



CONNECT new mexico

Office of Broadband Access & Expansion

Application

New Mexico

Broadband Equity, Access, and Deployment Program (BEAD)

July 3, 2025

Version 1.4

Email for Questions: broadband@connect.nm.gov

Note: All applications must be submitted via the online Submittable application portal. This PDF version has been posted to inform applicants about the questions and allow for early planning.

Version History		
Version	Publication Date	Summary of Changes
1.0	December 6, 2024	Initial publication
1.1	January 2, 2025	Add section 12(F), correct typos and section numbering
1.2	February 24, 2025	Update section 3(E) "BSLs by Low-Income Status Percentage"
1.3	March 17, 2025	Update section 3(E) "BSLs by Low-Income Status Percentage"; Update 16(D) "Bankruptcy Opinion Letter"
1.4	July 3, 2025	Updates for the Benefit of the Bargain round

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Overview

The Office of Broadband Access and Expansion (OBAE) requires prequalified applicants to complete the following application to request grant funding from the New Mexico BEAD Program in the Benefit of the Bargain round. OBAE will review and evaluate only those applications deemed fully responsive to ALL the listed questions.

➤ Uploads

The application requests many uploads. These are divided between OBAE-provided templates and applicant-developed submissions.

OBAE-Provided Templates

- Model Letter of Credit
- Sample Engineer Certification
- BEAD-Eligible Locations and CAIs CSVs
- Project Timeline Template
- Budget Narrative Template
- Pro Forma Template
- Detailed Project Budget Template
- Technology-Specific Technical Specifications Templates
- No-BEAD Locations Templates

Applicant-Developed Submissions

- Proof of Tribal Consent (if relevant)
- Professional Engineer Certification
- Professional Engineer Credentials
- Network Map (PDF format)
- Network Map (spatial data version)
- Support Letters
- Evidence of Matching Support
- Letter of Credit or Performance Bond
- Bankruptcy Opinion Letter
- Letter from Company Holding Certificate of Authority
- Narrative and History Regarding Environmental Non-Compliance
- No-BEAD Locations List and Evidence

Application Submission

➤ Application Window

The application window for the Benefit of the Bargain round runs from July 7, 2025, to July 18, 2025.

➤ Application Submission: Submittable

Applicants are required to submit an electronic application through the Submittable portal. This printed version aims to inform potential applicants about the questions and format of responses.

➤ Program Resources

Please refer to the following documents for additional background about the New Mexico BEAD Program.

- ***NTIA BEAD Restructuring Policy Notice:*** The Policy Notice modifies and replaces certain requirements outlined in the BEAD Notice of Funding Opportunity (NOFO). Each Eligible Entity must comply with this Policy Notice to gain approval of its Final Proposal from the Assistant Secretary of Commerce for Communications and Information. The BEAD Restructuring Policy Notice supersedes all other guidance documents relating to New Mexico's BEAD application process. If guidance provisions of other components of New Mexico's BEAD application process are not addressed in the Policy Notice, applicants should consider them in full force and effect and are responsible for reviewing OBAE BEAD materials to ensure compliance. If applicants are unsure which guidance applies, please contact OBAE for technical assistance via email at broadband@connect.nm.gov.
- ***OBAE BEAD Benefit of the Bargain Round Application Materials:*** Pursuant to the Policy Notice, OBAE has published an updated application, scoring guide, and templates for the Benefit of the Bargain Round.
- ***Frequently Asked Questions (FAQ):*** During the application submission round, applicants may submit questions to broadband@connect.nm.gov. OBAE will respond to these questions within 48 hours and publish responses to the [BEAD FAQs](https://connect.nm.gov/bead-faq.html) page on the OBAE website (<https://connect.nm.gov/bead-faq.html>). The last day to submit questions is Tuesday, July 15, 2025.
- ***OBAE BEAD Office Hours:*** Beginning Wednesday, July 2 and continuing through the Benefit of the Bargain round, OBAE will host Office Hours every Monday, Wednesday, and Friday from 10-10:30am. During Office Hours, BEAD Coordinator Andrew Wilder will be available to answer questions and provide technical assistance to prospective applicants and other interested stakeholders.

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Directions: Please provide all responses in the entry field for each question. Some questions designate a word limit.

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1. Applicant Background

Applicant Background		
A. Name		
Organization Legal Name		
Organization "Doing Business As" Name (DBA)		
Organization Address		
Organization Website		
B. Identification Number		
Federal Employer Identification Number (EIN)		
Organization FCC Registration Number (FRN) (if applicable)		
Organization Unique Entity Identifier (UEI)		
C. Primary and Secondary Contacts		
	Primary Contact	Secondary Contact
Name		
Title		
Phone Number		
Email Address		
D. Organization Type		
Entity Type (Please select one)	<input type="checkbox"/> ILEC <input type="checkbox"/> Non-ILEC Service Provider <input type="checkbox"/> Cooperative <input type="checkbox"/> Local Government Entity <input type="checkbox"/> Tribal	
E. Consortium		
Indicate whether the organization is applying as the lead applicant of a consortium	<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please list all members of the consortium.		

2. Project Background

Project Background

A. Project Title

Note: Please follow the format “Organization Name – Tech Type – PAU(s)/County(ies)/Region Targeted”

Examples: “ABC Internet Company – FTTH – Estancia 01 PAU” or “XYZ Electric Coop – Hybrid Fiber/Fixed Wireless – Bernalillo and Santa Fe Counties”

Project Title

B. Technology Selection

Project Type

Priority Broadband Project*

Non-Priority Broadband Project

* Priority Broadband Projects must employ technologies in the project proposal that meet the technical performance requirements in the NOFO, as redefined by NTIA’s BEAD Restructuring Policy Notice (June 6, 2025) and the IIJA statute.

Technology Type

(Please check ALL that apply)

Fiber

Cable Modem/Hybrid Fiber-Coaxial (HFC)

Licensed Fixed Wireless (LFW)

Hybrid of Licensed and Unlicensed Fixed Wireless (Licensed by Rule)

LEO Satellite

Unlicensed Fixed Wireless (ULFW)

Other

C. Budget, Grant, and Match Overview

Total Project Budget (\$) (rounded to nearest cent)

\$

Grant Requested

\$

Grant % of Budget

%

Matching Contribution

\$

Match % of Budget

%

D. Project Economics

State the total cost per BSL.

Indicator

Amount

Total Cost per BSL

\$

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Note: The total cost reflects the total budget size. The BSL reflects all BSLs passed and/or covered by the network technology

Match Cost per BSL	\$
Grant Cost per BSL	\$

Note: For wireline projects, consider all BSLs passed. For fixed wireless and LEO projects, only consider those BSLs that are being targeted for connectivity.

E. Project Overview

Please provide a description of the project, including a) technology; b) service offerings; c) need for grant support; d) matching contribution and sources; e) deployment timeline; f) strategies to support long-term technical and financial sustainability. (1000-word limit)

3. Selection of Project Area Units and Broadband Serviceable Locations

Section of PAU(s) and BSL(s)

A. Rationale for Targeting PAU(s)

Please state the reasons for selecting the specific PAU(s).
(500-word limit)

Note: The NOFO discussed the scoring methodology and ranking system, which may lead to a provisional award for an applicant that overlaps with one or more PAUs. In this case, you will remain under consideration for the remaining PAUs.

B. PAUs Overview

Number of PAUs selected
for this application

Please indicate whether any
of these PAUs are
contiguous.

- Yes
- No
- N/A (single PAU selected)

Please indicate whether any
of these PAUs are
designated High-Cost Areas.

- Yes
- No

C. Upload of PAU CSV Files

Please upload the generated CSV files from the PAU selector tool. This tool allows you to choose every PAU you wish to include in your project and identify the specific unserved BSLs targeted for connectivity through the project budget. You may also upload CSVs generated manually, as long as they match the formatting output by the PAU selector tool.

Click to Upload

PAU CSV File(s)

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D. Ineligible for BEAD Funding

Has the applicant identified any locations in the PAU CSV File that are ineligible for BEAD funding or any non-BSLs in the project area? [___] Yes
[___] No

How many locations that are ineligible for BEAD funding and/or are non-BSLs has the applicant identified?

Using the provided template, identify locations that are ineligible for BEAD service or are non-BSLs. Populate the required NTIA reason code and, if required, the location type, evidence type, and FCC Location Challenge ID.

Click to Upload

No BEAD Locations CSV File

Upload one zipped file containing evidence for each location the applicant has identified as ineligible for BEAD funding or as a non-BSL.

Click to Upload

No BEAD Locations Evidence

E. Community Anchor Institutions

Note:

Passings or Coverage of CAI Locations: If funding remains, CAI locations may be considered for funding.

For Wireline Projects: Please state whether the proposed wireline project passes any CAI locations. [___] Yes
[___] No

For Fixed Wireless and LEO Projects: Please state whether the proposed network covers any CAI locations. [___] Yes
[___] No

Identify eligible CAIs served by the proposed project by uploading a CSV with the following columns populated for each served CAI: "cai_unique id", "cai_name".

The full eligible CAI dataset can be found here on the NM OBAE website.

Click to Upload

BEAD CAIs CSV

Upload a technical narrative as a PDF detailing how the proposed infrastructure will deliver service that reliably meets or exceeds the program required speeds and latency for all proposed BSLs as defined in the Scoring Rubric and all CAIs in the project area as outlined in the BEAD NOFO pp. 64-65

F. Served Locations

Note:

Passings or Coverage of Served Locations: The New Mexico BEAD NOFO states that served locations may only be considered if those locations cannot be avoided and are therefore free of incremental deployment costs. Please note OBAE will closely review the necessity of passing such served locations to ensure the efficient use of BEAD funds. These locations must be less than 20% of the total targeted BSLs.

For Wireline Projects: Please state whether the proposed wireline passed any served locations. [___] Yes
[___] No

For Fixed Wireless and LEO Projects: Please state whether the proposed network covers any served locations. [___] Yes
[___] No

Please certify that these served locations cannot be avoided.

- The designated authorized organizational representative (AOR) certifies that passing and/or covering these served locations cannot be avoided.

Please certify that these served locations do not involve incremental costs in the project budget and that any deployment to these served locations will not be funded by the BEAD project unless explicitly approved by OBAE.

- The designated authorized organizational representative (AOR) certifies that these served locations do not involve incremental costs in the project budget and that any deployment to these served locations will not be funded by the BEAD project unless explicitly approved by OBAE.

4. BSL Coverage Percentage (Full or Alternative Percentage)

BSL Coverage Percentage (Full or Alternative Percentage)

A. Exercising Alternative Percentage

Please state whether you are choosing an Alternative Percentage for any PAU. [___] Yes
[___] No

B. Specific PAUs Designated for Alternative Percentage

PAU ID	Alternative Percentage Elected	Percentage
	[___] Yes [___] No	
	[___] Yes [___] No	
	[___] Yes [___] No	
	[___] Yes [___] No	

C. Acknowledgement Regarding Selection of Competing Applications

Certification: Please certify that you recognize that in deciding among competing applications covering the same general project areas, the OBAE may select a proposal that is not the lowest-cost option for a given set of BSLs but is part of the combination of selected projects with the lowest overall cost to the Program. If an application to serve the same general project area proposes a project cost within 15% of the lowest-cost proposal received for that same general project area on a per BSL basis, the OBAE must evaluate such competing applications based on secondary criteria. (BEAD Restructuring Policy Notice pp. 12-13)

- The Authorized Organizational Representative acknowledges that awards will be made based on the BEAD Restructuring Policy Notice criteria: Minimal BEAD Program Outlay and Secondary Criteria.

5. Facility Placement and Operations on Tribal Land

Facility Placement and Operations on Tribal Land

A. Involvement of Tribal Lands

Please indicate if the proposed project includes construction or operations on federally recognized Tribal lands.

[___] Yes

[___] No

B. Specific Tribal Lands Impacted

Please state the specific federally recognized tribal lands involved.

C. Proof of Tribal Consent

Please indicate whether you have received proof of tribal consent for each Tribal government authority whose land is involved.

[___] Yes

[___] No

Please upload documentation that indicates clear Tribal consent for this specific project.

Tribal Consent Letter(s)

Click to Upload

D. Tribal Certification

- The Authorized Organizational Representative certifies that the applicant will engage with the relevant Tribal authorities and commits that if awarded, applicant will provide a binding Resolution of Consent prior to receiving final award.

6. Network Metrics

Network Metrics		
A. Fiber Metrics		
Total Fiber Miles		
Miles by Placement (should equal total miles)	Aerial	Buried
Miles by Network Purpose (should equal total fiber miles)	Last Mile	Middle Mile
Miles by Type of Development (should equal total fiber miles)	Greenfield (new construction)	Upgraded
Interconnection Points	Number of Interconnection Points	Average Distance Between Interconnection Points

7. Technology and Network Design

Technology and Network Design

A. Middle-Mile Network Spans Utilized for Project

In the checkbox, please certify that any middle-mile segments in your network design are only included because they are necessary to enable last-mile deployment to unserved locations.

- The Authorized Organizational Representative certifies that any middle-mile segments in the applicant's network design are only included because they are necessary to enable last-mile deployment to unserved locations.

B. Professional Engineer Certification and Credentials

Provide a signed certification from an independent Professional Engineer (PE), licensed in New Mexico, certifying that the proposed network: 1) can be successfully executed within the program timeline; 2) meets all program requirements; 3) meets all performance commitments purported by the applicant. The PE certification must reference the specific project title as identified in section 2A.

Click to Upload

Professional Engineer Certification

Please upload the Professional Engineer's licenses, as well as any written reports, letters, or analysis provided by the engineer regarding the proposed project.

Click to Upload

Professional Engineer Credentials

C. Technology-Specific Templates

All applicants are required to complete the technology-specific templates that aligns with the technology or technologies utilized in the proposed project. For applicants applying for Priority status, the technologies employed in the project proposal must meet the technical performance requirements in the BEAD NOFO, as redefined by NTIA's [BEAD Restructuring Policy Notice](#) (issued June 6, 2025), and the statute.

Using the LEO evidence template and instructions, upload descriptions of the proposed project's technical specifications and design.

Click to Upload

If you are a LEO provider, you may provide a financial certification letter from NTIA in lieu of the financial statements.

Click to Upload

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<p>Using the ULFW evidence template and instructions, upload descriptions of the proposed project's technical specifications and design.</p>	<p>Click to Upload</p>
<p>Using the LFW evidence template and instructions, upload descriptions of the proposed project's technical specifications and design.</p>	<p>Click to Upload</p>
<p>Using the HFC evidence template and instructions, upload descriptions of the proposed project's technical specifications and design.</p>	<p>Click to Upload</p>
<p>Using the fiber evidence template and instructions, upload descriptions of the proposed project's technical specifications and design.</p>	<p>Click to Upload</p>

8. Network Map

Network Map

A. Network Map of Proposed Project Area

Network Map: Please include a detailed network map that covers every PAU. Maps should be included in both PDF version and a spatial data version as an electronic attachment. Preferred filetypes are .gdb and .shp; .kmz, or .kml filetypes will also be accepted but are not preferred. Please see infrastructure type specific instructions below.

- 1) Wireline Project:** Please include a route map that shows: a) IDs and boundaries of PAU(s) being targeted; b) lateral miles and middle-mile (different colors); c) all locations targeted by the network (unserved, underserved, served, CAIs, and MDUs); d) all interconnection points with middle-mile and colocation facilities; e) names of places, boundaries, buildings, road/street names or other features that identify the project coverage area; f) location of any existing and leased facilities (separately color-coded). For middle-mile, please include: meet-me points with last-mile networks; points of interconnection with Internet backbone (e.g., carrier hotel); community access points; g) required right of way usage.
- 2) Fixed Wireless Project:** The coverage map should show: a) coverage area; b) location of all towers and base stations; c) all locations targeted by the network (unserved, underserved, served, CAIs, and MDUs), d) backhaul between the base stations to aggregation points (e.g., fiber spans or microwave links); e) backhaul link to the Internet backbone; f) location of any existing and leased facilities (separately color-coded).

Click to Upload

Network Map (PDF format)

Click to Upload

Network Map (spatial data version)

9. Service Offerings

Service Offerings

A. Service Packages

Summary Narrative: Please upload documentation of the following: a) speed tiers for residential, business and other targeted customer segments; b) price for each tier; c) other recurring fees (e.g., Wi-Fi router rental); d) non-recurring charges (e.g., equipment, installation, and any other non-recurring fees); e) policy on ability to purchase unbundled Internet (i.e., broadband service without having to purchase other services); f) specific contractual terms required to purchase service; g) any restrictions.

Click to Upload

Service Packages

B. Speed of Network: *(Secondary Scoring Factor)*

What are the maximum speeds the proposed network will deliver? Up to 90 points.

- At least 2 Gbps symmetrical will receive 90 points.
- At least 1 Gbps symmetrical will receive 75 points.
- At least 500 Mbps symmetrical will receive 50 points.
- At least 100 Mbps symmetrical will receive 25 points.
- At least 100 Mbps download over at least 50 Mbps upload will receive 15 points.
- At least 100 Mbps download over at least 20 Mbps upload will receive 0 points.

10. Low-Cost Service Option

Low-Cost Service Option

A. Participation Commitments

- The Authorized Organizational Representative commits to providing a low-cost service option (LCSO) that offers speeds of at least 100/20 Mbps and latency performance of no more than 100 milliseconds and that is available to any household seeking to subscribe to broadband internet access service that is eligible for the FCC's Lifeline Program. Applicants that already offer a low-cost plan that meets these service requirements may satisfy the LCSO requirement by proposing to offer their existing low-cost plan to eligible subscribers.

At what price does the applicant expect to offer its low-cost service option (LCSO)?

11. Community Support and Local Partnerships

Community Support

A. Uploading of Letters of Support

Please upload any documents of support from stakeholders in the proposed project area.

Click to Upload

Support Letters

12. Project Schedule

Project Schedule

A. Speed to Deployment *(Secondary Scoring Factor)*

Speed to Deployment: How many months does the applicant require to complete the project, including build-out and initiation of service? Note that this commitment is binding and subject to technical evaluation of network and project materials. Up to 10 points will be awarded if the applicant demonstrates that it will complete deployment in 36 months or less.

B. Uploading of Project Timeline Template

This template delineates all major categories of planning and deployment phases of a broadband network. For each category, the applicant is required to list all activities with planned start and end dates and a brief description of must reflect a construction and installation process of no longer than four years.

Click to Upload

Project Timeline Template

C. Reliability and Resilience Certification

- The Authorized Organizational Representative (AOR) certifies that the applicant will incorporate best practices defined by NTIA for ensuring reliability and resilience of broadband infrastructure by establishing risk management plans that account for technology infrastructure reliability and resilience, including from natural disasters (e.g., wildfires, flooding, tornadoes, hurricanes, etc.), as applicable, as well as cybersecurity best practices.

13. Matching Contribution

Matching Contribution

A. Match Overview

Match Overview Narrative: Please provide a narrative that describes the: a) match amount and percentage; b) match type (cash and/or in-kind); c) match sources; d) type of evidence provided regarding the match contribution. (500-word limit)

B. Cash vs. In-Kind Metrics

Match Type	Cash		In-Kind	
Note: Percentage reflects proportion of TOTAL BUDGET	\$ _____	% _____	\$ _____	% _____

C. Match Amount and Percentage by Contributor Type

	Contributor Type	Cash		In-Kind	
Please specify the amount and percentage of matching contribution by type of match. Note: Percentage reflects proportion of TOTAL BUDGET	Internal	\$ _____	% _____	\$ _____	% _____
	Private Party (e.g., debt)	\$ _____	% _____	\$ _____	% _____
	Local Community	\$ _____	% _____	\$ _____	% _____
	Federal	\$ _____	% _____	\$ _____	% _____
	State	\$ _____	% _____	\$ _____	% _____
	Other	\$ _____	% _____	\$ _____	% _____

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D. Match Sources

For every matching contribution, please list contributing entity, match amount, percentage (of budget), match type, and acknowledgment of evidence.

Contributing Entity	Match Amount	Percentage of Budget	Match Type (Cash or In-Kind)	Evidence Submitted
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No
	\$ _____	% _____	<input type="checkbox"/> Cash <input type="checkbox"/> In-Kind	<input type="checkbox"/> Yes <input type="checkbox"/> No

E. Evidence to Substantiate Match Source

Please attach a single file for all documentation that substantiates the matching support.

Click to Upload

Evidence of Matching Support

F. Request for Match Waiver

A lower match percentage may be considered. Match waivers require justification regarding the extenuating circumstances.

Note: Only PAUs designated as High-Cost do not require a matching contribution.

Please state whether you are requesting a match waiver

Yes

No

Justification of Match Waiver: Please upload a detailed narrative that describes the basis for seeking a match waiver.

Note: OBAE will carefully review the evidence and data to determine if the waiver is justified based on the extenuating circumstances. Please note that your match level is part of the validation and project proposals that commit to meeting at least minimum matching requirements will be processed first. If provisionally awarded, projects that seek match waivers will be submitted to NTIA along with the waiver justifications. Final award will be subject to NTIA approval.

Click to Upload

Match Waiver

G. Supplementary Funding from the State

Should additional funding be authorized by the New Mexico Legislature for matching assistance or deployment to additional eligible locations, please state whether your organization would be interested in such funding. By selecting “Yes,” you are authorizing OBAE to utilize this application as an application for a future state grant award. Such award, if issued, would be subject to any applicable state laws and restrictions applied by the Legislature.

Please state whether you would be interested in this supplemental funding. Yes
 No

14. Project Budget

Project Budget

A. Detailed Project Budget

Please upload a detailed project budget and narrative using the provided [Project Budget Templates](#). The budget should show all required units of material and labor, cost per unit, total cost for each line item, and a brief description of the line item. For those applicants seeking grant funding for multiple PAUs, a separate budget template must be completed for every PAU in addition to a rolled-up budget for the entire project.

Click to Upload

Budget Narrative Template(s)

Click to Upload

Detailed Project Budget Template(s)

B. Budget Comparison: Applicants Seeking Alternative Percentage

OBAE aims to drive universal service across all unserved and underserved locations. Nevertheless, as the NOFO states and pursuant to the [BEAD Restructuring Policy Notice](#), certain locations in a PAU may not be targeted by the applicant due to excessive costs and/or other barriers. For this section, please provide the estimated cost of serving 100% of the eligible (unserved and underserved) BSLs and CAIs lacking gigabit symmetrical service for each PAU. OBAE will use this data not only to evaluate the merits of choosing an alternative percentage, but also for negotiations about potentially extending a provisionally awarded network to cover these left-out BSLs.

PAU ID	Total Cost for Alternative Percentage	Estimated Total Cost for 100% Coverage	Percentage Increase
	\$	\$	%
	\$	\$	%
	\$	\$	%
	\$	\$	%

15. Financial Sustainability

Financial Sustainability

A. Pro Forma Financial Statements

Pro Forma Financial Statements: Please provide detailed financial forecasts for the first 15 years of the project, including: a) income statement; b) cash flow statement; c) balance sheet. These financial statements should be for this project only. The numbers should be consistent with other financial information provided in the application – e.g., Project Budget, Matching Contribution, etc.

Click to Upload

Pro Forma Financial Statements

B. Pro Forma Business Plan Narrative

Pro Forma Business Plan Narrative: Please explain the Pro Forma Business Plan assumptions regarding take-rates, churn, revenue per user, operating expenses, cash flow, and capital expenditures, and detail any anticipated financial challenges.

16. Institutional Financial Backing

Institutional Financial Backing

A. Letter of Credit/Performance Bond Waiver

NTIA requires that the initial amount of the letter of credit be 25% of the subaward OR the initial amount of the performance bond be 100% of the subaward. However, NTIA allows a waiver to this requirement, allowing the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when: a) an Eligible Entity issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO; AND b) the reimbursement is for periods of no more than six months each.

A subgrantee requesting this waiver must commit to maintain a letter of credit or performance bond in the amount of 10% of the subaward until it has demonstrated to satisfaction of the Eligible Entity that it has completed the buildout of 100 percent of locations to be served by the project or until the period of performance of the subaward has ended, whichever occurs first.

Do you wish to request this waiver?

Yes

No

B. Tribal Letter of Credit Waiver

OBAE recognizes the unique sovereign status of New Mexico's twenty-three Tribes and Pueblos. In addition to NTIA's letter of credit guidance for subgrantees, OBAE will allow a letter of credit waiver from Tribal entities. The waiver will require self-certification by council resolution, and the waiver only applies to the letter of credit. Other financials reviews must be completed during the pre-qualification and curing processes. Do you wish to request this waiver?

Yes

No

If yes, please upload documentation of self-certification by council resolution.

[Click to Upload](#)

Self-Certification by Council Resolution for Tribal Letter of Credit Waiver

C. Letter of Credit or Performance Bond

Provide a letter from a bank or credit union confirming the commitment to issuing an irrevocable standby letter of credit (ILOC) for 25% of the subaward, or a performance bond issued by an insurance or surety company holding a certificate of authority as an acceptable surety (See Department of Treasury Circular 570) for 100% of the subaward.

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If you elected a waiver in Question 16A, please submit the letter of credit or performance bond to be 10% of the subaward amount.

Click to Upload

Letter of Credit or Performance Bond

D. Bankruptcy Opinion Letter

If subgrantee applicant provides a letter of credit, please provide a bankruptcy opinion letter from legal counsel that states the letter of credit is drafted in such a way that under a Title 11 bankruptcy proceeding, the bankruptcy court would not treat the letter of credit or proceeds from the letter of credit as “property” of the subgrantee’s bankruptcy estate under Section 451 of the United States Bankruptcy Code.

Note: This document can also be provided at the time the applicant provides the irrevocable standby letter of credit.

Click to Upload

Bankruptcy Opinion Letter

17. Project Execution and Managerial Experience

Managerial

A. Managerial Capabilities

Provide a narrative detailing the applicant's managerial capabilities and ability to complete a successful BEAD project, with specific reference to the uniqueness of the project. (500-word limit)

18. Labor and Workforce

Labor and Workforce

A. Estimated Jobs

Provide an estimate of the total number of employment opportunities (full-time equivalent) created by this project.

Estimate Number of Full-Time Equivalent Employment Opportunities: _____

B. Compliance History

In the checkbox, please provide a certification from an Officer/Director-level employee, or an equivalent, that the applicant certifies that it is in compliance with Federal labor and employment laws.

- The Authorized Organizational Representative certifies that the applicant is in compliance with Federal labor and employment laws.

19. Self-Certifications

Self-Certifications

A. Performance Requirements

- The Authorized Organizational Representative certifies that at the time of project closeout, all proposed BSLs shall be capable of receiving service with speeds of not less than 100 Mbps for downloads and 20 Mbps for uploads with 95 percent of latency measurements during testing windows falling at or below 100 milliseconds round-trip time.
- The Authorized Organizational Representative certifies that at the time of project closeout, grant funded connections to proposed Eligible Community Anchor Institutions shall be capable of delivering service at speeds not less than 1 Gigabit per second for downloads and 1 Gigabit per second for uploads with 95 percent of latency measurements during testing windows falling at or below 100 milliseconds round-trip time. Additionally, the subgrantee applicant certifies that these grant-funded connections can be used to provide business data services, which refers to the dedicated point-to-point transmission of data at certain guaranteed speeds and service levels using high-capacity connections.

B. Project Timeline

- The Authorized Organizational Representative certifies that the submitted project timeline is accurate and that it will be capable of providing broadband service to each proposed BSL and CAI that desires service within the committed timeframe.
- The Authorized Organizational Representative certifies that the applicant understands the BEAD NOFO requirement to begin service no more than 4 years after receiving subgrant funding.

C. Budget

- The Authorized Organizational Representative certifies that the submitted project cost estimate is accurate and encompasses all costs to be incurred by subgrantee applicant as part of the proposed project.

D. Permitting

- The Authorized Organizational Representative certifies that the applicant will obtain all necessary federal, state, and local governmental permits and required approvals necessary for the proposed work to be completed.

E. Environmental Compliance

- The Authorized Organizational Representative certifies it has no history of failure to comply with environmental and historical preservation requirements, to the extent applicable

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- Inability to Certify: If unable to certify a track record of compliance, provide a detailed narrative and documentation regarding histories of challenges or compliance.

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Narrative and History Regarding Environmental Non-Compliance

F. Technical Requirements

- The Authorized Organizational Representative (AOR) certifies that the proposed project will deliver at least 5 Mbps of capacity (or 2 TBs of usage per month) to each BSL in the project area where a subscriber requests and is provisioned service.

G. Financial

- The Authorized Organizational Representative certifies that the applicant has sufficient financial resources to provide the pledged matching funding as required by program rules.
- The Authorized Organizational Representative certifies that the applicant has financial resources to support all project costs necessary to complete the project, even if those costs exceed the amount of grant award and pledged matching funds.
- The Authorized Organizational Representative certifies that the applicant understands the program will use a reimbursement model, requiring subgrantees to commit resources to construct the network and begin service prior to receiving grant award funding as reimbursement for eligible expenses and/or upon completing key milestones as identified in a grant award agreement.
- The Authorized Organizational Representative certifies that at the project closeout, for projects that are under budget, the proportion of grant-funded expenses and match-funded expenses will match the proportion committed to in the original budget and grant agreement, and for projects that are over budget, the required additional funding will be supported by additional match.

H. Network Design

- The Authorized Organizational Representative certifies that any Funded Network deployment project that involves laying fiber-optic cables or conduit underground or along a roadway will ensure there is sufficient excess conduit capacity for future needs such as adding subscribers, expanding the network, adding capacity and resiliency, adding business products, or leasing transport.

I. Compliance

- The Authorized Organizational Representative certifies that the applicant is capable of carrying out and will carry out funded activities in a competent manner in compliance with all applicable Federal, State, Territorial, and local laws.

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- The Authorized Organizational Representative certifies that the applicant intends to comply with and has no history of failure to comply with Build America Buy America (BABA), to the extent applicable.
- The Authorized Organizational Representative certifies that the applicant shall provide immediate written notice to OBAE if the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous due to changed circumstances.
- The Authorized Organizational Representative certifies that the applicant agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200 and 1326.
- The Authorized Organizational Representative certifies that by submitting this proposal, should the proposed covered transaction be entered into, subgrantee applicant shall not knowingly enter into any lower tier covered transaction (i.e., subgrant arrangement) with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- The Authorized Organizational Representative certifies that by submitting this proposal, subgrantee application agrees it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180, 1200 and 1326.
- The Authorized Organizational Representative certifies that to the best of its knowledge and belief, applicant and its principals have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, local, or Eligible Entity) terminated for cause or default.
- The Authorized Organizational Representative certifies that, to the best of its knowledge and belief, applicant and its principals have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or Eligible Entity antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- The Authorized Organizational Representative certifies that to the best of its knowledge and belief, the subgrantee applicant and its principals are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the question above.

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- The Authorized Organizational Representative certifies that, to the best of its knowledge and belief, the applicant and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency.
- The Authorized Organizational Representative certifies that the applicant understands Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608). By certifying, the applicant indicates their understanding they may not use BEAD funding to purchase or support any covered communications equipment or service.
- The Authorized Organizational Representative certifies that the applicant understands that the certifications in this application are material representations of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the subgrantee applicant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

END OF DOCUMENT