment projects was or will be conducted in a competitive manner consistent with (1) the BEAD NOFO requirements and (2) the description within the approved Initial Proposal.

At the time of its BEAD Initial Proposal Volume II submission, the State of Delaware did not know if there would be any leftover BEAD funds for non-deployment purposes. Through the deployment subgrantee

process, the State of Delaware has identified remaining funds eligible to be used for non-deployment purposes.

This section details Delaware’s strategic approach to utilizing BEAD funding for non-deployment projects that complement and enhance broadband infrastructure and deployment efforts. These projects are designed to have a transformational impact on Delaware’s digital landscape and public access to technology. Increasing the resiliency, reliability, and capacity of Delaware’s broadband infrastructure are central tenets of this proposal. Delaware’s vision for a resilient, high-capacity network ensures stable and reliable high-speed connectivity and fortifies its infrastructure for population growth and bandwidth heavy activities of the future. These projects are designed to address key barriers to digital equity and broadband adoption identified through extensive stakeholder engagement. This section outlines a vision for a resilient, reliable, affordable, secure, and competitive digital landscape for all Delawareans, and follows NTIA encouragement to promote open access broadband service.

Delaware continues to conduct a robust and ongoing stakeholder engagement process, as outlined in Delaware’s Initial Proposal Volume II and in the appendices to this Final Proposal, to ensure that non-deployment projects are aligned with the needs and priorities of our communities. The Delaware Broadband Office’s process included surveys, virtual meetings with various stakeholder groups, in-person town halls, and ongoing meetings with stakeholders` to ensure a diversity of perspectives and insights informed the use of BEAD funding for non-deployment purposes. Based on stakeholder input, the BEAD Program’s goals, and DTI’s transformative vision for a reliable and resilient digital landscape, Delaware is considering the following non-deployment projects:

1. Delaware Statewide Internet Resiliency Program
2. Wireless Resiliency Program
3. Public School Cybersecurity and Resiliency Program
4. Community Connection Hubs
5. Workforce Investment and Digital Upskilling Program

The State’s process to identify non-deployment uses is built on the cumulative work of the Delaware Broadband Office including the Strategic Plan, the 5 Year Action Plan, the State Digital Equity Plan, and Initial Proposal Volumes I and II. The projects outlined in this proposal outline a robust plan for improving resiliency in Delaware’s digital infrastructure and workforce for the next generation. By taking full advantage of the BEAD Program’s historic investment in digital infrastructure, Delaware will be a resilient, thriving digital hub for years to come.

#### **1. Delaware Statewide Internet Resiliency Program – Competitive Grant Program and Eligible Entity Administered Program**

The transformative potential of technologies like Artificial Intelligence (AI), quantum computing, precision agriculture, Internet of Things (IoT), and 5G in sectors like healthcare, agriculture, public safety, manufacturing, and education in Delaware is immense, but these systems demand extremely reliable, high-speed 100gb symmetric capable low latency connections to operate effectively. The future of the internet requires bringing network interconnection, data center services, cloud on-ramps, and content closer to end-users.

Delaware’s internet infrastructure is heavily reliant on connections to internet exchange points in Philadelphia, PA and Ashburn, VA, resulting in higher latency and costs for users dependent on “long-haul” connections for their needs. Delaware, and especially Sussex County, has a rapidly growing population. As more people relocate to our state, these existing networks will struggle to keep up. The demand on

networks from the rising population presents significant challenges for people trying to work from home and causes strains on our Community Anchor Institutions including schools and hospitals that depend on reliable highspeed connections.

The Statewide Internet Resiliency Program directly supports the BEAD program’s goal of providing robust and resilient broadband infrastructure. This program will fund the creation of two new neutral internet exchange points and data centers in Delaware to improve resiliency and better ensure Delaware’s infrastructure runs better, faster, and more reliably for all. Internet Exchange Points (“IXPs”) are essential pieces of internet infrastructure that serve as interconnection points where internet data is transferred among high-bandwidth users like mobile networks, internet service providers, tier 1 carriers, cloud, and content providers. Building carrier-neutral IXPs in Delaware increases the resiliency of Delaware’s internet connectivity, reduces the overbuilding of provider-specific facilities, and limits the impact of increased broadband infrastructure on power availability.

The Statewide Internet Resilience Program will reduce the risk of outages, improve network performance, promote economic development, attract new businesses and investment to the state, build capacity for innovation in precision agriculture and other sectors, and improve affordability by lowering transport costs and fees associated with other regional IXPs. The proposed internet exchange points are strategically located in Sussex County and New Castle County due to unique benefits that align with BEAD program goals and address specific needs in the state:

**Sussex County Internet Resiliency Project:** DTI will run a competitive grant program to design and build a carrier-neutral, open access internet exchange point and/or data center facility in Sussex County. The winning proposal will be responsible for construction, finding a suitable location, and handling the technical details of implementation. The design of this facility will prioritize access to existing dark fiber lines and Delaware’s fiber backbone with preference for locations strategically located near the Atlantic Ocean for future expansion to a submarine cable landing station.

- **Improved Resiliency and Futureproofing:** Located in rapidly growing Sussex County, the Sussex Internet Resiliency Project addresses the increasing demand for internet capacity and improves network resiliency. This future-proofs not just Delaware’s, but the entire Delmarva Peninsula’s internet infrastructure for a generation, accommodating advancements in AI, virtual health, video conferencing, and other bandwidth-intensive applications.
- **Support for Rural Covered Populations:** The IXP directly benefits Sussex County’s rural residents who are considered a covered population under the Digital Equity Act. This promotes digital equity by expanding broadband access, reducing latency in underserved areas, and transforming Delaware’s most rural county into a regional digital hub.
- **Potential for Transatlantic Connectivity:** The proximity of the state’s existing fiber backbone and other prior investments in dark fiber near the coast create the potential for the Sussex Internet Resiliency Project to become a transatlantic submarine cable landing station. This would connect Delaware’s rural coastal community to the international community, reduce dependency on other regional internet hubs, dramatically enhance network resiliency for the state and the broader Mid-Atlantic region, and transform Delaware into a thriving international digital connection point.

- **Regional Internet Hub:** The Sussex Internet Resiliency Project will position Delaware as a regional internet hub, attracting investment, fostering innovation, and promoting economic development in the technology sector.

**University of Delaware Internet Exchange Point and Data Center:** DTI and the University of Delaware, a public university, will enter a Memorandum of Understanding in which the University will contract to build a publicly funded carrier-neutral internet exchange point to enhance network resiliency, capacity, and performance, leverage synergistic partnerships and investment, drive AI research and innovation, and facilitate learning opportunities to promote digital skills and workforce development.

- **Enhanced Network Capacity and Performance:** The UD IXP will leverage the university's robust infrastructure, including access to power and existing fiber connectivity, to establish a state-of-the-art data center. This will improve networking capacity and internet performance in the surrounding area, benefitting both the university and broader community.
- **Synergistic Partnerships and Investment:** The Star Campus location fosters public-private partnerships and attracts investment for a multi-use facility, combining the IXP with a data center and potential for other complimentary technology uses. This creates a synergistic environment for innovation and economic development, while substantially improving the resiliency of Delaware's networks.
- **AI Research and Workforce Development:** The data center infrastructure will facilitate AI research opportunities and support workforce development initiatives in AI and related fields. This aligns with Delaware's goals of fostering a skilled workforce and promoting innovation in emerging technologies.
- **Strong Business Case and Sustainability:** The large student population at UD provides a strong and viable business case for attracting content providers and other potential IXP participants and colocators. The facility may generate revenue for the University to support operations and maintenance, and the facilities may be operated by the University, a contractor, or subgrantee per the discretion of the University of Delaware and DTI. The University's long-term commitment ensures the sustainability of the facility through access to university funding and resources.
- **Regional Internet Hub:** Both IXPs have the potential to position Delaware as a regional internet hub, attracting investment, fostering innovation, and promoting economic development in the technology sector.

## **2. Wireless Resiliency Program – Eligible Entity Administered and Competitive Grant Program**

The Wireless Resiliency Program is a critical piece in supporting Delaware's digital equity goals and working to ensure every Delawarean has access to reliable, and affordable internet access. This program helps ensure Delawareans maintain affordable access on devices they likely already have or may be eligible to receive through existing low-cost or device subsidy programs. Many low-income and rural residents rely on mobile and wireless connections for essential services but lack sufficient coverage. Gaps in mobile coverage and capacity, particularly in rural areas, hinder residents' ability to access essential services, participate in the digital economy, and utilize technologies like precision agriculture and virtual health services. Existing maps and data on wireless and mobile coverage may also be inaccurate or outdated, hindering the ability to identify where investment is most needed.

First, DTI will run a competitive process to contract with a project manager to conduct a statewide drive test study to gather precise, independent, and current data on mobile and wireless coverage and performance to identify unserved populations and inform telecommunications planning. The project manager and DTI will establish a speed requirement to define unserved and underserved areas based on the collected data. This step will provide more accurate identification of areas with inadequate mobile and wireless coverage or resiliency, and in turn enable better targeting of resources and funding to improve connectivity for unserved and underserved populations, Community Anchor Institutions, and covered populations across the state.

After conducting the mobile drive test to generate an accurate map of wireless dead zones, DTI will design and release a competitive RFP for construction of neutral towers upon which carriers can rent space to expand their networks. This neutral architecture provides several unique benefits that make it particularly attractive for improving resiliency in Delaware's broadband access:

- Increases resiliency in mobile / wireless networks across carriers, building a more resilient, competitive, and efficient wireless network in the state by increasing coverage while preventing the redundant overbuilding of carrier-specific infrastructure.
- Lowers capital costs for providers and facilitates cost-effective colocation while improving coverage for all users regardless of the carrier they subscribe to.
- Improves mobile coverage and performance, particularly in underserved areas.
- Facilitates innovation in areas such as precision agriculture, virtual health, and other emerging uses for broadband access.
- Promotes public safety by enabling more reliable communication for the public and first responders.
- Enhances educational and employment opportunities by empowering the public to reliably access online resources on-the-go.
- Supports economic activity by enabling businesses to operate more efficiently with fewer dead zones and reliability issues.
- Supports the BEAD program goals of providing efficient and sustainable open access broadband infrastructure to covered populations, CAIs, and underserved populations.

### **3. Public School Cybersecurity and Resiliency Program – Eligible Entity Administered Program**

K-12 public schools, considered Community Anchor Institutions under Delaware's IPV1, are critical for facilitating greater public use of broadband service. Schools are deeply involved in educating children how to safely leverage technology for a better future, but the existing aged design of school firewalls has significant constraints that limit the security and resiliency of their schools and the broader state network. This project dramatically improves the resiliency and security of school networks to ensure Delaware's public schools have access to the resources their students need to thrive in a technological world.

The State intends to implement a centralized, managed network solution for public K-12 schools without subgrants. This initiative includes infrastructure management, professional services, and a systematic

implementation. All procurements will comply with state purchasing requirements and BEAD program guidelines. Vendor selection will be conducted through a formal RFP process where needed, or off a valid State contract vehicle with oversight from DTI to ensure technical standards compliance and the Delaware Department of Education to ensure alignment with educational needs. The State will implement a standardized network equipment replacement cycle to sustain this program beyond the life of the BEAD program. The core components of this project include:

- Distribution switch replacement program
- Router and aggregate switch upgrades
- Implementation of hub routers and management tools
- Professional services for design, engineering, and ongoing support
- Technical staff augmentation for implementation and maintenance

This project will use a phased deployment over 5 years to ensure minimal disruptions while standardizing network infrastructure across all public school buildings, regardless of districts' local funding capabilities. Through this project, DTI prevents the widening of digital divides between resource-rich and resource-poor districts and provides reliable, high-speed internet access to support modern digital learning tools and online assessments. By creating a sustainable model for ongoing maintenance and upgrades, DTI supports scalability to meet growing bandwidth demands and targets for school connectivity. This project was recommended by the Council on Educational Technology, including educational stakeholders from various state agencies and school districts including:

- Delaware Office of Management and Budget
- Delaware Office of the Controller
- Delaware Department of Technology and Information
- Delaware Office of the Governor
- Delaware Department of Education
- Delaware K-12 Public School Districts

#### **4. Community Connection Hubs – Competitive Grant Program**

Device access and affordability remain significant barriers for many households, and the end of the Affordable Connectivity Program risks sacrificing digital adoption progress made in recent years. The Community Connection Hubs Competitive Grant Program is designed to address a lack of public-Wi-Fi access and digital skills by facilitating access to the internet, affordable devices, and digital skills training in community settings. This competitive grant program will provide funding to new and existing Community Anchor Institutions (CAIs). Examples of eligible CAIs could include multi-dwelling units serving low-income populations, affordable housing developments, community centers, 501(c)(3) nonprofit organizations, county and local governments, and tribal buildings to bring free, public access to Wi-Fi and information technology in community settings.

The Community Connection Hubs Competitive Grant Program meets BEAD program goals by specifically addressing CAIs serving covered populations, and the program promotes digital inclusion for those who are often left behind. This program complements deployment efforts by ensuring underserved communities and covered populations have the means and skills to utilize the newly available connectivity. The Community Connection Hubs program exemplifies Delaware's commitment to closing the digital divide and working to ensure our communities have the skills and resources they need to succeed in a digital economy. By providing both access and support, it strategically aligns with BEAD program goals and addresses many of the barriers to access identified in Delaware's Digital Equity Plan.

## 5. Workforce Investment and Digital Upskilling Program – Eligible Entity Administered Program

Communities lack resources and expertise for digital equity efforts to address the lack of digital and tech-related job opportunities and skill development for marginalized, covered, and low-income populations. Delaware’s BEAD Non-Deployment Workforce Investment and Digital Upskilling program is designed to support state agencies, local governments, and non-profits in starting or expanding workforce development programs that meet the needs of employers for workers with technical skills. The Delaware Broadband Office will work to ensure applicants and enrollees represent all parts of Delaware so from New Castle to Sussex County, all Delawareans have opportunities to thrive in technology-driven careers.

This program will be administered by the Delaware Broadband Office’s Digital Equity Manager to ensure consistency with the Delaware Digital Equity Plan. The Delaware Broadband Office will award the funding through a competitive grant to nonprofits, local governments, and state agencies to maximize BEAD’s positive impact. Funding could go to curriculum or model development, hiring trainers, building facilities, and/or recruitment from low-income or under-represented communities, and more.

The Workforce Investment and Digital Upskilling Program is developed with key considerations from the Delaware Digital Equity Plan. Through this program, the DBO will: 1) increase capacity for job training programs; especially those with pipeline access to good-paying jobs in the tech sector, and 2) increase outreach and recruitment by job organizations, including governmental and nonprofit, in historically under-represented populations.

Final funding amounts for this project will be calculated as other non-deployment projects and final cost allocations are determined.

**8.9 Text Box (Required – Conditional on a ‘No’ Response to Intake Question 8.4):** *Subgrantee Selection Process: If ‘No’ [to Intake Question 8.4], describe how and whether the scoring process to select non-deployment projects was or will be conducted in a competitive manner consistent with (1) the BEAD NOFO requirements and (2) the description within the approved Initial Proposal.*

*If the Eligible Entity selected ‘No’ for Intake Question 8.4, it must discuss how the scoring process was or will be conducted in a way that is consistent with the BEAD NOFO requirements and based on what was described in the Eligible Entity’s approved Initial Proposal. Example responses by an Eligible Entity can include but are not limited to:*

- *Describing how the Eligible Entity conducted or will conduct its non-deployment scoring process and that the process aligns to specific BEAD requirements, including that the process was:*
  - *Open: Provision of adequate notice was given to subgrantees (including the number of days that the application period was open); a description of how the opening of the application period was publicized to potential applicants*
  - *Fair: Free from collusion, bias, and conflicts of interest (e.g., the use of standards of review for application reviewers, discussion of relevant COI policies)*
  - *Competitive: Use of competitively neutral evaluation criteria (i.e., does not disadvantage out-of-state entities or new entrants to the market)*

- *The Eligible Entity referencing its approved Initial Proposal to discuss its non-deployment scoring process to highlight the consistency with the proposed process outlined in Volume II of the approved Initial Proposal.*

*The Eligible Entity must also include a description of how it will evaluate prospective non-deployment subgrantees' general qualifications. The Eligible Entity must ensure that any prospective subgrantee:*

- 1. Is capable of carrying out activities funded by the subgrant in a competent manner in compliance with all applicable federal, Eligible Entity, and local laws;*
- 2. Has the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the Program and such other requirements as have been prescribed by the Assistant Secretary or the Eligible Entity; and*
- 3. Has the technical and operational capability to provide the service promised in the subgrant in the manner contemplated by the subgrant award.*

**Response:**

Below is a description of DTI's proposed process for subgrantee selection:

- **Announcement and Public Notice:** DTI will announce the availability of funding for eligible non-deployment activities through various channels, such as the program website, press releases and public notices. This announcement will include detailed information about the application process, eligibility criteria and evaluation criteria. Notice will be made available for at least a 30-day period.
- **Eligibility Screening:** DTI will conduct an initial screening of the applications to determine their eligibility based on the criteria outlined in the program guidelines. This screening will ensure that the applicants meet the basic requirements for participation.
- **Evaluation Criteria:** DTI will develop a set of objective evaluation criteria per grant area that will be used to assess the applications. These criteria will be established in advance and communicated to all potential applicants. Examples of evaluation criteria may include the project's potential effect on broadband availability, the feasibility of the proposed activities, the strength of the project management plan and the applicant's capacity to implement the project successfully. Where needed, traditional and non-traditional state procurement processes will be followed.
- **Independent and Qualified Evaluators:** Those evaluating applications for funding ("Evaluators") will have the necessary expertise to evaluate the applications based on the predetermined evaluation criteria. Evaluators will be required to disclose any conflicts of interest that may arise from their participation in the process. DTI will ensure that appropriate steps are taken to prevent bias, collusion, arbitrary decisions and any other factors that could undermine the process. If any impropriety is identified, DTI will work with state attorneys and the Public

Integrity Commission to ensure appropriate actions are taken, the issue is mitigated, and any awarded funds are rescinded or clawed back.

- **Evaluation Process:** The evaluators will individually review and evaluate each application based on the established criteria. They may use a scoring system or a qualitative assessment to ensure consistency and objectivity in the evaluation process. Appropriate steps will be taken to ensure a fair and transparent evaluation process with objective scoring criteria. The scoring criteria and evaluation process will be documented through a variety of methods in advance of utilization.
- **Transparency and Public Input:** The subgrantee selection process will be transparent, with clear communication throughout. DTI will publish the list of selected subgrantees on their website, along with a summary of the evaluation process.

While not final, below is a tentative scoring system that may be used as part of the subgrantee selection process for eligible non-deployment activities in the BEAD program:

1. **Impact on Digital Equity (30 points):** Evaluate the potential effect of the proposed activities on improving digital equity in unserved and underserved areas and with covered populations. Consider factors such as the number of households or businesses that will benefit, location within economically disadvantaged areas, the covered populations targeted, the expected increase in usability of high-speed internet, and the overall significance of the project in addressing the digital divide.
2. **Feasibility and Viability (25 points):** Assess the feasibility and viability of the project. Consider the technical and operational aspects, including the proposed timeline, budget and resources required for successful implementation. Evaluate the applicant's capacity to carry out the project effectively, including their track record, partnerships and relevant experience. Specifically, DTI will ensure that prospective subgrantees have the competence, managerial and financial capacity to meet the commitments of the subgrant and any requirements of the program, as well as the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award. Specific requirements, at a minimum, included in the BEAD NOFO, page 73, include the following:
  - Financial capability including certification applicant is financially qualified, letter of credit (where a waiver has not been obtained), audited financial statements, sustainability/business plan.
  - Managerial capability including resumes for key individuals and narrative describing experience and readiness to carry out the project.
  - Technical capability including certification applicant is technically qualified to complete and operate the project and detailed project plan.
  - Compliance with laws including demonstrating ability to comply with all applicable laws.
  - Operational capability including appropriate certifications or attestations to

operational experience.

- Ownership information as described.
  - Other public funding including disclosure of other broadband deployment projects.
3. **Project Management Plan (20 points):** Evaluate the quality of the project management plan presented by the applicant. Consider the clarity and comprehensiveness of the plan, including objectives, milestones, deliverables and risk mitigation strategies. Assess the applicant's ability to execute the project efficiently and effectively.
  4. **Partnerships and Collaboration (15 points):** Assess the strength and relevance of the applicant's partnerships and collaborations, prioritizing applicants submitted jointly by complementary organizations. Consider the involvement of local community organizations, government entities, educational institutions and other stakeholders. Evaluate how these partnerships contribute to the success and sustainability of the project.
  5. **Budget and Cost-Effectiveness (10 points):** Evaluate the proposed budget and cost-effectiveness of the project. Assess the reasonableness of the budget in relation to the proposed activities and expected outcomes. Consider the cost-effectiveness of the project in terms of the number of beneficiaries and the expected impact on closing the digital divide.

The total score for each applicant will be calculated by summing up the scores from each criterion. The applicants with the highest overall scores will be selected as subgrantees for eligible non-deployment activities in the BEAD program.

It's important to note that the specific weights assigned to each criterion, and the criterion themselves, may change before the application cycle is initiated to be better tailored to individual non-deployment project areas. The scoring system will be developed and communicated to all applicants in advance to ensure transparency and fairness in the evaluation process.

## **9 Intentionally Omitted**

This section is intentionally left blank. Section 9 is omitted from this Proposal per NTIA’s Final Proposal Guidance, which specifies that “due to congruencies in intake design across NOFO FP Requirements 8 and 9, [the content to address these requirements] will be submitted together.”<sup>3</sup> Requirement 9 is addressed in Section 8 above.

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<sup>3</sup> BEAD Final Proposal Guidance, NTIA, p. 42.

## 10 Participation of Non-Traditional Broadband Providers (Requirement 10)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include...: 10. A description of efforts undertaken by the Eligible Entity to ensure the participation of non-traditional broadband providers (such as municipalities or political subdivisions, cooperatives, non-profits, Tribal Governments, and utilities), including an explanation for awards to traditional broadband providers when one or more non-traditional providers submitted competing proposals to serve an area consistent with the requirements of Section IV.C.1.a.*

**Relevant Instructions from NOFO Section IV.C.1.a, Page 51:**

*Some laws of Eligible Entities concerning broadband, utility services, or similar subjects that predate the enactment of the Infrastructure Act may either preclude certain public sector providers from participation in the subgrant competition or may impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer. NTIA strongly encourages Eligible Entities to waive all such laws for purposes of the Program. If an Eligible Entity does not do so, the Eligible Entity must identify all such laws in its Initial Proposal and describe how the laws will be applied in connection with the competition for subgrants. Such Eligible Entity must, in its Final Proposal, disclose each unsuccessful application affected by such laws and describe how those laws impacted the decision to deny the application.*

**10.1 Text Box:** Describe efforts taken to ensure participation of non-traditional broadband providers such as municipalities or political subdivisions, cooperatives, non-profits, Tribal Governments, and utilities.

DTI developed an inclusive engagement model to facilitate feedback on the creation of its BEAD planning and implementation from diverse stakeholder groups throughout Delaware. DTI utilized its existing relationship with Delaware stakeholders to identify and engage with private individuals, community anchor institutions, elected officials, faith-based communities, rural communities, labor unions, industry entities, civil rights organizations, small businesses, and the unserved, underserved, and underrepresented communities of Delaware. The stakeholder engagement process also included representatives of the Covered Populations that have been identified as core stakeholder groups.

DTI actively collected and updated its stakeholder list throughout the BEAD process to further diversify and expand outreach efforts. In total, over 500 representatives from organizations and constituents were invited to participate in DTI's webinars, events and applications.

The stakeholder engagement effort comprised email outreach; townhall-style meetings; public presentations at meetings hosted by stakeholder groups; and small group meetings; and information on DTI's website. The process demonstrates collaboration with local and regional entities (governmental and non-governmental), reflecting DTI's effort to facilitate an inclusive and effective engagement model.

DTI's prequalification round followed BEAD guidelines and did not discriminate against non-traditional providers. Applications were open to all BEAD eligible applicants. DTI's prequalification phase also gave special consideration to prospective subgrantees that were new to the broadband market, allowing them, in specific sections, to use the qualifications of key directors and managers as a substitute for the experience that new entrants lacked. For example, pursuant to NTIA guidance, new entrants were expected to provide evidence sufficient to demonstrate that the newly formed entity obtained, through

internal or external resources, sufficient operational capabilities. Delaware has no federally recognized tribal lands in the state.

That said, The First State has been lucky to benefit from robust competition among traditional broadband providers across the state before BEAD began. As a result, BEAD applications were also highly competitive across Delaware’s grant areas. While Delaware welcomed applications from non-traditional applicants, few chose to participate in the process, though there was representation from small providers and a cooperative in both Prequalification and Scoring phases. For Delaware, the BEAD process provided a competitive environment for fiber broadband providers to finally reach the last, hardest to reach locations across the state.

**10.2 Question (Y/N):** In every instance in which the Eligible Entity received one or more competing proposals from non-traditional providers competing with traditional providers to serve the same location(s) consistent with the requirements of Section IV.C.1.a., was the highest-scoring applicant selected as the subgrantee?

Yes

**10.3 Text Box (Required – Conditional on a ‘No’ Response to Intake Question 10.2):** If the highest-scoring applicant was not selected as the subgrantee in every instance in which the Eligible Entity received applications from traditional and non-traditional providers for the same location(s), explain why.

N/A

**11 Implementation Status of Plans for Cost and Barrier Reduction, Labor and Workforce Activities, Utilization of Minority Businesses, Women-owned Business, and Labor Surplus Area Firms, Low-Cost Plans, and Climate Change and Resilience (Requirement 11) & Middle-Class Affordability Plans (Requirement 17)<sup>4</sup>**

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include... : 11. Implementation status of plans described in the Initial Proposal related to:*

- a. Steps that the Eligible Entity has taken or intends to take to promote streamlined permitting processes and cost-effective access to poles, conduits, easements, and rights of way, including the imposition of reasonable access requirements;*
- b. Labor and workforce activities, including how the Eligible Entity implemented and applied the labor-related subgrantee selection criterion required herein;*
- c. Utilization of minority businesses, women-owned business enterprises, and labor surplus area firms;*
- d. Low-cost plan requirements; and*
- e. Climate change and resilience.*

**Relevant Instructions from NOFO Section IV.C.2.c.i, Page 66:**

*The Infrastructure Act’s BEAD provisions are premised on Congress’s determination that “[a]ccess to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States,” and that “[t]he persistent ‘digital divide’ in the United States is a barrier to” the nation’s “economic competitiveness [and the] equitable distribution of essential public services, including health care and education.” Accordingly, Each Eligible Entity must include in its Initial and Final Proposals a middle-class affordability plan to ensure that all consumers have access to affordable high-speed internet. We expect that Eligible Entities will adopt diverse strategies to achieve this objective. For example, some Eligible Entities might require providers receiving BEAD funds to offer low-cost, high-speed plans to all middle-class households using the BEAD-funded network. Others might provide consumer subsidies to defray subscription costs for households not eligible for the Affordable Connectivity Benefit or other federal subsidies. Others may use their regulatory authority to promote structural competition. Some might assign especially high weights to selection criteria relating to affordability and/or open access in selecting BEAD subgrantees. And others might employ a combination of these methods, or other methods not mentioned here. Ultimately, however, each Eligible Entity must submit a plan to ensure that high-quality broadband services are available to all middle-class families in the BEAD-funded network’s service area at reasonable prices. Eligible Entities will be required to ensure that services offered over Funded Networks allow subscribers in the service area to utilize the ACP.*

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<sup>4</sup> See, BEAD Final Proposal Guidance, NTIA, p. 58; “The Middle-Class Affordability Plan is not specifically included in the list of Final Proposal requirements in [the BEAD NOFO] Section IV.B.10. However, it is required as part of Final Proposal submissions by [NOFO] Section IV.C.2.c.i, so it will be included in this document as a separate requirement (Requirement 17). Due to congruencies in intake design across NOFO FP Requirements 11 and 17, these will be submitted together.”

**11.1 Text Box:** Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 14 related to reducing costs and barriers to deployment.

In Progress. As described in the IPv2, DTI is in continuous discussion with the Delaware Department of Transportation (DelDOT) to further streamline access to conduits, poles, and rights-of-way on State roads.

DTI has long had a close and strong relationship with partners at DelDOT. DTI does not anticipate any significant delays for permitting. As a small state, DelDOT maintains approximately 90 percent of roadways in the State.

Delaware's Ready In 6 Coalition is actively working within the State's regulatory and permitting framework to "enable economic development investors to achieve permit approvals in six months or less."

DTI will encourage providers to enter into resource sharing agreements to reduce costs and risks.

Additionally, the State will encourage awardees to create joint purchasing coalitions and form joint purchasing agreements to obtain additional leverage through which they may negotiate lower materials costs.

**11.2 Text Box:** Provide the Eligible Entity's implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 11 related to labor activities. Affirm that the Eligible Entity applied the labor-related criterion in its Subgrantee Selection Process and will ensure subgrantees comply with federal labor and employment laws.

In Progress.

DTI affirms that it applied the labor-related criterion in its Subgrantee Selection Process and will require subgrantees to comply with federal labor and employment laws.

**11.3 Text Box:** Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 12 related to workforce development.

In Progress.

**11.4 Text Box:** Affirm that the Eligible Entity has taken or will take all necessary affirmative steps to ensure minority businesses, women's business enterprises, and labor surplus area firms are used, when possible, as per pages 88 – 89 of the BEAD NOFO.

DTI affirms that it has taken or will take all necessary affirmative steps to ensure minority businesses, women's business enterprises, and labor surplus area firms are used, when possible, as described in Delaware's approved Initial Proposal pursuant to pages 88 – 89 of the BEAD NOFO.

**11.5 Question (Y/N):** Certify that all subgrantees selected by the Eligible Entity will be required to offer the low-cost broadband service option, as approved by NTIA in the Initial Proposal, for the duration of the 10-year Federal interest period.<sup>5</sup>

Yes

**11.6 Text Box:** Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the Eligible Entity’s approved Initial Proposal Requirement 15 related to climate change and resilience.

In Progress.

**11.7 Text Box:** Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 20 related to middle-class affordability.

In Progress.

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<sup>5</sup> See, BEAD Final Proposal Guidance, NTIA, p. 63; “The federal interest period for BEAD-funded broadband infrastructure projects is ten years after the year in which the relevant subgrant has been closed out in accordance with 2 C.F.R. § 200.344. See General Terms and Conditions for NTIA BEAD Program Funds at 21 (Apr. 2024), [https://broadbandusa.ntia.gov/sites/default/files/2024-05/BEAD\\_IPFR\\_GTC\\_04\\_2024.pdf](https://broadbandusa.ntia.gov/sites/default/files/2024-05/BEAD_IPFR_GTC_04_2024.pdf).”

## 12 Substantiation of Priority Broadband Projects (Requirement 12)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include...: 12. Information regarding specific commitments made by provisionally selected subgrantees to warrant a project's treatment as a Priority Broadband Project.*

**12.1 Text Box:** Describe how the Eligible Entity maximized deployment of Priority Broadband Projects and deployment of non-Priority reliable broadband projects prior to deployment of alternative technologies. In particular, describe steps the Eligible Entity took to pursue service by reliable broadband technology in areas that the Eligible Entity proposes to serve via alternative technology. (Data elements are provided via Deployment Projects and Locations CSV files in the Final Proposal Data Submission section.)

Delaware is the first state to submit a Final Proposal that includes end-to-end fiber coverage for all BEAD-eligible locations in the state, including community anchor institutions. To that end, DTI successfully designed its BEAD processes to prioritize Priority broadband projects, as described elsewhere in this Final Proposal. Delaware attracted a competitive set of applicants and is grateful for their participation in this process.

### 13 Subgrantee Selection Certification (Requirement 13)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include...: 13. Information regarding specific commitments made by provisionally selected subgrantees to warrant benefits in the Eligible Entity's subgrantee selection process (e.g., the primary and secondary criteria).*

**13.1 Text Box:** For each primary and secondary scoring criteria used in subgrantee selection, provide a summary of the range of commitments, specifically as they relate to workforce development, compliance with Federal labor and compliance laws, and affordability, made by provisionally selected subgrantees to warrant benefits in the approved Subgrantee Selection Process. Scoring criteria must be applied consistent with the prioritization framework laid out in Section IV.B.7.b of the BEAD NOFO.

*The summary must include the two following items:*

1. *A summary of each primary and secondary scoring criterion used in the subgrantee selection rubric, and the weight given for meeting each criterion (e.g., substantial points or credits in evaluation)*
  - *Primary criteria must include:*
    - *Minimal BEAD program outlay;*
    - *Affordability; and*
    - *Fair labor practices.*
  - *Secondary criteria must include, but is not limited to:*
    - *Speed to deployment; and*
    - *Speed of network and other technical capabilities (for non-Priority last-mile broadband deployment projects only).*
  - *Other secondary criteria can include, but is not limited to:*
    - *Equitable workforce development and job quality;*
    - *Open access; and/or*
    - *Local and tribal coordination.*
2. *A summary of commitments received from subgrantees, specifically related to:*
  - *Workforce development;*
  - *Compliance with Federal labor and compliance laws; and*
  - *Affordability.*

*The Eligible Entity's response should focus on the range of commitments made by provisionally selected subgrantees that exceeded the minimum standards articulated by the approved subgrantee selection criteria and detail how the approach is consistent with the Eligible Entity's approved Initial Proposal.*

Delaware, the First State, plans to deliver fiber broadband to every unserved Broadband Serviceable Location (BSL) through its BEAD subgrantees. The scoring rubric described below provided for non-Priority broadband projects, but also anticipated the possibility that all BSLs could be served by Priority broadband projects. Delaware published the final version of the Initial Proposal Volume 2 (IPv2), as approved by NTIA, on the Delaware BEAD webpage, <https://broadband.delaware.gov/pages/index.shtml?dc=bead>.

## Summary of criteria

### *Primary criteria*

#### **Minimal BEAD Outlay: Up to 140 points (35% of total points)**

applicants were scored based on how far their requested cost was below or above the Reference Cost for the Grant Area.

For applications requesting no more than the amount of the Reference Cost, the score was 140 minus the percent of the Reference Cost requested, rounded to the nearest whole integer value. For example: If 100% of the reference funding was requested, the score was 40; if 80% of reference funding was requested, the score was 60; and if 10% of reference funding was requested, the score was 130.

For applications requesting more than the Reference Cost, the score was the percent of the Reference Cost minus 100, subtracted from 40. For example: If 110% of the Reference Cost was requested, the score was 30; if 125% of the Reference Cost was requested, the score was 15; and if 140% of the Reference Cost was requested, the score was 0.

#### **Affordability: Up to 84 points (21% of total points)**

For Priority broadband projects, applicants that committed to offer symmetrical 1 Gbps service for a monthly reference price of not more than \$100, with no installation, equipment rental fees or other charges to the end user, received a baseline score of 20 points. Applicants are permitted to increase the price annually at an amount based on increases to the Consumer Price Index.

Up to 64 additional points were awarded to applicants that proposed a monthly fee below \$100. Applicants received points equal to the percent of their proposed monthly cost relative to \$100, subtracted from 1, multiplied by 64, rounded up to the nearest whole integer. For example, suppose an applicant committed to \$30/month for 1 Gbps under the conditions described above. \$30/month is 30% of \$100/month. 30% (0.30) minus 1 is 70% (0.70). Seventy percent of 64 is 45 (rounded up), and therefore that applicant would receive an additional 45 points.

Applications for non-Priority broadband projects were not accepted during the first round of applications. During the second round of applications, non-Priority broadband project earned points as described above, but for 100/20 Mbps service instead of 1 Gbps symmetrical service.

#### **Fair Labor Practices: Up to 100 points (25% of total points)**

Any applicant that certified full compliance with all applicable labor laws and demonstrated in its application a record and plans of outstanding labor practices as defined in NOFO Section IV.C.1.e, including no violations within the last five years, received a baseline score of 5 points.

For the following, unless otherwise noted, the “workforce” described refers to the workforce constructing/deploying the high-speed internet infrastructure funded under BEAD. Applicants were scored on:

– Job Quality – 30 points – An applicant that committed to using at least 25% directly employed workforce—as opposed to a contracted workforce—received 25 points. An applicant that committed to using unionized labor as part of their workforce received 5 points.

– Safety and Training – 30 points – An applicant that used an in-house training program or committed to using contractors with in-house training programs earned 30 points. For this section, “in-house training program,” should include a program where advancement in training is tied to certifications, titles, and uniform wage scales and/or participation in a labor-management apprenticeship program.

– Local Hire and Targeted Hire – 30 points – An applicant that committed to having at least 25% of its workforce—whether full-time or contracted—be locally hired received 15 points. An applicant that submitted a credible workforce plan that promoted hiring from marginalized communities received 15 points.

Applicants could receive up to 5 additional points for a narrative description credibly showing their history of addressing the factors identified in the BEAD NOFO Section IV.C.1.e based on specific practices and/or commitments.

Up to 30 points were deducted for official labor relations complaints or violations in the five years preceding the date of application.

### *Secondary criteria*

#### **Speed to deployment: Up to 76 points (19% of total points) for Priority broadband projects, up to 38 points (9.5% of total points) for non-Priority broadband projects**

Based on the BEAD rules, all funded projects must be complete within four years following execution of grant awards. Applicants scored up to 76 points if they demonstrated that they could and would deploy the network in a shorter period, with more points given based on speed to deployment. DTI expected timelines to include a full range of necessary activities, including design, permitting, NEPA review, construction, and activation. Applicants were warned to take these timeline commitments very seriously, as grant agreements would include these timelines as binding obligations, with DTI reserving the right to apply penalties up to and including default, rescission of the grant, and all other penalties as permitted by law.

Points were a percentage of the total for every month in advance of 48 months that the applicant committed to completing its build, with the minimum timeline set as 18 months.

For example, consider an applicant that committed to completing the build in 30 months. Thirty months is 18 months faster than four years. Eighteen months (the fastest recognized build) is 60% of 30 months, and so the applicant would receive 60% of the possible points: 46 (calculations were rounded up to the nearest whole integer).

For non-Priority broadband project applications, Speed to Deployment was scored at a maximum of 38 points (9.5% of total points).

#### **Speed of Network: Up to 38 points (9.5% of total points) \*Non-Priority Broadband Projects Only\***

Non-Priority broadband project applications use non-FTTP technologies. These non-FTTP applications were scored based on certified speed and latency performance commitments that were enforceable subgrant conditions and subject to verification after deployment to all eligible BSLs as well as on length of useful life of the proposed infrastructure and future scalability.

1. Speed and latency performance characteristics, as certified by the applicant and subject to technical review and verification by the state (up to 30 points): Applications committing to deliver 100/20 Mbps at 100 milliseconds maximum latency received 5 points; applications committing to

deliver 200/50 Mbps at 100 milliseconds maximum latency received 10 points; applications committing to deliver 400/100 Mbps at 100 milliseconds maximum latency received 20 points; and applications committing to deliver 1000/250 Mbps at 100 milliseconds maximum latency received 30 points.

2. Useful life and future scalability (up to 8 points, 4 points each). Useful life of funded infrastructure, as assessed by the state (up to 4 points): a. <5 years: 0 points; b. 5-10 years: 2 points; c. 10+ years: 4 points. Cost-effectiveness of future scalability to significant performance levels of proposed technology, as assessed by the state (up to 4 points): a. Ineffective: 0 points; b. Somewhat cost effective: 2 points; c. Very cost-effective: 4 points.

### *Other secondary criteria*

None

## Summary of commitments

### *Workforce development*

Delaware's relatively small BEAD allocation (compared to other states) means that the amount the workforce needs to grow is relatively modest and that DTI will not have much funding (if any) to grow workforce training programs using BEAD funding. In fact, as indicated in the Five-Year Action Plan, stakeholder interviews led to a decisive conclusion that ISPs are not experiencing a workforce shortage in the State. No ISP has reported observing a workforce shortage nor expressed any concern about finding adequate workers to satisfy the needs of the BEAD investment, though all ISPs expressed an openness to working closely with DTI on hiring if DTI chose to make investments in growing the workforce.

In the pre-qualification phase, DTI required prospective subgrantees to provide a detailed workforce development plan. Additionally, as noted in the scoring rubric above, DTI awarded points to ISPs that: Committed to having at least 25% of the workforce—whether full-time or contracted—be locally hired; and that submitted a credible workforce plan that promoted hiring from marginalized communities.

DTI required prospective applicants to submit a detailed workforce development and readiness plan as part of the Prequalification Phase. This included the following information to help ensure that the project workforce would be appropriately skilled and credentialed:

- Information on workforce safety and training, including a description of how the potential subgrantee would 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. Participants were expected to note if they participate in a labor-management apprenticeship program. If so, they were expected to describe the program requirements. Participants were expected to state if there was a labor-management health and safety committee on the worksite, and, if so, to describe how the committee operated and its composition.

- 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. Participants were expected to state what percentage of their existing workforce resides in Delaware and what, if any, commitments they were willing to make to grow their Delaware-based workforce.

- Discussion of the workforce for ongoing network operations. Participants were expected to discuss their existing workforce for customer service and operations work, whether those workers will be directly hired or contracted, and the wage scales for these jobs.
- Current and planned future practice regarding public disclosure of workforce plans and labor commitments on a website or online portal.
- Discussion of job quality considerations as part of the participant's workforce development strategies, including a description of wage scales and minimum wage rates, overtime rates, and benefits for each job title that will carry out the proposed work. For each job title, an estimate of the number of workers or work hours required and the entity that will employ the workforce. If the participant planned to use subcontractors, a description of the job quality standards, including the above, they would hold their subcontractors to.
- Discussion of all efforts to increase the diversity of the participant'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.

### *Compliance with Federal labor and compliance laws*

#### *Federal labor laws*

During the Prequalification Phase, DTI required subgrantees to certify that they will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects and applicants will recertify this annually for the duration of the BEAD implementation period.

During the Application Phase, in the scoring rubric, described above, DTI scored applicants based on compliance with federal labor laws. The prioritization of a directly employed and unionized workforce was designed to ensure there would be no misclassification of workers in violation of the Fair Labor Standards Act and other federal labor laws. The prioritization of safety and training standards was designed to help ensure applicants were protecting the safety of their workforce in compliance with the Occupational Safety and Health Act and other federal labor laws. The prioritization of a local and diverse workforce was designed to ensure there was no misclassification of workers in violation of the Fair Labor Standards Act and other federal labor laws. The prioritization of applicants that use a local workforce was designed to ensure a workforce that is connected to local labor compliance resources (e.g. unions, non-profits, Delaware Department of Labor) and supports compliance with the Fair Labor Standards Act and other federal labor laws. These point awards were buttressed by a penalty for noncompliance: Up to 30 points were deducted for official labor relations complaints or violations in the five years preceding the date of application.

#### *Federal compliance laws*

During the Prequalification Phase, DTI required prospective applicants to provide a certification that they were in compliance with any applicable federal laws and regulations implemented by the FCC, including submission of required reporting under the FCC's Form 477 regulations for reporting deployment and subscription data; as well as compliance with the Broadband DATA Act (Pub. L. No 116-130 (2020)) and implementing regulations including the FCC's Broadband Data Collection process, if applicable.

During the Prequalification Phase, as required by NTIA, DTI mandated that prospective applicants document their ownership structure and shareholder interests consistent with federal regulations

developed for specific funding and auction programs implemented by the FCC that can be found at 47 C.F.R. §1.2112(a)(1)-(7).

DTI required prospective applicants to provide a narrative description of the processes they have in place to conduct funding activities in compliance with federal and State laws, including descriptions and documentation of procurement practices. Additionally, prospective applicants provided an explanation of any special circumstances or considerations that may prevent compliance with specific applicable laws. The narrative addressed specific requirements and discussed the participant's plans to mitigate the impact of any noncompliance on its participation in the program.

DTI further required prospective applicants to certify that they had, or will have, processes 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.

As part of this showing, DTI required prospective applicants to provide documentation of the organization's policies and practices regarding compliance with health and safety laws and regulations. Participants were also required to provide documentation of communications with workers and worker representative organizations regarding the applicable labor laws and fair labor standards, as well as the formation of worker-led health and safety committees. Documentation of a participant's outreach to workers on these topics might include sample emails, copies of posters, worker surveys, worker meetings, phone call and social media scripts, as well as organizing activities by worker-led organizations.

During the Prequalification Phase, DTI required all applicants to submit an understanding and written acknowledgment that the prospective applicant understands 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 federal laws and regulations apply accordingly.

During the Prequalification Phase, all prospective applicants and partnerships certified that there was no collusion, bias, or conflict of interest; provided ownership and partnership disclosures as outlined in 47 C.F.R. 1.2105(a); and disclosed foreign interest if pertinent.

During the Prequalification Phase, all prospective applicants certified that they would not engage in prohibited communications as defined in 47 C.F.R. 1.2105(a) starting from the date of submission of preregistration application until final award.

DTI reviewed the submitted information to determine that it matched the information submitted by organizations to the FCC in compliance with 47 C.F.R. §1.2112 and other FCC reporting requirements including reporting for Eligible Telecommunications Carrier requirements, licensure, and other purposes. Prospective applicants were expected to identify and explain any discrepancies or inconsistencies.

DTI will use risk-based oversight and engagement, distribution of funding on a reimbursement basis, appropriate agreement provisions to claw back funds from subgrantees if needed, timely reporting requirements, and robust subgrantee monitoring consistent with statutory requirements, as well as those in 2 C.F.R. 200 and the BEAD NOFO.

The State of Delaware is deeply committed to the public policy purposes of environmental and historic preservation as well as Build America, Buy America (BABA) restrictions on purchases of fiber equipment, and the Secure and Trusted Communications Networks Act of 2019.

DTI will be proactive in its engagement with subgrantees, requiring them to send permitting and the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) applications, along with other necessary filings, to DTI so DTI can verify submission and do a non-expert review for compliance flags. This will also allow DTI to work with State and federal agencies directly if any grant-related compliance issues arise because of these filings.

DTI required potential subgrantees to certify that they have no history of failure to comply with Environmental and Historic Preservation (EHP) requirements or BABA, to the extent applicable, subject to NTIA waivers.

Any potential subgrantee that could not certify a track record of full compliance was required to provide detailed narrative and documentation regarding its histories of challenges or noncompliance. In addition, DTI intends to use its subgrantee monitoring program post-award to verify that applicants are indeed compliant with these requirements.

DTI required prospective applicants to provide a legal opinion, by an attorney licensed in Delaware, that the organization was aware of the federal and State laws applicable to BEAD-funded broadband deployment projects and that the organization possessed the qualifications and resources to perform BEAD-related commitments in compliance with all applicable federal and State laws.

The legal opinion further attested to the organization's current compliance with all relevant federal and State laws and described any violations or pending court proceedings. For this requirement, the word "violation or pending court proceedings" meant (a) any matter before a state court or the Federal District Court for the District of Delaware that is a criminal proceeding or civil litigation that involves the prospective applicant's broadband deployment work and (b) any matter before any court—state or federal—or administrative agency—state or federal—involving a default of a government-funded obligation for broadband deployment or an active investigation by a government agency as to the possibility of such a default.

The legal opinion was accompanied by a description of the expertise and qualifications of the attorney and demonstration of the attorney's familiarity with relevant areas of the law including preemption and issues of jurisdiction. The attorney also described their familiarity with the operations of the organization and the documents, policies, and procedures that they reviewed to render the opinion.

In the BEAD application supporting materials, DTI referenced the types of laws that prospective applicants must consider, including federal procurement laws such as applicable Build America, Buy America requirements, Secure and Trusted Communications Networks Act of 2019 (47 U.S.C §1608), State-specific procurement regulations, federal Uniform Guidance regulations, Department of Commerce Standard Terms and Conditions for grant funding, federal and State environmental and historic preservation regulations, and any specific award conditions that DTI or NTIA may develop.

In the event of a conflict between federal, State, or local regulations, DTI will require compliance with the most stringent obligations and requirements to the extent those obligations are not preempted by applicable federal law.

Delaware plans to avail subgrantees of the 2 C.F.R. Part 200 exceptions and any further adjustments NTIA applies in BEAD program requirements. DTI required applicants to demonstrate that project costs proposed for this grant program will be reasonable, allowable, allocable, and necessary. The Scoring Phase Application and Guide, as well as the Program Guide, reference 2 C.F.R. Part 200 for applicable administrative requirements and cost principles.

DTI will require subgrantees to provide BEAD semi-annual data reporting called for by NTIA. Required reporting will cover all elements of project deployment including addresses served, technology deployed, equipment deployed, and speeds delivered. See [NTIA's Anticipated Post-Final Proposal BEAD Semi-Annual Report Requirements](#) for NTIA's latest guidance on BEAD data collection.

Prior to distributing any BEAD funding to a subgrantee, DTI will require the subgrantee to agree, by contract or other binding commitment (to be determined by counsel), to abide by the non-discrimination requirements set forth in the following legal authorities, to the extent applicable, and to acknowledge that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed: Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, The Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, The Age Discrimination Act of 1975, and any other applicable non-discrimination law(s).

The State will ensure subgrantee compliance with the cybersecurity requirements and supply chain risk management (SCRM) requirements of the BEAD NOFO. DTI will ensure that, to the extent a BEAD subgrantee relies in whole or in part on network facilities owned or operated by a third party, it will obtain the attestations from its network provider with respect to cybersecurity practices and supply chain risk management practices.

Pursuant to BEAD program rules, DTI will require applicants to commit to posting a letter of credit or performance bond, as described in Delaware's IPv2.

### *Affordability*

As noted above, applicants that committed to offering 1 Gbps symmetrical (for Priority broadband projects) or 100/20 Mbps (for non-Priority broadband projects) at \$100 per month or less—with no installation, equipment rental fees or other charges to the end user—received points in the Application phase. Applicants committed to using the price submitted for the useful life of the network they are building using BEAD funding, with the commitment binding only at the BEAD BSL. Applicants are permitted to increase the price annually at an amount based on increases to the Consumer Price Index.

Additionally, DTI required all subgrantees to offer a low-cost broadband service option that met, at a minimum, the following criteria:

- Costs \$30 per month or less, inclusive of all taxes, fees, and charges billed to the consumer.
- Subscribers using this low-cost broadband service option must be ACP eligible or eligible for a successor program enacted by Congress and must also be permitted to apply the prevailing subsidy amount toward the plan's rate. ISPs must allow the end user to apply the benefit subsidies to the service price.
- Providers will be held to performance requirements as established by the BEAD program, with download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.
- Provides typical latency measurements of no more than 100 milliseconds.
- Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
- Allows subscribers to upgrade at no cost in the event the provider later offers a low-cost plan with higher speeds (downstream or upstream)

With the termination of the ACP program, DTI will keep the low-cost offering price point requirement at \$30 per month or less. However, ISPs will be able to submit to DTI a waiver request asking for an increase of the low cost price up to no more than \$65/month. The waiver request should contain evidence supporting the ISPs proposed rate, including evidence as to:

- How the proposed rate is affordable to low income Delawareans;
- Per-subscriber costs in an area indicating that the target effective rate above would be financially unsustainable; and,
- The impact on average revenue per user (ARPU) and total project revenue of the target effective rate above would be financially unsustainable given actual or projected subscriber adoption patterns.

All other requirements of the low-cost broadband service option described in this section would still apply.

Should Congress authorize and fund any successor programs to ACP, DTI will work with NTIA to incorporate those new programs into the BEAD plan and BEAD subawards in a way that is consistent with all applicable laws and guidance.

DTI notes that this low-cost option will only be required for consumers who receive high-speed internet access via the BEAD program. It does not place any price requirements for addresses not included in the BEAD program.

While applicants must commit to this price for the useful life of the BEAD-funded infrastructure, DTI will allow ISPs to adjust this Low-Cost Option in line with increases marked in the Consumer Price Index.

Finally, DTI reserves the right to change the low-cost broadband option rules if NTIA updates the rules or guidance regarding requirements for low-cost plans. Any such change will only be made with the approval of NTIA and in accordance with all requirements in law or the NOFO.

## 14 Environmental and Historic Preservation (EHP) Documentation (Requirement 14)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include...: 14. Environmental documentation associated with any construction and/or ground-disturbing activities and a description of how the Eligible Entity will comply with applicable environmental and historic preservation requirements.*

**14.1 Attachment (Required):** Submit a document which includes the following:

- Description of how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements, including a brief description of the methodology used to evaluate the Eligible Entity's subgrantee projects and project activities against NTIA's programmatic and National Environmental Policy Act (NEPA) guidance
- Description of the Eligible Entity's plan to fulfill its obligations as a joint lead agency for NEPA under 42 U.S.C. 4336a, including its obligation to prepare or to supervise the preparation of all required environmental analyses and review documents.
- Evaluation of the sufficiency of the environmental analysis for your state or territory that is contained in the relevant FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at <https://www.firstnet.gov/network/environmental-compliance/projects/regional-programmatic-environmental-impact-statements>.
- Evaluation of whether all deployment related activities anticipated for projects within your state or territory are covered by the actions described in the relevant FirstNet Regional PEIS.
- If applicable, a draft supplemental environmental assessment (EA), providing any information or analysis missing from the relevant FirstNet Regional PEIS that is necessary for the programmatic review of BEAD projects within your state or territory.
- Methodology for the NEPA screening of the Eligible Entity's subgrantee projects to identify, confirm, and categorize projects qualifying for NTIA Categorical Exclusions and those requiring further environmental review.
- Description of the Eligible Entity's plan for applying specific award conditions or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects await EHP clearances.

Attached as "Del FP – Environmental.pdf".

## 15 Consent from Tribal Entities (Requirement 15)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 48:**

*The Final Proposal must include...: 15. To the extent an Eligible Entity's Final Proposal includes plans to deploy broadband to Unserved Service Projects or Underserved Service Projects on Tribal Lands, the Eligible Entity must submit a Resolution of Consent from each Tribal Government, from the Tribal Council or other governing body, upon whose Tribal Lands the infrastructure will be deployed.*

- 15.1 Attachment(s) (Required if any deployment project is on Tribal Lands):** Upload a Resolution of Consent from each Tribal Government (in PDF format) from which consent was obtained to deploy broadband on its Tribal Land. The Resolution(s) of Consent submitted by the Eligible Entity should include appropriate signatories and relevant context on the planned (f)(1) broadband deployment including the timeframe of the agreement. The Eligible Entity must include the name of the Resolution of Consent PDF in the Deployment Projects CSV file.

Not applicable.

## 16 Report of Unsuccessful Applications due to Eligible Entity Regulations (Requirement 16)

**Relevant Instructions from NOFO Section IV.B.9.b, Page 49:**

*The Final Proposal must include...: 16. A description of (1) each unsuccessful application that was affected by laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act, that the Eligible Entity did not waive for purposes of BEAD Program project selection and that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer; and (2) how those laws impacted the decision to deny each such application.*

**16.1 Question (Y/N):** Did the Eligible Entity have any applications that were unsuccessful due to laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they pre-date or post-date enactment of the Infrastructure Act, that the Eligible Entity did not waive for purposes of the BEAD Program?

No

**16.2 Attachment (Required – Conditional on a ‘Yes’ response to Intake Question 16.1):** As a required attachment only if there were unsuccessful applications due to laws of the Eligible Entity, submit a completed “Regulatory Barriers for Applicants” template.

N/A

## 17 Waivers and Public Comment

**Relevant Instructions from NOFO Section IX.E, Page 95:**

*It is the general intent of NTIA not to waive any of the provisions set forth in this NOFO. However, at the discretion of the Assistant Secretary, NTIA, upon its own initiative or when requested, may waive the provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the circumstances for the request.*

**Relevant Instructions from NOFO Section 1.B.2, Page 10:**

*Prior to submission to NTIA, the Final Proposal must be made available for public comment.*

- 17.1 Text Box:** If any waivers are in process and/or approved as part of the BEAD Initial Proposal or at any point prior to the submission of the Final Proposal, list the applicable requirement(s) addressed by the waiver(s) and date(s) of submission. If not applicable to the Eligible Entity, note 'Not applicable'.

DTI has no waivers in process and is not planning to request a waiver as part of its Final Proposal submission. If, however, a provisional subgrantee does not accept its award after NTIA approval, Delaware reserves the right to seek approval from NTIA to award that grant area to the next highest scoring applicant for the respective grant area.

Please note that DTI submitted a waiver request to NTIA to determine how to ensure that by the conclusion of BEAD, all Delawareans have access to high-speed internet, even in the case of a default by the RDOF awardee serving Delaware. NTIA denied DTI's waiver request. If the RDOF awardee defaults on the award, DTI will work with NTIA to find a NOFO-compliant approach to use any remaining BEAD fund to deploy high-speed internet into the then-previously-designated RDOF BSLs. DTI will always comply with the BEAD NOFO requirements and work with NTIA to find solutions, but we note the conflict created between the rules and serious concerns around possible RDOF defaults.

- 17.2 Attachment (Optional):** If not already submitted to NTIA, and the Eligible Entity needs to request a waiver for a BEAD program requirement, upload a completed Waiver Request Form [here](#). If documentation is already in process or has been approved by NTIA, the Eligible Entity does NOT have to upload waiver documentation again.

Not applicable.

- 17.3 Text Box:** Describe the public comment period and provide a high-level summary of the comments received by the Eligible Entity during the public comment period and how the Eligible Entity addressed the comments. The response must demonstrate: a. The public comment period was no less than 14 days; and b. Outreach and engagement activities were conducted to promote feedback during the public comment period.

*Prior to the conclusion of its public comment period, the Eligible Entity may note in its submission that the public comment period is ongoing.*

Delaware's Final Proposal public comment period is ongoing.

**Appendix: Final Proposal Funding Request (Required)**

Attached as “Del FP – Final Proposal Funding Request Budget.xls” and “Del FP – Final Proposal Funding Request Budget Narrative.pdf.”