



NORTH DAKOTA

BEAD Application User Guide



Table of Contents

Overview and Timeline	3
Completing the Application	3
Confidentiality Statement.....	3
NTIA Requirements.....	4
Section 1: Applicant Information.....	5
<i>Organization Information</i>	<i>5</i>
<i>Primary Contact.....</i>	<i>5</i>
<i>Authorized Organizational Representative (AOR).....</i>	<i>5</i>
<i>Unique Entity Identifier (UEI)</i>	<i>5</i>
<i>State Business Registration</i>	<i>6</i>
Section 2: Project Overview	7
<i>Proposed Project Key Definitions and Guidance.....</i>	<i>7</i>
<i>Project Name.....</i>	<i>8</i>
<i>Project Description</i>	<i>8</i>
<i>Project Priority by Technology.....</i>	<i>8</i>
<i>Speeds</i>	<i>9</i>
<i>Letters of Tribal Consent</i>	<i>9</i>
<i>Permits</i>	<i>10</i>
Section 3: Project Area and Design	11
<i>Service And Network Design.....</i>	<i>11</i>
<i>Project Area.....</i>	<i>11</i>
<i>Proposed Route Miles</i>	<i>11</i>
Section 4: Service Pricing.....	12
<i>Service Pricing</i>	<i>12</i>
<i>Low-Cost Service Option.....</i>	<i>12</i>
Section 5: Project Cost & Match.....	14
<i>Total Funding Request.....</i>	<i>14</i>
<i>Match 14</i>	
<i>Project Cost Breakdown and Capital Investment Schedule</i>	<i>14</i>
Section 6: Project Timeline	15
<i>Project Timeline.....</i>	<i>15</i>
Section 7: BEAD Qualifications	16
<i>Section 7.1: Financial Capability</i>	<i>16</i>

1.1.1	Evidence.....	16
1.1.2	Certifications.....	17
<i>Section 7.2: Managerial Capability</i>		<i>17</i>
1.1.3	Evidence.....	18
1.1.4	Certifications.....	18
<i>Section 7.3: Technical Capability</i>		<i>19</i>
1.1.5	Evidence.....	19
1.1.6	Certifications.....	19
<i>Section 7.4: Compliance with Laws.....</i>		<i>20</i>
1.1.7	Evidence.....	20
1.1.8	Certifications.....	20
<i>Section 7.5a: Operational Capability</i>		<i>21</i>
1.1.9	Evidence.....	21
<i>Section 7.5b: Operational Capability</i>		<i>23</i>
<i>Section 7.6: Ownership Disclosure.....</i>		<i>24</i>
<i>Section 7.7: Existing Projects Using Public Funding.....</i>		<i>24</i>
<i>Section 7.8: Cybersecurity and Supply Chain Risk Management</i>		<i>25</i>
Section 8: Labor Standards & Protection		26
<i>Record of Past Compliance.....</i>		<i>26</i>
<i>Commitments to Employment and Labor Laws.....</i>		<i>26</i>
Section 9: Skilled Workforce and Equitable Workforce Development Plans		28
<i>Skilled Workforce</i>		<i>28</i>
<i>Equitable Workforce Development Plans</i>		<i>28</i>
<i>Additional Project Workforce Details - Non-Unionized Workforce.....</i>		<i>29</i>
Section 10: Minority Business Enterprises (MBEs)/ Women’s Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion		30
Section 11: Weather & Climate Risk Mitigation.....		31
Section 12: Build America, Buy America.....		32
Section 13: Environmental and Historical Preservation		33
Section 14: Final Submission		34

Overview and Timeline

The Broadband Equity, Access, and Deployment (BEAD) Program, authorized by the Infrastructure Investment and Job Act (IIJA), provides over \$42 billion for broadband planning, deployment, mapping, and adoption activities. The National Telecommunications and Information Administration (NTIA) allocated \$130.2M through the BEAD Program to North Dakota to help close the digital divide across the state.

The State Broadband Program Office (SBPO) within the North Dakota Information Technology (NDIT) Department will oversee the State's strategy to expand broadband access and promote digital access by administering the funds received from the NTIA. This important endeavor will help advance North Dakota's goal of becoming the first state to secure 100% broadband coverage.

This application is intended for North Dakota BEAD project applicants, also referred to as "prospective subgrantees" or "organization" in this document. North Dakota is executing a revised process for selecting subgrantees and making BEAD fund awards. The updated Subgrantee Selection Process will now consist of a single phase:

- Benefit of the Bargain: SBPO will conduct a single application round to solicit applications for unserved and underserved locations and eligible CAIs.

Completing the Application

Please complete **one application per project**. You will need to Start a New Application for **each project area** you are interested in submitting a bid for. Please note that certain non-project specific information related to NTIA requirements (**much of Sections 7 – 14**) can be copied and used for additional applications. For detailed instructions on how to copy information from a previously submitted application, please refer to the **User Guide** section titled "**Copying a Previous Application**".

Confidentiality Statement

As per [North Dakota Century Code \(NDCC\)](#) Sections [44-04-18](#) and [44-04-18.4](#), all records submitted to a public entity are considered public records unless otherwise exempt by law. Information classified as trade secrets, proprietary, commercial, financial, or research information may be treated as confidential if it has not been previously disclosed, and if its disclosure would cause competitive harm to the submitting party.

The State of North Dakota will review requests for confidentiality in accordance with the guidelines of the North Dakota Century Code; the ultimate determination of confidentiality will be made in compliance with all applicable legal provisions. To identify any content your organization wishes to have reviewed for designation as confidential, please download and complete the Confidentiality Request template provided. You will upload your completed template at the end of your application (Section 14). Additional guidance can be found on the Read Me tab in the template.

NTIA Requirements

Please Note: Strike-throughs indicate section is no longer required / applicable per the latest policy notice. However, applicants may freely include this information of their own accord – should they choose to do so, information provided in struck sections will not be used for scoring purposes.

Documents requested throughout the North Dakota BEAD Application are required by the NTIA BEAD NOFO. The SBPO does not have the ability to alter the requirement. For further information, the SBPO has provided a link to the relevant section of the NTIA BEAD NOFO that details each documentation requirement.

North Dakota BEAD Application	NTIA BEAD NOFO
Section 1: Applicant Information	
Organization	Section I.C.p
Section 2: Project Overview	Section I.C
Speeds	Section I.C and Section IV.B.7.a
Letters of Tribal Consent	Section IV.B.9.b.15
Section 3: Project Area and Design	
Section 4: Service Pricing	
Low-Cost Service Option	47 U.S.C. §1702(h)(4)(B)
Section 5: Project Cost & Match	
Total Match	Section III.B
Capital Investment Schedule	Section IV.D.2.c
Section 6: Project Timeline	
Project Timeline	Section IV.D.2.c
Section 7: BEAD Qualifications	Section IV.D.2
Section 7.1: Financial Capability	Section IV.D.2.a.
Audited Financial Statements	Section IV.D.2.a.iii.
Financial Surety	Section IV.D.2.a.ii
Sustainability	Section IV.D.2.a.iv
Certifications	Section IV.D.2.a.i
Section 7.2: Managerial Capability	Section IV.D.2.b
Certifications	Section IV.D.2.a.i
Section 7.3: Technical Capability	Section IV.D.2.c
Section 7.4: Compliance with Laws	Section IV.D.2.d
Section 7.5: Operational Capability	Section IV.D.2.e
Section 7.6: Ownership Disclosure	Section IV.D.2.f
Section 7.7: Existing Projects Using Public Funding	Section IV.D.2.g
Section 7.8: Cybersecurity and Supply Chain Risk Management	Section IV.C.2.c.vi
Section 8: Labor Standards & Protection	Section IV.C.1.e
Section 9: Skilled Workforce and Equitable Workforce Development Plans	Section IV.C.1.e
Section 10: Minority Business Enterprises (MBEs)/ Women's Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion	Section VII.D.7
Section 11: Natural Disaster Risk Mitigation	47 U.S.C. §1702(g)(1)(C)
Section 12: Build America, Buy America	Section VII.D.6
Section 13: Environmental and Historical Preservation	Section VII.D.4

Section 1: Applicant Information

North Dakota BEAD Application	NTIA BEAD NOFO
Section 1: Applicant Information	
Organization Information	Section I.C.p

Organization Information

- FRN:
Note: Per [Section I.C.p of the BEAD NOFO](#), The term “non-traditional broadband provider” means an electric cooperative, nonprofit organization, public-private partnership, public or private utility, public utility district, Tribal entity, or local government (including any unit, subdivision, authority, or consortium of local governments) that provides or will provide broadband services.
- Is this organization a non-traditional broadband service provider?
 - ☐ Yes
 - ☐ No
- If Yes, select the type of service provider that best describes this organization:
 - ☐ ILEC
 - ☐ Non-ILEC
 - ☐ Cooperative
 - ☐ Municipality
 - ☐ Tribal

Primary Contact

- Name:
- Title:
- Email:
- Phone:

Authorized Organizational Representative (AOR)

The Authorized Organizational Representative (AOR) should be the individual who is legally able to make financial decisions, sign contracts, and submit the application on behalf of the organization.

- AOR Name:
- AOR Title:
- AOR Email:
- AOR Phone:

Unique Entity Identifier (UEI)

[Section V.E.1 of the BEAD NOFO](#) requires each prospective subgrantee to obtain a Unique Entity Identifier (UEI) (previously known as DUNS number). Please provide your organization’s UEI and upload proof of your organization’s active UEI registration via screenshot or PDF.

- UEI:

Note: If your organization does not already have a UEI, please obtain one by visiting sam.gov and registering. See the registration checklist [HERE](#).

- Proof of UEI Registration:

(Note: File type restricted to JPG, PNG, or PDF)

If registered name associated with the UEI record in SAM.gov is different from the organization name, provide UEI Name:

- UEI Name

State Business Registration

- Does your organization currently have an active business registration with the state of North Dakota?
 - ☐ Yes
 - ☐ No

- If Yes, please upload your organization's state business registration

Note: File type restricted to PDF. Applicants without a State of North Dakota business registration may apply for one through the North Dakota Secretary of State website [HERE](#).

- If No, please attest that you have submitted an application for a State Business Registration, and I understand that award selection is contingent upon the business registration application being approved by the North Dakota Secretary of State.

Section 2: Project Overview

North Dakota BEAD Application	NTIA BEAD NOFO
Section 2: Project Overview	Section I.C
Speeds	Section I.C and Section IV.B.7.a
Letters of Tribal Consent	Section IV.B.9.b.15

Proposed Project Key Definitions and Guidance

[Section I.C of the BEAD NOFO](#) sets forth the following key definitions governing the subgrantee application and selection process:

Last Mile Broadband Deployment Project: Last Mile Projects are defined as projects to deliver service to locations that are Unserved, Underserved, and / or Eligible Community Anchor Institutions (CAIs). For scoring and evaluation purposes, the NOFO further categorizes this definition into Priority Broadband Projects and Non-Priority Broadband Projects.

Priority Broadband Project: The term “Priority Broadband Project” means a project that will provision broadband service at speeds of no less than 100/20 megabits per second; has a latency ≤100 milliseconds; and meet the statutory scalability requirements in 47 U.S.C.§1702(a)(2)(I)(ii).

Non-Priority Broadband Project: The term “Non-Priority Project” means a project that will provision broadband service at speeds of no less than 100/20 megabits per second; has a latency ≤100 milliseconds; but cannot meet the statutory scalability requirements in 47 U.S.C.§1702(a)(2)(I)(ii).

Qualifying Broadband: To a location that is not a CAI, qualifying broadband is Reliable Broadband Service with (i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds; “qualifying broadband” to a CAI is Reliable Broadband Service with a speed of not less than 1 Gbps for both downloads and uploads alike and latency less than or equal to 100 milliseconds.

North Dakota will accept applications for both Priority Broadband Projects and Non-Priority Projects. Please note that with respect to the deployment of last-mile broadband infrastructure, the latest Policy Notice has adjusted the terms of priority broadband projects. North Dakota has incorporated this Federal requirement into the State’s scoring criteria.

Given the limited number of unserved and underserved locations remaining in North Dakota, the State has chosen to pursue a provider-defined approach to project areas. Internet Service Providers are encouraged to leverage their nuanced understanding of their service boundaries to define their own project areas. To ensure compatibility and comparability among competing applications, the State will identify overlapping locations across different ISPs’ proposed project areas and request them to submit revised applications that separate the overlapping locations from the remaining original project areas. The State will use its predefined scoring criteria to identify the highest scoring applications for both Priority and Non-Priority Projects for the conflicting areas. Applications will be re-evaluated based on updated submissions and prospective subgrantees will be selected using the prescribed scoring criteria.

As needed, providers may submit multiple project applications (each project proposal requires a separate application, submitted through WebGrants). While applicants must adhere to the BEAD-Restructuring Policy Notice definitions regarding priority / non-priority classification, within these classifications providers may define and submit multiple projects. This may be due to geographical, workforce, financing, or other criteria impacting project considerations. The goal of

this approach is to allow maximum flexibility for providers to define projects in the state of North Dakota, while remaining compliant with Federal requirements.

Project Name

Using the field below, please enter your project's name. Please note that the format of the project name must be written as follows:

If submitting a 'Priority Deployment' Project

PD_Organization Name_Project Number

If submitting a 'Non-Priority' Project

NP_Organization Name_Project Number

Example: If an organization called "Best Internet" submits three separate project applications, two Priority Deployment and one Non-Priority, the project names would be:

- **PD_Best Internet_1**
 - **PD_Best Internet_2**
 - **NP_Best Internet_1**
- Project Name:

Project Description

Please write a brief, one-paragraph summary of the project. This should include details on the regions to be covered; the technology being proposed and justification for the technology type; project category that best describes deployment activity as priority / non-priority; a general timeline; why the project is being proposed; and the benefits of the project to the community and other expected outcomes. If selected for funding, SBPO may use information in the Project Description in press releases or other outreach activities. Applicants should not include confidential information.

- Project Description:

Project Priority by Technology

Projects submitted through this application fall into two prioritization categories

1. Priority Broadband Projects: Projects that will provision service meeting the speed, latency, and reliability criteria as identified above.
2. Non-Priority Projects: Projects that will provision service only meeting the speed and latency criteria as defined above.

While the SBPO intends to focus its funding and deployment efforts on end-to-end fiber projects, it may consider the selection of a less costly technology, if that technology satisfies other technical requirements.

- Please identify your proposed project classification:
 - ☐ Priority Broadband Project
 - ☐ Non-Priority Broadband Project

Please indicate which technologies you will use

- I am using a single technology (select one)
 - ☐ Digital Subscriber Line (Technology Code 10)

- ☐ Cable Modem / Hybrid Fiber-Coaxial (Technology Code 40)
- ☐ Optical Carrier / Fiber to the Premises (Technology Code 50)
- ☐ Geostationary Satellite (Technology Code 60)
- ☐ Non-geostationary Satellite (Technology Code 61)
- ☐ Unlicensed Terrestrial Fixed Wireless (Technology Code 70)
- ☐ Licensed Terrestrial Fixed Wireless (Technology Code 71)
- ☐ Licensed-by-Rule Terrestrial Fixed Wireless (Technology Code 72)
- I am using one or more technologies (select all that apply)
 - ☐ Digital Subscriber Line (Technology Code 10)
 - ☐ Cable Modem / Hybrid Fiber-Coaxial (Technology Code 40)
 - ☐ Optical Carrier / Fiber to the Premises (Technology Code 50)
 - ☐ Geostationary Satellite (Technology Code 60)
 - ☐ Non-geostationary Satellite (Technology Code 61)
 - ☐ Unlicensed Terrestrial Fixed Wireless (Technology Code 70)
 - ☐ Licensed Terrestrial Fixed Wireless (Technology Code 71)
 - ☐ Licensed-by-Rule Terrestrial Fixed Wireless (Technology Code 72)

Speeds

Instructional Text

List the maximum resulting speed/services available upon project completion. Please refer to [Page 9 of the BEAD Restructuring Policy Notice](#) for definitions of qualifying broadband speeds.

- Planned Max Download Speed:
- Planned Max Upload Speed:
- Expected Latency Speed:

Please certify on behalf of your organization by checking the box below:

- ☐ I certify on behalf of my organization that the proposed project shall deliver minimum service speeds of 100 Mbps down and 20 Mbps up.
- ☐ I certify on behalf of my organization that the proposed project shall deliver expected latency speeds below 100 ms.
- ☐ I certify on behalf of my organization that network outages do not exceed, on average, 48 hours over any 365-day period.

Letters of Tribal Consent

Per BEAD NOFO [Section IV.B.9.b.15](#), projects planning to deploy infrastructure on Tribal lands **MUST** obtain a Resolution of Consent (or equivalent formal acknowledgment) from the Tribal Government(s) on whose lands infrastructure will be built. Applicants are also encouraged to submit additional documentation that reflects thorough coordination with applicable tribes. Such documents (including, but not limited to, letters of support or other forms of endorsement from Tribal Governments) will be favorably considered in the scoring process (see Section 2.4.8 of North Dakota's Initial Proposal Vol II). This documentation will be subsequently forwarded to the NTIA.

- Does your proposed project include infrastructure deployment on Tribal Lands?
 - ☐ Yes
 - ☐ No

- If Yes, please provide the names of the tribe(s) in whose territory the proposed project will occur. If entering multiple tribes, separate names with a semi-colon (i.e., Tribe 1; Tribe 2; Tribe 3)

Projects planning to deploy infrastructure on Tribal lands MUST obtain a Resolution of Consent from the Tribal Government(s) on whose lands infrastructure will be built before funds can be awarded.

Please Note: If you select 'No', you understand that, if selected, your organization must provide a Tribal Letter of Consent before funds can be awarded.

- Do you have letter of consent?
☐ Yes
☐ No
- If Yes, upload any Tribal Government Resolutions of Consent (and additional relevant documentation) collected and the name of the tribe(s) in whose territory the project will conduct activities.

Note: File type restricted to Word or PDF.

Permits

Per [Section 2.6 of North Dakota's Initial Proposal Vol II](#), SPBO will coordinate with applicable state departments to address time and cost barriers associated with BEAD projects, including expediting permitting timelines where possible.

Please list any federal or state permits required for your project and the expected timeline for Approval.

- Enter Name of Permit
- Expected Approval Timeline

Please provide any additional considerations regarding permitting you feel are relevant to the proposed project.

Section 3: Project Area and Design

North Dakota BEAD Application

Section 3: Project Area and Design

Service And Network Design

Please upload a network design and diagram of the proposed project area, as well as any additional accompanying narrative you feel is relevant. Please note that relevant sections of [Appendices A, B, and C](#) of the BEAD Restructure Policy Notice should be addressed.

For your network design, include both a PDF version and geospatial file (e.g., .shp, .kmz, .kml) of your map. Please ensure your map includes the following:

- 1) Service area boundaries;
 - 2) Features that clearly identify the project coverage area such as area names, boundaries, buildings, road/street names;
 - 3) Marked areas of new, non-overlapping infrastructure; and
 - 4) Your existing infrastructure in relation to the proposed network design.
- Network Design, PDF
 - Network Design, Geospatial File
 - Network Diagram
 - Additional Narrative

Project Area

Using the template provided, submit a list of all broadband serviceable locations in your proposed project area. Detailed instructions can be found on the 'Read Me' tab of your template. When completing your submission template, please include the following:

- Information on each location (location ID, location classification, geospatial coordinates)
- Proposed technology to be used
- Speed threshold (minimum and maximum download / upload, latency)
- CAI Status

If your project area includes one or more Community Anchor Institutions (CAIs), fill out the "CAI List" tab, otherwise leave blank.

- Project Area

Proposed Route Miles

For this proposed project, enter the total estimated number of route miles, rounded to the nearest whole number. Route miles are defined as proposed miles of new, non-overlapping fiber construction (for example, this would not include existing leased fiber, or slack)

- Estimated total route miles
- Estimated aerial miles
- Estimated buried miles

Total Route Miles must equal Aerial Miles + Buried Miles

Section 4: Service Pricing

North Dakota BEAD Application	NTIA BEAD NOFO
Section 4: Service Pricing	47 U.S.C. §1702(h)(4)(B)

Service Pricing

Optional Question – Response will not be used to score application

- Enter the total proposed monthly price for minimum BEAD requirement service inclusive of all taxes, fees, and surcharges.

Low-Cost Service Option

In accordance with 47 U.S.C. §1702(h)(4)(B), North Dakota must validate that prospective subgrantees offer at least one low-cost broadband service option to qualified subscribers as a condition of receiving BEAD subgrants.

- Please identify whether you shall make use of an existing low-cost broadband service option or shall develop one to comply with 47 U.S.C. §1702(h)(4)(B)
 - ☐ I attest that the below responses are for an existing low-cost option offered by my company that complies with the requirements outlined in 47 U.S.C. §1702(h)(4)(B)
 - ☐ I attest that the below responses are for a newly developed / to-be developed low-cost option offered by my company that complies with the requirements outlined in 47 U.S.C. §1702(h)(4)(B)
- Enter the total monthly price for your existing or new / to-be developed low-cost broadband service option inclusive of all taxes, fees, and surcharges:
- Please confirm that the existing / proposed low-cost service option has the following **characteristics**:
 - A. Is inclusive of all taxes, fees, and charges and with no additional non-recurring costs or fees.
 - B. Consistently and reliably provides minimum download speeds of 100 Mbps;
 - C. Consistently and reliably provides minimum upload speeds of 20 Mbps;
 - D. Provides consistent latency measurements of no more than 100 milliseconds;
 - E. Is (or will be made) available to households that match eligibility criteria for the FCC's Lifeline Program and shall not impose additional eligibility restrictions for the low-cost plan.
- Optional Attestation Battery – Response will not be used to score application
 - ☐ My organization will participate in any federal subsidy program developed as a successor to the Affordable Connectivity Program (ACP)
 - ☐ If my organization develops and offers another low-cost service option with higher speeds subsequent to the implementation of the proposed low-cost service option, it will permit existing low-cost service option subscribers to upgrade to the new low-cost service option at no additional cost to the subscriber
 - ☐ If my organization develops and offers a plan that meets the minimum service, eligibility, and affordability requirements at a lower cost than the proposed low-cost service option, it will permit existing low-cost service option subscribers to switch to the lower-cost plan at no additional cost to the subscriber, with no reduction in minimum service

- ☐ My organization will carry out a public awareness campaign for the low-cost option utilizing a variety of communications media and in languages other than English, focused on reaching FCC Lifeline-eligible populations.

Section 5: Project Cost & Match

North Dakota BEAD Application	NTIA BEAD NOFO
Section 5: Project Cost & Match	below
Total Match	Section III.B
Capital Investment Schedule	Section IV.D.2.c

Total Funding Request

- Enter the amount of grant funding your organization is seeking with this application. Provide the number rounded up to the nearest cent.

Match

In accordance with [Section III.B of the BEAD NOFO](#), applicants are required to provide matching funds of not less than 25% of project costs. Matching funds may be provided in the form of either cash or in-kind contributions, so long as such contributions are made consistent with requirements in 2 CFR 200.

Note on in-kind contributions: In-kind contributions, which may include third-party in-kind contributions, are non-cash donations of property, goods or services, which benefit a federally assisted project, and which may count toward satisfying the non-federal matching requirement of a project's total budgeted costs when such contributions meet certain criteria. In-kind contributions must be allowable and allocable project expenses. NTIA encourages applicants to thoroughly consider potential sources of in-kind contributions that, depending on the particular property or service and the applicable federal cost principles, could include employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities. In the broadband context this could include, consistent with federal cost principles, waiver of fees associated with access to rights of way, pole attachments, conduits, easements, or access to other types of infrastructure.

- Enter the amount of additional match funding or in-kind contributions your organization is contributing to the project. Provide the number rounded up to the nearest cent.
 - ☐ Direct Match Dollar Value
 - ☐ In-kind Contribution Value

Project Cost Breakdown and Capital Investment Schedule

Per [BEAD NOFO, Section IV.D.2.c](#), applicants must provide a capital investment schedule that demonstrates your organization will complete build-out and initiate service within four years of the projected fund disbursement date. This schedule 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. The Project Cost Breakdown template will provide cost details associated with their project as well as the Capital Investment Schedule. Download the Project Cost Breakdown template.

- Once complete, click "Edit Form" and upload below.

Note: File type restricted to Excel. Only use the template above to complete this section.

Section 6: Project Timeline

North Dakota BEAD Application	NTIA BEAD NOFO
Section 6: Project Timeline	
Project Timeline	Section IV.D.2.c

Project Timeline

To assist SPBO in providing NTIA with information required in [Section IV.B.9.b.3 of the BEAD NOFO](#), please provide the start and end dates of the proposed project.

- Project Start Date
- Project Completion Date

Per [Section IV.D.2.c of the BEAD NOFO](#) applicants must include a detailed timeline for implementation and completion of each project and other eligible activities to be funded. Per [Section 60102\(h\)\(4\)\(C\) of the Infrastructure Act](#), prospective subgrantees must deploy the broadband network and begin providing services within the project area not later than four years after the date on which the prospective subgrantee receives the subgrant.

Using the template, provide a detailed project implementation timeline. Timeline must include both the overall timeline and key milestones. Detailed instructions can be found on the 'Read Me' tab of your template.

- Upload your completed Project Timeline here

Section 7: BEAD Qualifications

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7: BEAD Qualifications	Section IV.D.2

The North Dakota SBPO will use the NTIA's BEAD Qualification Requirements, outlined in [Section IV.D.2 of the BEAD NOFO](#), as eligibility criteria when assessing prospective subgrantees, meaning that prospective subgrantees must meet the standards to be eligible for BEAD funding.

It is important to note that the below eligibility requirements contained in this section of the application are not scoring criteria. These requirements help determine which prospective subgrantees are qualified to compete for subgrants, whereas scoring criteria will help with selection between competing eligible prospective subgrantees.

Section 7.1: Financial Capability

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.1: Financial Capability	Section IV.D.2.a
Audited Financial Statements	Section IV.D.2.a.iii
Letter of Credit	Section IV.D.2.a.ii
Sustainability	Section IV.D.2.a.iv
Certifications	Section IV.D.2.a.i

1.1.1 Evidence

Prospective subgrantees must demonstrate minimum financial capabilities to meet project commitments, as outlined in [Section IV.D.2.a. of the BEAD NOFO](#). Information and documents provided in this section are intended to demonstrate that the prospective subgrantee possesses sufficient financial resources to cover various project costs.

Audited Financial Statements

- Can your organization provide audited financial statements from the prior fiscal year? Audited Statements must have been audited by an independent certified public accountant, per [Section IV.D.2.a.iii of the BEAD NOFO](#).
 - ☐ Yes
 - If so, upload audited financial statements from the prior fiscal year here.
 - ☐ No
 - If so, final award will be contingent upon your organization's ability to provide audited financial statements. If selected for a subgrant award, prospective subgrantees must provide financial statements from the prior fiscal year that are audited by an independent certified public accountant.
 - Please provide a narrative explanation as to why audited statements are unavailable:
 - Upload unaudited financial statements from the prior fiscal year here.
- Check the box below to certify that your organization will provide audited financial statements from the prior fiscal year, if selected for an award.
 - ☐ I certify on behalf of my organization that, if contingently awarded a subgrant, the organization will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant.

Financial Surety

Applicants must obtain a letter from a bank committing to issue an Irrevocable Standby Letter of Credit (SBLC) as outlined in [Section IV.D.2.a.ii of the BEAD NOFO](#). Specifically, the BEAD NOFO requires each prospective subgrantee to submit a commitment letter from a bank or credit union satisfying the requirements as identified in the [BEAD Notice of Programmatic Waiver](#).

Alternatively, applicants may submit a letter from a company committing to issue a Performance Bond. Specifically, the company must hold a certificate of authority as an acceptable surety on federal bonds, as identified in the [BEAD Notice of Programmatic Waiver](#). If you are an LEO provider, please include in your submission evidence that you have begun the process of requesting a financial certification letter documenting the financial capability of your organization as determined by the NTIA.

- Please select from the following options
 - ☐ My organization will submit a letter committing to an SBLC
 - Please provide a letter from a bank meeting eligibility requirements consistent with those set forth in [47 C.F.R § 54.804\(c\)\(2\)](#) – OR a letter from a credit union that is insured by the National Credit Union Administration and has a credit union safety rating issued by Weiss of B (or better) – committing to issue an irrevocable standby letter of credit, in the required form, to the applicant.
 - ☐ My organization will submit a letter committing to a Performance Bond
 - Please provide 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 applicant. The letter shall at a minimum provide the dollar amount of the performance bond.

Sustainability

Applicants must demonstrate the sustainability of the project by providing a business plan as outlined in [Section IV.D.2.a.iv of the BEAD NOFO](#). Prospective subgrantees must submit business plans and related analyses, detailing cash flow and balance sheet projections, and including at least three years of operating costs and cash flow projections after the targeted completion of the project.

- Upload your Business Plan

1.1.2 Certifications

If awarded a subgrant, prospective subgrantees are required to maintain certain qualifications as described below and as outlined in [Section IV.D.2.a.i of the BEAD NOFO](#).

- By checking the boxes below, please certify on behalf of your organization the following organizational qualifications:
 - ☐ I certify that the organization will have access to funds for all project costs that exceed the requested grant amount.
 - ☐ I certify that the organization has, and will continue to have, sufficient financial resources to cover its eligible costs for the project until such time as the SBPO authorizes additional disbursements.

Section 7.2: Managerial Capability

Section 7.2: Managerial Capability	Section IV.D.2.b
Certifications	Section IV.D.2.a.i

Prospective subgrantees must submit evidence of their managerial capacity to meet the commitments of the subgrant as outlined in [Section IV.D.2.b of the BEAD NOFO](#). Information and documents provided in this section are intended to demonstrate that the prospective subgrantee possesses the organizational experience, background, and readiness to manage a broadband services network.

1.1.3 Evidence

Key Personnel

- Upload a file containing the resume of all key management personnel undertaking the project, detailing relevant experience and qualifications. Each resume is limited to one page.

Organizational Charts

- Upload an organizational chart detailing all parents, subsidiaries, and affiliates of the prospective subgrantee. Names and titles should be clearly identified for all positions.

Readiness Narrative

- Upload a narrative describing your organization's readiness to manage a broadband services network that includes your organization's experience in undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and any relevant organizational policies.

1.1.4 Certifications

- If awarded a subgrant, prospective subgrantees are required to maintain certain qualifications as described below and as outlined in [Section IV.D.2.a.i of the BEAD NOFO](#). By checking the boxes below, please certify on behalf of your organization the following organizational qualifications:
 - ☐ I certify that the organization is qualified to meet the obligations associated with the project.
 - ☐ I certify that the organization will comply with all program requirements, including service milestones.

Section 7.3: Technical Capability

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.3: Technical Capability	Section IV.D.2.c

Prospective subgrantees must submit evidence of their technical capacity to meet the commitments of the subgrant, as outlined in [Section IV.D.2.c of the BEAD NOFO](#). Information and documents provided in this section are intended to demonstrate that the prospective subgrantee is technically qualified to complete and operate the project and that they are capable of carrying out the funded activities in a competent manner. The SBPO shall not approve any subgrant for the deployment or upgrading of network facilities unless it determines that the materials submitted sufficiently demonstrate technical capability.

1.1.5 Evidence

Key Personnel

- Upload resumes and relevant documents detailing the years of equivalent experience for key technical personnel. Key technical personnel should include project managers and superintendents, foremen, or other personnel responsible for major components.

Training, Certifications, and Licenses

- Upload documentation of relevant trainings, certifications, and licenses possessed by the organization or key personnel.

Organizational History

- Upload documentation that demonstrates your organization's history of operating a network and providing services in North Dakota (or states in the same region or with similar characteristics).

Similar Projects

- Upload documentation that demonstrates your organization's experience deploying broadband projects of a size, complexity, nature, and value similar to the current application.

Safety Experience

- Upload documentation that demonstrates your organization's experience executing a project of a similar size and duration while maintaining a strong safety record.

Performance Experience

- Upload documentation that demonstrates your organization's experience responding to network performance impairments or outages.

1.1.6 Certifications

- By checking the boxes below, please certify on behalf of your organization the following technical qualifications:
 - ☐ I certify that my organization is technically qualified to complete and operate the project and is able to carry out activities in a competent manner.
 - ☐ I certify that my organization will use an appropriately skilled and credentialed workforce.
 - ☐ I certify that any contracted resources that my organization engages for BEAD projects will have the necessary skills and qualifications to contribute effectively to the proposed initiatives.

Section 7.4: Compliance with Laws

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.4: Compliance with Laws	Section IV.D.2.d

Prospective subgrantees must submit evidence of compliance with applicable laws, as outlined in [Section IV.D.2.d of the BEAD NOFO](#). Information and documents provided in this section are intended to demonstrate that the prospective subgrantee can carry out funded activities in accordance with all applicable federal, state, territorial, and local laws.

1.1.7 Evidence

Compliance History

- Please provide a detailed history of compliance with all applicable federal, territorial, local, and state laws, including the provisions of the North Dakota Century Code.

Compliance Policies

- Please provide policies and / or procedures that support your organization in maintaining compliance with occupational safety and health requirements.

1.1.8 Certifications

- By checking the boxes below, please certify on behalf of your organization the following compliance qualifications:
 - ☐ Please certify that your organization will guarantee all previously established enforceable commitments.
 - ☐ Please certify that your organization will permit the creation of worker-led health and safety committees that management will meet with upon reasonable request.

Section 7.5a: Operational Capability

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.5: Operational Capability	Section IV.D.2.e

Prospective subgrantees must submit evidence of the requisite operational capabilities, as outlined in [Section IV.D.2.e of the BEAD NOFO](#). Information and documents provided in this section are intended to demonstrate that the prospective subgrantee possesses sufficient internal or external resources to complete and operate the project.

1.1.9 Evidence

Operational History

- Please choose the statement that best describes your organization's operational capability below:
 - **Option 1:** My organization has or is a wholly owned subsidiary of an organization that **has at least two consecutive years of experience providing** a voice, broadband, and / or electric transmission or distribution service prior to the date of this application submission.

If **Option 1**, please select from one of the following:

- **Option 1.a:** My organization has provided voice and / or broadband service during this time.
- **Option 1.b:** My organization has only provided electric transmission or distribution service during this time.

If **Option 1.a**, please answer the following:

- By checking the boxes below, please certify on behalf of your organization the following qualifications:
 - ☐ I certify that my organization has provided a voice and / or broadband service for the number of years listed above, or that it is a wholly owned subsidiary of such an entity.
- Select one of the options below:
 - ☐ I certify that my organization has filed timely Commission Form 477s and Broadband DATA Act submissions (if applicable) as required during this time period, and otherwise has complied with the Commission's rules and regulations.
 - ☐ My organization has a pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or was alleged to have failed to comply with Commission rules or regulations.
 - If selected, please provide an explanation for pending or completed litigation in which your organization failed to comply with rules and regulations.

If **Option 1.b**, please answer the following:

- By checking the boxes below, please certify on behalf of your organization the following qualifications:
 - ☐ I certify that my organization has operated only an electric transmission or distribution service and that I must submit qualified operating or financial reports filed with a relevant financial institution within the time period I have provided.

- Per instructions in the BEAD NOFO, please submit qualified operating or financial reports that your organization has filed within the operating time you have provided. Examples of acceptable documents for this purpose include the following:
 - Rural Utilities Service (RUS) Form 7 (Financial and Operating Report Electric Distribution) or Form 12 (Financial and Operating Report Electric Power Supply)
 - National Rural Utilities Cooperative Finance Corporation (CFC) Form 7 (Financial and Statistical Report) or Form 12 (Operating Report);
 - CoBank Form 7;
 - A functional replacement of one of these reports
 - By checking the box below, please certify on behalf of your organization the following qualification:
 - ☐ I certify that the documents submitted within this section are true and accurate copies of reports provided to the relevant financial institution.
- Option 2: My organization **does not have at least two consecutive years of experience** providing a voice, broadband, and/or electric transmission or distribution service prior to the date of this application submission.
- Please submit a narrative description of how your newly formed entity has attained, through internal or external resources, sufficient operational capabilities.
 - Please upload any supporting documentation that demonstrates that your organization has sufficient operational capabilities. Such evidence may include business plans, expected revenue, subscriber targets, resumes from key personnel, project descriptions from contractors, subcontractors, or other partners with relevant operational experience, or other comparable evidence.

Section 7.5b: Operational Capability

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.5: Operational Capability	Section IV.D.2.e

Prospective subgrantees must submit evidence of the requisite operational capabilities, as outlined in [Section IV.D.2.e of the BEAD NOFO](#). Information and documents provided in this section are intended to demonstrate that the prospective subgrantee possesses sufficient internal or external resources to complete and operate the project.

- Please provide the number of years your organization, or its parent company, has been operating.
- Please provide a list of completed federally funded deployment projects, including funding source and timeframe.
- Please describe any history of contract default or termination for broadband-related projects.
- Please describe plans to keep the public informed of BEAD project progress and encourage broadband adoption. Include how your organization plans on communicating the project status to stakeholders, including but not limited to the SBPO, project areas residents, and state and federal elected officials, etc.
- Please provide a current list of subscribers, including residential and commercial users and community anchor institutions.
- By checking the boxes below, please certify on behalf of your organization the following qualification:
 - ☐ I certify that my organization possesses the operational capability to qualify to complete and operate the submitted project(s).

Section 7.6: Ownership Disclosure

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.6: Ownership Disclosure	Section IV.D.2.f

- Prospective subgrantees must submit ownership disclosures in compliance with the requirements set forth in [47 C.F.R. § 1.2112\(a\)\(1\)-\(7\)](#), as outlined in [Section IV.D.2.f of the BEAD NOFO](#).
- Using the template provided, provide ownership information consistent with the requirements set forth in [47 C.F.R. § 1.2112\(a\)\(1\)-\(7\)](#). Detailed instructions can be found in the template.

Section 7.7: Existing Projects Using Public Funding

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.7: Existing Public Funding	Section IV.D.2.g

Prospective subgrantees must disclose every broadband deployment project using public funds that the applicant is undertaking or has committed to undertake at the time of the application per [Section IV.D.2.g of the BEAD NOFO](#). This includes, but is not limited to, broadband deployment projects funded through:

- The Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178);
- The CARES Act (Public Law 116-136; 134 Stat. 281);
- The Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182);
- The American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4); and
- Any federal Universal Service Fund high-cost program (e.g., RDOF, CAF), or any Eligible Entity or local universal service or broadband deployment funding program.
- Please choose the statement below that best describes your organization's activity regarding projects using public funds:
 - My organization **is** currently undertaking a broadband deployment project using public funds, **has applied, and / or plans to apply**, for such a project.
 - If so, using the template provided please disclose relevant information about the publicly funded broadband deployment project(s) your organization is undertaking, has applied for, and / or plans to apply for. Detailed instructions are included in the template.
 - My organization **is not** currently undertaking a broadband deployment project using public funds, **has not applied, and does not plan to apply**, for such a project.

Section 7.8: Cybersecurity and Supply Chain Risk Management

North Dakota BEAD Application	NTIA BEAD NOFO
Section 7.8: Cybersecurity/Supply Chain Risk Management	Section IV.C.2.c.vi

Prospective subgrantees must provide Cybersecurity and Supply Chain Risk Management plans to demonstrate requisite risk management capabilities as outlined in [Section IV.C.2.c.vi of the BEAD NOFO](#).

Cybersecurity

- Choose one of the following options:
 - ☐ I certify that my organization is providing service prior to award and has a cybersecurity risk management plan in place that is operational.
 - ☐ I certify that my organization is not yet providing service prior to award and has a cybersecurity risk management plan in place that is ready to be operationalized upon providing service.
- Certify that your organization's cybersecurity risk management plan:
 - Reflects the latest version of the [National Institute of Standards and Technology \(NIST\) Framework for Improving Critical Infrastructure Cybersecurity](#) (currently Version 1.1) and the standards and controls set forth in [Executive Order 14028](#) and specifies the security and privacy controls being implemented;
 - Will be reevaluated and updated on a periodic basis and as events warrant;
 - Will be submitted to the SBPO prior to the allocation of funds. If the prospective subgrantee makes any substantive changes to the plan, a new version will be submitted to the SBPO within 30 days.

Supply Chain Risk Management (SCRM)

- Choose one of the following options:
 - ☐ I certify that my organization is providing service prior to award and has a supply chain risk management plan in place that is operational.
 - ☐ I certify that my organization is not yet providing service prior to award and has a supply chain risk management plan in place that is ready to be operationalized upon providing service.
- Certify that your organization's supply chain risk management plan:
 - Is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in [Cyber Supply Chain Risk Management: Observations from Industry](#) and related SCRM guidance from NIST, including [NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations](#) and specifies the supply chain risk management controls being implemented;
 - Will be reevaluated and updated on a periodic basis and as events warrant; and
 - Will be submitted to the SBPO prior to the allocation of funds. If the prospective subgrantee makes any substantive changes to the plan, a new version will be submitted to the SBPO within 30 days.

Section 8: Labor Standards & Protection

North Dakota BEAD Application	Statute
Section 8: Labor Standards & Protection	47 U.S.C. §1702(h)(1)(A)(iv)(IV)

Prospective subgrantees are required to demonstrate their historical record of compliance with applicable laws and their forward-looking commitments related to federal labor and employment laws as outlined in 47 U.S.C. §1702(h)(1)(A)(iv)(IV). Prospective subgrantees will be assessed not only on their history of compliance with federal employment and labor laws, but also on their demonstrated commitment to maintaining this compliance.

Record of Past Compliance

- Has your organization been in operation for three (3) years or more?
 - Yes, our organization has been in operation for 3+ years
 - If so, please upload the following:
 - A brief document detailing your organization's historical use of contracting and subcontracting arrangements. (This should include staffing plans and past performance in the context of a similar project.)
 - A brief document that affirms your organization has consistently complied with federal labor and employment laws. Please ensure the uploaded document is signed by a Company Officer / Director / Equivalent and complies with requirements as outlined in 47 U.S.C. §1702(h)(1)(A)(iv)(IV).
 - (If Applicable) A brief document detailing any instances in which your organization (or its contractors or subcontractors) have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.
 - No, our organization is a new entrant (in operation <3 years)
 - If so, please provide the following:
 - A brief document detailing how your organization will comply with federal labor and employment laws by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. Please ensure that the attachment is signed by a Company Officer / Director / Equivalent and complies with requirements as outlined in 47 U.S.C. §1702(h)(1)(A)(iv)(IV).

Note: File type uploads restricted to PDF

Commitments to Employment and Labor Laws (Optional)

- This is an optional section, no response is required by the applicant. Any response received will be treated as informational and not to be used for scoring purposes.
- If desired, your organization may submit a plan for demonstrating compliance with applicable laws that addresses how your organization (and your contractors and subcontractors) will maintain compliance in your labor and employment practices. If so, this plan may include:

1. **A description** of your organization's plans and any specific strategies your organization uses or will use to incorporate strong labor practices, which may include:
 - Using a directly employed workforce, as opposed to a subcontracted workforce;
 - Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;
 - Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project);
 - Use of local hire provisions;
 - Commitments to union neutrality;
 - Use of labor peace agreements;
 - Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);
 - Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and
 - Taking steps to prevent the misclassification of workers
2. **Information on applicable wage scales** and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network
3. **How your organization will promote the implementation of workplace safety committees** that are authorized to raise health and safety concerns in connection with the delivery of deployment projects; and
4. **Details on litigations** taking place within the past five years related to labor standards and the outcomes of these legal proceedings.

Section 9: Optional - Skilled Workforce and Equitable Workforce Development Plans

North Dakota BEAD Application

Section 9: Skilled Workforce

Optional – Response Not Required

Skilled Workforce

This is an optional section, no response is required by the applicant. Any response received will be treated as informational and not to be used for scoring purposes.

Subgrantees may choose to submit plans to support an appropriately skilled and credentialed workforce. For the purpose of the BEAD Program, “workforce” will encompass employees, contractors, and subcontractors that will be directly involved in BEAD-funded projects. Prompts for this plan include:

- Describe the ways you will ensure the use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers).
- Describe the steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure.
- Describe whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce.
 - Directly Employed Workforce
 - Subsidiary Workforce
 - Subcontracted Workforce
 - Mixed Workforce
- If utilizing a subcontracted / mixed workforce, please list the entities that the prospective subgrantee plans to contract and subcontract with in carrying out the proposed work.
- Is the entire project workforce unionized?
 - Yes, the entire project workforce – inclusive of subgrantee, contractor and subcontractor workforce – is unionized
 - No, some or all of the project workforce is not unionized
 - If so, please enter the overall size of workforce for the proposed project (Full-Time Employed Positions, inclusive of contractors and subcontractors)

Equitable Workforce Development Plans

This is an optional section, no response is required by the applicant. Any response received will be treated as informational and not to be used for scoring purposes.

- Describe your organization’s commitment to workforce diversification and equitable workforce development (e.g. diversity in hiring, promoting workforce inclusion, Diversity, Equity, Inclusion, and Accessibility Training). Provide specific examples of how your organization delivers on this commitment.

Additional Project Workforce Details - Non-Unionized Workforce

- If you have provided a response to the above optional prompts and the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the prospective subgrantee is requested to also provide the following optional information:
 - The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) required to carry out the proposed work over the course of the project and the entity that will employ each portion of the workforce;
 - For each job title a description of:
 - Estimated number of workers with this title
 - Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work),
 - Information on professional certifications and/or in-house training programs and how these mechanisms ensure that deployment is done at a high standard

Section 10: Optional - Minority Business Enterprises (MBEs)/ Women's Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion (Optional)

North Dakota BEAD Application	
Section 10: Minority Business Enterprises (MBEs) Women's Business Enterprises (WBEs) / Labor Surplus Firms Inclusion	Optional – Response Not Required

This is an optional section, no response is required by the applicant. Any response received will be treated as informational and not to be used for scoring purposes.

Prospective subgrantees have the option to attest that they are committed to ensuring minority businesses, women's business enterprises, and labor surplus area firms are used when possible, to certify that they will track and provide relevant data, and to provide a defined recruitment plan and formal commitment to M/WBE and LSA utilization.

- Your organization certifies of its own accord that it is committed to take the steps listed below to facilitate use of M/WBEs and LSAs as subcontractors, which may include:
 - Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and
 - Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
- ☐ I certify that our organization is committed to take the steps to facilitate use of M/WBEs and LSAs as subcontractors.
- Your organization certifies of its own accord that it is committed to tracking and providing data related to related to M/WBE and LSA inclusion efforts:
 - ☐ I certify that my organization intends to track M/WBE and LSA contract awards, amounts, and payments made to M/WBE and LSA subgrantees.
- Your organization has the option to upload a M/WBE and LSA Recruitment Plan describing how your organization will identify and include M/WBE and LSA in subcontracting opportunities. This plan can include any efforts that your organization will take to identify and remove barriers to minorities and women within its workforce and should explain your organization's decision-making processes related to hiring and recruitment.
- Your organization has the option to upload a formal letter from your organization's leadership affirming a commitment to M/WBE and LSA utilization.

Section 11: Natural Disaster Risk Mitigation

North Dakota BEAD Application	Statute
Section 11: Natural Disaster Risk Mitigation	47 U.S.C. §1702(g)(1)(C)

An assessment of relevant natural disaster data for the state of North Dakota indicates that while all regions have some element of risk, there are specific regions of the state that incur a higher risk for certain factors than others. To mitigate risks in vulnerable areas due to natural disaster risk profiles (e.g., wildfires, flooding, tornadoes, hurricanes, etc.), SBPO requires that applicants incorporate natural disaster-resilient designs and response planning into their proposed project as per 47 U.S.C. §1702(g)(1)(C).

- Please describe how your organization will incorporate natural disaster resilient design specific to the region / geography of the proposed project area.
- Please describe how your organization has / will develop timely responses to natural disaster events impacting the proposed project.
- By checking the box below, please certify on behalf of your organization the following:
 - ☐ I certify that the organization and its contractors and subcontractors, as a prospective subgrantee, will develop and submit to SBPO any requested designs, plans, or other documentation to mitigate risks in vulnerable areas due to natural disasters.

Section 12: Build America, Buy America

North Dakota BEAD Application	NTIA BEAD NOFO
Section 12: Build America, Buy America	Section VII.D.6

Prospective subgrantees must demonstrate how they intend to comply with all applicable Build America, Buy America Act (BABA) requirements as outlined by [Division G, Title IX of the Infrastructure Investment and Jobs Act \(IIJA\)](#). [The August 2024 guidance released by the NTIA](#) allows entities to self-certify and report BABA compliance.

- Please certify the following on behalf of your organization:
 - ☐ I certify on behalf of the organization that, in determining whether a product is produced in America, the prospective subgrantee will comply with definitions included in [Section 70912 of the Build America, Buy America Act](#).
 - ☐ I certify that all materials used for the proposed project shall have a valid Manufacturer's Certification affirming that the items provided by the manufacturer meet the domestic preference requirements of BABA.
 - ☐ I certify on behalf of the organization that all iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in the project or other eligible activities will be produced in the United States unless a waiver is granted.
 - ☐ I certify on behalf of the organization that BEAD funding will not be used 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 \(47 U.S.C. § 1608\)](#).
 - ☐ I certify on behalf of the organization that any BEAD funding for the project will not be used 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 the Assistant Secretary.

Section 13: Environmental and Historical Preservation

North Dakota BEAD Application	NTIA BEAD NOFO
Section 13: Environmental/Historical Preservation	Section VII.D.4

Per [Section VII.D.4 of the BEAD NOFO](#), prospective subgrantees must certify that they understand and acknowledge that they must comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).

- Please certify the following on behalf of your organization
 - ☐ I certify that my organization will comply with National Environmental Policy Act (NEPA) ([42 U.S.C. part 4321 et seq.](#)) and National Historic Preservation Act (NHPA) ([54 U.S.C. part 300101 et seq.](#)) and any other environmental or national historic preservation requirements.
 - ☐ I certify that my organization understands that NEPA analysis will be required for every project funded through the BEAD program and agrees to provide sufficient information to allow for NEPA analysis such as a detailed project description, including applicable supporting documentation.
 - ☐ I certify that my organization acknowledges the significance of minimizing the environmental and historic preservation impacts associated with construction in sensitive areas and will ensure that projects and eligible activities will be designed to minimize potential adverse impacts on the environment.
 - ☐ I certify that my organization understands that they are responsible for identifying and obtaining applicable Federal, State, and Local permits / approvals required to complete any BEAD program projects within the project implementation timeline.
 - ☐ I certify that I am aware that, should further details be needed post-application approval, SBPO/NTIA reserve the right to retain funds under a specific award condition until my organization provides the requisite details pertaining to environmental compliance.

Section 14: Final Submission

Additional Information

- If desired, please provide any additional information about your organization's proposed project not included in previous application responses. Information in previous responses should be as complete as possible; materials submitted in this section may be used to determine eligibility or scoring of an application if applicable.
- For example, Unlicensed Fixed Wireless Providers are encouraged to submit materials which address Appendix A of the policy notice using this section. Similarly, Low-Earth Orbit Satellite Providers are encouraged to submit materials to address Appendices B and C of the notice.

Confidentiality

- As noted at the beginning of the application, all documents deemed by the applicant to include confidential information, trade secrets, or personal information **MUST** be uploaded separately into the "Confidential Documents" field below. These documents must be uploaded as a single PDF and the file name must include the organization's name and the words CONFIDENTIAL INFORMATION.
- By checking the box below, please certify that all information contained in the application is true and accurate.
 - ☐ I certify on behalf of my organization that all information included in the application is true and accurate.