

# Office of Broadband Access and Expansion BEAD Program Prequalification Application Round 2 Frequently Asked Questions

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### Version History:

Version 2.0	May 5, 2025
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## Section 1: Administrative and General Questions

1. Does my organization need to submit a Prequalification Application to apply for BEAD?
  - Yes. If your entity has not prequalified in Round 1, all interested applicants must prequalify in order to apply for BEAD funding in Round 2.
  - No, if your entity prequalified in Round 1, you need not reapply.
  - No, if your entity applied for prequalification in Round 1, but did not complete curing your prequalification application, you must complete curing your prequalification application to be eligible to apply in Round 2.
2. Will there be a future opportunity to submit a Prequalification Application?
  - OBAE does not intend to open another Round of Prequalification unless provided new Federal guidance.
3. When will OBAE's BEAD NOFO be released?
  - OBAE released its BEAD grant application materials on December 6, 2024, with updated versions being released on January 2, 2025, and February 3, 2025. OBAE's BEAD NOFO can be found [here](#).
  - BEAD NOFO updates are tentatively scheduled for release on May 19, 2025.
4. When will the final Project Area Units and list of eligible BSLs be published?
  - Project Area Units were published on December 13, 2024, with an update on March 19, 2025. Project area data can be downloaded [here](#).
  - Final post-challenge BSLs were republished on April 4, 2025
  - Updates for round 2 are tentatively scheduled for release on May 19, 2025.
5. Has OBAE considered structuring BEAD grants as Fixed Amount Subawards pursuant to NTIA's guidance?
  - Yes, New Mexico intends to issue subgrants as fixed subawards, consistent with NTIA's BEAD guidance and its proposed modifications to 2 C.F.R. Part 200.
6. Is the requirement that the Low-Cost Service Option be "available to households with income equal to or below 200 percent of the federal poverty line" limited to households within the awarded BEAD project?
  - The Low-Cost Service Option is only required to be offered to locations served as a result of a BEAD award. OBAE would hope that BEAD recipients would extend this Low-Cost Service Option to the rest of their subscribers but cannot force a BEAD recipient to do so.
7. May a provider offer different match percentages in their 100% coverage bid versus their Alternative Percentage Commitment bid for the same PAU?
  - Yes, applicants can propose different matches and budgets in Alternative Percentage Commitment bids versus their 100% bids.
8. Can multiple people from my organization collaborate on our Prequalification Application?

- Yes.
9. I want to submit a prequalification for my organization as well as a subsidiary, as we aren't sure which will ultimately apply for BEAD. How do I submit more than one Prequalification Application?
- Once you submit your first prequalification application, the portal should allow you to start another application. Alternately, if you want to work on both applications at the same time, you could have another person at your organization register for a Submittable account and submit the application under their login.
10. My organization started an application for the Connect New Mexico Fund, but we chose not to apply. Is there a way to access our draft responses in the portal? A number of them will be helpful for the BEAD prequalification portal.
- Unfortunately, a draft submission for a now-archived program is not accessible in Submittable.
11. What does IPRA stand for and what is an IPRA exemption?
- IPRA stands for the Inspection of Public Records Act. It is one of New Mexico's core Sunshine Laws and enables access to public records of governmental entities in New Mexico.
  - Some information may be exempted under the Inspection for Public Records Act. Requests for confidentiality may be made [here](#) for appropriate exemptions.
12. My organization is part of a consortium/partnership. Do we need to prequalify as a group, or does each individual company need to prequalify?
- Only the lead applicant from the consortium needs to get prequalified, but they would need to provide ownership information about all of the entities in the consortium in section 7 of the prequalification application. If a new entity joins the consortium after the prequalification application has already been submitted, the lead applicant will be able to supply ownership information consistent with what is asked for in the prequalification application for the new entity in their main application.
13. My organization is part of a consortium/partnership. Can my organization apply as part of the consortium as well as separately for BEAD?
- Yes, OBAE will allow entities to submit applications individually, as well as submit as part of a consortium.

## Section 2: Financial Capability

1. Do all companies have to submit audited financial statements to OBAE in the prequalification application?

- Yes, unless the applicant is a LEO provider. In accordance with Section 4.2 of NTIA's Alternative Broadband Technology Policy Notice, LEO providers may work directly with NTIA to submit audited financial statements demonstrating their financial capacity to undertake the subgrantee commitments. NTIA will provide a certification letter documenting the LEO provider's financial capability. That document must be uploaded in the prequalification process. A link to the Alternative Broadband Technology Notice can be found [here](#).

## Section 3: Managerial Capability

2. Regarding Section 3.1, are resumes from an organization's board members required, or will executive leadership and staff directly involved with the project be sufficient?
  - Resumes from an organization's board of directors are not necessary, but an applicant may submit them if they wish or if they feel they are important to demonstrate the organization's qualifications.
3. Regarding Section 3.1, is OBAE asking for the resume(s) of the employee(s) who oversee the contractor, or from the actual contractor?
  - With regard to contractor oversight, OBAE is requesting for resume(s) from an employed CTO and contractor oversight team, not from the contractors themselves.
4. Regarding Section 3.1, is the "additional narrative" OBAE asks for to be included in the single file upload with the resumes, or should this be uploaded separately?
  - The number of files that can be uploaded for this question has been increased to two. You can include the narrative in the same file as the resumes or upload a separate file containing the narrative.
5. Regarding Section 3.4 Organizational Narrative, the third paragraph requests a description and documentation regarding any independent contractors, consultants, and subcontractors. What kind of documentation are you looking for?
  - We understand your organization may not have procured these contractors yet. The documentation should show the expected scope of the third-party contractor's role and the expected term of the engagement. Here are some examples of documentation you could provide:
    - i. Example RFPs or other procurement documents
    - ii. Draft legal agreements that you may enter into with such contractors
    - iii. A process flow chart or value chain analysis covering all the primary and support activities for the project, that breaks out what activities would be undertaken by your organization vs. by contracted resources

## Section 4: Technical Capability

## Section 5: Operational Capability

1. Section 5.3 “Operations in Other States” requires an upload. If an organization only operates in New Mexico, what documentation should be uploaded here?
  - This section has been updated to allow a submitter to indicate whether they operate in other states or not. If they indicate that they only operate in New Mexico, they will not need to upload any documentation for this criterion.

## Section 6: Legal Compliance

1. Section 6.2 “Labor Compliance” asks "Has the organization ever been found to have violated federal, state, or local labor, nondiscrimination, or equal employment opportunity laws? " Is it permissible to answer this question in terms of the past 3 years, as is the standard reporting period federally, or do we need to go back further?
  - You do not need to go further back than the standard federal reporting period in this case.
2. Section 6.6 “Legal Opinion” asks for a “legal opinion by an attorney licensed in New Mexico that the organization is aware of the federal and State laws applicable to BEAD funded broadband deployment projects, and the organization possesses the qualifications and resources to perform BEAD-related commitments in compliance with all applicable federal and State laws.” Does this apply to all applicants including those with headquarters out of the state of New Mexico?
  - Yes. This is a state requirement.
3. Section 6.7 “Legal Compliance” asks for descriptions and documentation of procurement practices. What kind of documentation are you looking for?
  - Any procedural documentation of the organization's procurement processes and policies, such as a standard operating procedure, handbook, etc.
4. Section 6.9 Health and Safety asks for documentation of the organization’s policies and practices regarding compliance with health and safety laws and regulations. What kind of documentation?
  - This could include evidence such as your OSHA guide, OSHA posters, health and safety policy manuals, health and safety training modules, etc.

## Section 7: Ownership

## Section 8: Cybersecurity Compliance

## Section 9: Supply Chain Compliance

1. Is my organization responsible for cost changes due to changing tariff requirements by the federal government?
  - Yes, your organization should consider changing tariff requirements during the certification and bid processes to minimize project risk, if awarded.

## Section 10: Stewardship of Other Public Funding

1. The “Other Public Funding Template” asks for the “Maximum Cost of Service to Customer.” Does this mean how much we will charge a customer per month of service, or does this mean the cost to install a drop not including middle mile cost?
  - This is asking for the maximum monthly cost of service. This is pursuant to the BEAD NOFO, which requires that Eligible Entities require the disclosure, for each broadband deployment project, of the cost of service to the consumer. Since prices tend to fluctuate, asking for the maximum cost is a slightly more precise way to collect this data point.

## Section 11: Certification Template

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