

Broadband Equity, Access, and Deployment Program

PROGRAM GUIDELINES
September 2024



Pennsylvania
Broadband Development Authority



Pennsylvania Broadband Development Authority
Honorable, Uri Monson, Chairman
Brandon Carson, Executive Director



Table of Contents

Section I – Statement of Purpose	1
A. Introduction	1
B. Purpose	1
Section II – Application Procedures	1
A. Application Procedures	1
B. Program Timeline	2
Section III – Eligibility	2
A. Eligible Applicants	2
B. Eligible Project Areas	3
C. Eligible Projects	3
D. Eligible Project Costs	3
Section IV – Grants	4
A. Award Amounts	4
B. Process for Accessing Funds	4
Section V – Program Requirements	5
A. Matching Funds	5
B. Planning and Permit Requirements	5
C. Identifying the Extremely High Cost Per Location Threshold	5
D. Webinars	5
E. Workforce Development	5
F. Commonwealth Workforce Transformation Program	6
G. Pennsylvania Prevailing Wage Act	7
H. Affordability	7
I. Other Requirements	9
Section VI – Application Evaluation & Scoring	12
A. Scoring for Priority Broadband Projects	12
B. Scoring for Other Last-Mile Broadband Projects	14
Section VII – Program Inquiries	16

Appendix I – Supplemental Information for the Single Application for Assistance	.17
A. Grant Application Process	.17
B. Application Questions and Attachments	.18
C. Application Deconfliction and Adjudication	.22
D. Project Area Determination	.22
E. Posting of Locations Subject to Application	.22
F. Application Curing	.23
F. Application Scoring	.23
G. Award and Notification	.23
H. Project Posting	.23
Appendix II – Letter of Credit Waiver Options	.24
A. Use of Credit Unions	.24
B. Use of Performance Bonds	.24
C. Reduction of LOC/Performance Bonds Upon Completion of Milestones	.24
D. Alternative Initial LOC or Performance Bond Percentage	.25
Appendix III – Comprehensive Workforce Development Plan	.26
Appendix IV – Reporting Requirements	.27
Appendix V – Scoring Category Descriptions	.29
Appendix VI – List of Application Attachments	.31
A. Forms, Templates, and Other	.31
B. CSV Files	.31
C. Affidavits	.31
Appendix VII – Administrative and Programmatic Costs	.33
Appendix VIII – Glossary of Terms	.34

Section I – Statement of Purpose

A. Introduction

Pennsylvania’s Broadband Equity, Access, and Deployment (BEAD) program is funded pursuant to the Infrastructure Investment and Jobs Act of 2021.¹ The BEAD program provides \$42.45 billion to expand access to high-speed internet by enabling planning, infrastructure deployment, and adoption programs in all 50 states, Washington D.C., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

The Pennsylvania Broadband Development Authority (PBDA) is administering the BEAD program in accordance with the National Telecommunications and Information Administration (NTIA)’s [Notice of Funding Opportunity for BEAD](#) and [Act 96 of 2021](#). Pennsylvania received a total of \$1,161,778,272.41 through its federal allocation.

B. Purpose

The purpose of the BEAD program is to enable broadband planning, deployment, mapping, equity, and adoption activities. PBDA will administer competitive grants through the BEAD program for the construction of high-speed broadband service infrastructure. These guidelines outline eligibility requirements, as well as the procedures to apply for and receive funding through the program.²

Program funding was distributed to states primarily based on the relative number of broadband serviceable locations (BSLs) identified throughout the Commonwealth that lack access to reliable broadband service at speeds of at least 25 megabits per second (Mbps) downstream and three Mbps upstream (considered unserved locations) and those without broadband service reaching speeds of at least 100 Mbps downstream and 20 Mbps upstream (considered underserved locations). The program prioritizes projects designed to provide fiber connectivity directly to the end user through the deployment of last-mile broadband infrastructure. A key component of the program is addressing low-cost and middle-class affordability needs of all eligible broadband subscribers to ensure that the networks subsidized with taxpayer dollars are accessible to all Pennsylvanians.

Section II – Application Procedures

A. Application Procedures

To apply for funding, the applicant must submit the electronic online Department of Community and Economic Development Single Application for Assistance located at grants.pa.gov. Required supplemental information outlined in Appendix I of these guidelines must be attached electronically to the application as directed on the Addenda tab within the Single Application for Assistance website.

For technical inquiries regarding the submission of the online application, contact the Customer Service Center by calling 1-800-379-7448 or 717-787-3405, or email ra-dcedcs@pa.gov, Monday through Friday from 8:30am to 5:00pm.

¹ Division F, title I, Section 60102, Public Law 117-58, 135 Stat. 429 (November 15, 2021).

² These guidelines may be modified or waived by PBDA unless otherwise required by law.

B. Program Timeline

The BEAD application process will consist of two grant periods. Applications that are incomplete may not be considered for a grant award. Within these application periods, subsequent Broadband Serviceable Areas (BSAs) will be evaluated. The total number of project areas will be reduced based on the award areas anticipated to come from the first period.

1. **Guidelines posted:** 30 days prior to opening the application period
2. **Project areas posted:** 10 days prior to opening the application period
3. **Application Period One:** Applications will be accepted for 60 days.
4. **Application Review Period One:** Once the application period closes, PBDA will review submitted applications.
5. **Application Period Two:** Applications will be accepted for 60 days.
6. **Application Review Period Two:** Once the application period closes, PBDA will review submitted applications.

After both Period One and Period Two of the Program have concluded, PBDA will draft its Final Proposal and make it available for public comment prior to submission to NTIA. Applicants should expect notice of award following NTIA's acceptance of PBDA's Final Proposal.

Projects funded by BEAD must reach substantial project completion no later than four years after the date on which the grantee receives the award. Substantial completion occurs when the Project can fulfill the primary operations that it was designed to perform, delivering services to end-users. At substantial completion, service operations and management systems infrastructure must be operational. Extensions may be granted beyond this timeframe to the extent that factors deemed to be outside of the grantee's control, in PBDA's sole discretion, have impacted project delivery timelines. PBDA will approve extension requests on a case-by-case basis.

Section III – Eligibility

A. Eligible Applicants

Eligible Applicants include:

- Cooperative organizations
- Not-for-profit organizations
- Public-private partnerships
- Private companies
- Public or private utility companies
- Public utility districts
- Municipalities or units of local government
- Internet service providers registered through the Federal Communications Commission (FCC)

As outlined in PBDA's enabling legislation, [Act 96 of 2021](#), eligible entities include those with the technical, managerial, and financial expertise to design, build, and operate high-speed broadband service infrastructure within the Commonwealth of Pennsylvania.

B. Eligible Project Areas

PBDA has defined Broadband Serviceable Areas (BSAs) for the BEAD Program. The boundaries for BSAs are based on U.S. Census Block Groups. An applicant's proposed project area may consist of a single BSA or an aggregation of contiguous BSAs. Applicants should submit a separate application for project areas that do not have adjoining BSAs. BSAs will contain only eligible broadband serviceable locations (BSLs) and are constrained within a single county. Additionally, PBDA will provide a Comma Separated Value (.CSV) file containing project area ID and BSL ID values. BSLs included within this list for each BSA are limited to those that are underserved or unserved. This list excludes all enforceable commitments.

Enforceable funding commitments are BSLs that are subject to federal, state, and local funding for the purposes of broadband infrastructure buildout, excluding the BEAD program. The enforceable funding commitment must provide a minimum of 100/20 Mbps of service. These BSLs will be considered ineligible for BEAD funding.

BSAs are available as shapefiles, and eligible BSLs and their associated BSA ID are available within the CSV. Both resources will be available through PBDA's website. Applicants must utilize a Geographic Information System (GIS) to access these resources.

Applicants must apply for funding using only the data provided. This data is based on the NTIA-approved results of the BEAD Challenge Process. Projects may consist of a single BSA; however, applicants are encouraged to combine contiguous BSAs as needed for each application. Contiguous BSAs may be combined regardless of political jurisdiction (county boundary) and may be as large as needed to accomplish the proposed project.

Proposed project areas should be submitted to PBDA as a CSV file containing BSL-level data with the corresponding BSA identification code for all locations. The applicant must provide an average cost per passing for each BSA. Applicants will be permitted to exclude up to 5% of BSLs in each BSA. The 5% exclusion shall be limited to the costliest 5% of BSLs per BSA. The applicant will indicate those BSLs to be excluded from proposed BSAs, along with the estimated cost of service for each of the excluded BSLs, and justification for exclusion.

C. Eligible Projects

BEAD funds may be used for the following eligible projects:

- Deploying and/or upgrading broadband network facilities in connection with a BSA.
- Data collection, broadband mapping, and planning to the extent necessary to facilitate the goals and deliverables of the BEAD Program.
- Eligible Projects are limited to the defined project areas listed within Section III B and must meet the minimum 95% BSL coverage threshold.

D. Eligible Project Costs

Funds may be used for the following eligible deployment-specific costs:

- **Physical improvements:** Construction, improvement, and/or acquisition of facilities and telecommunications equipment required to provide qualifying broadband service, including infrastructure for backhaul, middle- and last-mile networks, and multi-tenant buildings.
- **Long-term leases:** Long-term leases (for terms greater than one year) of facilities required to provide qualifying broadband service, including indefeasible right-of-use (IRU) agreements.
- **Multi-family residential deployment:** Deployment of internet and Wi-Fi infrastructure within an eligible multi-family residential building.

- **Planning, design, & engineering:** Engineering design, permitting, and work related to environmental, historical, and cultural reviews.
- **Personnel costs:** To include including salaries and fringe benefits for staff and consultants providing services directly connected to the implementation of the BEAD Program (such as project managers, program directors, and subject matter experts).
- **Network software upgrades:** To include but not limited to, cybersecurity solutions.
- Workforce development, including Registered Apprenticeships and pre-apprenticeships, and community college and/or vocational training for broadband-related occupations to support deployment, maintenance, and upgrades.

Funds are not permitted to be used for the following purposes:

- Non-deployment uses
- Acquisition of spectrum licenses
- Operating expenses other than grant administration costs
- Short-term operating leases
- Payment of interest on principle for outstanding debt instruments, or other debt service costs
- Planning and mapping that does not result in deployment

Section IV – Grants

A. Award Amounts

There is no minimum or maximum grant amount for any project.

B. Process for Accessing Funds

Upon approval of an application by PBDA, a commitment letter and grant agreement will be electronically issued to the applicant explaining the terms and conditions of the grant. Grantees will provide PBDA with the names, titles, and e-mail addresses for two authorized signatories. The grant agreement must be electronically signed and returned to PBDA within 30 days of the date of the commitment letter or the offer may be withdrawn by PBDA.

Funds will be distributed through a reimbursement/milestone based process. Grantees must follow procedures outlined in the grant contract to obtain reimbursement for project expenses and will require validation of invoices and other project monitoring verifications. Reimbursements will be made incrementally. Ten percent of awarded funds will be reserved until a final report is submitted and accepted by PBDA.

At the sole discretion of PBDA, fixed amount sub-awards will be permitted.

Section V – Program Requirements

A. Matching Funds

Projects require a minimum 25% share of the total project cost in matching funds.

Applicants should note that the 25% match requirement may be exceeded. Match is a scored criterion, as outlined in Section VI of these guidelines (Application Evaluation & Scoring). Commitment of matching funds totaling more than the minimum requirement will achieve additional application points.

Minimum Match Example: If the total project cost is \$10,000,000, the minimum required match amount will be \$2,500,000, or 25% of the total project cost.

While funds from federal programs³ generally may not be used as matching funds, the Infrastructure Act expressly provides that matching funds for the BEAD Program may come from a federal regional commission or authority and from funds that were provided to the Commonwealth of Pennsylvania or a grantee for the purpose of deploying broadband service.⁴

B. Planning and Permit Requirements

Through application review, PBDA will ensure that all grantees commit (through an affidavit) that projects will secure the necessary planning and permit approvals, prior to beginning construction.

C. Identifying the Extremely High Cost Per Location Threshold

The Extremely High Cost Per Location Threshold will be determined after the submission of period one applications. When an Other Last-Mile Deployment project overlaps with a proposed Priority Broadband Project that does not exceed the Extremely High Cost Per Location Threshold (EHCPLT) but meets all program requirements, PBDA will follow the outlined deconfliction process. Should a proposed Priority Broadband Project exceed the EHCPLT, and if there is an overlapping proposed project that is less investment-intensive and presents a viable application, that project may be awarded.

D. Webinars

PBDA will conduct webinars on the BEAD application process. Applicant attendance at webinars is voluntary and will not be considered within the scoring criteria, but applicants are strongly encouraged to attend webinar events.

E. Workforce Development

PBDA understands the importance of a highly skilled workforce that is capable of implementing the buildout of BEAD-funded infrastructure. Applicants will be required to provide a detailed workforce development plan that includes the following elements:

- A comprehensive workforce plan that utilizes a strategic, measurable, attainable, realistic, time-bound, inclusive, and equitable framework with objectives and goals to develop a diverse workforce. Applicants should refer to Appendix III for more information about what should be included in the comprehensive workforce development plan.

³ Including funds from the FCC's Universal Service Fund programs

⁴ Specifically under Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281), the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); or the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 4), to the extent permitted by those laws.

- A description of how the applicant intends to prioritize hiring local workers and a specific plan to recruit and engage with historically underrepresented populations.
- PBDA strongly encourages that at least 15% of a workforce is comprised of one or more of the following options:
 - A directly employed workforce from local or regional areas of Pennsylvania.
 - Employees who have completed registered apprenticeships or pre-apprenticeships.
 - Employees are hired because of joint labor-management partnerships with a Pennsylvania local union or industry group.
 - On-the-job training opportunities to recruit new employees.
- Applicants should demonstrate how they intend to address challenges that affect the workforce by providing or connecting employees to wraparound services by one or more of the following elements:
 - A letter of intent from a private or public partnership that indicates the type of wraparound services that will be available to the applicant’s workforce.
 - A description of current wraparound services offered by the applicant to address challenges that affect work access and training completion. Applicants can provide a PDF copy or link to wraparound services if published.
 - A description of how the applicant will develop new or enhance current wraparound services available to the workers hired by the applicant. High-quality, industry-recognized credentialing and training for new employees.

F. Commonwealth Workforce Transformation Program

Governor Shapiro's administration designed the Commonwealth Workforce Transformation Program (CWTP) in 2023 to amplify project funding provided through IIJA. CWTP encapsulates the workforce values set forth by NTIA to address workforce barriers, such as those that traditionally prevent new employees from adequate training or lead to situations that could hinder the implementation of BEAD-funded infrastructure projects.

Pennsylvania encourages applicants to collaborate with Workforce Development Areas throughout their planned project areas to identify workforce needs and create a strategy to address them. Areas with a greater number of unserved and underserved locations present barriers to developing a skilled workforce. The local public and private resources to support diverse and inclusive hiring practices include access to training and registered apprenticeship programs. Applicants may utilize CWTP to leverage and cultivate workforce development resources. Applicants must submit a comprehensive workforce development plan as well as budget that demonstrates allowable and allocable costs for developing a sustainable workforce, including training new workers, addressing workforce barriers and equitable wages, and encouraging local hiring preferences.

Specific program details for CWTP will be shared with applicants before applications open. Once finalized, that information will be shared through the PBDA website, email distribution list, and other channels.

G. Pennsylvania Prevailing Wage Act

Applicants must complete the Pennsylvania Prevailing Wage Adherence Affidavit Template. PBDA requires that projects are carried out in ways that produce high-quality infrastructure, avert costly delays, and promote efficiency. Projects funded through BEAD must comply with all applicable federal laws and regulations and with all requirements for state and local laws and ordinances to the extent that such requirements do not conflict with federal laws.

The Pennsylvania Department of Labor & Industry (Labor & Industry), through the Bureau of Labor Law Compliances, determines prevailing wage coverage and issues rates for covered projects. The Pennsylvania Prevailing Wage Act⁵ applies to BEAD projects. Prevailing Wage requirements are applicable to Commonwealth grant contracts for projects that are publicly funded; when projects involve construction, demolition, reconstruction, alteration, repair work, renovations, build-out, and installation of machinery and equipment; for projects that have an estimated cost more than \$25,000; or when the project activity is performed under a contract. Compliance with Fair Labor Practices will account for 15% of an applicant's composite score for both Priority and Other Last-Mile Broadband Development Projects.

BEAD grantees will be responsible for including Prevailing Wage rates in all bid documents, specifications, and construction contracts pertaining to the project. Labor & Industry has the final authority to determine the applicability of Prevailing Wage for BEAD projects.

NTIA advises that for projects over \$5 million (based on expected total cost), an applicant may provide a certification that all laborers and mechanics employed by contractors and sub-contractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with sub-chapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of Pennsylvania, or by Labor & Industry pursuant to the Pennsylvania State Prevailing Wage Act. If such certification is not provided, a grantee must provide a Project Employment and Local Impact Report detailing:

- The number of contractors and subcontractors working on the project.
- The number of employees on the project hired directly and hired through a third party.
- The wages and benefits of workers on the project by classification and whether those wages are at rates less than those prevailing.

BEAD grantees must maintain sufficient records to substantiate this information upon request.

H. Affordability

To increase affordability of broadband services for all households served by BEAD funds, grantees must offer affordable broadband service options to all subscribers. The prices identified, as well as the provisions listed in this section, will be contractual requirements of grantees for the useful life of the networks.⁶

All affordable service options must meet, at a minimum, the following criteria:

- An affordable price point that is inclusive of all taxes, fees, equipment, and charges billed to the customer.
- Consistent and reliable download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.
- Latency less than or equal to 100 milliseconds.

⁵ 43 P.S. § 165-1 et seq.; 34 Pa. Code § 9.101 et seq.

⁶ The useful life of networks is a minimum of ten years after an asset is operational, according to NTIA ([Tailoring the Application of the Uniform Guidance to the BEAD Program \(doc.gov\)](#)).

- No data caps, surcharges, or usage-based throttling may be applied. Plans may be subject only to the same policies and procedures that subscribers to all other broadband internet access service plans offer to home subscribers.
- The affordable service options must be made available to all locations within a grantee’s proposed project area. Grantees are encouraged to make the option available across its entire service territory.
- Grantees must submit a description of plans that will be advertised to customers as the affordable service option.

1. Required Affordable Service Options

- a. **Low-Income Service Plan:** Applications must offer a low-cost, high-speed affordability plan to low-income households⁷ that is designed based on the following elements:

- Costs equal to or less than 2% of the maximum eligible annual income, divided by 12. In 2023, that amounted to costs of \$583.20 annually or \$48.60 per month or less.

Costs listed here are based on 2023 figures. PBDA will update the formulaic cost methodology annually as new federal poverty guidelines are released and will notify grantees accordingly.

More information about the application evaluation and scoring criteria can be found in Appendix V of these guidelines. Applicants are encouraged to review that section when determining affordability plans.

- b. **Middle Class Affordability Plan:** All households using a BEAD-funded network must be offered a low-cost, high-speed service option. Applications should include an affordability plan that outlines how this will be made available to all households throughout the useful life of the networks. Applications should also include a sustainability plan that ensures affordability is maintained for at least ten years following project completion.

Applicants are encouraged to adopt the following affordable service option to ensure that BEAD funds are used in a manner that increases the affordability of broadband services for middle-income households. Grantees will not be required by PBDA or any other state or federal agency to offer specific rates. Rates should be reflective of the costs of building an affordable but sustainable high speed broadband network. The proposed monthly price must be offered for the useful life of the network and may be indexed to the Consumer Price Index (CPI), Philadelphia-Camden-Wilmington to account for inflation.

Recommended Middle Class Affordability Plan:

- An affordable annual or monthly rate, inclusive of all taxes, fees, equipment, and charges billed to the customer. PBDA has determined that an affordable baseline for costs is \$643 annually or \$54 per month or less.⁸

- c. **Administering Affordability Plans:** For both the Low-Income Service Plan and the Middle Class Affordability Plan, subscriber rates must be monitored and maintained by the grantee. For Low-Income Service Plans, applicants should include an explanation for how subscribers meet income eligibility requirements.

⁷ Low-income households include those with an income at 200% or below the federal poverty level.

⁸ Middle-Income affordability follows the same metrics used to determine low-income households, based on household income of 201% and above.

For Low-Income Service Plans, PBDA recommends that applicants use any of the following types of documentation to verify proof of eligibility programs that are based on income requirements:

- Supplemental Nutrition Assistance Program (SNAP)
- Medicaid
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- National School Lunch Program (NSLP)/Head Start
- Low Income Home Energy Assistance Program (LIHEAP)
- Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Federal Housing Assistance
- Veterans Pension or Survivors Benefit
- Federal Pell Grant
- Tribal Assistance

I. Other Requirements

1. **Conflict of Interest Provision:** An officer, director, or employee of an applicant who is a party to, or who has a private interest in a project shall disclose the nature and extent of the interest to the governing body of the grantee and may not vote on action of the applicant concerning the project, nor participate in the deliberations of the applicant concerning the project. Applicants with existing contracts for wireless asset management with an agency of the Commonwealth must disclose the nature of such contracts within the application, which may be considered in the evaluation of any application.
2. **Advancement of Small Disadvantaged Businesses:** To encourage the advancement and reduce disparities of Small Disadvantaged Businesses (SDB) in the Commonwealth, PBDA is committed to providing the necessary resources to ensure that underrepresented enterprises have an equitable opportunity to apply for grants and to encourage providers involved in BEAD programs to work with underrepresented enterprises. Grantees are required to take these affirmative steps as they relate to sub-contractors and are subject to grant monitoring and evaluation program requirements.

As defined by the Federal Small Business Administration (SBA), a SDB qualifies when:

- The firm is owned⁹ and controlled¹⁰ by 51% or more of one or more disadvantaged persons.
- The disadvantaged person or persons must be socially and economically disadvantaged.
- The firm must be small, according to SBA's size standards.¹¹

Where possible, PBDA encourages SDBs to register for additional programs that can provide technical assistance and resources. Additional programs may include:

- [The 8\(a\) Business Development Program](#), which provides managerial, technical, and contractual assistance to Small Disadvantaged Businesses to ready the firm and its owners for success in the private industry. Eligibility of the 8(a) program relies in part on criteria for SDBs, but has additional requirements related to the business itself.

⁹ eCFR :: 13 CFR 124.105

¹⁰ eCFR :: 13 CFR 124.106

¹¹ Size standards | U.S. Small Business Administration ([sba.gov](https://www.sba.gov)).

- [The HUBZone program](#) helps small businesses in urban and rural communities gain preferential access to federal procurement opportunities. These preferences go to small businesses that obtain HUBZone certification in part by employing staff who live in a HUBZone. The company must also maintain a “principal office” in one of these specially designed areas.
 - [The Women-Owned Small Business Federal contracting program](#) authorizes contracting officers to set aside certain federal contracts for eligible women-owned small businesses.
 - [The Service-Disabled Veteran-Own Small Business program](#) provides procuring agencies with the authority to set acquisitions aside for exclusive competition among service-disabled veteran-owned small business concerns.
3. **Nondiscrimination:** No assistance shall be awarded to an applicant under this program unless the applicant certifies that it shall not discriminate against any employee or against any person seeking employment by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act, which prohibits discrimination on the basis of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability, or in violation of any applicable federal laws. All contracts for work to be paid with grant funds must contain the Commonwealth’s official nondiscrimination clause.
 4. **Worker Safety:** The Commonwealth is responsible for ensuring that all Pennsylvania workers have a safe and healthy work environment, and the protections afforded them through labor laws.¹² Contractors and grantees of the Commonwealth must certify that they comply with all applicable Pennsylvania state labor and workforce safety laws. Certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201) and submitted with the application.
 5. **Use of Commonwealth-Owned Assets:** As project plans are developed, applicants are encouraged to consider incorporating assets owned and managed by the Commonwealth of Pennsylvania that are located within the proposed project boundaries. This could include land, buildings, telecommunications infrastructure, towers, fiber, etc. To determine eligible Commonwealth-associated assets, PBDA is working with the Pennsylvania Department of General Services’ Office of Enterprise Wireless Management (OEWM). OEWM oversees the Commonwealth’s efforts to manage telecommunications projects on Commonwealth-owned wireless assets in support of the development, improvement and expansion of digital telecommunications in Pennsylvania. Applicants interested in utilizing Commonwealth towers, buildings, and property (including rights-of-way) at fair-market rates are encouraged to contact OEWM for policy recommendations and guidance, or to reference its full list of Commonwealth assets.
 6. **Project Records:** The grantee must maintain full and accurate records with respect to the project and must ensure adequate control over related parties in the project. PBDA requires access to such records, as well as the ability to inspect all work, invoices, materials, and other relevant records at reasonable times and places. Upon request from PBDA, grantees must furnish all data, reports, contracts, documents, and other information relevant to the project. PBDA reserves the right to conduct formal project audits throughout the project period of performance.¹³
 7. **Certification of Expenses:** Grantees must sign a payment request form certifying that the expenses were incurred and were in accordance with the scope of work approved by PBDA.

¹² Pursuant to Executive Order 2021-06, Worker Protection and Investment (October 21, 2021).

¹³ The project period of performance begins when awards are fully executed and lasts for four years.

8. **Underground Utility Line Protection Law:** Grantees must adhere to the Pennsylvania Underground Utility Line Protection Law (PA Act 287 of 1974, as amended by Act 50 of 2017), which states that excavation or demolition work must notify PA One Call between three and ten business days prior to commencing excavation work.
9. **Grant Reporting Requirements:** Grantees will be required to submit quarterly progress reports through to the completion of the project. A list of reporting activities that will be monitored and used to measure grantee performance can be found in Appendix II of these guidelines.
10. **Transparency:** Pennsylvania’s Right-to-Know Law (RTKL) 65 P.S. §§ 67.101-3104, was designed to increase transparency in the government’s decision-making and activities. The RTKL generally provides public access to the records of Commonwealth agencies, local agencies, courts, and legislative agencies. BEAD grantees shall contractually agree that they understand that the grant agreement and records related to, or arising out of the Grant Agreement, are subject to requests made pursuant to the Pennsylvania Right-to-Know Law.
11. **Federal Law Compliance:** Applicants are responsible for complying with all applicable federal laws throughout the grant process. Including but not limited to the Build America, Buy America Act¹⁴; the Secure and Trusted Communications Networks Act of 2019¹⁵; and the National Defense Authorization Act of 2019.¹⁶
12. **Governance and Project Management:** Proposals must describe how the Project will be managed, and by what entity (public or private) as well as the governance structure overseeing the management of the Project. Responsible parties should also be included on the Project timeline and list of deliverables included in the “Application Questions” section of these guidelines.

¹⁴ [Build America, Buy America Act](#): All funds expended through the BEAD program must comply with the Build America, Buy America Act, or BABA. The Act requires that all of the iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in the project or other eligible activities are produced in the United States unless a waiver is granted.

¹⁵ [Secure and Trusted Communications Networks Act of 2019](#): Grantees may not use BEAD funding to purchase or support any covered communications equipment or service, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608).

¹⁶ [National Defense Authorization Act of 2019](#): The Infrastructure Act expressly prohibits grantees from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People’s Republic of China unless a waiver of this requirement is received from PBDA and NTIA. Waivers of the ban on Chinese-made fiber will be based on a demonstration from grantees that application of this prohibition would unreasonably increase the cost of or delay the project or other eligible activities. Waiver applicants will need to provide concrete evidence of this circumstance and will be held to a high burden of proof.

Section VI – Application Evaluation & Scoring

The evaluation will be objective in nature, to include¹⁷:

- Completeness of proposed service(s) by defined project area.
- Proposed broadband speeds
- Reliability and technology preference
- Technological scalability to meet a minimum of 100 Mbps download /100 Mbps upload¹⁸
- Detailed cost estimates
- Commitment to obtain a letter of credit or performance bonds pursuant to BEAD Letter of Credit Waiver guidance issued by NTIA. Two Letters of Credit issued by credit unions are permissible
- Permitting acknowledgment
- Workforce development program investments

A. Scoring for Priority Broadband Projects

Priority Broadband Projects are projects that consist of full fiber buildouts. PBDA's process for selecting grantees for last-mile broadband deployment projects will first assess which locations or sets of locations under consideration are subject to one or more proposals that constitute Priority Broadband Projects and satisfy all other requirements.

In the event that there is just one proposed Priority Broadband Project in a location or set of locations, and if that proposal does not exceed PBDA's defined Extremely High Cost Per Location Threshold and meets all program requirements, that proposal may be the default winner. Projects must also meet other required evaluation criteria to maintain eligibility, as outlined above.

All proposals that qualify as Priority Broadband Projects¹⁹ will be scored based on the elements outlined below. If there are multiple proposals in a location or set of locations that constitute a Priority Broadband Project and satisfy all other requirements with respect to grantees, PBDA will competitively select a project based on the criteria outlined herein.

1. Minimal BEAD Program Outlay (Range 0-40 points, or 40% of 100)

Points will be awarded based on evaluations of a proposed project's total cost, with adjustment to score based on the inclusion of scalability and resiliency elements, as well as proposed match (covering at least 25% of the project cost).

a. Base Cost Scoring

- **Per BSL Cost Scoring**
Range = 0%-100% and maximum of 25 points
- **Match Scoring**
Range = 0%-100% and maximum of 15 points
 - **Less than the required 25% match**
0 points

¹⁷ Full scoring category descriptions are listed in Appendix III.

¹⁸ Applicable only to Other Last-Mile Broadband Project scoring.

¹⁹ NTIA defines Priority Broadband Projects as those That will provision service via end-to-end fiber-optic facilities to each end-user premises.

- **Minimum 25% match**
5 points
 - **Match exceeding 25%**
10 points on an incremental scale
- 2. **Affordability (Range 0-25 points, or 25% of 100)**

PBDA will conduct a comparison of all applications to determine proposals for affordable pricing based on 1000/1000 Mbps. The price provided by the applicant for this speed shall be inclusive of all equipment, taxes, fees, and charges billed to the customer. Applicant defined pricing for 1000/1000 Mbps will be binding for the useful life of the networks.

 - a. **Affordability Scoring**

25 points will be provisioned and will be evaluated comparatively based on the range of prices received across applications to determine baseline average for 1000/1000 Mbps. Additional evaluation may be conducted where competing and/or overlapping applications are received. Scoring will be based on the deviation from the average on a sliding scale of 0 to 25 points.
- 3. **Fair Labor Practices (Range 0-15 points, or 15% of 100)**

Applicants must demonstrate commitment to Fair Labor Practices described in Appendix V.

 - a. **Fair Labor Scoring**

Applications will receive an objective score that ranges from 0-100% of possible points.

 - Applications with all three elements: 15 points
 - Applications with two elements: 7.5 points
 - Applications with one or no elements: 0 points
- 4. **Speed to Deployment (Range 0 or 1 point, or 1% of 100)**

All BEAD funds must be used to deploy the planned broadband network and provide services no more than four years after the date on which the grant is awarded.

 - a. **Speed to Deployment Scoring**
 - Applications that demonstrate a plan to deliver services in three years or less: 1 point
 - Applications that do not demonstrate a plan to deliver service in three years or less: 0 points
- 5. **Equitable Workforce Development and Job Quality (Range 0-10 points, or 10% of 100)**

Applicants will be required to provide a detailed workforce development plan that includes the elements listed in Appendix III.

 - a. **Workforce Scoring**
 - Applications with all four elements: 10 points
 - Applications with three elements: 7.5 points
 - Applications with two elements: 5 points
 - Applications with one element: 2.5 points
 - Applications with no elements: 0 points
- 6. **Local Government Coordination (Range 0-4 points, or 4% of 100)**

Applicants are required to make efforts to coordinate with municipalities that will be impacted by a BEAD-funded project. Local coordination details must be included in the program application, as outlined in the “Local Government Coordination” section of Appendix V.

- a. **Local Government Coordination Scoring**
 - Applications that demonstrate compliance: 4 points
 - Applications that do not demonstrate compliance: 0 points
7. **Open Access (Range 0-5 points, or 5% of 100)**

PBDA supports provision of open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.

 - a. **Open Access Scoring**
 - Applicants that provide last mile open access: 5 points
 - Applicants that do not provide last mile open access: 0 points

B. Scoring for Other Last-Mile Broadband Projects

Other Last-Mile Broadband Projects are not full fiber buildouts. These include project technologies such as hybrid fiber coaxial, coaxial, and licensed fixed wireless. PBDA will also consider alternative technologies like unlicensed fixed wireless and low-earth orbit satellite in accordance with guidance from NTIA. To the extent that PBDA receives multiple proposals seeking to serve a location or area that satisfies all other requirements, PBDA will use the competitive process outlined below to choose between or among those proposals.

1. **Minimal BEAD Program Outlay (Range 0-40 points, or 40% of 100)**

Points will be awarded based on evaluations of a proposed project's total cost, with adjustment to score based on the inclusion of scalability and resiliency elements, as well as proposed match (covering at least 25% of the project cost).

 - a. **Base Cost Scoring**
 - Per BSL Cost Scoring Range = 0%-100% and maximum of 25 points
 - Scalability of Technology Range = 0%-100% and maximum of 10 points
 - Scoring for this category will be done on a scaled grading system. One point shall be awarded for proposed speeds of 100/20 Mbps while all 10 points will be awarded for 1000/200 Mbps.
 - Match Scoring Range = 1-5 points
 - Projects that offer a match of equal to 25% up to 50% or less: 1 point
 - Projects that offer a match of greater than 50% and less than or equal to 75%: 2.5 points
 - Projects that offer match greater than 75%: 5 points
 2. **Affordability (Range 0-20 points, or 20% of 100)**

PBDA will conduct a comparison of all applications to determine proposals for affordable pricing. PBDA has, in partnership with various stakeholders, determined that the speed of 100/20 Mbps will be utilized for this evaluation. The price provided by the applicant for this speed shall be inclusive of all equipment, taxes, fees, and charges billed to the customer. Applicant defined pricing for 100/20 Mbps will be binding for the useful life of the networks

 - a. **Affordability Scoring**

Costs will be evaluated comparatively based on the range of prices received across applications to pre-determined baseline averages. Additional evaluation may be conducted where competing and/or overlapping applications are received. Scoring will be based on the deviation from average on a sliding scale of 0-20 points.²⁰

²⁰ Adherence to the proposed price for the useful life of the networks is required and may be indexed to the Consumer Price Index (CPI), Philadelphia-Camden-Wilmington to account for inflation.

3. **Fair Labor Practices (Range 0-15 points, or 15% of 100)**

Applicants must describe a series of projects that demonstrate compliance with Federal labor/employment laws via the submission of a project overview template provided by PBDA and demonstrate commitment to Fair Labor Practices (described in Appendix V).

 - a. **Fair Labor Scoring**

Applications will receive an objective score that ranges from 0-100% of possible points.

 - Applications with all three elements: 15 points
 - Applications with two elements: 7.5 points
 - Applications with one or no elements : 0 points
4. **Speed to Deployment (Range 0 or 1 point, or 1% of 100)**

All BEAD funds must be used to deploy the planned broadband network and provide services no more than four years after the date on which the grant is awarded.

 - a. **Speed to Deployment Scoring**
 - Applications that demonstrate a plan to deliver services in three years or less: 1 point
 - Applications that do not demonstrate a plan to deliver service in three years or less: 0 points
5. **Speed of Network and other Technical Capabilities (Range 0-5 points, or 5% of 100)**

PBDA will weigh the speeds, latency, and other technical capabilities of the technologies proposed by applicants seeking to deploy projects that are not Priority Broadband Projects. Applications that propose using technologies that exhibit greater ease of scalability with lower future investment and whose capital assets have longer useable lives will be afforded additional weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles

 - a. **Scoring**

PBDA will evaluate and score responses under this category.
6. **Equitable Workforce Development and Job Quality (Range 0-10 points, or 10% of 100)**

Applicants will be required to provide a detailed workforce development plan that includes the elements listed in Appendix III.

 - a. **Workforce Scoring**
 - Applications with all four elements: 10 points
 - Applications with three elements: 7.5 points
 - Applications with two elements: 5 points
 - Applications with one element: 2.5 points
 - Applications with no elements: 0 points
7. **Local Government Coordination (Range 0-4 points, or 4% of 100)**

Applicants are required to make efforts to coordinate with municipalities that will be impacted by a BEAD-funded project. Local coordination details must be included in the program application, as outlined in the “Local Government Coordination” section of Appendix V.

 - a. **Local Government Coordination Scoring**
 - Applications that demonstrate compliance: 4 points
 - Applications that do not demonstrate compliance: 0 points

8. **Open Access (Range 0-5 points, or 5% of 100)**

PBDA supports provision of open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.

a. **Open Access Scoring**

- Applicants that provide last mile open access: 5 points
- Applicants that do not provide last mile open access: 0 points

Section VII – Program Inquiries

Program inquiries should be directed to:

Pennsylvania Broadband Development Authority
Pennsylvania Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Telephone: 1-866-466-3972

Email: ra-dcpbda_bead@pa.gov

Appendix I – Supplemental Information for the Single Application for Assistance

A. Grant Application Process

Eligible broadband serviceable locations will be posted on PBDA’s website 10 days prior to opening the application window.

PBDA will evaluate applications based on the completeness of materials requested, as well as the content of the materials, including the following:

1. **Audited financial information from three years prior to the application submission:** If audited financial data is found to be suspect, inadequate, or contains findings that could negatively impact the applicant’s ability to meet the obligations of the reimbursable grant program, PBDA will explore curing alternatives.
2. **Revised PBDA-supplied .csv:** Within the CSV file, applicants will indicate the BSLs proposed to be served. The CSV will include the opportunity for applicants to indicate unique costs per BSL, as well as a justification for costs (e.g., long drops). Within the CSV, applicants will be able to identify those BSL IDs that they do not anticipate being able to serve within a project area, as well as providing a justification for each (e.g., no electrical infrastructure to BSL, extremely high cost, physical barrier, etc.). While applicants may exclude up to 5% of BSLs within a proposed project area, the cost for each BSL must be provided for those BSLs to be excluded from a BSA where high cost is cited as the primary justification. PBDA will evaluate the required CSV files to ensure compliance with grant guidelines, completeness, and to ensure that no additions to CSV files are made.
3. **Proposed technology:** PBDA will evaluate proposed technology to ensure that it meets the minimum requirements.
4. **Proposed speeds:** PBDA will evaluate proposed service speeds to ensure that they meet the minimum requirements and, if applicable, are scalable.
5. **Proposed monthly subscription costs:** PBDA will evaluate the proposed monthly subscription cost to ensure that it is commensurate with the intent of the BEAD affordability guidelines.
6. **Proposed cost per passing:** PBDA will evaluate the proposed cost per passing to ensure that it is commensurate with the intent of the BEAD program. The evaluation will be based on data provided within the revised CSV.
7. **Proposed project total cost:** Applicants must enter a dollar value for the total project cost as proposed.
8. **Proposed matching:** Applicants must enter a dollar value for the total matching commitment.
9. **Match commitment:** Applicants must complete a Matching Commitment template. PBDA will evaluate this document to ensure that the form has been fully and adequately completed.

PBDA will work with applicants to cure applications where incorrect data is supplied or where omissions of required information have occurred. Failure of an applicant to make good faith efforts to cure applications at the request of PBDA within period one may result in the rejection of application(s) and/or deferment to period two. Failure of an applicant to make good faith efforts to cure applications within period two may result in application rejection.

The application process will consist of the elements listed below. All application elements must be fully completed for applications to be considered.

B. Application Questions and Attachments

1. **Narrative One:** The applicant must provide a brief narrative detailing:
 - a. The scope of work specific to project funding.
 - b. Intent to complete the project as proposed.
 - c. Certification that the applicant will negotiate project areas in good faith as requested by PBDA.
 - d. Intent to commit necessary funds that exceed award and/or proposed project costs in order to complete the project.
 - e. A proposed affordability plan. Applicants should detail costs for both low- and middle-income households, and explain the methodology used to determine the plan.
 - f. A sustainability plan that ensures affordability is maintained for at least ten years following project completion.
2. **Narrative Two:** The applicant must provide a brief narrative detailing:
 - a. Any regional investments already committed within the proposed project area.
 - b. An overview of applicant's qualifications, including the following:
 - 1.) Company longevity (i.e., years in service).
 - 2.) Types of technology and how long they have been offered.
 - 3.) Service area experience (i.e., customers served, square miles, etc.)
 - 4.) Staff capacity dedicated to the completion of the project, including the total number of key staff with skills and/or experience in broadband design, development, deployment, and post deployment maintenance. For each staff position listed below, applicants should indicate the type of experience and the total years of experience. Staff positions may have more than one skill and/or type of experience:
 - Full-time permanent
 - Part-time permanent
 - Full-time temporary
 - Part-time temporary
 - Anticipated third party contractors
 - Primary applicants' previous experience administering federal and/or state funds for broadband builds. If none, indicate how the firm intends to facilitate reporting and compliance with requirements if funding is awarded.
3. **Infrastructure Investment:** To aid in the evaluation and deconfliction of applications, help avoid overbuild, and foster expeditious implementation, the applicant must provide answers to the following:
 - a. Does the proposed project expand upon the applicant's existing infrastructure? If yes:
 - Is middle mile infrastructure currently available within the project area? If yes,
 - b. What type of technology is available?
 - c. How was the technology installed?
 - Buried infrastructure
 - Aerial infrastructure
 - Tower and/or Wireless Assets

- d. The year the infrastructure was installed.
 - e. Current speeds provided by the infrastructure.
 - f. Are BSLs currently serviced within the project area? If so,
 - What type of technology is available?
 - Height of infrastructure, in linear feet.
 - The year the infrastructure was installed.
 - Current speeds provided by the infrastructure.
 - g. Will the project provide open access?
 - Yes / No
4. **Key Project Management Individuals List and Attachments:** Responses to the following questions will be submitted using a template provided by PBDA to ensure application consistency. To ensure that all applicants meet the minimum qualifications for managerial capability, for up to three individuals, applicants are required to identify the key individuals responsible for the management of the project, and provide a description of the individuals' roles and responsibilities:
- a. List the name, current title, and years of experience for up to three individuals responsible for project management.
 - b. For the three individuals listed above, provide a brief narrative (500 characters) of the individuals' roles and responsibilities for the project.
 - c. For the three individuals listed above, note relevant experience and dates of services for each role. This information must be completed within the template provided; narratives will not be accepted. The template will prompt applicants to provide examples of experiences for each NTIA-defined element of minimum qualifications for managerial capability including:
 - Broadband network development and deployment
 - Fiscal management of public funds
 - Other capacities as needed
5. **Construction Affidavits:** As outlined in Act 96 of 2021, applicants must provide PBDA with the following affidavits:
- a. An affidavit from the broadband service provider of the provider's existing or planned provision of high-speed broadband service within the proposed project area.
 - b. An affidavit that no grant funding shall be used in such a manner as to result in an overbuild of more than 20%.
 - c. An affidavit that an applicant shall ensure that a contractor or subcontractor performing construction, reconstruction, demolition, repair or maintenance work on a high-speed broadband service infrastructure project developed and deployed under this chapter meets all of the following requirements:
 - i. Maintains all valid licenses, registrations or certificates required by the Federal Government, the Commonwealth or a local government entity that are necessary to do business or perform applicable work.
 - ii. Maintains compliance with the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, the act of December 5, 1936 (2nd Sp. Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, and bonding and liability insurance requirements as specified in the contract for the project.

- iii. Has not defaulted on a project, declared bankruptcy, been debarred or suspended on a project by the Federal Government, the Commonwealth or a local government entity within the previous three years.
 - iv. Has not been convicted of a misdemeanor or felony relating to the performance or operation of the business of the contractor or subcontractor within the previous 10 years.
 - v. Has completed a minimum of the United States Occupational Safety and Health Administration's 10-hour safety training course or similar training sufficient to prepare workers for any hazards that may be encountered during their work on the high-speed broadband service infrastructure.
6. **Company Status and Profile:** Applicants must provide the following responses:
 - a. Does your organization anticipate any organizational changes during the grant/project period?
 - b. Mergers (yes/no)
 - If yes, please describe (500 characters)
 - c. Acquisitions (yes/no)
 - If yes, please describe (500 characters)
 - d. Changes to relevant organizational policies (yes/no)
7. **Question and Response Section One: Statement of Qualifications**

Certification by the applicant that voice, broadband, cable television, and/or electrical service has been provided for at least two years prior or is a subsidiary of a holding company.

 - a. Total years in business
 - b. List up to five recently completed projects related to broadband development, deployment, and/or upgrades.
 - The total project cost
 - The total number of BSLs served
 - The types of technology utilized
8. **Question and Response Section Two: Grantee Ownership Qualification Certification**
 - a. Applicants must list the name, address, citizenship, and percentage holding of all parties holding 10% or more stock in the applicant's company.
 - b. For limited partnerships, applicants must list the name, address and citizenship of each limited partner whose interest in the applicant is 10% or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses).
 - c. For general partnership, applicants must list the name, address, and citizenship of each partner, as well as the share or interest participation in the partnership.
 - d. In the instance of a limited-liability company, applicants should include the name, address, and citizenship of each member whose interest in the applicant company is 10% or greater.
 - e. Applicants should list all parties holding indirect ownership interests in the applicant as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, which equals 10% or more of the applicant. If the ownership percentage for an interest in any link in the chain exceeds 50% or represents actual control, it shall be treated and reported as if it were a 100% interest.
 - f. Applicants must list any FCC-regulated entity or applicant for an FCC license.

9. **Question and Response Section Three: Grantee Minimum Qualifications for Providing Information on other Public Funding**

PBDA requires that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for providing information on other public funding.

10. **Attachment #1 – Project Proforma**

The applicant must complete a project proforma.

11. **Attachment #2 – Audited Financial and Funding Availability Form**

Applicants must provide an audited financial document, prepared by an accounting firm, which shall include:

- a. A balance sheet
- b. A cash flow statement
- c. An income statement
- d. A risk assessment
- e. A statement of shareholder equity

In addition to this document, applicants should work with a third-party vendor to incorporate a funding availability matrix that demonstrates cash on hand to meet the minimum match requirement, as well as what will be required to complete the project at its estimated cost.

12. **Attachment #3 – Letter of Credit Commitment**

Applicants must submit a bank's commitment for a letter of credit, as required by NTIA and modeled after the FCC's template. PBDA will follow the most recent NTIA guidance related to Letter of Credit requirements. A template letter of credit commitment will be supplied by PBDA for download in ESA. For instances where the letter of credit may be waived, applicants should see Appendix II of these guidelines.

13. **Attachment #4 – Project Timeline Gantt Chart with Project Milestones**

Applicants must complete the project timeline Gantt template, provided by PBDA for download in ESA. Applicants will be required to indicate a tentative project start date, the number of days required for completion of the prospective build-out, various milestone topics, the number of days to completion for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date from which the entity receives the grant. This document must be certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the project.

14. **Attachment #5 – Network Design Diagram**

Applicants must submit an industry standard network design diagram. This diagram must be certified by a professional engineer.

15. **Attachment #6 – Capital Investment Schedule with Implementation**

Applicants must provide a tabular report that demonstrates capital investments to be made within a specific range of dates, amount of investment, and a brief statement of investment outcome.

16. **Attachment #7 – Workforce Health and Safety Committee Commitment Affidavit**

Applicants must complete the Workforce Health and Safety Committee Commitment Affidavit template. This template must be completed by the applicant, authorized by a company representative in a position of authority, and notarized.

17. Attachment #8 – Pennsylvania Prevailing Wage Adherence Affidavit

Applicants must complete the Pennsylvania Prevailing Wage Adherence Affidavit template, supplied by PBDA for download within ESA. This template must be completed by the applicant, authorized by a company representative in a position of authority, and notarized.

Within the template, applicants must include the project identification number from the L&I Prevailing Wage Application that was utilized for the development of the detailed cost estimate.

18. Attachment #9 – Affidavit Contractor or Sub-contractor Compliance

As required by PA Act 96 of 2021, applicants must submit an affidavit stating that the applicant will ensure that a contractor or sub-contractor performing construction, reconstruction, demolition, repair, or maintenance work on a high-speed broadband service infrastructure project funded through this program meets all requirements detailed in Section 2.4.13. This document will be provided to applicants as a template within the Single Application for assistance. Only this template, completed by the applicant, will be accepted.

19. Attachment #10 – Engineers Certification Statement

The applicant will be required to complete the Engineers Certification Statement Affidavit template, supplied by PBDA for download within the Single Application for Assistance. This template must be completed by the applicant, authorized by a company representative in a position of authority, and notarized. This completed attachment will confirm that all services and materials herein will meet the minimum requirements within the guidelines provided.

C. Application Deconfliction and Adjudication

For BSAs that are found to be located within multiple projects, deconfliction will occur at aggregated Census Block Groups. Judgment will include proposed technology type, proposed speeds, scalability of proposed infrastructure, and average cost of services per BSL.

D. Project Area Determination

PBDA will post on its website a finalized spreadsheet of eligible BSLs that have been assigned to project areas.

Applicants will, at this time in the process, review their respective project areas. If a project area has been adjusted by PBDA, the applicant may contest based on the criteria that:

- The provision of service would result in overbuild of more than 20%;
- The provision of service would be fiscally infeasible.

If additional modifications are warranted, those modifications will be made and posted material may be updated.

E. Posting of Locations Subject to Application

Pursuant to PA Act 96 of 2021, within 10 business days after the expiration of the application period, PBDA will make the proposed unserved areas, underserved areas, and the Community Anchor Institutions available for review on PBDA's website.

F. Application Curing

Following the submission of applications, PBDA will begin evaluation of all submitted proposals. Curing of applications will begin upon receipt of an application and continue until scoring of applications begins. Curing will ensure that the applications received adhere to the Final_Project_BSL_ApplicationID.csv and Final_Project_CAI_ApplicationID.csv and will ensure the inclusion of all required BSLs. Curing will also ensure that all required documents and assurances are provided and completed, such as:

- Worker Protection and Investment Certification Form
- Prevailing Wage forms/affidavits
- Bank commitment to provide a Letter of Credit
- Detailed and certified cost estimates
- Commitment to provide Build America Buy America (BABA) certifications or to obtain NTIA waiver prior to executing BEAD contracts

Applications that fail to meet the requirements of curing may be rejected and/or deferred.

F. Application Scoring

Upon successful completion of the curing process, applications will move to the scoring phase.

G. Award and Notification

PBDA will notify applicants of provisional awards. Grant programs will be operated as a reimbursable program and/or fixed amount sub-awards with 10 % of the total award amount held in reserve and released upon project completion and PBDA acceptance of a final report. If an applicant fails to adhere to the commitments made within its application, or fails to complete the project, reimbursement of the final reserve will not occur and/or the applicant will be liable to PBDA for the amount of unused or improperly used grants funds and shall return said funds to PBDA. The repayment to PBDA shall include all interest, income, accumulations, and the monetary equivalent of any appreciation in value of any property (real, personal, or mixed) purchased with the funds granted to them.

H. Project Posting

Once awards have been made, PBDA will publicly post applications (with redactions, as deemed appropriate to protect the interests of the applicant).

Appendix II – Letter of Credit Waiver Options

NTIA has determined that, for good cause shown, and in the best interest of the Federal Government, a conditional programmatic waiver of the letter of credit obligation should be granted as described herein. The Letter of Credit (LOC) requirement is waived only to the extent to and as described here:

A. Use of Credit Unions

That portion of the LOC Requirement that requires the use of a bank that meets the eligibility requirements of 47 C.F.R. § 54.804(c)(2) is waived where the grantee otherwise meets the LOC Requirement using any US credit union that:

1. Is insured by the National Credit Union Administration;
2. Has a credit union safety rating issued by Weiss of B- or better.

B. Use of Performance Bonds

The LOC Requirement is waived where:

1. During the application process, prospective grantees are required to submit a letter from a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570 committing to issue a performance bond to the prospective grantee. The letter shall, at a minimum, provide the dollar amount of the performance bond.
2. Prior to entering into any grantee agreement, each prospective grantee obtains a performance bond in a value of no less than 100% of the awarded amount. While the grantee chooses to exercise the option to obtain a performance bond under this waiver, the requirement that the grantee “provide with its letter of credit an option letter from a legal counsel clearly stating, subject only to customary assumptions, limitations, and qualifications, that in a proceeding under Title 11, of the United State Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”), the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the winning grantee’s bankruptcy estate under Section 541 of the Bankruptcy Code” is waived.

C. Reduction of LOC/Performance Bonds Upon Completion of Milestones

The requirement that “In no event, however, shall the letter of credit have a value of less than 25% of the awarded amount” is waived, conditioned on the requirement that the grantee obtain a new letter of credit in a reduced amount upon achievement of specific deployment milestones that are publicly specified by PBDA and applicable to all grantees subject to the LOC Requirement. Where a grantee chooses to utilize a performance bond in lieu of a letter of credit under section 2.2 above, PBDA shall also have the option to reduce the amount of the performance bond by commensurate amount as grantees meet the same service milestones.

By way of example, PBDA could specify that a grantee may obtain a new letter of credit or renew its existing letter of credit to reduce its value in accordance with the following limitations:

1. Upon demonstrating to the satisfaction of PBDA that it has completed the buildout of 40% of locations to be served by the project, a grantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 20% of the award amount.

2. Upon demonstrating to the satisfaction of PBDA that it has completed the buildout of 60% of locations to be served by the project, a grantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 15% of the award amount.
3. Upon demonstrating to the satisfaction of the PBDA that it has completed the buildout of 80 % of locations to be served by the project, a grantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 10% of the award amount.
4. Upon demonstrating to the satisfaction of the PBDA that it has completed the buildout of 100% of locations to be served by the project, a grantee may terminate its letter of credit under the terms set forth therein.

D. Alternative Initial LOC or Performance Bond Percentage

The requirement that the initial letter of credit be for 25% of the award amount, or in the case where a grantee chooses to utilize a performance bond consistent with number two above, allow the initial amount of the performance bond to be lower than 100% of the award amount where:

1. PBDA issues funding on a reimbursable basis consistent with Section IV.C.1.b of the BEAD NOFO;
2. Reimbursement is for periods of no more than six months; and
3. The grantee commits to maintain a letter of credit or performance bond in the amount of 10% of the award until it has demonstrated to the satisfaction of PBDA that it has completed the buildout of 100% of locations to be served by the project or until the period of performance of the award has ended, whichever occurs first.

Appendix III – Comprehensive Workforce Development Plan

1. Applicants must explain how they would ensure an appropriately skilled and credentialed workforce by describing the following:
 - a. A current recruitment plan for a diverse and sustainable workforce.
 - b. Current and future partnerships with registered or pre-apprenticeship and other industry-recognized labor training programs. (Note: if an applicant has yet to establish partnerships, a description of how partnership and industry-recognized credentials will be considered and a timeline for implementation prior to the start of the BEAD project is required).
 - c. Identify and explain the process to ensure appropriate credentials and specific training to ensure compliance with industry and occupational standards.
2. Indicate whether the workforce is fully unionized, partially unionized, or not unionized at all. If the project workforce is not unionized, additional requirements must be included, specifically:
 - a. A description of job titles and the size of the workforce for the applicant, contractors, and sub-contractors.
 - b. The applicant's plan if it intends to contract and/or sub-contract any portions of the proposed project.
 - c. If the applicant intends to contract and/or sub-contract, a description of the contractors and/or sub-contractors that will employ each portion of the workforce.
 - d. For each job title, a description of the following is required:
 - i. Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, etc.).
 - ii. Confined space, traffic control, or other training as relevant, depending on title and work.
 - iii. Applicants should discuss the extent to which they offer a robust in-house training program with established requirements tied to certifications, titles, etc.
 - iv. A description of the professional certifications and/or in-house trainings in place to ensure that deployment is conducted at a high-quality standard.
 - e. An indication of the percentage of the workforce that will be employed by the following (a justification is required if 40% or more of a sub-contracted workforce will be used):
 - i. Directly by the grantee
 - ii. Sub-contracted workforce

Appendix IV – Reporting Requirements

The following is a non-exhaustive list of activities that will be monitored and used to measure performance of grantees and should include, at minimum:

1. Include a list of addresses or location identifications (including the BSL fabric established under 47 U.S.C. 642(b)(1)(B)) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each project;
2. Identify new locations served within each project area at the relevant reporting intervals, and service taken (if applicable);
3. Identify whether each address or location is residential, commercial, or a Community Anchor Institution;
4. Describe the types of facilities that have been constructed and installed;
5. Describe the peak and off-peak actual speeds of the broadband service being offered;
6. Describe the maximum advertised speed of the broadband service being offered;
7. Describe the non-promotional prices, including any associated fees, charged for different tiers of broadband service being offered;
8. List all interconnection agreements that were requested, and their current status;
9. Report the number and amount of contracts and subcontracts awarded by the grantee disaggregated by recipients of each such contract or subcontract that are MBEs or WBEs;
10. Include any other data that would be required to comply with the data and mapping collection standards of the Commission under Section 1.7004 of title 47, Code of Federal Regulations, or any successor regulation, for broadband infrastructure projects;
11. For projects over \$5,000,000 (based on expected total cost):
 - a. Grantees must provide a certification that, for the relevant Project, all laborers and mechanics employed by contractors and subcontractors in the performance of such Project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as “baby Davis-Bacon Acts”). If such certification is not provided, a Recipient must provide a project employment and local impact report detailing:
 - i. The number of contractors and sub-contractors working on the Project;
 - ii. The number of workers on the Project hired directly and hired through a third party;
 - iii. The wages and benefits of workers on the Project by classification; and
 - iv. Whether those wages are at rates less than those prevailing.

- b. Grantees that do not provide certification that a Project will use a unionized project workforce or include a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)), must provide a project workforce continuity plan, detailing:
 - i. Steps taken and to be taken to ensure the Project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure construction is completed in a competent manner throughout the life of the Project, including a description of any required professional certifications and/or in-house training, Registered Apprenticeships or labor-management partnership training programs, and partnerships with entities like unions, community colleges, or community-based groups;
 - ii. Steps taken and to be taken to minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the Project;
 - iii. Steps taken and to be taken to ensure a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training required of workers employed by contractors), including issues raised by workplace safety committees and their resolution;
 - iv. The name of any subcontracted entity performing work on the Project, and the total number of workers employed by each such entity, disaggregated by job title; and
 - v. Steps taken and to be taken to ensure that workers on the Project receive wages and benefits sufficient to secure an appropriately skilled workforce in the context of the local or regional labor market.
12. Comply with any other reasonable reporting requirements determined by PBDA to meet the reporting requirements established by NTIA; and certify that the information in the report is accurate. Grantees must maintain sufficient records to substantiate all of the information above upon request.

Appendix V – Scoring Category Descriptions

1. **Minimal BEAD Program Outlay:** Points will be awarded based on evaluations of a proposed project’s total cost, with adjustment to score based on the inclusion of scalability and resiliency elements, as well as the applicant’s proposed match (which must, absent a waiver, cover no less than 25% of the project cost).
2. **Affordability:** PBDA will conduct a comparison of all applications to determine proposals for affordable pricing based on 1000/1000 Mbps for Priority Broadband Projects and 100/20 Mbps for Other Last-Mile Broadband Projects. The price provided by the applicant for this speed shall be inclusive of all equipment, taxes, fees, and charges billed to the customer. Applicant defined pricing will be binding for the useful life of the networks. The proposed monthly price must be offered for the useful life of the network and may be indexed to the Consumer Price Index (CPI), Philadelphia-Camden-Wilmington to account for inflation.
3. **Fair Labor Practice Elements:** Applicants may:
 - a. Describe a series of projects that demonstrate compliance with Federal labor and employment laws.
 - b. Those without a record of labor and employment law compliance are permitted to provide specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. This would be done primarily through the submission of the Worker Protection and Investment Certification Form and Pennsylvania Prevailing Wage Compliance form.
 - c. Additionally, applicants may provide a detailed cost estimate that includes prevailing wages.
4. **Speed to Deployment:** All BEAD grantees must deploy the planned broadband network and begin providing services to each customer desiring broadband services within the project area in no more than four years after the date of which grant awards are made.
5. **Workforce Development:** Please see Appendix III.
6. **Local Government Coordination:** PBDA has developed a [Broadband Ready Communities \(BBRC\)](#) program to aid municipalities in preparing for broadband demand and deployment within their communities. To further facilitate this mission, PBDA has incorporated a scored requirement for applicants to coordinate and/or demonstrate the attempt to coordinate with municipalities that will be impacted. The applicant may choose how to best coordinate with local municipal governments; however, the following tasks must be completed:
 - a. Applicants must individually or through multi-municipality coordination meet with a representative of each impacted municipality to discuss the proposed project and impacts and must engage in open dialog with impacted municipal representatives.
 - b. Coordination efforts must be well-documented. To assist with this, the applicant should complete a Local Government Coordination spreadsheet, which outlines all municipalities impacted by the proposed project, the date each municipality was contacted, the point of contact within the municipality, and whether a meeting occurred. PBDA is open to various engagement formats, such as speaking at an impacted municipality’s public meeting, meeting with individual local government representatives, or coordinating with counties and facilitating discussions with impacted municipalities.

Should a municipality be unresponsive or refuse to meet with an applicant, the applicant should provide documentation demonstrating a good faith effort to engage. This can include emails and/or efforts

documented within the Local Government Coordination spreadsheet. No point deduction will be imposed when a local government is unresponsive, as long as the lack of response or refusal to participate is well documented.

For each engagement, meeting minutes should be taken outlining topics of discussion, questions asked, and general feedback received. Topics of discussion should include:

- Project timeline
- Project scope and scale
- Infrastructure development type and needs
- Local permitting, bonding, and right-of-way needs and impacts.

Finally, the applicant must complete and submit a single affidavit confirming the applicant's local government engagement efforts. This template must be completed by the applicant, authorized by a company representative in a position of authority, and notarized.

7. **Open Access:** PBDA supports provision of open access, wholesale, last-mile broadband service for the life of subsidized networks on fair, equal, and neutral terms to all potential retail providers.
8. **Speed of Network and other Technical Capabilities:** PBDA will weigh the speeds, latency, and other technical capabilities of the technologies proposed by applicants seeking to deploy projects that are not Priority Broadband projects. Applications that propose using technologies that exhibit greater ease of scalability with lower future investment and whose capital assets have longer useable lives will be given additional weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles.

Appendix VI – List of Application Attachments

The following documents must be included with each application. Documents with a * next to the title will be provided by PBDA and will be accessible through its website. All others should be provided by the applicant.

A. Forms, Templates, and Other

1. Letter of Credit template*
2. Key Project Management Individuals List*
3. Project Timeline Gantt Chart with Project Milestones*
4. Local Government Coordination spreadsheet
5. Worker Protection and Investment Certification Form (BOP-2201)*
6. Matching Commitment template*
7. Project Proforma
8. Audited Financial and Funding Availability form (which includes a balance sheet, a cash flow statement, an income statement, a risk assessment, and a statement of shareholder equity)
9. Grantee Accountability Procedure Agreement*

B. CSV Files

1. Final_Project_BSL_ApplicationID.csv*
2. Final_Project_CAI_ApplicationID.csv*

C. Affidavits

1. Workforce Health and Safety Committee Commitment Affidavit*
2. An affidavit confirming the applicant's local government engagement efforts *
3. Pennsylvania Prevailing Wage Adherence Affidavit template*
4. An affidavit from the broadband service provider of the provider's existing or planned provision of high-speed broadband service within the proposed project area.
5. An affidavit that no grant funding shall be used in such a manner as to result in an overbuild of more than 20%.
6. An affidavit that an applicant shall ensure that a contractor or subcontractor performing construction, reconstruction, demolition, repair or maintenance work on a high-speed broadband service infrastructure project developed and deployed under this chapter meets all of the following requirements:
 - a. Maintains all valid licenses, registrations or certificates required by the Federal Government, the Commonwealth or a local government entity that are necessary to do business or perform applicable work.

- b. Maintains compliance with the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, and bonding and liability insurance requirements as specified in the contract for the project.
- c. Has not defaulted on a project, declared bankruptcy, been debarred, or suspended on a project by the Federal Government, the Commonwealth or a local government entity within the previous three years.
- d. Has not been convicted of a misdemeanor or felony relating to the performance or operation of the business of the contractor or subcontractor within the previous 10 years.
- e. Has completed a minimum of the United States Occupational Safety and Health Administration's 10-hour safety training course or similar training sufficient to prepare workers for any hazards that may be encountered during their work on the high-speed broadband service infrastructure.

Appendix VII – Administrative and Programmatic Costs

Administrative costs are those expenses incurred by the grant recipients in support of the day-to-day operations. These overhead costs are the expenses that are not directly tied to a specific programmatic purpose or activity. **Programmatic costs** are directly tied to the delivery of a particular project, service, or activity and undertaken by a grantee to achieve program outcomes.

1. Administrative Costs (subject to 2% cap):

- a. Costs associated with reporting to PBDA
- b. Costs associated with monitoring requested by PBDA, including calls, site visits, and auditing
- c. Costs associated with data collection requests by PBDA
- d. Costs associated with budget preparation and budget modification to PBDA
- e. Costs associated with audit requirements and requests (including information gathering in support of an audit requirement or request)
- f. Unfunded grant actions (e.g., no cost extension, closeout)
- g. Costs associated with developing policies and procedures related to the administration of the grant
- h. Drawing down funds from PBDA
- i. Accounting fees
- j. Costs associated with office supplies (e.g., printer ink)
- k. Rent and utilities, if a direct cost for the grant award
- l. Indirect administrative costs related to the administration of the overall BEAD grant

2. Costs NOT subject to the 2% cap:

- a. Costs associated with monitoring grant requirements including the useful life of equipment, federal interest period, and low-cost service option
- b. Costs related to legal work necessary to administer the grant
- c. Travel costs for grant administration and monitoring purposes

Appendix VIII – Glossary of Terms

ADMINISTRATIVE COSTS – Those expenses incurred by the grant recipients in support of day-to-day operations. These overhead costs are the expenses that are not directly tied to a specific programmatic purpose or activity.²¹

BROADBAND – Commonly refers to high-speed Internet access that is faster than traditional dial-up access. Broadband includes high-speed transmission technologies, like Fiber, wireless satellite, digital subscriber line, cable modem, fiber, wireless, satellite, and broadband over powerlines (BPL).²² The type of broadband technology available to a particular area depends on several factors, including location (rural versus urban areas), how broadband internet is packaged with other services (such as voice telephone and home entertainment), price, and availability.

BROADBAND INFRASTRUCTURE – Any fiber optics, cable, wiring, or other permanent (meaning integral to the structure) infrastructure, including wireless infrastructure, which can provide access to internet connection in individual locations and is an advanced telecommunications capability as defined in section 706(d) of the Telecommunications Act of 1996.²³

BROADBAND SERVICEABLE AREA (BSA) – An area within the Commonwealth of Pennsylvania containing one or an aggregation of multiple census block groups. A BSA contains eligible Broadband Serviceable Locations (BSLs) for BEAD funding.

BROADBAND SERVICEABLE LOCATION – A broadband serviceable location (BSL) is a business or residential location in the United States at which mass-market fixed broadband internet access service is, or can be, installed.²⁴

COMMUNITY ANCHOR INSTITUTION – An entity including any school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization or community support organization, which facilitates greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals, that lack access to gigabit-level broadband service.²⁵

ENFORCEABLE COMMITMENT – Broadband serviceable location (BSL)s that are subject to federal, state, and local funding for the purposes of broadband infrastructure buildout, excluding the BEAD program. The enforceable funding commitment must provide a minimum of 100/20 Mbps of service. These BSLs will be considered ineligible for BEAD funding.

HIGH-SPEED BROADBAND SERVICE – Wireless, wireline, or fixed wireless technology having a latency sufficient to support real time, interactive applications, and the capacity to reliably and consistently transmit data from or to the internet²⁶:

- Minimum speeds of at least 100 Mbps downstream and 20 Mbps upstream
- Minimum speeds adopted by the federal communications commission or
- Minimum speeds otherwise required to comply with funding opportunities from the federal government, whichever is greater.

²¹ NTIA. Two Percent Grant Administration Spending Limitation Guidance.

²² NTIA. (2016). Broadband USA: Connecting America's Communities.

²³ Telecommunications Act of 1996. (47 U.S.C. 1302(d). (USA).

²⁴ Federal Communications Commission (2024). Broadband Data Collection Help Center: About the Fabric.

²⁵ PA Act 96 of 2021.

²⁶ PA Act 96 of 2021.

LAST MILE – Last mile networks are networks that connect end users via an area node to a middle mile network.

LOW INCOME – Below the mean income computed for every woman, man, and child in a particular group, including those living in group quarters in Pennsylvania. It is derived by dividing the aggregate income of a particular group by the total population in that group. This measure is rounded to the nearest whole dollar (ACS, 2023).²⁷

MIDDLE MILE – Any broadband infrastructure that does not connect directly to an end-user location, including an anchor institution; and includes— (i) leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services; and (ii) wired or private wireless broadband infrastructure, including microwave capacity, radio tower access, and other services or infrastructure for a private wireless broadband network, such as towers, fiber, and microwave links.²⁸

OPEN ACCESS NETWORK – Networks that offer wholesale access to network infrastructure or services provided on fair and reasonable terms with some degree of transparency and nondiscrimination.²⁹

OTHER LAST-MILE DEPLOYMENT PROJECTS – In reference to scoring criteria, if there are multiple projects submitted in a given location or locations and one or more do not qualify as Priority Broadband Projects, they may be evaluated as “other last-mile deployment projects”. These are specifically projects that do not propose full fiber buildouts.

OVERBUILD – The development of high-speed broadband service infrastructure in an area that is not unserved or underserved.³⁰

PASSING – Any structure that can receive broadband service. Multi-unit structures may be counted as more than one passing.

PERIOD OF PERFORMANCE – The four-year timeframe starting from the date when the grant agreement is executed. During this period, grant recipients are required to complete all project activities as outlined in their grant proposals, including planning, implementation, and finalization of approved activities. While the period of performance is set at four years, extensions may be requested and granted if additional time is needed, subject to NTIA approval. Throughout this period, grantees must comply with all program requirements, including regular reporting and performance assessments.

PRIORITY BROADBAND PROJECT – The term “Priority Broadband Project” means a project that will provision service via end-to-end fiber-optic facilities to each end-user premises.³¹

PROGRAMMATIC COSTS – Costs that are directly tied to the delivery of a particular project, service, or activity and undertaken by a grantee to achieve program outcomes.³²

RIGHTS-OF-WAY (ROW) – Legal rights to pass through property owned by another. ROWs are frequently used to secure access to land for digging trenches, deploying fiber, constructing towers, and deploying equipment on existing towers and utility poles.³³

SYMMETRICAL INTERNET SERVICE – A symmetrical internet connection offers the same download and upload speeds. If a household or business subscribes to a 100 Mbps symmetrical internet plan, for example, the household or business can upload and download at 100 Mbps, simultaneously.

²⁷ Center for Rural Pennsylvania. (2022). Rural-Urban Maps.

²⁸ NTIA. (2016). Broadband USA: Connecting America’s Communities.

²⁹ NTIA. (2016). Broadband USA: Connecting America’s Communities.

³⁰ PA Act 96 of 2021.

³¹ NTIA BEAD Notice of Funding Opportunity: <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>

³² NTIA. Two Percent Grant Administration Spending Limitation Guidance.Ad

³³ NTIA. (2016). Broadband USA: Connecting America’s Communities.

UNDERSERVED AREA – A project area that is not an unserved location and lacks access to reliable broadband service offered with a speed of not less than 100 Mbps for downloads and 20 Mbps for uploads and a latency sufficient to support real-time, interactive applications.³⁴

UNDERSERVED LOCATION – A location that is not an unserved location and as determined in accordance with the broadband DATA maps, lacks access to reliable broadband service offered with a speed not less than 100 Mbps for downloads and 20 Mbps for uploads and a latency sufficient to support real-time, interactive applications.³⁵

UNSERVED AREA – A project area that has no access to broadband service or lacks access to reliable broadband service with a speed of not less than 25 Mbps for downloads and three Mbps for uploads and a latency sufficient to support real-time, interactive applications.³⁶

UNSERVED LOCATION – A broadband-serviceable location, as determined in accordance with the broadband DATA maps that has no access to broadband service or lack access to reliable broadband service offered with a speed not less than 25 Mbps for downloads and 3 Mbps for uploads and a latency sufficient to support real-time, interactive applications.³⁷

USEFUL LIFE OF NETWORKS – The federal interest period for infrastructure networks and equipment. NTIA has defined this as a minimum of ten years after an asset is operational.

WRAPAROUND SERVICES – Wraparound services, also known as supportive services, assist individuals facing employment barriers by providing comprehensive and personalized support to overcome those obstacles for sustainable employment.

³⁴ PA Act 96 of 2021.

³⁵ Infrastructure Investment and Jobs Act of 2021. (USA).

³⁶ PA Act 96 of 2021.

³⁷ Infrastructure Investment and Jobs Act of 2021. (USA).