

# NEBRASKA BROADBAND EQUITY, ACCESS, & DEPLOYMENT

## Project Application Requirements

Complete each section of the PA in the NBEAD portal. All sections and questions are required. Please note that the wording of the questions in the portal may differ slightly, but the content is the same.

### Table 1. Applicant Information

1. Applicant name and Unique Entity Identifier (UEI)

1. DPA targeted

2a. Legal description of DPA

3. Person to contact with questions about this PA

4. Contact person's email address

5. Contact person's phone number

6. Brief description of the project (1,000 characters or less, with no commas or special characters)

7. Conditions: What conditions, if any, does the Applicant place on this PA? Please note that applications that include conditions will not be considered in PA Round 1 but will be put aside until Round 2.

### Table 2. BSLs Targeted

1. Download and complete the .csv file for the targeted DPA to include:

- a. a listing of all BSLs in the targeted DPA;
- b. the technology(ies) planned to be used for each;
- c. anticipated upload speed;
- d. anticipated download speed;
- e. whether the planned service will meet the definition of low latency;
- f. planned cost for each location to be served by the project;
- g. whether the location exceeds the NBO-defined Extremely High-Cost Threshold; and
- h. if there are any BSLs in the DPA for which service is not planned, additional information will be required, including:
  - i. reason for not serving;
  - ii. exception code;
  - iii. evidence type; and
  - iv. notes

Please note: If the targeted DPA includes any BSLs for which you have planned deployment with private funding, assign to them a cost of \$1.00.

### Table 3. Application Budget & Justifications

1. **Total cost for the project:** Provide a description of the total costs for your project. Ensure it reflects all eligible costs to enable the DPA with qualifying broadband speeds. Cost categories may include, but not be limited to, construction, permitting, material, electronics, labor, architectural and engineering fees, project inspection fees, mobilization, point of presence buildings, material and labor per lineal foot installed, and administrative and legal fees.

- a. Any property or equipment to be purchased with NBEAD funds must be identified in the PA budget. Match must also be included in PA budgets.

2. **Business plans:** Attach business plans and related analyses that substantiate the sustainability of the project described by the application. This can be provided in the

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form of pro forma statements or analyses, inclusive of cash flow and balance sheet projections and should include at least three (3) years of operating cost and cash flow projections post targeted completion of project.

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3. **Irrevocable letter of credit (ILOC):** Using Attachment 3, below, as a reference, indicate which of the options (A, B, C, D, E, or F) is preferred by the Applicant to address the ILOC requirements; and attach the required documentation as defined in Attachment 3.
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#### **Table 4. Service Details**

1. When do you plan to complete construction and begin offering broadband service to customers in the targeted DPA? Please be aware that your organization will be held to and assessed against this deadline.
  2. Have you provided broadband service within 100 miles of the targeted DPA? If yes, submit data regarding service availability delivered by the Applicant for an area within 100 miles of the targeted DPA.
  3. Provide a statement about whether the Applicant will offer nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide broadband service to end-user locations, at just and reasonable wholesale rates for the useful life of the subsidized network assets.
  4. If your project will include deployment of Middle Mile infrastructure, describe your plan to permit other broadband service providers to interconnect with its funded facilities on a just, reasonable, and nondiscriminatory basis.
  5. If the Applicant is new to broadband service delivery: Describe your planned network design inclusive of the electronics at each end and the technology to be installed.
  6. Provide a statement regarding the Applicant's commitment to provide the most affordable total price to the customer. If Applicant is planning a Priority Project, the commitment must be for 1/1 Gbps; and if for an Other Project, commitment must be for 100/20 Mbps. Either must be inclusive of taxes, surcharges, associated fees, equipment rental, and managed service fees. This should be non-promotional, rack rate pricing that is applicable to the DPA addressed by the application. Using the categories below, indicate the Applicant's planned price that meets these criteria.
    - i. Less than \$80
    - ii. \$80 > \$90
    - iii. \$90 > \$100
    - iv. \$100 > \$110
    - v. \$110 > \$120
    - vi. \$120 > \$130
    - vii. More than \$130
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- a. Will the price be adjusted annually based on the Consumer Price Index?  
\_\_\_Yes \_\_\_No
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- b. For how long, beginning the date you complete construction on the project and begin offering broadband service to customers in the targeted DPA, will you commit to offering the most affordable total price to the customer for 1/1 Gbps in the service area?
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#### **Table 5. Outreach Efforts**

1. Describe how you have and will continue to monitor for and comply with local, state, and federal laws.
    - a. If your project will address or pass through Tribal lands, include a description of how your organization has and will continue to comply with Tribal laws and coordinate with the Tribal government(s).
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2. Provide evidence of outreach and local coordination events: name and type of organization, meeting purpose, local plans reviewed and/or provided, meeting minutes, attendee lists, and discussion items.
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3. Provide letters of support from local and tribal entities within the targeted DPA: letters must include an individual's name, nature of support, date written, and signature.
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4. Will your project focus on or pass through tribal lands? If yes, describe and provide documentation of your efforts to secure a Resolution of Consent or other formal consent document from the relevant tribal government(s), including the present status of the discussions.

*Please note: If the project is approved for funding, you will have about 60 days from notification of provisional award to required submission of the consent documentation. Requirements of the Resolution of Consent are listed in the FAQs.*

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5. Provide a description about how the Applicant intends to notify relevant populations of the new or newly upgraded offerings available in the targeted DPA. How will you design the plans to reflect any unique needs of the specific demographics of the area at issue?
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6. Describe your plan for a Public Awareness Campaign targeting the relevant DPA to include, at minimum:
    - a. Information about low-cost service plans and any federal subsidies for low-income households such as the Lifeline Program, the Affordable Connectivity Program, and any successor programs;
    - b. How your campaign will be conducted in an equitable and nondiscriminatory manner; and
    - c. How the plan will utilize a variety of communications media (e.g., online, print, radio) and provide information in languages other than English when warranted based on the demographics of the community.
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#### **Table 6. Labor & Workforce**

1. Does the organization have qualified staff for all the necessary functions associated with the proposed activity, and is there adequate staff time available? If not, how does the organization plan to fill these gaps in personnel?
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2. Describe your plan to create equitable on-ramps into telecommunications jobs, focusing on recruitment of women and other historically marginalized groups.
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3. Submit your plan for ensuring compliance with federal labor and employment laws, including:
    - a. How will you ensure compliance in your labor and employment practices, as well as those of your subcontractors, including:
      - i. 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; and
      - ii. How the subgrantee will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.
    - b. Describe how you will build and develop a highly skilled workforce for your NBEAD project, to include:
      - i. The ways in which the subgrantee 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;
      - ii. 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;
      - iii. Whether the workforce is unionized;
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- iv. Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
  - v. A statement confirming the Applicant will submit to NBO a list of the entities with whom they plan to contract and subcontract in carrying out the proposed work.
  - vi. Whether the plan also includes ensuring the Applicant offers jobs that exceed the local prevailing wage for an industry in the region, offers benefits, and helps the employee develop skills for career growth.
- c. Provide the following information with respect to the non-union workforce:
- i. 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;
  - ii. For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
    - (1) 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), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and
    - (2) Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.
- d. A statement that you will provide the information detailed in items a, b, and c, above, for each subgrantee and/or subcontractor who will work on your NBEAD project to NBO in writing within 10 days of selection of subgrantees or subcontractors.
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4. Describe your plan for using a directly employed workforce, including information about the expected workforce balance between directly employed and subcontracted workforces and addressing the prospective subgrantee and its subcontractors.

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5. Describe how you and your subcontractors will prioritize hiring from local communities, whenever possible.

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6. Describe your plan to recruit and retain highly skilled workers and adhere to state and federal requirements related to prevailing wages for the industry in the region.

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7. Describe how you will utilize workers with the necessary job skills to meet safety requirements, appropriate assignment of roles, and equitable pay for the job description.

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8. Describe how you will employ individuals with the appropriate credentials for their positions, including matching of each job description and skill set with the hiring description. For roles requiring a particular educational or skilled credential, how will you (subgrantee and your subcontractors) strive to hire only credentialed workers for those roles?

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9. Describe how you and your subcontractors will work to prevent misclassification of workers, specifically ensuring correct categorizations as either employees or independent contractors.

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10. Describe your strategies for proving your NBEAD project will employ a skilled workforce, potentially to include partnering with registered apprenticeship programs or other joint labor-management training initiatives to cater to all workers. How do your strategies align with the needs of the project and industry standards?

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11. Describe the steps you will take to ensure that all project workforce members possess appropriate credentials (e.g., pre-existing occupational training, certifications, and licensures that are relevant to the project).

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12. Does your project require staff with specific certifications or licenses? If yes, specify how workers will be supported in obtaining these credentials, highlighting any partnerships with training providers or institutions offering relevant certifications.
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13. State your commitment to provide names and business license information of any subcontractors performing work on the NBEAD project to NBO within 30 days of subcontract execution.
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14. State your commitment to provide, for each subcontractor who will work on your project, a description of their organizational compliance with federal labor and employment laws on high-speed internet deployment projects for the three years prior to execution of the subcontract this information to NBO within 30 days of subcontract execution.
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15. Describe your compliance with federal labor and employment laws on broadband deployment projects in the last three years and your plans for continued compliance. If your organization is new to the market, provide specific, forward-looking commitments to strong labor and employment standards and protections with respect to NBEAD funded projects.
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16. Provide data on your historical use of contracting and subcontracting arrangements, including staffing plans.
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17. Describe how your organization meets occupational safety and health compliance requirements, including the use of worker-lead safety teams, conducting of safety meetings, and management engagement with the safety team. Ensure your plan also includes assurances that management will meet with worker-lead safety teams upon reasonable request.
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18. Certification and Disclosure
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- a. Provide certification from an Officer or Director-level employee (or equivalent) of the applicant, evidencing consistent past compliance with federal and employment laws by the applicant, as well as all contractors and subcontractors; and
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- b. Provide written confirmation that the applicant discloses any instances in which it has been found to have violated laws such as Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years (or since its inception, if less than three years); and
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- c. Provide written confirmation that the applicant will disclose any instances where its subcontractors have been found to have violated laws such as Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years (or since its inception, if less than three years).
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### Table 7. Environmental Requirements

Provide an environmental review by answering the questions below. The information provided below will allow NBO to determine the appropriate level of environmental review to be performed should the project be carried forward. NBO may request additional information if needed. **All answers need to be supported by appropriate documentation when applicable.** Links to resources that may be helpful in completion of this application form are provided in blue text, but this is not an exhaustive or comprehensive list of resources that may be used. **A complete National Environmental Policy Act (NEPA) review will be required prior to distribution of NBEAD Program funds. DO NOT begin any project construction prior to NBOs confirmation of the completed and approved NEPA review. Initiating any construction may jeopardize or compromise the completion of the NEPA process.**

A reliable resource to find information related to some of the questions below can be found at the [NTIA Permitting and Environmental Information Application GIS Map](#).

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1. **Photos and Map.** Please provide recent project location photographs along with an aerial location map showing the building/lot/exact location of the project. Indicate in detail on the location map any areas of potential trenching or other ground disturbing activities, electrical connections, or other relevant project information.

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  2. **Detailed Project Description.** Describe the proposed project. Provide as much detail of design as is currently known. Note that any major change in project description or activities may delay the NEPA process.

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  3. **Size of the Project and Site.** Please indicate the size (acres/linear distance [feet or miles]) of your project and how the project will impact adjacent and surrounding areas including roads, right-of-way, utilities, or other impacts. Example: Linear transmission projects should include linear feet/miles, number of installed structures/units, details regarding trenching or ground disturbance

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  4. **Ground Disturbance.** Will the project involve construction without any ground disturbing activities (i.e., replacing transmission lines)?
    - a. Please provide a description of the project area's current land use and description of the area (e.g., industrial, residential, wooded, grassland, etc.). If ground disturbance is expected to occur during project activities, please describe if the site was previously disturbed, and by what (e.g., previous structures, excavation, agriculture, etc.).

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  5. **Land Use.** Will the project result in a change in activities, land use, or zoning occurring at or along the project alignment? Describe the current zoning classification of the project area and how it may be altered.

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  6. **Cultural/Historical Resources.** Describe any historical, archeological, or cultural sites that are in the vicinity of the proposed project; note any sites that are included on the State/National Register of Historic Places. For this application, consultation with the Nebraska State Historic Preservation Office (NeSHPO) and any relevant Tribal Historic Preservation Officers (THPOs) is not required.  
[Nebraska Register of Historic Places](#)
    - i. Would the planned project activities disturb any historical, archeological, or cultural sites?
    - ii. Will the project be located within a Historic District?
    - iii. If yes, please list the Historic District Name.
    - iv. Would the project be located on or adjacent to tribal lands, lands considered to be sacred, or lands used for traditional purposes? If yes, describe any known tribal entities and resources within the project area. \
    - v. Have any Tribal Historic Preservation Officers been contacted? If so, please list the contacted tribes. Consultation is not required for this application.  
[Bureau of Indian Affairs: Lands Area of Federally Recognized Tribes Tribal Directory Assessment Tool \(TDAT\)](#)

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  7. **Biological Resources / Threatened and Endangered Species (T&E).**  
[USFWS Information for Planning and Consultation tool](#)
    - i. Complete a US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) report and upload with this application. Instructions for completing the report can be found in the FAQ/SOP.
    - ii. Are there federally threatened or endangered species or critical habitats within the project area?
    - iii. If yes, describe the listed species and/or critical habitat and impacts that may occur to these identified resources.
    - iv. Complete a Nebraska Game and Parks Commission (NGPC) Conservation and Environmental Review Tool (CERT) report and upload with this application. Instructions for completing the report can be found in the FAQ/SOP.  
[NGPC Conservation and Environmental Review Tool](#)
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- v. Are there state threatened or endangered species or Biologically Unique Landscapes (BUL) or areas of concern within the project area?
- vi. If yes, describe the listed species and / or areas of concern, and impacts that may occur to these identified resources.
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8. **Wetlands.** Does the project have the potential to impact wetlands?
- i. Please download map(s) with USFWS National Wetland Inventory (NWI) data, indicate the project location, and upload with this application. [USFWS National Wetlands Inventory](#)
- ii. Is it anticipated that a US Army Corps of Engineers permit will need to be obtained to complete this project?
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9. **Floodplains.** Is the project located in, or could the project have the potential to affect, a floodplain or floodway (100- or 500-year floodplain, regulatory floodway)?
- i. Please download a Federal Emergency Management Agency (FEMA) FIRMette map from the FEMA Flood Map Service Center, indicate the project location, and upload with this application. [FEMA Flood Map Service Center](#)
- ii. Is it anticipated that a floodplain permit will need to be obtained to complete this project?
- iii. If the project is located within a flood hazard area, what mitigation or design measures will be implemented to protect the new last-mile network equipment and power supply?
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10. **Prime Farmland.** Is the project located on prime, important, unique, or of local importance farmland?
- [U.S Department of Agriculture \(USDA\) – Natural Resources Conservation Service \(NRCS\) Web Soil Survey](#)
- i. If yes, has an NRCS Form [CPA-106](#) (Corridor Type Project) or [AD-1006](#) (All Other Projects) been completed for this project? If yes, upload a copy of the completed report.
- ii. Did the project have a total site assessment score of 160 or greater? Contacting the USDA-NRCS is not required for this application.
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11. **Hazardous Materials.** Does the project have the potential to impact any known potentially hazardous materials or actively permitted facilities?
- [Nebraska Department of Environment and Energy Interactive Mapping System](#)
- i. Will the project result in the disturbance of lead containing paint, asbestos containing material, or Polychlorinated Biphenyls (PCB) containing equipment (e.g., transformers, light ballasts, oils)?
- ii. If yes, explain.
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12. **Environmental Justice.** Does the project as proposed have the potential to adversely impact minority populations, low-income populations, and/or limited-English proficient populations?
- i. If yes, explain.
- ii. Is the project wholly or partially located within a disadvantaged tract?
- iii. If yes, provide the tract information and the category(s) of burden in which it is considered disadvantaged. If the tract was disadvantaged in a previous version and no longer meets any disadvantage criteria, indicate this in the text box.
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13. **Air Quality.** Is the project area in non-attainment for any criteria pollutants according to the National Ambient Air Quality Standards and the Clean Air Act? (As of 2001, all counties in Nebraska are considered to be in attainment for all criteria pollutants.)
- [EPA Green Book: Nebraska Nonattainment/Maintenance Status by County](#)
- i. Will the project cause emissions such as construction exhaust, dust, suspended particles, or other air pollutants during construction or operations?
- ii. If yes, please explain the emissions and what Best Management Practices (BMPs) will be used to minimize.
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- iii. Will the project, when completed, result in a substantial increase of CO<sub>2</sub> or other greenhouse gasses that may impact the global climate?
- iv. If yes, please explain.
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14. **Surface Water and Water Quality.** Will the project as proposed disturb more than 1.0 acre of ground? If yes, a Stormwater Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES) Construction Storm Water (CSW) permit will be required. (If the project is located on federally recognized Tribal land, an EPA SWPPP and permit will also need to be developed.)
- i. Does the project have the potential to impact any impaired waterways?  
[EPA How's My Waterway](#)
- ii. If yes, describe the resource and the source of its impairment (why is it considered impaired?).
- iii. Is the project located within a Wellhead Protection Area? [Nebraska Department of Environment and Energy Interactive Mapping System](#)
- iv. If yes, provide the Wellhead Protection Area ID and name.
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15. **Traffic and Noise.** Will the project require the construction or new roadways or rerouting or alteration of existing roadways?
- i. Will the project result in an increase in noise that rises above currently existing levels?
- ii. If yes, please explain.
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16. **Coastal Zone Management.** Does the project affect Coastal Resources (including the Great Lakes areas) including impact to a coral reef (Coastal Barrier Resources System or Coastal Zone Management Areas)? (Nebraska has no coastal resources or areas.)  
[USFWS Coastal Barrier Resources System Mapper](#)  
[National Oceanic and Atmospheric \(NOAA\) Coastal Zone Management Areas](#)
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17. **Climate Change/Resiliency.**
- i. What criteria will be used to select the planned technology platform(s), and how will they be designed to withstand the climate risks that might be specific to the project area (i.e., flooding, drought conditions, winds, others)?
- ii. How will the existing and proposed infrastructure at the project location be adapted to ensure resilience against the climate risks potentially affecting the area?
- iii. Describe how the hub locations for this project were selected, considering the specific climate hazards that are present in the area.
- iv. Additionally, outline the risk level associated with these hubs based on the Nebraska Hazard Mitigation Plan.
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18. **Classified Lands.**
- i. Is the project located on or in close proximity to classified lands, such as State/Federal Parks, Monuments, Natural Landmarks, Wilderness Areas, Wild and Scenic Rivers, State Lands, National Forests, etc.? [USGS Protected Area Database](#)
- ii. If yes, please detail the resources present in the project area.
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19. **Presumed Categorical Exclusion.** Please identify the Categorical Exclusion (CE) for which this project is expected to qualify.  
NTIA currently has 47 CE's available to use for the BEAD Program. Available CE's can be found in **Appendix B** of the BEAD Program's [Guidance on NTIA National Environmental Policy Act Compliance](#).
- i. Please identify and describe whether the project has the potential to have an Extraordinary Circumstance that may preclude the use of a CE.  
The full list of Extraordinary Circumstances can be found in **Appendix C** of the BEAD Program's [Guidance on NTIA National Environmental Policy Act Compliance](#).
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**Table 8. Minority Business Enterprises and Women’s Business Enterprises**

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1. Describe your organization’s historic commitment to recruiting and retaining Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs).

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2. Provide a plan outlining the affirmative steps your organization will take to address the following:
  - a. Place qualified small and minority businesses and women’s business enterprises, on solicitation lists;
  - b. Assure that small and minority businesses women’s business enterprises are solicited whenever there are potential sources;
  - c. Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises;
  - d. Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises; and
  - e. Use the services and assistance, as appropriate, of organizations such as:
    - i. Small Business Administration (SBA) – <https://sba.gov>
    - ii. Senior Corp of Retired Executives (SCORE) – <https://www.score.org>

Minority Business Development Agency of the US Department of Commerce - <https://mbda.gov>.

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**Table 9. Project Design**

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Describe the Applicant’s experience and ability to deliver broadband service that meets the requisite performance requirements for all locations served by the project, to include the following:

1. Network Design: documentation depicting the network architecture, the arrangement of the nodes and connections in the network and the physical means by which data is transmitted within the network.

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  2. (Network) Diagram: documentation depicting the overall structure of the network showing the equipment types, the placement of the equipment, and the physical media connecting each device and the maximum speeds supported by each connection.
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3. Build-out Timeline and Milestones for Project Implementation: The work plan will incorporate project lanes spanning across multiple functional categories to ensure the network is built, tested, operationally validated, and marketed for adoption. The timeline will also reflect the capital investment schedule and milestones documenting buildout completion and initiation of service within four years of the subgrant execution date. Project lanes and associated milestones may include, but not be limited to the following:
- Project
    - Detailed Engineering plan: NBO approval of detailed project budget, engineering plan, and schedule as an addendum to the executed subgrant agreements.
    - Permitting/Make Ready: Proof that necessary permits have been requested filed with the NBO. Fully executed contracts by all required parties must be submitted to NBO to consider this milestone achieved.
    - Material & Equipment Procurement: Proof of binding agreement to acquire BABA-compliant equipment prior to start of construction.
  - Buildout
    - Network Deployment: Provider certification and NBO completion of a technical and compliance audit that the provider has reached the following buildout milestones:
      - 10% of Project BSLs
      - 35% of Project BSLs
      - 60% of Project BSLs
      - 85% of Project BSLs
      - 100% of Project BSLs and NBO's approval of Subgrantee's completion report
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4. Provide certification 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.
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5. Will your project include underground installation? If yes, your network must include excess conduit capacity and regular conduit access points for interconnection by others. Describe your plan to meet these requirements, including a rationale for each aspect of your plan.
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