

BEAD SCORING PHASE FAQs – VERSION 2



To support openness, fairness, and competition in its BEAD grant efforts, DTI accepted questions about the substance of the BEAD Scoring Phase Application until COB September 12, 2024. Answers are provided in this document for the reference of all Applicants; questions have been condensed, consolidated, and edited for clarity.

Document updated October 3, 2024.

Question 1

The Initial Proposal Volume II includes a requirement that the professional engineer be “independent.” Use of an “independent” professional engineer could require an outside review of each project and introduce delay into any subsequent revisions of the certified materials for any given project during the negotiations phase. Will DTI remove the requirement that the professional engineer be “independent” for Applicants that have a demonstrated history of providing broadband services in Delaware and that have professional engineers on staff?

The requirement for the certifying engineer pertains only to the Scoring Phase, so there will not be any adjustments needed during negotiations. If an Applicant is submitting multiple projects, all such projects can be reviewed efficiently at the same time.

Question 2

Grant Area 2 includes two business BSLs (location id numbers 1412945038 and 1062908886) that are on an island in the Delaware River. Building fiber-based connections to these two targets would very likely require deploying undersea cable that would dramatically increase an ISP’s total FTTP build costs and potentially lengthen the build timeline beyond the required four-year deadline. Should Applicants plan to build fiber to these two BSLs?

DTI has submitted an FCC location challenge for these locations and will submit a request to NTIA to remove location_id numbers 1412945038 and 1062908886 from the BEAD list. Applicants should not include these locations in putting together their applications for Grant Area 2.

Question 3

Please confirm that an Applicant can submit a cost estimate for Grant Area X that’s contingent on winning Grant Area Y, and also submit a second standalone cost estimate for Grant Area X that’s not contingent on winning any other Grant Areas.

*No, Applicants can only submit one application per grant area. As noted in the IPV2, “Applicants will **not** be able to submit multiple cost estimates with contingencies for the same grant area.” (emphasis added) Applicants can, however, make their acceptance of a grant area award*

contingent on receiving an award for another grant area, but they can only submit one cost estimate per area.

Question 4

Does DTI intend to adopt in full the exceptions, adjustments, and clarifications to certain provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), codified at 2 C.F.R. Part 200, and the application of related provisions of the Uniform Guidance to the Broadband Equity, Access and Deployment (BEAD) Program as set forth in NTIA’s Policy Notice: Tailoring the Application of the Uniform Guidance to the BEAD Program (https://broadbandusa.ntia.doc.gov/sites/default/files/2023-12/BEAD_Policy_Note_of_Uniform_Guidance_Part_200_Exceptions_Related_Issues.pdf)? If not, please specifically identify each of the elements of the Policy Notice that are not being adopted by DTI. Alternatively, if the elements of the Policy Notice are being adopted in full, please state that in response to this question

DTI’s interpretation of NTIA’s Uniform Guidance linked above is that it is required for Eligible Entities or subgrantees. Accordingly, DTI will be implementing all exceptions, adjustments, and clarifications published by NTIA and will be bound by any adjustments NTIA makes going forward.

Question 5

Please confirm that all awards will be considered to be fixed-amount subawards within the meaning of this Policy Notice.

Yes, all awards will be fixed amount subawards.

Question 6

Please confirm that “completion of internal wiring to all internal apartment units or trailers” is not required to certify that a location is verified as complete. Normally, “completion of internal wiring” to an internal apartment unit or trailer—i.e., installation of a service drop—would not be performed until an order for service is received from the customer at that unit or trailer

The internal wiring of an apartment building is not required to complete the build if, and only if, the property owner refuses the subgrantee access to complete the internal wiring. The subgrantee must reach out to the owner of the building and offer to complete the internal wiring of the building at no additional cost, beyond the BEAD outlay cost the Applicant submitted as their price for that Grant Area.

The subgrantee is allowed to proceed with wiring individual units (or mobile homes) as they would in their normal course of business, provided there is no additional charge to the building or tenant for that wiring.

Question 7

Question 2.2 in the Project Plan Information section on page 9 of the Application requires Applicants to provide shapefiles that include, among other things, “project area boundary polygons encompassing all infrastructure routes, BSLs, and CAIs.” Please provide further guidance on what is expected in the way of a “Project Area Boundary Polygon.” For example, is a shapefile that

provides a 15m radius buffer around all funded locations as well as the proposed fiber routes an acceptable representation of the Project Area Boundary Polygon?

Yes, that is acceptable.

Question 8

A Certifications and Licenses template was included with the materials that were emailed on 8/29/24, but there is no mention of this template in the Scoring Application document. Please identify the question(s) that refer to the Certifications and Licenses template.

The Certifications and Licenses template was included in error. Applicants can ignore this template. It has been removed from the application packet posted in Bonfire.

Question 9

The Application/IPV2 state: “Applicants are permitted to request up to 140% of the Reference Cost.” Is 140% of the reference price the Maximum an application can apply for, or can it go beyond 140%? Understanding the higher you go the less points the application will receive. For example, Grant Area 8 with a Reference Price of \$3.06 million. 140% would be \$4.2 million. Is that the maximum the State will allow for funding on that project?

While the 140% limit should not be considered the maximum the State will allow for a project to be funded, Applicants who submit a price at or above 140% of the Reference Cost will receive no points for that scoring criteria. Please refer to the scoring rubric in Initial Proposal Volume II.

Question 10

Will any additional consideration be given to networks that favor underground versus aerial deployments? Or are the State’s primary priorities lowest cost and speed to market?

There is no preference for underground or aerial deployment. The State’s priorities are limited to those laid out in Initial Proposal Volume II and the scoring rubric.

Question 11

For Questions 1.3 and 1.3A, the Application states: “This price should have no installation, equipment rental fees, or other charges to the end-user.” Does this mean that DTI is seeking the monthly recurring charge for the delivery of the 1Gbps before any additional fees are added? Or is DTI seeking the “all in” monthly recurring charge to the end-user that is already inclusive any (and all) fees?

The latter, DTI is seeking the “all in” monthly recurring charge to the end-user that is already inclusive of any (and all) fees.

Question 12

The total of the “Delaware Statewide Reference Pricing” only adds up to \$27.8M, but the budget allocated to the State from NTIA is \$107M grant funds + 25% minimum ISP match. By that formula, the total statewide budget should be at least \$133.75M, instead of \$27.8M?

So, can you please expand on what the Reference Pricing means and represents?

For example – Grant area #1 has a reference price of \$810,000. Does that mean that DTI projects that all BSLs can be reached in this zone using \$810,000 in grant funds?

And expanding on that, does DTI project that all BSLs statewide can be reached using \$27.8M in grant funds?

The Reference Price is solely used to score the applications. The scoring rubric for cost requires an objective point to generate a score an application above/below that point. The Reference Points should not necessarily be considered the expected total BEAD funds Delaware plans to use for deployment.

Question 13

Location #1354339428 seems to be much closer to zone 7 than zone 8. It is less than 1 mile away from several other zone 7 locations, but the nearest zone 8 location is more than 4 miles away. Was this BSL perhaps mis-categorized into zone 8 when it should be zone 7?

The BSL location #1354339428 will not be reclassified from Zone 7. However, an Applicant may determine and demonstrate in its application how it believes it can best be serviced.

Question 14

We have found a few of BSLs that do not appear to be eligible. For example, a BSL does not have a building associated with the address and appears to be in the middle of a swamp. We have also found additional locations that appear to be sheds.

We know the challenge process is over. What is the process for evaluating locations like these to avoid building a “bridge to nowhere” type of scenario?

For the purposes of the Scoring Applications, applicants should consider the list of eligible BSLs to be set in stone (with the extraordinary exception of the two BSLs notes in Questions 2 and 3 above).

Once an award is made and the Subgrantee is engineering their networks, if they find BSLs that should be ineligible, they should send DTI information needed to support the removal of such locations through proof they submitted an FCC challenge, along with photographic evidence and a description why the location is not a broadband serviceable location (e.g., an abandoned barn). Should DTI agree with the Subgrantee’s analysis, the location will be removed from the BEAD list at that time.

Question 15

Is there a specific dollar amount threshold that DTI would consider a non-fiber solution to service a single BSL?

For this application round, Applicants should assume they must serve all listed BSLs in a Grant Area with fiber. Once all applications are received, if a Grant Area receives no applications, DTI will solicit feedback from the Applicants as to why there were no applications. DTI may then reach out to providers who submitted successful applications for neighboring Grant Areas to negotiate a possible end-to-end fiber solution before considering a non-fiber solution.

Question 16

Please confirm if the locally hired workforce must live and work in the State or can include a workforce located within a short distance of the State that is appropriately licensed to and performs work in the State.

The locally hired workforce can live in the immediate region around Delaware but must perform the majority of their work in Delaware (and, as applicable, be licensed to perform work in state).

Question 17

For the following: "Applicant certifies that the proposed project will rely entirely on fiber-optic technology to reach end-user premises and will ensure that the network built by the project can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services. See Infrastructure Act § 60102(a)(2)(l)." Please clarify what is required to "support the deployment of 5G."

This definition comes from the Infrastructure Act, as noted in the question, and from BEAD NOFO footnote 9 on p. 14. NTIA further notes on p. 42 of the BEAD NOFO that "new fiber deployment will facilitate the deployment and growth of 5G and other advanced wireless services, which rely extensively on fiber for essential backhaul." An applicant providing end-to-end fiber should consider deploying sufficient capacity to support long-term sustainability of the network.

Question 18

Please confirm whether the attached changes to [REDACTED] of the statement of work (SOW) would be acceptable, or whether these are the type of changes requiring negotiation, and therefore adjustment to project schedules.

DTI cannot pre-approve changes to the SOW. If the Applicant believes material changes will be needed to the SOW before they are able to sign, they should build a negotiation period into their proposed timeline.

Question 19

Will DTI consider a reimbursement schedule based on activities instead of BSLs-connected. For example, 10% of the BEAD award paid at end of the permitting process, 10% after walk-outs, etc.?

No. The only reimbursement structure DTI will consider is reimbursements based on BSLs connected. For example, 10% of the BEAD award paid when 10% of the BSLs on the list are connected.

Question 20

Please confirm that neither federal prevailing wage laws (e.g., the Davis-Bacon Act) nor Delaware's state prevailing wage law (e.g., requirements of 29 Del. C. § 6960) applies to broadband deployment projects funded by Delaware's BEAD program.

Correct. The rules set by the National Telecommunication and Information Administration (NTIA) for the BEAD program do not require the use of federal or Delaware prevailing wage laws. For more information, see <https://broadbandusa.ntia.gov/node/8230>.