



INTERNET FOR ALL IN WASHINGTON

DRAFT Initial Proposal Volume II

Broadband Equity, Access, and Deployment (BEAD) Program

This version of the Initial Proposal Volume II reflects changes based on the public comment period that closed on November 30, 2023. The Initial Proposal Volume II has been submitted to NTIA at this time and will be subject to final approval by approximately March of 2024. All content within this document should be considered as draft and subject to change until a final is released by WSBO in spring 2024.

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Key Report Abbreviations

ACP	Affordable Connectivity Program
ATNI	Affiliated Tribes of Northwest Indians
BABA	Buy America, Buy American Act
BAT	Broadband Action Team
BEAD	Broadband Equity, Access, and Deployment
BSL	Broadband Serviceable Location
CAI	Community Anchor Institution
Commerce	Washington State Department of Commerce
DSL	Digital Subscriber Line
EHCT	Extremely High-Cost Per Location Threshold
EHP	Environmental and Historical Preservation
ESD	Washington State Employment Security Department
FCC	Federal Communications Commission
FTTH	Fiber-to-the-Home
Gbps	Gigabit per second
ISPs	Internet Service Providers
IT	Information Technology
L&I	Washington State Department of Labor and Industries
LEO	Low Earth Orbit
Mbps	Megabit per second
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NTIA	National Telecommunications and Information Administration
NOFO	Notice of Funding Opportunity
Project Website	Internet for All in Washington website
SBCTC	Washington State Board for Community and Technical Colleges
WSBO	Washington State Broadband Office
WSDOT	Washington State Department of Transportation
Workforce Board	Washington's Workforce Training and Education Coordinating Board

Definition of Key Terms

Broadband: The term broadband commonly refers to high-speed Internet access that is always on and faster than traditional dial-up access. For the Federal Communications Commission (FCC), broadband capability requires consumers to have access to actual download speeds of at least 25 megabits per second (Mbps) and actual upload speeds of at least 3 Mbps.¹

Broadband Access: The availability of high-speed, reliable internet and related equipment, including having internet connections and technology at home or in community institutions, such as free public Wi-Fi or public computer centers.²

Broadband Affordability: Affordability refers to the ability to afford the costs associated with accessing the internet, including for service, devices, and fees.

Broadband Adoption: Daily access to the Internet: (1) At speeds, quality, and capacity necessary to accomplish common tasks, (2) With the digital skills necessary to fully participate online, and (3) On a personal device and secure convenient network.³

Broadband Backbone: High-speed transmission lines that strategically link smaller high-speed internet networks across the globe.

Broadband Deployment: The development of broadband networks or infrastructure through which broadband services can be delivered.

Broadband Serviceable Location (BSL): As defined by the FCC, a BSL is a business or residential location in the United States at which mass-market fixed broadband Internet access service is, or can be, installed. Residential BSLs include all residential structures, including structures that are (or contain) housing units or group quarters (as those terms are defined by the United States Census Bureau). Business BSLs include all non-residential (business, government, non-profit, etc.) structures that are on property without residential locations and that would be expected to demand mass-market, non-enterprise-grade Internet access service.

Broadband Serviceable Location Fabric (Fabric): The Fabric is a dataset of all locations in the United States and its Territories where fixed broadband internet access service is or could be installed. The Fabric allows broadband availability data filers, the FCC, and other stakeholders to work from a single, standardized list of locations for the Broadband Data Collection.⁴

Community Anchor Institutions: An entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals. Additionally, the National Telecommunications and Information Administration (NTIA) allows the state to propose additional types of institutions that should qualify as community anchor institutions. The state of

¹ NTIA (2016), Broadband Glossary. Accessed at: [BroadbandUSA: Connecting America's Communities \(doc.gov\)](#)

² NTIA (n.d.), "What does Digital Inclusion mean?". Accessed at: [What does Digital Inclusion mean? | BroadbandUSA \(doc.gov\)](#)

³ Digital Equity Act of 2021 (2021). Accessed at: [47 USC Ch. 16: BROADBAND ACCESS \(house.gov\)](#)

⁴ NTIA (2023), "What is the Location Fabric?". Accessed at: [Broadband Data Collection Help Center](#)

Washington is currently finalizing a list of institutions to submit to the NTIA as part of its Initial Proposal. *(NOFO Section I.C.f)*⁵

Covered Population/Underrepresented Communities: “Covered Population” describes the 10 population groups the NTIA identified as underrepresented communities: low-income households; aging individuals; incarcerated individuals; veterans; individuals with disabilities; individuals with a language barrier, including individuals who are English learners or have low levels of literacy; individuals who are members of a racial or ethnic minority group, and individuals who primarily reside in a rural area. Additionally, we also included two population groups—children and youth in foster care and individuals experiencing housing instability—identified in Washington state law’s definition of ‘covered populations’, when applicable. *(NOFO Section I.C.aa)*⁶

Digital Equity: The condition in which individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States.⁷

Digital Literacy: The skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.⁸

Dig Once: Policies and/or practices that minimize the number and scale of excavations along highway rights-of-way when installing telecommunications infrastructure.⁹

Digital Skills: Any skills related to operating digital devices or taking advantage of digital resources.

Extremely High-Cost Per Location Threshold (EHCT): A BEAD subsidy cost per location to be utilized during the subgrantee selection process above which an Eligible Entity may decline to select a proposal if use of an alternative technology meeting the BEAD Programs technical requirements would be less expensive. *(NOFO Section I.C.k)*¹⁰

Internet Service Provider (ISP): An ISP is an organization that provides services for accessing, using, managing, or participating in the Internet. ISPs can be organized in various forms, such as commercial, community-owned, non-profit, or otherwise privately owned.

Last Mile: The technology and process of connecting the end customer’s home or business to the local network provider.¹¹

Middle Mile: The hard assets need to support the connection between a local network, also called a “last mile” connection, and the backbone internet connection.¹²

Open Access: An arrangement in which a network owner offers nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide broadband service

⁵ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

⁶ Ibid.

⁷ Cornell Law School (2021). 47 U.S. Code § 1721 – Definitions Accessed at: <https://www.law.cornell.edu/uscode/text/47/1721>

⁸ Ibid.

⁹ Fiber Optic Sensing Association (n.d.). Why Dig Once? Accessed at: [Why Dig Once? \(regulations.gov\)](#).

¹⁰ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

¹¹ NTIA (2016), Broadband Glossary. Accessed at: [BroadbandUSA: Connecting America's Communities \(doc.gov\)](#)

¹² Ibid.

to end-user locations, at just and reasonable wholesale rates for the useful life of the subsidized network assets. (*NOFO Section I.C.q*)¹³

Other Last-Mile Broadband Deployment Projects: Applications that do not propose constructing end-to-end fiber optic facilities to all Broadband Serviceable Locations (BSLs) in a Project Funding Area. Broadband technologies could include hybrid fiber coaxial DOCSIS 3.1 or higher, wireless using licensed spectrum, or LEO satellite. LEO satellite is only allowed for projects proposed in extremely high-cost areas.

Priority Broadband Projects: Applications that propose constructing end-to-end fiber optic facilities to all BSLs in a Project Funding Area. (*NOFO Section I.C.r*)¹⁴

Rights-of-Way: Rights-of-way are legal rights to pass through property owned by another. They are frequently used to secure access to land for digging trenches, deploying fiber, constructing towers, and deploying equipment on existing towers and utility poles.¹⁵

Subgrantee: The recipient of BEAD funding to carry out eligible activities. (*NOFO Section I.C.w*)¹⁶

Symmetrical Speeds: Internet connections capable of the same upload and download speeds, typically delivered by fiber technology.

Underserved Location: An underserved location is defined as a broadband-serviceable location that is (a) not an unserved location, and (b) that the Broadband DATA Maps show as lacking access to Reliable Broadband Service offered 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. (*NOFO Section I.C.bb*)¹⁷

Unserved Location: An unserved location is defined as a broadband-serviceable location that the Broadband DATA Maps show as (a) having no access to broadband service, or (b) lacking access to Reliable Broadband Service offered with - (i) a speed of not less than 25 Mbps for downloads; and (ii) a speed of not less than 3 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds. (*NOFO Section I.C.dd*)¹⁸

Washington State BEAD NOFO: This is the NOFO that will be published by the WSBO to allow applicants to apply for the BEAD funding the state has been allocated by the NTIA. The Washington State BEAD NOFO is different from the BEAD NOFO. The NTIA issued the BEAD NOFO to describe the requirements under which it will award grants for the BEAD Program.

¹³ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

¹⁴ Ibid.

¹⁵ NTIA (2016), Broadband Glossary. Accessed at: [BroadbandUSA: Connecting America's Communities \(doc.gov\)](#)

¹⁶ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

¹⁷ Ibid.

¹⁸ Ibid.

Note: Each section below includes the prompt from the National Telecommunications and Information Administration (NTIA) – the federal agency administering the BEAD program – to indicate what information it is requesting for each requirement. Although not all these prompts require a written response, the Washington State Broadband Office (WSBO) has included a narrative for each prompt to provide additional context to the reader. The three types of requests include:

Attachment – The NTIA has asked the WSBO to submit document or file to satisfy the requirement.

Check Box – The NTIA has asked the WSBO to confirm that it will comply with the requirement.

Response – The NTIA has asked the WSBO to select either ‘yes’ or ‘N/A’ in response to a requirement.

Text Box – The NTIA has asked the WSBO to describe how it will satisfy the requirement.

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MESSAGE FROM THE STATE BROADBAND OFFICE

The Washington State Broadband Office (WSBO) appreciated hearing from Washingtonians during the public comment period for the first draft of the Broadband, Equity, Access, and Deployment (BEAD) Initial Proposal Volume II.

In October 2023, we released Volume I which focused on a description of the Challenge Process and identification of unserved and underserved locations and community anchor institutions. For Volume II, one of the main objectives is to develop the subgrantee selection process, in addition to fulfilling other requirements prescribed by the National Telecommunications and Information Administration (NTIA). This process is how subgrantees, for the nearly \$1.23 billion allocated to Washington to expand broadband services, will be selected after the Challenge Process is completed and the Initial Proposal is approved by NTIA.

Washington has ambitious goals as part of “Internet for All in Washington” that go beyond expanding broadband infrastructure:

- 1) Universal broadband access for every business and household by 2028.
- 2) Equitable economic development through expanded broadband access and adoption across all underserved populations.
- 3) Scalable and sustainable “future proof” broadband infrastructure that meets access and equity goals.

The public comment period for the first draft of the Initial Proposal Volume II was open for 30 days and closed on December 1, 2023, after receiving over 80 unique comments sent to the Internet for All in Washington Inbox or uploaded through the public comment survey. Your comments helped the WSBO refine the Initial Proposal Volume II prior to the final submission to the NTIA in December. A high-level summary of the recurring themes from public comment are identified in [Chapter 17 – Public Comment](#). To learn more about the NTIA’s BEAD Program you can visit the [program website](#).

The WSBO will also continue to hold monthly webinars through 2024 on the BEAD program with Question & Answer opportunities. Register for monthly webinars [here](#).

We look forward to hearing from you, and please contact us if you have any questions or need assistance at internetforall@commerce.wa.gov.

Sincerely,

Mark Vasconi

Mark Vasconi

Director of the Washington State Broadband Office

1. OBJECTIVES (REQUIREMENT 1)

Textbox 2.1.1: Outline the long-term objectives for deploying broadband; closing the digital divide; addressing access, affordability, equity, and adoption issues; and enhancing economic growth and job creation. Eligible Entities may directly copy objectives included in their Five-Year Action Plans.

This Initial Proposal Volume II includes statewide objectives that are extensions of current broadband initiatives. The objectives will build off pre-established state and local efforts to sustain their work and provide resources to Washington’s network of broadband and digital equity stakeholders. The Washington State Broadband Office (WSBO) developed a statewide vision for broadband deployment and digital equity, with overarching goals and targeted objectives, to guide and measure success.

The WSBO believes universal broadband infrastructure is necessary for an equitable 21st-century economy. It is crucial to work towards providing all Washington residents and communities the option and ability to benefit from broadband service. These benefits can include, but are not limited to:

- Meeting the daily demands of modern society, including healthcare, education, workforce development, civic and social engagement, and access to services.
- Supporting strong economic performance and long-term prosperity for all Washingtonians.
- Encouraging innovation and research.
- Attracting global investments.¹⁹

It is in this spirit that Washington identified the following vision to guide its use of federal BEAD funding:

Washington is committed to investing in universal broadband access that is affordable, reliable, scalable, and sustainable to support equitable economic development and connect every community throughout the state, enriching the lives of all Washington residents and businesses.

Washington state’s vision for broadband emphasizes the following three areas:

WHAT: “Washington is committed to investing in universal broadband access that is affordable, reliable, scalable, and sustainable,” refers to the need for broadband infrastructure to meet the ambitious statewide goals of 150 Mbps symmetrical to all businesses and residences by 2028.²⁰ As Washington state’s speed goals surpass the speed requirements in the Broadband Equity, Access, and Deployment (BEAD) Notice of Funding Opportunity (NOFO), the WSBO will aim to meet the established BEAD goals as a minimum while striving to achieve Washington state’s speed goals.

WHY: “To support equitable economic development and connect every community throughout the state,” describes the end goal for broadband expansion: providing full access to the digital economy and society.

¹⁹ WSBO (2022), 2022 Biennial Legislative Report. Accessed at: [Broadband Office 2022 Biennial Legislative Report](#)

²⁰ Washington State Legislature (n.d.), RCW 43.330.536. Accessed at: [RCW 43.330.536](#)

WHO: “Enriching the lives of all Washington residents and businesses,” invokes the inclusive nature of the state’s vision to connect all Washingtonians to broadband.

GOALS AND OBJECTIVES

The state of Washington’s goals and objectives stem from a comprehensive vision that universal broadband access should be affordable, reliable, scalable, and sustainable to support equitable economic development and to connect every community throughout the state. Wherever possible, objectives laid out in the BEAD Initial Proposal have also been aligned with objectives and key performance indicators (KPIs) outlined in the [Digital Equity Plan](#) (to be finalized by February 2024).

Washington’s goals and measurable objectives are as follows:

GOAL 1 – UNIVERSAL ACCESS: Provide every business and household with broadband access by 2028.

Objective 1.1 Deployment: Build a broadband network that encompasses all regions in Washington to support legislated speed targets:

- By 2024: 25/3 megabits per second (Mbps) scalable to all residences and businesses
- By 2026: 1/1 gigabit per second (Gbps) to all anchor institutions
- By 2028: 150/150 Mbps to all residences and businesses²¹

Objective 1.2 State Coordination: Coordinate with federal, state, local, and tribal entities to minimize regulatory barriers to deployment.

Objective 1.3 Access: Ensure that community anchor institutions, businesses, and residences have reliable access to high-speed internet through at least one internet service provider.²²

Objective 1.4 Affordability: Every business and household in Washington state should have affordable access to the broadband they need for work, school, healthcare, etc. This includes reducing barriers to access through policy and programs, such as:

- Increasing awareness of benefits and enrollment of eligible households in the Affordable Connectivity Program (ACP).
- Expanding the availability and awareness of non-federally funded subsidy and grant programs to increase the affordability of broadband.

Objective 1.5 Adoption: Grow the number of Washington residents subscribed to broadband services by supporting accessible digital literacy and skills-building services that provide the

²¹ The speed goal of reaching 150/150 Mbps to all residents and businesses by 2028 reflects the state’s goal outlined in [RCW 43.330.536](#). This goal is more ambitious than BEAD’s target of providing broadband with minimum speeds of 100/20 Mbps to all locations, or 1/1 Gbps for CAIs.

²² The BEAD Notice of Funding Opportunity specifies that if states have any BEAD funding remaining after deploying broadband to unserved and underserved locations, it can then use funding to connect and upgrade community anchor institutions that lack a 1 Gbps connection. NTIA considers the following entities as community anchor institutions: schools, libraries, health clinics, health centers, hospitals or other medical provider, public safety entities, institutions of higher education, public housing organizations, or community support organizations that facilitate greater use of broadband service by vulnerable populations. Additionally, NTIA allows the state to propose additional types of institutions, such as senior centers and public youth centers that should qualify as community anchor institutions. The state of Washington is currently finalizing a list of institutions to submit to the NTIA as part of its [DRAFT Initial Proposal Volume I](#).

information, support, and skills needed to adopt broadband service and technology tools successfully.

Objective 1.6 Digital Equity: Increase awareness of existing digital equity programs and strengthen partnerships with community anchor institutions and organizations to support digital inclusion activities in their respective communities.

Related Goal 1 KPIs from the [Digital Equity Plan](#):

- Expanding broadband availability and increasing affordability (KPIs 1.1 to 1.5): The percentage of individuals with access to broadband, percentage of eligible households enrolled in the Affordable Connectivity Program or a successor program, and percentage of unserved / underserved locations served.
- Providing services that promote digital literacy and skill building (KPIs 4.1 to 4.5): The number of individuals enrolled in and completing a digital literacy program, the number of Department of Corrections' correctional facilities offering digital skills training programs, the number of individuals assisted by digital navigators.

GOAL 2 – EQUITABLE ECONOMIC DEVELOPMENT: SUPPORT ECONOMIC GROWTH, JOB CREATION, AND WORKFORCE DEVELOPMENT THROUGH EXPANDED BROADBAND ACCESS AND ADOPTION ACROSS ALL COVERED AND UNDERSERVED POPULATIONS.

Objective 2.1 Equitable Workforce Development: Facilitate a more inclusive approach to workforce development so that covered populations across the state have fewer barriers and, consequently, more opportunities for broadband expansion, online training, education, and employment.

Objective 2.2 Skill Development: Work with relevant institutions, such as public libraries, community-based organizations, educational institutions, tribal nations, and government entities, to expand foundational digital literacy training and advance digital skills for residents entering the workforce, providing them with the knowhow necessary to pursue career advancement in previously out-of-reach fields.

Objective 2.3 Economic Growth: Realize local, tribal, and statewide economic growth sparked by an uptick in job creation associated with developing broadband infrastructure.

Related Goal 2 KPIs from the [Digital Equity Plan](#):

- Providing services that promote digital literacy and skill building (KPIs 4.1 to 4.5): The number of individuals enrolled in and completing a digital literacy program, the number of Department of Corrections' facilities offering digital skills training programs, the number of individuals assisted by digital navigators.

GOAL 3 – SCALABILITY AND SUSTAINABILITY: “FUTURE-PROOF” BROADBAND INFRASTRUCTURE WHILE DELIVERING AT A SCALE AND RATE THAT MEETS ACCESS AND EQUITY GOALS.

Objective 3.1 Scalable Deployment: Invest in technology and infrastructure that can meet residents' and businesses' future technological needs beyond the state's 2026 goal of 1/1 Gbps

for all community anchor institutions and the 2028 goal of 150/150 Mbps for all residents and businesses.

Objective 3.2 Sustainable Practices: Encourage integrating environmental sustainability best practices into deploying, operating, and maintaining broadband networks and services that link with Washington state’s climate policy and design for climate resilience.

Objective 3.3 Cybersecurity: Ensure that subgrantees charged with broadband deployment adhere to cybersecurity risk management plans to maintain network infrastructure security and provide residents and businesses with cybersecurity training to increase awareness and safety when using the internet.

Related Goal 3 KPIs from the [Digital Equity Plan](#):

- Promoting practices and leveraging tools to ensure online privacy and security (KPIs 5.1 to 5.2): The number of individuals participating in cybersecurity training (a module that is intended to be integrated into the standard state Digital Navigator curriculum under development) and the number of fraud reports per 100,000 population.

2. LOCAL, TRIBAL, AND REGIONAL BROADBAND PLANNING PROCESSES (REQUIREMENT 2)

Textbox 2.2.1: Identify and outline steps that the Eligible Entity will take to support local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide. In the description, include how the Eligible Entity will coordinate its own planning efforts with the broadband planning processes of local and Tribal Governments, and other local, Tribal, and regional entities. Eligible Entities may directly copy descriptions in their Five-Year Action Plans.

Washington state has an extensive network of engaged and well-established organizers in the broadband and digital equity space that have worked with the Washington State Broadband Office (WSBO) to improve their understanding of the current state of broadband and to assist with thoughtfully engaging diverse communities.

Throughout the Broadband Equity, Access, and Deployment (BEAD) planning process, the WSBO consulted a robust group of stakeholders to support achieving universal broadband access. This group of stakeholders and partners — including Broadband Action Teams (BATs), tribal organizations, public utility districts, port districts, counties, internet service providers, digital equity-focused nonprofits, and others — have been instrumental in expanding broadband deployment and adoption. The WSBO will continue to work closely with stakeholders and partners to achieve the goals of universal broadband access under the BEAD program.

As of December 13, 2023, the engagement process has included 22 interviews, 33 focus groups, five community events, 12 listening sessions, two statewide surveys, and 32 meetings/presentations. Additionally, the WSBO has also engaged in government-to-government consultation with federally recognized tribes in Washington state. Altogether, these engagements comprised over 4,000 individuals, organizations, and agencies between 2022 and 2023 and have contributed to a broader understanding of Washington's current state of broadband and digital equity. At the same time, the publication of 51 Community Action Plans, coordinated by Washington State University-Extension and local and tribal BATs, have provided a more localized understanding of broadband and digital equity needs in Washington state counties and federally recognized tribal nations. A list of the Community Action Plans and ongoing coordination and public engagement efforts are described in the [Section 3.1.1 Attachment - Local Coordination Tracker Tool](#) detailed in [Chapter 3 - Local Coordination](#).

Due to the grassroots and community-driven broadband and digital equity work that has been ongoing in the state, the WSBO has incorporated local, tribal, and nonprofit actions, strategies, and ideas in this Initial Proposal whenever possible. Moreover, significant broadband and digital equity investments have already been made across Washington state. Please see the state's [Five-Year Action Plan](#) and [Digital Equity Plan](#) for a more comprehensive overview of broadband and digital equity efforts. The WSBO intends to incorporate BEAD Program outreach into existing Digital Equity Plan outreach and engagement efforts whenever possible. For example, BATs developed Community Action Plans that included needs assessments and asset documentation that related to both broadband infrastructure and digital equity. The list below includes examples of ongoing broadband and digital equity broadband planning process and

deployment activities including multiple county projects to expand broadband infrastructure projects and various programs to narrow the digital divide:

- **Boosting Pierce County:** Pierce County received \$15 million under the American Rescue Plan Act, which it must spend by 2026 on broadband infrastructure projects. Funding is intended to be awarded to internet service providers to bridge the broadband gaps across the county and encourage the expansion of broadband service.
- **Broadband Action Teams:** Community-driven collaborations that identify the connectivity and accessibility needs of their communities. BATs developed Community Action Plans that identified local needs and assets related to broadband services and digital equity. Communities have a resource through BATs to centralize broadband conversations with the WSBO and develop relations between participants to achieve community and project-specific goals.
- **Broadband to Pierce County:** A public-private partnership between Pierce County and Comcast that brings together county funding with broadband service providers to build infrastructure that will expand the availability of high-speed internet services on the Key Peninsula. Once constructed, the services will make available a fast and reliable fiber-rich network and full suite of services to over 526 Key Peninsula homes and businesses, including multi-gig broadband speeds for residential customers and up to 100 Gbps for business customers.
- **City of Anacortes Investments for Public Works and Economic Development Facilities:** The city received over \$2.2 million from the Economic Development Administration for broadband deployment to install a fiber optic broadband network to expand broadband coverage in the designated opportunity zone in Skagit County.
- **City of Seattle Technology Matching Fund:** City dollars are matched by the community's contribution of volunteer labor, materials, professional services, or cash to increase internet access and adoption. The funding supports digital navigator services, digital literacy skills training, devices and technical support, access to the internet, and/or Affordable Connectivity Program outreach and enrollment.
- **Washington State Community Economic Revitalization Board Rural Broadband Program:** A program that funds broadband construction projects through low-interest loans or grants to local governments and federally recognized tribes to provide high-speed, open-access broadband services to unserved and underserved populations in rural communities across the state. The program is designed to increase community development and access to broadband services in rural, underserved communities. The program is currently closed, but there are still active projects that were funded in previous years.
- **Digital Equity Forum:** A group of appointed members that develop recommendations to advance digital equity in Washington state. They have provided feedback on the state's [Five-Year Action Plan](#), [Digital Equity Plan](#), and this Initial Proposal in addition to helping promote strategies to meet the state's broadband and digital equity goals.

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- **Digital Navigators Program:** A program to help Washington residents navigate the internet, provide free digital literacy skills training, and connect with government and community services, among other digital services. The program is designed to increase internet adoption and help community members with digital literacy, skill development, and their use of computing devices.
 - **Internet for All Seattle Initiative:** A framework that serves as a roadmap for Seattle to move closer to its goal of universal internet adoption for all residents. The initiative was set up to achieve city's the goal of universal internet adoption. To date, the City of Seattle has completed 35 of 49 action items, with a measurable increase in the number of households signed up for discounted internet, and 17,000+ devices have been distributed.
 - **Washington State Public Works Board Broadband Construction Funding:** A program that funds broadband planning and construction projects through low-interest loans or grants to local governments, federally recognized tribes, nonprofit organizations, cooperative associations, multiparty entries, LLCs, and incorporated businesses or partnerships to provide high-speed, open-access broadband service to unserved populations in rural and urban communities across the state. The program is designed to increase community development and access to broadband services in rural and urban communities across the state.
 - **Public Retail Broadband Policy:** A town, second-class city, county or public utility district, or port district may construct, purchase, acquire, develop, finance, lease, license, provide, contract for, interconnect, alter, improve, repair, operate, and maintain telecommunications services or telecommunications facilities. Public entities now have retail authority to provide telecommunications services to inhabitants in their service areas.

3. LOCAL COORDINATION (REQUIREMENT 4)

3.1 LOCAL COORDINATION TRACKER AND DESCRIPTION

Textbox 2.3.1: Describe the coordination conducted, summarize the impact such coordination has on the content of the Initial Proposal, and detail ongoing coordination efforts. Set forth the plan for how the Eligible Entity will fulfil the coordination associated with its Final Proposal.

PRE-BEAD PUBLIC ENGAGEMENT (2022)

In anticipation of the Broadband Equity, Access, and Deployment (BEAD) and Digital Equity planning processes, and before the period of performance for National Telecommunications and Information Administration's (NTIA) planning funds, the Washington State Broadband Office (WSBO) partnered with the Washington State Office of Equity to convene the state's Digital Equity Forum to identify challenges to digital equity in the state. Utilizing state funds identified in the Fiscal Year 2022 supplemental budget, this forum conducted activities that served as an important precursor to the planning efforts funded by NTIA. These activities included:

- **Public listening sessions:** Four 90-minute public listening sessions were held to provide an accessible space to identify community needs related to digital equity and barriers to internet use in Washington state.
- **An online community survey:** Accessible in 17 languages, including American Sign Language, the survey was developed to reach a wide range of Washington state residents to understand better the challenges in accessing and using the internet. The survey was available for 45 days, and more than 2,700 total responses were received from Washington residents.²³
- **Focus groups:** The Equity in Education Coalition and Goodwill coordinated four in-person focus groups across the state to help people share their experiences with getting connected to the internet. Focus groups were held in Ephrata, Pasco, Seattle, and Tacoma, Washington.

Four key themes were discovered from the analysis of the listening sessions, online survey, and focus groups conducted in 2022:

- **Higher quality broadband services:** Faster and more reliable service needs to be available to more people at more affordable rates and from more providers.
- **Expanded access:** Expanded broadband internet access must be coupled with culturally informed efforts and multilingual outreach to elevate digital literacy and skills for broader adoption.
- **Higher quality equipment:** Varied quality of internet access equipment (such as modems, Wi-Fi routers, etc.) negatively affects broadband access.

²³ Washington State Department of Commerce (April 4, 2022), Digital Equity Forum Report. Accessed at: https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=CommerceReports_2022_LGD_Digital%20Equity%20Forum_Final_4.4.23_66571f42-74cb-40e6-994f-e1e81fe78e89.pdf. Survey and focus group results found in the Appendix.

- **Active role of state government:** There is a desire to address internet service provider deficiencies through effective regulation, and the development of new state programs and initiatives for underserved communities.²⁴

These efforts provided the foundational information used to inform the planning and public engagement approach for the BEAD and Digital Equity planning process.

PUBLIC ENGAGEMENT – BEAD AND DIGITAL EQUITY PLANNING

A key component of Washington state’s local coordination involves engaging with local government and tribes. To ensure that local and tribal perspectives on broadband deployment, access, adoption, affordability, and digital equity are included in this Initial Proposal and BEAD planning, the WSBO looked to recently published Community Action Plans. Washington State University-Extension and local Broadband Action Teams (BATs) coordinated these Community Action Plans to offer insight into counties' strategies to deploy broadband infrastructure and increase digital equity. BATs also served as community partners to help with community outreach and public engagement event planning. In total, 51 BATs submitted broadband and/or digital equity Community Action Plans across all 39 counties and 12 of 29 federally recognized tribes that helped to inform this Initial Proposal, as well as Washington state’s **Five-Year Action Plan** and **Digital Equity Plan**. In addition to the 12 tribes that submitted independent Community Action Plans, four additional tribes partnered with counties in developing a Community Action Plan. In total, 16 tribes participated. A more detailed overview of the WSBO’s tribal engagement process is in **Section 3.2 – Tribal Consultation and Engagement**.

In addition to BAT-based local coordination, the WSBO and its partners, including the Equity in Education Coalition and the City of Seattle, conducted over 70 engagement activities throughout the state between 2022 and 2023, which have helped inform this proposal. These engagement activities have included:

- 22 interviews, which engaged 40 people and represented all covered populations.
- 33 focus groups, which engaged 262 people and represented all covered populations.
- Five community events, which engaged 157 people and represented all covered populations except for incarcerated individuals.
- 12 listening sessions, which engaged 267 people and represented all covered populations.
- Two surveys, which engaged 2,745 people and represented aging individuals, individuals who are members of a racial or ethnic minority group, and individuals who primarily reside in a rural area.
- 32 meetings/presentations, which engaged over 345 people and represented all covered populations.

In total, 4,086 Washingtonians were engaged from July 2022 through December 2023.

²⁴ Washington State Department of Commerce (April 4, 2022), Digital Equity Forum Report. Accessed at: https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=CommerceReports_2022_LGD_Digital%20Equity%20Forum_Final_4.4.23_66571f42-74cb-40e6-994f-e1e81fe78e89.pdf

Outside of WSBO-led public engagement, the Workforce Training and Education Coordinating Board included a call out in their monthly newsletter to 3,500 recipients to share this Initial Proposal Volume II and solicit input on [Chapter 8 – Workforce Readiness](#). The Washington Workforce Association also sent an email to all attendees from the 2023 Workforce Association Conference, asking questions related to workforce and prompting feedback on this document.

These in-person and virtual engagement events have been conducted to capture both geographically and demographically diverse perspectives throughout the planning process and public comment period. For example, the WSBO supplemented the virtual public comment opportunities with in-person outreach events to engage with communities during the public comment period for the Digital Equity Plan, which occurred in September and October 2023. At these events, community members could provide in-person public comments, ask questions, and learn more about Internet for All in Washington and existing available resources, such as the Affordable Connectivity Program (ACP) benefit and digital navigation services. The intention for the public comment period was to ensure that communities could engage in the review of plans and amplify their needs. The WSBO acknowledges that more engagement is needed to cover additional areas of the state and to increase the number of opportunities for in-person and virtual engagements for all Washingtonians. The WSBO will continue to conduct outreach and engagement efforts through future program phases, as described in the BEAD and Digital Equity plans for outreach and engagement.

The purpose of public engagement events has been to engage Washingtonians statewide in the planning process by sharing the needs of their communities, contributing ideas for meeting universal access goals, and building partnerships critical to implementing the BEAD program. The WSBO worked to gather perspectives that may have been missing from previous outreach attempts. The WSBO used multiple methods to reach out to invite stakeholders, including email blasts, flyers, advertising in local papers, promoting through local libraries, phone calls, and other strategies that individual partners undertook. For example, for one listening session hosted by the school district, staff advertised the session as a parent meeting and individually called and invited parents to encourage them to attend the session.

In-person public engagement sessions were held at locations with heavy foot traffic, including libraries and food banks, to meet the communities where they gathered and to include comments from those the government may not traditionally engage. The WSBO travelled to Clallam, Grays Harbor, Cowlitz, Skagit, Snohomish, Island, King, Pierce, Okanogan, Yakima, Klickitat, Grant, Benton, Franklin, Walla Walla, Spokane, Thurston, and Asotin counties for in-person public engagement events. Additionally, virtual listening sessions were planned at different times of the day to give attendees more options to attend. Partnering with community-based organizations and other trusted partners encouraged engagement from diverse populations across Washington state. As a recommended best practice, food and refreshments were provided at focus groups and listening sessions. Compensation in the form of gift cards, funded through state funding sources, was also given out at the end of in-person focus groups and mobile outreach events.

This helped foster a welcoming environment and adhered to Washington state guidance on lived experience compensation, recognizing the expertise and contributions of community members.²⁵

These methods and engagement strategies positively affected engagement participation among many covered populations, allowing the WSBO to hear from communities that may have otherwise not been engaged in this process. A complete list and details of public engagement activities is provided in the [Section 3.1.1 Attachment – Local Coordination Tracker Tool](#).

The goals and objectives of the state’s Initial Proposal are only accomplished through centering the voices of individuals from underrepresented populations and working with communities to reduce the digital divide. The state’s commitment to ongoing partnerships and stakeholder engagement is critical for creating a solid foundation to provide affordable broadband and teach the skills needed to utilize broadband service.

PUBLIC ENGAGEMENT – FUTURE BEAD AND DIGITAL EQUITY PLANNING

The WSBO is invested in engaging with community members and organizations so that the BEAD and Digital Equity programs' overall vision, strategy, and desired outcomes reflect diverse communities. To that end, the WSBO is tailoring its approach to ongoing engagement to meet the following public engagement goals:

- Establish meaningful engagement with communities historically not represented at the table, with particular attention paid to geographic coverage across the state.
- Promote an open, inclusive, and transparent public involvement process.
- Strengthen partnerships through multiple engagement opportunities.
- Reduce burden or confusion for the public to engage and participate through clear information and communication.

Building upon previous public engagement events conducted in 2022 and 2023, a critical lesson that the WSBO will integrate into future engagement activities is the value of attending existing community events compared to holding standalone engagement sessions. Although the WSBO hosted different engagement activities, the engagement team found that they could engage with more people by attending community-organized events already planned compared to planning an event unique only to this process. Examples of community events and locations included local festivals, career fairs, public transit centers, senior center lunches, and food banks.

Acknowledging that there may still be a need for targeted listening sessions and focus groups to reach specific covered populations, the WSBO intends to prioritize events that best align with the principle of “meeting people where they are” whenever possible in future engagement events.

As mentioned, engaging with trusted partners – schools, libraries, local and tribal officials, and community-based organizations – is critical to amplify communication, reach community members, and expand multilingual outreach opportunities. This is especially essential for those who may rely primarily on word of mouth or non-digital forms of outreach, including those who lack broadband altogether. Accordingly, the WSBO will continue to engage and coordinate with community-based organizations and community anchor institutions (CAIs) as it arranges

²⁵ Washington State Office of Equity (n.d.), Community Compensation Guidelines. Accessed at: <https://equity.wa.gov/people/community-compensation-guidelines>

additional engagement activities during the BEAD implementation phase. The WSBO has scheduled monthly webinars related to BEAD and the Internet for All in Washington initiative through 2024.

Moving forward, the WSBO will identify and coordinate objectives for engagement with partners, acting as a financial and technical resource to local and tribal government entities, CAIs, and various organizations. Altogether, the WSBO intends to implement an engagement strategy involving five related activities:

1. **Identify Partners and Stakeholders.** It is helpful to target specific populations with a corresponding outreach method to capture full public engagement from distinct covered populations and stakeholders,
2. **Determine Method of Outreach.** Consider various data gathering measures, as unserved or underserved communities are hard to reach using traditional, digital methods. Offline methods may include attending community events or mailing surveys.
3. **Clarify the Intended Result of Outreach and Engagement.** Depending on the outreach method, clarify the intended result of public engagement efforts—e.g., give updates on project rollout, provide an opportunity for feedback, or facilitate a forum for more extensive discussion.
4. **Establish and Allocate Necessary Resources.** Resources may include funding, staff, time, or content creation.
5. **Incorporate Feedback into BEAD & Digital Equity Strategy.** Iterative understanding and incorporating partner and stakeholder feedback can be a benchmark for success in meeting community needs.

IDENTIFICATION OF STAKEHOLDERS

To support the inclusion of all covered populations in ongoing engagement, it is necessary to identify many partners and stakeholder organizations that work alongside covered populations or represent individuals from covered populations. Additionally, tribal governments and stakeholders may become implementation partners. Therefore, identifying types of stakeholders who will play different roles and can expand the reach of both outreach activities and program impact is essential. The complete list of tribal governments, stakeholder organization names, and the covered populations they serve is in [Section 3.1.1 Attachment – Local Coordination Tracker Tool](#). This list has been developed as part of the planning process. It will function as a living document as various partners continue introducing additional stakeholders through engagement activities. Contact information collected throughout this process will be used to support the transparency plan for the Challenge Process, as detailed in [DRAFT Initial Proposal Volume I](#).

DETERMINE METHOD OF OUTREACH AND ENGAGEMENT, CLARIFY INTENDED RESULT OF OUTREACH AND ENGAGEMENT, AND ESTABLISH AND ALLOCATE NECESSARY RESOURCES

Ultimately, the most appropriate outreach and engagement method will depend on the intended audience and results. The WSBO has been and will continue to use a variety of virtual and in-person outreach and engagement methods which include updates through the Internet for All email subscription list, monthly technical webinars, virtual office hours for tribes, Digital Equity Forum meetings, open houses, listening sessions, focus groups, and surveys. The WSBO staff attended many BAT meetings and broadband stakeholder association meetings as documented

in the [Local Coordination Tracker](#). This tracker also outlines the covered populations the WSBO engaged with at these events in alignment with the covered populations definition outlined the [Digital Equity Planning Grant NOFO](#). While not included in the tracker, the WSBO also connected with individuals experiencing housing instability and organizations representing children and youth in foster care through interviews and focus groups.

In 2024, the WSBO is planning additional outreach and engagement events through webinars, a series of listening sessions and focus groups focused on digital equity, which still need to be scheduled. Depending on the outreach and engagement activity, different levels of resources will be needed to create new and updated materials. For example, running community engagement workshops will require more staff than deploying surveys. To ensure consistency for all engagement activities, the WSBO will review engagement material and objectives with partners for communication consistency and goal alignment. As such, the WSBO will need sufficient administrative resources for public engagement. In October 2023, the WSBO team hired a policy and communications manager who helps lead stakeholder and partner communications, working closely with the current broadband engagement coordinator. The WSBO will continue to evaluate resourcing needs as BEAD-related program activities commence.

Digital navigators can also help with targeted outreach in unserved and underserved areas for future public engagement. They can facilitate two-way engagement methods for sharing and receiving information about community connectivity and digital inclusion needs. The most recent cohort was announced in September 2023.²⁶ The current cohort of Digital Navigators is comprised of three consortiums that will be able to cover statewide services over the next fiscal year and include organizations led by multilingual and multicultural staff, community and neighborhood health clinics, and a consortium led by the Nisqually Indian Tribe. Digital navigation services are available to all individuals.²⁷ As service providers working with underrepresented communities and offering one-on-one assistance, there is an excellent opportunity for outreach through this program. Additionally, Digital Equity Forum members will continue to be engaged through regular meetings to seek input on the state Digital Equity Plan, which includes strategies for outreach to communities of interest and covered populations.

Local and tribal BATs formed before the BEAD planning process have supported the planning and hosting of events for the last round of public engagement. BATs may also play an important role in future public outreach and engagement. Additionally, as facilitators of Community Action Plans, BATs may continue to be a resource through program implementation, providing the WSBO with information as projects are deployed. Due to their community ties, the WSBO has devoted a staff person to interface with the BATs.

After consulting with community partners, the WSBO has identified additional outreach methods that may be utilized to reach underrepresented communities in Washington. As documented in the [Five-Year Action Plan](#), the WSBO's policy and communications manager and broadband engagement coordinator will work together to plan the most relevant outreach methods for different program phases. These potential outreach methods include a newsletter, posts on social

²⁶ Washington State Department of Commerce (n.d.), Digital Navigator Program. Accessed at:

<https://www.commerce.wa.gov/building-infrastructure/washington-statewide-broadband-act/digital-navigator-program/>

²⁷ Washington State Department of Commerce (2023). Digital Navigator Program and Funding Review. Accessed at: [Digital Navigator Program 11.2023 \(002\).pdf | Powered by Box](#)

media, attending existing social cultural events for covered populations, and attending Reentry Council meetings. Some outreach methods may also be recurring, whereas others may be conducted more ad hoc or once-off. For example, newsletters may be sent on a monthly cadence. Further, the WSBO will tailor outreach methods as needed for underrepresented communities and determine if supplemental staff are needed, or if it is possible to leverage existing support from other state agencies. For example, the Department of Youth, Children, and Families would be an ideal partner for outreach related to youth in foster care.

INCORPORATE FEEDBACK INTO THE INITIAL PROPOSAL STRATEGY

The lived experiences shared by covered populations and suggestions for addressing barriers, gaps, and needs to date have been synthesized and reviewed for key themes and insights that can be used to iteratively improve the state's overall strategy for achieving broadband goals. As the state continues to conduct local coordination activities and incorporate feedback throughout the five-year process, there will be additional focused efforts before and during the Challenge Process and the start of the Subgrantee Selection Process. The WSBO published the first draft of the Initial Proposal Volume I on October 10, 2023, with the public comment period open for 30 days to receive feedback, and published this Initial Proposal Volume II on November 1, 2023, with a 30-day public comment period. Additionally, the Challenge Process conducted by the WSBO will include four phases and two internal turnaround buffers, spanning approximately 117 calendar days, with a tentative start date of April 1, 2024.

Overall, the public engagement plans described in this section should be viewed as a high-level planning document that lays out general goals, objectives, and methods, with details developed in partnership with tribes and critical stakeholders. Public engagement processes will be adapted as needed throughout the five-year grant period. Interagency, local, and tribal coordination efforts through multiple platforms and organizations will be essential to meet outreach and engagement goals and the overarching vision for universal access across the state. Adaptation of the Initial Proposal will depend on feedback from the public and the identification of engagement gaps, which may require very targeted and flexible outreach approaches.

3.1.1 ATTACHMENT – LOCAL COORDINATION TRACKER TOOL

Attachment 2.3.1.1: As a required attachment, submit the Local Coordination Tracker Tool to certify that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, unions and work organizations, and other groups - An Eligible Entity that has already completed the Local Coordination Tracker Tool for the Digital Equity program may submit the same document for the Initial Proposal, as long as it fulfills the five coordination criteria required by the BEAD NOFO.

The WSBO has included the Local Coordination Tracker tool in [Appendix 18.2](#).

3.2 TRIBAL CONSULTATION AND ENGAGEMENT

Textbox 2.3.2: Describe the formal tribal consultation process conducted with federally recognized Tribes, to the extent that the Eligible Entity encompasses federally recognized Tribes. If the Eligible Entity does not encompass federally recognized Tribes, note “Not applicable.”

Both formal tribal consultations and less formal engagement are important components of the engagement process in partnership with tribes in Washington state. The WSBO has developed a tribal communications and outreach plan for continued engagement, which is included in [Appendix 18.3](#). Methods of engagement include but are not limited to:

- Formal government-to-government consultation.
- Regional consultation events in locations identified by and hosted by tribes.
- Virtual and in-person listening sessions.
- 1-on-1 conversations between subject matter experts.
- Monthly office hours hosted by the WSBO team.

On March 23, 2023, the WSBO sent an official “Dear Tribal Leader Letter” to chairpersons of all 29 federally recognized tribes across Washington. In the letter, WSBO identified funding opportunities with the BEAD and Digital Equity programs and invited tribal leaders to engage in consultation. In addition to the Dear Tribal Leader Letter, the WSBO has utilized a variety of methods of outreach to maintain open lines of communication with tribal partners. The WSBO has partnered with the Washington State Department of Commerce’s (Commerce’s) Office of Tribal Relations to identify key points of contact within each tribe. The WSBO worked to provide regular updates regarding opportunities for engagement and consultation once these points of contact were established.

The WSBO also hosted opportunities for consultation at both the Spring and Fall of 2023 conferences for the Affiliated Tribes of Northwest Indians (ATNI), and at the Infrastructure Assistance Coordinating Council in October of 2023, and attended the Federal Communications Commission Tribal Workshop hosted by the Lummi Nation as well as the 34th Annual Centennial Accord Meeting hosted by the Governor’s Office of Indian Affairs. The WSBO also partnered with the Spokane Tribe of Indians and the Nisqually Indian Tribe to host regional consultation events in August of 2023.

Informal opportunities for engagement have included three virtual listening sessions, which all 29 federally recognized tribes in Washington were invited to attend, as well as monthly tribal broadband office hours. These tribal broadband office hours began in August and directly resulted from a suggestion made during the Spokane regional consultation event. Finally, the Commerce

Tribal Advisory Committee has announced an intention to convene a subcommittee of representatives from Washington tribes to provide feedback to the WSBO on broadband and digital equity matters. The WSBO will continue to seek opportunities for engagement and consultation with tribal partners throughout this process.

The following bullets list all the formal tribal consultation and engagement activities to date:

- 3/23/2023: Dear Tribal Leader Letter sent to the chairpersons of all 29 federally recognized tribes in Washington state announcing the BEAD and Digital Equity grant programs.
- 3/27/2023: The WSBO met with a representative from Lower Elwha Klallam Tribe to discuss tribal broadband and BEAD.
- 3/28/2023: The WSBO met with a representative from the Jamestown S’Klallam Tribe to discuss tribal broadband and BEAD.
- 5/2/2023: The WSBO met with representatives of the Confederated Tribes of the Colville Reservation to discuss BEAD and Digital Equity on the Colville Reservation.
- 5/6/2023: The WSBO sent a follow up letter to the chairpersons of all 29 federally recognized tribes in Washington state to announce WSBO’s attendance at ATNI and to invite tribal consultation or engagement on the topics of BEAD and Digital Equity.
- 5/11/2023: The WSBO hosted an information session to discuss tribal broadband, BEAD and Digital Equity, and preferred tribal consultation methods with representatives of the Cowlitz Indian Tribe, Makah Tribe, and Samish Indian Nation.
- 5/15/2023: The WSBO met with representatives of the Suquamish Tribe of Indians to discuss broadband challenges on the Suquamish Reservation.
- 5/22/2023: The WSBO met with a representative of the Makah Tribe to discuss ongoing challenges to accessing broadband on the reservation.
- 5/23/2023: The WSBO met with representatives of the Shoalwater Bay Indian Tribe to discuss broadband connectivity on the reservation.
- 6/14/2023: The WSBO sent a letter to the chairpersons and relevant subject matter experts of all 29 federally recognized tribes in Washington state to outline the WSBO’s tribal engagement plan and to solicit feedback.
- 6/26/2023: The WSBO met with representatives of the Confederated Tribes of the Colville Reservation, Cowlitz Indian Tribe, Lummi Nation, Nisqually Indian Tribe, Quinault Indian Nation, Swinomish Indian Tribe, and Tulalip Tribes to discuss BEAD and Digital Equity.
- 6/28/2023: The WSBO met with representatives of the Confederated Tribes of the Chehalis Reservation, Confederated Tribes of the Colville Reservation, Cowlitz Indian Tribe, Jamestown S’Klallam Tribe, Lummi Nation, Stillaguamish Tribe of Indians, and the Confederated Tribes and Bands of the Yakama Nation to discuss BEAD and Digital Equity.
- 6/29/2023: The WSBO met with representatives of the Confederated Tribes of the Colville Reservation, Hoh Indian Tribe, and Lummi Nation to discuss BEAD and Digital Equity.

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- 7/24/2023: The WSBO sent a Dear Tribal Leader Letter to the chairpersons of all 29 federally recognized tribes in Washington state to announce two regional consultation events.
 - 8/8/2023: The WSBO met with representatives of the Confederated Tribes of the Colville Reservation and Spokane Tribe of Indians to share information on the BEAD and Digital Equity timelines.
 - 8/15/2023: The WSBO met with representatives of the Cowlitz Indian Tribe, Lower Elwha Klallam Tribe, Lummi Nation, Makah Tribe, Nisqually Indian Tribe, Nooksack Indian Tribe, Quinault Indian Nation, Stillaguamish Tribe of Indians, Swinomish Indian Tribe, and the Confederated Tribes and Bands of the Yakama Nation to share information on the BEAD and Digital Equity timelines.
 - 8/24/2023: The WSBO sent a follow-up email to representatives of all 29 federally recognized tribes in Washington state to thank those who were able to attend the regional consultation events and to announce the public comment period for the Initial Proposal Volume I.
 - 8/31/2024: The WSBO met with representatives of the Cowlitz Indian Tribe and Lummi Nation to share information on the BEAD and Digital Equity timelines.
 - 9/11/2023: The WSBO sent an email to tribal broadband contacts of all 29 federally recognized tribes in Washington state to announce the WSBO's attendance at ATNI and to invite tribes to engage in consultation.
 - 9/12/2023: The WSBO met with representatives of the Hoh Indian Tribe to review the BEAD timeline and requirements.
 - 9/15/2023: The WSBO sent an email to tribal broadband contacts of all 29 federally recognized tribes in Washington state to remind them of the WSBO's attendance at ATNI and to reiterate an invitation to engage in consultation.
 - 9/18/2023: The WSBO met with representatives of the Hoh Indian Tribe, Lummi Nation, Makah Tribe, Nisqually Indian Tribe, Quinault Indian Nation, Samish Indian Nation, and Shoalwater Bay Indian Tribe at ATNI to discuss broadband concerns.
 - 9/28/2023: The WSBO met with representatives of the Cowlitz Indian Tribe, Hoh Indian Tribe, Quileute Tribe, Samish Indian Nation, and Spokane Tribe of Indians to discuss BEAD funding opportunities and the Challenge Process. The tribal representatives recommended that a WSBO representative speak on BEAD and Digital Equity at the Annual Centennial Accord Meeting.
 - 10/16/2023: The WSBO sent an email to tribal broadband contacts of all 29 federally recognized tribes in Washington state to announce upcoming engagement opportunities.
 - 10/28/2023: The WSBO met with representatives of the Cowlitz Indian Tribe, Hoh Indian Tribe, Samish Indian Nation, and Spokane Tribe of Indians to receive feedback regarding tribal consultation efforts to date and hear concerns regarding pole attachments.

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- 10/30/2023: The WSBO presented updates to representatives of all 29 federally recognized tribes in Washington state regarding BEAD and Digital Equity at the Annual Centennial Accord Meeting. A separate working group also took place to discuss pole attachments.
 - 11/14/2023: The WSBO sent a November newsletter to representatives of all 29 federally recognized tribes in Washington state to solicit the feedback of tribes during the Initial Proposal Volume II public comment period and to remind them of the upcoming tribal broadband office hours.
 - 11/30/2023: The WSBO met with representatives of the Confederated Tribes of the Chehalis Reservation, the Confederated Tribes of the Colville Reservation, Lummi Nation, Nisqually Indian Tribe, and Spokane Tribe of Indians during a Tribal Broadband Office Hours meeting.

As sovereign nations with plans and goals for digital equity and broadband infrastructure, collaborating with tribes will be critical to expanding digital connectivity across Washington. As the state implements activities to narrow the digital divide, continuous engagement, including data and information sharing with tribes, will be crucial to understanding gaps and successful program implementation.

3.2.1 ATTACHMENT – TRIBAL CONSULTATION EVIDENCE

Attachment 2.3.2.1: As a required attachment only if the Eligible Entity encompasses federally recognized Tribes, provide evidence that a formal tribal consultation process was conducted, such as meeting agendas and participation lists.

The WSBO has included evidence of the formal tribal consultation process in [Appendix 18.4](#).

4. DEPLOYMENT SUBGRANTEE SELECTION (REQUIREMENT 8)

4.1 SUBGRANTEE SELECTION PROCESS INTEGRITY

Text Box 2.4.1: Describe a detailed plan to competitively award subgrants to last-mile broadband deployment projects through a fair, open, and competitive process.

The subgrantee selection process for Broadband Equity, Access, and Deployment (BEAD) funding will be transparent and competitive to identify projects that will contribute to the Washington State Broadband Office’s (WSBO) vision of providing universal broadband service to all Washington residents. Broadly, the Washington State Department of Commerce (Commerce) – which oversees the WSBO – has robust and varied resources to address fraud, waste, and abuse; internal controls; risk management; financial accounting and controls; and conflict of interests. This document discusses safeguards for maintaining a fair, open, equitable, and competitive subgrantee selection process.

Applicants must demonstrate how they satisfy the BEAD Notice of Funding Opportunity (NOFO) requirements outlined in this document and specified in the BEAD NOFO. The WSBO requests that all applicants read the entirety of this document before submitting funding proposals. The WSBO will also provide a summary briefing document on subgrantee minimum eligibility requirements. The BEAD subgrantee selection process will begin after the Initial Proposal Volume II is approved by the National Telecommunications and Information Administration (NTIA) and the Challenge Process is completed. Please see [DRAFT Initial Proposal Volume I](#) for details on the Challenge Process.

Within 20 calendar days of the completion of the Challenge Process, the WSBO anticipates conducting the final deduplication of Broadband Serviceable Locations (BSLs) using data collected from state agencies implementing broadband deployment projects and the deduplication tool provided by the NTIA. After deduplication, the WSBO will publish the following information:

- The Challenge Process results,
- The list of unserved and underserved BSLs that are grant-eligible,
- The list of eligible Community Anchor Institutions (CAIs) that do not have access to 1 Gbps symmetrical service and
- The project areas, as defined using the process described in [Section 4.6 – Project Area Definition](#), on the [Internet for All in Washington website](#) (project website).

The WSBO will send notifications to subscribers of the Internet for All in Washington email distribution list before the grant application period opens. In addition, the WSBO is developing an outreach plan to spread awareness of the Challenge Process and the upcoming subgrantee selection process to potential applicants across the state. Outreach methods described in [Chapter 3 – Local Coordination](#) will be used, including press releases, webinars, the project website, and attendance at stakeholder events, such as the Affiliated Tribes of Northwest Indians 2024 Winter Conference in January. The WSBO will also consult the Office of Minority and

Women's Business Enterprises to identify ways to encourage the participation of minority- and women-owned business enterprises and spread awareness of the forthcoming Washington State BEAD NOFO. Associate Development Organizations, Workforce Development Councils, the Washington Workforce Training and Education Coordinating Board (Workforce Board), and the Washington State Employment Security Department (ESD) will also be notified to promote the involvement of labor surplus area firms across the state.²⁸

Before publishing a Washington State BEAD NOFO, the WSBO will host a series of webinars providing guidance to potential applicants on application guidelines and requirements. Webinars will be recorded and posted on the project website as a resource. In addition to webinars, the WSBO will develop a technical assistance document (a 'one-pager') on minimum eligibility qualifications and a list of FAQs received during webinars, through the Internet for All in Washington inbox, and other public engagement events described in [Chapter 3 – Local Coordination](#).

SUBGRANTEE ELIGIBILITY

The BEAD program is open to all cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, and local and tribal governments. Minimum qualifications and information required from subgrantees include:

- Financial Capability (See [Section 4.11](#))
- Managerial Capability (See [Section 4.12](#))
- Technical Capability (See [Section 4.13](#))
- Compliance Capability (See [Section 4.14](#))
- Operational Capability (See [Section 4.15](#))
- Ownership Information (See [Section 4.16](#))
- Public Funding Information (See [Section 4.17](#))

Subgrantees and any subcontractors are to maintain a standard code of conduct governing the performance of their employees engaged in the award and administration of BEAD funding agreements.

SELECTION PROCESS

Application Intake

After publishing a Washington State BEAD NOFO, the WSBO will begin accepting BEAD applications through ZoomGrants. The WSBO will post the link and Application Program Guidelines to the [project website](#) following the completion of the Challenge Process, as outlined in the [DRAFT Initial Proposal Volume I](#). Applicants will have 60 days to submit proposals before the submission window closes. The WSBO will work to streamline the application process for applicants while still complying with federal and state regulations. Every applicant applying for BEAD funding must complete a technical application narrative to satisfy the requirements outlined

²⁸ Each of Washington's 39 counties has an Associate Development Organization that furthers the county's economic goals. More information can be found at: <https://www.commerce.wa.gov/growing-the-economy/local-economic-partnerships/>.

in this document and the Washington State BEAD NOFO. Applicants will submit one application per one project area. Based on experience issuing previous NOFOs, when multiple areas are in a single application, deconflicting project areas can negatively impact the scoring integrity because it becomes difficult to compare project areas bundled together for a “like to like” comparison. Therefore, applicants must submit one application per one project area. Along with this narrative component, applications must include cost estimates, network designs and diagrams certified by an engineer, build-out timelines, and local coordination outcomes.

Before the start of the 60-day submission window, the WSBO will provide a submission template where applicants will outline the requested dollar amount to serve unserved locations, underserved locations, and unserved CAIs in that application area, as well as the matching funds slated to be contributed to the build and other project area-specific information. Additionally, the WSBO will issue clarifications based on guidance outlined in this Initial Proposal Volume II to streamline project development and clarify requirements for applicants throughout the application period.

Once the submission window closes and all applications have been received, the WSBO will review within 30 calendar days—using the scoring rubric described in [Section 4.2 – Scoring Rubric and Prioritization](#). Project will be prioritized according to the process outlined in [Section 4.3 – Prioritization of Projects](#). If there are remaining project areas that no entities have applied for, the WSBO will undertake a second grant application round using the same requirements outlined in the initial Washington State BEAD NOFO. This second grant application period will be open for 60 days and will take place concurrently with the evaluation process for the first application round, provided funding is still available. If any project areas remain after two rounds of grant applications, the WSBO will work to identify potential subgrantees that can deploy services to remaining unserved and underserved locations through direct engagement with potential subgrantees in a transparent manner. Negotiations through direct engagement will take place for no more than 60 days. More information on coverage for locations receiving no applications is outlined in [Section 4.7 – Coverage for Locations with No Proposals](#).

Application Review and Evaluation

Applications will initially be reviewed for compliance and completeness. If an application does not satisfy the mandatory requirements for subgrantees, the application will not be considered for further evaluation. Applications will then move on to scoring and evaluation. The selection committee will likely consist of staff from:

- Washington State Broadband Office (WSBO)
- Washington State Public Works Board
- Washington State Community Economic Revitalization Board
- Washington Emergency Management Division
- Washington Office of Superintendent of Public Instruction
- Washington Technology Solutions
- Washington Utilities and Transportation Commission
- Washington State Department of Transportation (WSDOT)
- University of Washington
- Washington State Department of Commerce Office of Tribal Relations

Other organizations will be considered as appropriate by the WSBO. Selection committee members must have adequate knowledge of broadband service and infrastructure deployment. No employee, officer, or agent of applicants shall participate in the selection, or the award or administration, of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved.

Publishing Results and Awarding

Within 10 business days following submission deadlines, the WSBO will publicly post all application summaries on the [project website](#), including proposed service areas for each application received. Draft subgrantee awards will be made approximately 30 days after the close of the application cycle. Official Notices of Award will only be issued after the NTIA approves the Final Proposal.

Selection Process Timeline

- Round 1 – Application submission: 60 days
- Round 1 – Application scoring and prioritization: 30 days
 - Publishing of application summaries will occur during this period
- Round 2 (if project areas are unclaimed in Round 1) – Application submission: 60 days
 - May occur concurrently with Round 1 application scoring
- Round 2 – Application scoring and prioritization: 30 days

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- Publication of application summaries will occur during this period
 - Direct engagement: 60 days
 - If project areas are unclaimed after Round 2 application submission
 - Draft awards: 30 days

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4.2 SCORING RUBRIC AND PRIORITIZATION

Text Box 2.4.2: Describe how the prioritization and scoring process will be conducted and is consistent with the BEAD NOFO requirements on pages 42–46.

The WSBO is committed to the BEAD program’s principal focus of deploying broadband service to unserved locations—locations with broadband download speeds less than 25 megabits per second (Mbps) and upload speeds less than 3 Mbps—and underserved locations—locations with broadband speeds less than 100 Mbps for downloads and 20 Mbps for uploads.²⁹ Therefore, the WSBO will award subgrants to broadband deployment projects that provide service to unserved and underserved locations.

The evaluation criteria—compliant with the guidelines set forth in the BEAD NOFO on pages 42–46—are outlined for each scoring category below and will be used to evaluate proposals for Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects.³⁰ Please note that Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects will be scored according to their respective scoring rubrics, as outlined below. However, in the event that a project area receives one application proposing an all-fiber solution and another application proposing a mixed technology approach, if the all-fiber approach does not exceed the extremely high-cost per location threshold (EHCT) – discussed in [Section 4.9 – Extremely High-Cost Per Location Threshold Identification](#) – the all-fiber application would be the default winner, regardless of either application’s score.³¹

Selection Criteria for Project Category

Applications that propose constructing end-to-end fiber optic facilities to all BSLs in a Project Funding Area will be defined as a “Priority Broadband Project.” Applications that do not propose constructing end-to-end fiber optic facilities for all BSLs in a Project Funding Area will be defined as an “Other Last-Mile Broadband Deployment Project.”³²

Scoring Process

For all applications (i.e., Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects), 100 points is the maximum available points. The evaluation criteria are broken down into primary and secondary categories, with a maximum of 75 points for the primary category and 25 points for the secondary category. Each category consists of multiple items to be evaluated, for which points are awarded.

²⁹ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

³⁰ Ibid.

³¹ Please note that in the described scenario the mixed approach application could be awarded funding only if the NTIA grants a waiver allowing WSBO to accept an alternative project.

³² Ibid.

PRIORITY BROADBAND PROJECTS

Applications that propose constructing end-to-end fiber optic facilities to all BSLs in a Project Funding Area will be defined as a Priority Broadband Project and scored according to the criteria proposed below.

Table 1. Priority Broadband Projects Scoring Criteria

	Criterion	Weight	Description	Maximum Points
Primary Criteria	Minimal BEAD Program Outlay*	40	Amount of funding requested to provide service to a project area.	40
	Affordability* <i>(Nonpromotional rates)</i>	20	Broadband service rate for 1 gigabit per second (Gbps): 1/1 Gbps service for less than \$75 per month	10
			1/1 Gbps service between \$75 – \$84.99 per month	5
			Broadband service rate for 100/20 Mbps: 100/20 Mbps service for less than \$40 per month	10
			100/20 Mbps service for \$40 – \$49.99 per month	5
	Fair Labor Practices*	15	Compliance with federal labor and employment laws	3
			Disclosure of applicant violations	3
Disclosure of contractor and/or subcontractor violations			3	
Wage information			3	
Workplace safety committees			3	
Secondary Criteria	Speed to Deployment*	1	Construction completion date within 48 months	1
	Open Access	8	Number of committed internet service providers (ISPs): 2 or more committed ISPs above and beyond the applicant with signed agreements (contracts)	4
			Wholesale cost: 1/1 Gbps wholesale cost less than \$40 per connection	4
			1/1 Gbps wholesale cost for \$40 – \$50 per connection	2
	Local and Tribal Coordination	8	Letters of support from county commissioners, city councils, or tribal governments	4
			Records of local or tribal government consultations	4
	Adoption and Digital Navigation	8	Provision of subsidized end-user digital devices	5
Other digital navigation services (e.g., digital literacy services, educational resources for digital resources)			3	

* - The BEAD NOFO requires this scoring category for all Priority Broadband Projects.

MINIMAL BEAD PROGRAM OUTLAY – 40 POINTS

Description: Minimal BEAD Program Outlay refers to the total amount of funding required to completely serve the project area in the application. The amount of funding requested takes into consideration both the total projected cost and the applicant's proposed match, which can also include in-kind contributions, or non-cash donations of property, goods or services, such as the waiver of fees associated with access to rights-of-way, pole attachments, conduits, easements, or access to other types of infrastructure, as described in the BEAD NOFO.³³ All applications for a given project area will be scored against each other. The application requesting the least amount of BEAD funding will be awarded the maximum number of points (40 points). All other applications for that project area will receive a proportion of the points available according to the amount of funding they requested in relation to the lowest requested amount.

The WSBO has provided an example of how it would award points below.

- The WSBO receives four applications for the same project area, with application A requesting the least amount of BEAD funding (see column 2).
- The WSBO will calculate how much funding the other applications requested compared to application A (see column 3) and then calculate the percent difference between the amount requested and the lowest requested amount (see column 4).
- The WSBO will subtract the percent difference from 100% to identify the multiplier for each application (see column 5).
- The WSBO will multiply the maximum number of available points (40 points) by the multiplier to determine each application's score (see column 6).

Applicant	Amount of Funding Requested	Difference in Funding Request Amounts (\$) <i>(\$ Request – \$ Lowest Request)</i>	Difference in Funding Request Amounts (%) <i>(\$ Difference / Lowest Request)</i>	Multiplier <i>(100% – % Difference)</i>	Score <i>(Max Points x Multiplier)</i>
A	\$2,000,000	\$0 <i>(\$2,000,000 – \$2,000,000)</i>	0% <i>(\$0 / \$2,000,000)</i>	100% <i>(100% – 0%)</i>	40 <i>(40 x 1.00)</i>
B	\$2,900,000	\$900,000 <i>(\$2,900,000 – \$2,000,000)</i>	45% <i>(\$900,000 / \$2,000,000)</i>	55% <i>(100% – 45%)</i>	22 <i>(40 x 0.55)</i>
C	\$2,300,000	\$300,000 <i>(\$2,300,000 – \$2,000,000)</i>	15% <i>(\$300,000 / \$2,000,000)</i>	85% <i>(100% – 15%)</i>	34 <i>(40 x 0.85)</i>
D	\$3,200,000	\$1,200,000 <i>(\$3,200,000 – \$2,000,000)</i>	60% <i>(\$1,200,000 / \$2,000,000)</i>	40% <i>(100% – 60%)</i>	16 <i>(40 x 0.40)</i>

³³ Ibid.

Rationale: Local and private investment is critical to the success of BEAD. This approach takes into consideration the total amount of BEAD funding needed to provide service to a project area and the applicant’s proposed match. The specific points awarded to applicants increase as the BEAD expenditure decreases relative to the match amount.

AFFORDABILITY – 20 POINTS

Description: Affordability refers to the applicant's commitment to provide 1 Gbps symmetrical service and 100/20 Mbps service within the application’s project area at the most affordable price for customers. The WSBO is deeply committed to increasing the affordability of broadband services through BEAD program funding. For that reason, affordability is weighted as the second highest criterion. The WSBO will award up to 10 points based on the cost of 1 Gbps symmetrical and an additional 10 points based on the cost of 100/20 Mbps service. For 1 Gbps service, applicants will receive 10 points if the price for service is less than \$75 per month, or 5 points if the cost of service is between \$75 and \$84.99 per month. For 100/20 Mbps, applicants will receive 10 points if the cost for service is less than \$40 per month, or 5 points if the cost for service is between \$40 and \$49.99 per month. Costs include all taxes, fees, and charges charged to the customer and must be nonpromotional rates to be awarded points.

Rationale: The median broadband rate brackets submitted during previous grant application rounds with the WSBO have determined the rate brackets of affordability in the scoring rubric. These grant applicants were comprised of mainly fiber-only projects. The top tier (10 points) at less than \$75 per month for 1 Gbps symmetrical and less than \$40 per month for 100/20 Mbps is consistent with the most affordable rates submitted in previous grant program funding from the U.S. Treasury rounds.

FAIR LABOR PRACTICES – 15 POINTS

Description: Applicants must provide a narrative and evidence of plans to comply with federal labor and employment laws, disclosure of applicant violations, disclosure of contractor and/or subcontractor violations, wage information, and the provision of workplace safety committees. Fair labor practices are crucial to successful BEAD implementation. Therefore, applicants must provide all required information and certify that they will comply with existing labor requirements outlined in the BEAD NOFO. Up to 15 points will be available based on the information submitted for the fair labor category. Applicants that do not respond will receive zero points and are considered incomplete. Please see [Chapter 7 – Labor Standards and Protection](#) for greater detail on what information is required for applications.

Rationale: The WSBO can verify that subgrantees support fair labor practices—in line with state workforce goals—by scoring applications relative to an applicant’s compliance with federal labor and employment laws, disclosure of applicant violations, disclosure of contractor and/or subcontractor violations, wage information, and provision of workplace safety committees.

SPEED TO DEPLOYMENT – 1 POINT

Description: Speed to deployment is a BEAD-required scoring category that evaluates an application’s ability to provide broadband services to each BSL within the Project Funding Area within a certain timeframe. Due to the uncertainty in supply chains, workforce challenges, and compliance with federal regulations imposed by the BEAD program, the WSBO will award one

point to projects that demonstrate the applicants' ability to complete the project within four years according to the timeline(s) and service milestone(s) committed to within the applications. Thus, each application has the same opportunity to prepare for them. The WSBO will use the finalized timeframes when accessing projects' progress and could be subject to penalties described in [Section 16.2 – Subgrantee Accountability](#).

Rationale: The WSBO is committed to completing broadband deployment projects as quickly as possible, but also acknowledges the impact that supply chain and workforce shortages may have on BEAD project timelines.

OPEN ACCESS – 8 POINTS

Description: As defined by the Washington State Legislature, open access fiber networks are a network that offers “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 rates that include a discount from internet service providers’ (ISPs’) retail rates, reflecting the costs that the subgrantee avoids by not providing retail service to the end user location.”³⁴ The WSBO supports expanding open access networks across Washington. Therefore, applicants proposing projects that support two or more committed ISPs that are unaffiliated with the applicant with signed agreements will receive four points under the open access criterion. Additionally, applicants can also receive up to four points according to their wholesale cost to provide 1 Gbps symmetrical service, as informed by previous WSBO broadband funding rounds. The WSBO will award applications providing 1 Gbps symmetrical service for less than \$40 per connection four points and award applications providing wholesale prices between \$40 and \$50 per connection two points.

Rationale: Signed agreements from ISPs beyond the committed ISP prove that the system is open access in deed, not only in name. The wholesale costs come from the median pricing from previous broadband funding rounds completed by the WSBO. The highest point value (eight) is consistent with the median cost.

LOCAL AND TRIBAL COORDINATION – 8 POINTS

Description: Local, regional, and tribal collaboration and coordination are required to foster adequate engagement between applicants and communities to determine their local, regional, and tribal needs. To support local and tribal coordination, the WSBO will allocate up to eight points to applicants demonstrating engagement with local, tribal, and regional entities. Applications that include letters of support from county commissioners, city councils, or tribal governments will receive four points. Applications that also provide records of local or tribal government consultations will receive an additional four points. Please note that a tribal resolution is required from each tribal government on whose lands the infrastructure will be deployed and is a minimum requirement (not scored), as described in [Section 4.8 – Deployment Project Tribal Consent](#).

Rationale: This scoring element is required by the Washington State Legislature. Letters of support and consultations speak to local involvement with local, tribal, and regional entities, a core tenet of the WSBO’s objectives for community engagement related to broadband expansion.

³⁴ Washington State Legislature (2023), Substitute House Bill 1147. Accessed at: <https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bills/House%20Bills/1147-S.pdf?q=20230411101744>

ADOPTION AND DIGITAL NAVIGATION – 8 POINTS

Description: Adoption and digital navigation refers to the provision of subsidized end-user devices and a description of how the applicant will provide digital navigation services. Digital Navigator services reduce barriers through education and device distribution, providing a path forward in equitable digital inclusion, as defined by the Washington State Department of Commerce. Service delivery includes real-time assistance with an option to leverage the use of digital learning platforms to teach the digital curriculum through in-person, webinar-based and at-your-own-pace modalities. The WSBO will award five points to applicants that can demonstrate how they will provide subsidized end-user digital devices to residents in their project area. The WSBO will award an additional three points to applicants that can demonstrate how they will offer digital navigation services to residents in their project area (e.g., digital literacy services).

Rationale: Supporting adoption of broadband service and providing digital navigation is essential to the success of the BEAD program. The provision of subsidized end-user digital devices will support the use of newly constructed broadband infrastructure in populations who may not otherwise be able to purchase internet-capable devices. Additionally, offering digital navigation services will support Washingtonians who may not have previous experience accessing the internet, allowing them to take advantage of broadband service.

OTHER LAST-MILE BROADBAND DEPLOYMENT PROJECTS

Applications that do not propose constructing end-to-end fiber optic facilities to all BSLs in a Project Funding Area will be defined as an Other Last-Mile Broadband Project and scored according to the criteria proposed below.

Table 2: Other Last-Mile Broadband Deployment Projects Scoring Criteria

	Criterion	Weight	Description	Maximum Points
Primary Criteria	Minimal BEAD Program Outlay*	40	Funding request	40
	Affordability* (Nonpromotional rates)	20	Broadband service rate for 1 Gbps: 1/1 Gbps service for less than \$75 per month	10
			1/1 Gbps service between \$75 – \$84.99 per month	5
			Broadband service rate for 100/20 Mbps: 100/20 Mbps service for less than \$40 per month	10
			100/20 Mbps service for \$40 – \$49.99 per month	5
	Fair Labor Practices*	15	Compliance with federal labor and employment laws	3
			Disclosure of applicant violations	3
			Disclosure of contractor and/or subcontractor violations	3
			Wage information	3
Workplace safety committees			3	
Secondary Criteria	Speed to Deployment*	1	Construction completion date within the 48 months	1
	Open Access	7	Number of committed providers: 2 or more committed ISPs above and beyond the applicant with signed agreements (contracts)	3
			Wholesale cost of 1 Gbps symmetrical: 1/1 Gbps wholesale cost \$39.99 per connection or less	2
			Wholesale cost of 100/20 Mbps: 100/20 Mbps wholesale cost \$30 per connection or less	2
	Local and Tribal Coordination	7	Letters of support from county commissioners, city councils, or tribal governments	3
			Record of local or tribal government consultations	4
	Adoption and Digital Navigation	7	Provision of subsidized end-user digital devices	5
			Other digital navigation services (e.g., digital literacy services, educational resources for digital resources)	2
	Speed of Network*	3	Hybrid fiber coaxial DOCSIS 3.1 or higher	3
			Wireless using licensed spectrum	2
Low Earth Orbit (LEO) satellite (extreme high-cost areas only)			1	

* - The BEAD NOFO requires this scoring category for all Other Last-Mile Broadband Deployment Projects.

MINIMAL BEAD PROGRAM OUTLAY – 40 POINTS

The Minimal BEAD Program Outlay scoring criterion is the same for Other Last-Mile Deployment Broadband Projects and Priority Broadband Projects.

AFFORDABILITY – 20 POINTS

The Affordability scoring criterion is the same for Other Last-Mile Deployment Broadband Projects and Priority Broadband Projects.

FAIR LABOR PRACTICES – 15 POINTS

The Fair Labor Practices scoring criterion is the same for Other Last-Mile Deployment Broadband Projects and Priority Broadband Projects.

SPEED TO DEPLOYMENT – 1 POINT

The Speed to Deployment scoring criterion is the same for Other Last-Mile Deployment Broadband Projects and Priority Broadband Projects.

OPEN ACCESS – 7 POINTS

Description: Open access networks refer to a single network that is open to utilization by multiple service providers.³⁵ The WSBO supports expanding open access networks across Washington. Therefore, applicants proposing projects that support two or more committed service providers that are unaffiliated with the applicant with signed agreements will receive three points under the open access criterion. Additionally, applicants can also receive up to four points according to their wholesale cost to provide 1 Gbps symmetrical and 100/20 Mbps service, as informed by previous WSBO broadband funding rounds. The WSBO will award two points to applications providing 1 Gbps symmetrical service for \$39.99 per connection or less. It will also award two points for applications providing 100/20 Mbps wholesale prices for \$30 per connection or less.

Rationale: Signed agreements from ISPs beyond the committed ISP prove that the system is open access in deed, not only in name. The wholesale costs come from the median pricing from previous broadband funding rounds completed by the WSBO. The highest point value (seven) is consistent with the median cost.

LOCAL AND TRIBAL COORDINATION – 7 POINTS

Description: Local, regional, and tribal collaboration and coordination are required to foster adequate engagement between applicants and communities to determine their local, regional, and tribal needs. To support local and tribal coordination, the WSBO will allocate up to seven points to applicants demonstrating engagement with local, tribal, and regional entities. Applications that include letters of support from county commissioners, city councils, or tribal governments will receive three points. Applications that also provide records of local or tribal government consultations will receive an additional four points. Please note that a tribal resolution

³⁵ NoaNet (February 24, 2021), What is an “Open Access” Network? Accessed at: <https://www.noanet.net/insights/what-is-an-open-access-network/>

is required from each tribal government on whose lands the infrastructure will be deployed and is a minimum requirement (not scored), as described in [Section 4.8 – Deployment Project Tribal Consent](#).

Rationale: This scoring element is required by the Washington State Legislature. Letters of support and consultations speak to local involvement with local, tribal, and regional entities, a core tenet of the WSBO’s objectives for community engagement related to broadband expansion.

ADOPTION AND DIGITAL NAVIGATION – 7 POINTS

Description: Adoption and digital navigation refers to the provision of subsidized end-user devices and a description of how the applicant will provide digital navigation services. Digital Navigator services reduce barriers through education and device distribution, providing a path forward in equitable digital inclusion, as defined by the Washington State Department of Commerce. Service delivery includes real-time assistance with an option to leverage the use of digital learning platforms to teach the digital curriculum through in-person, webinar-based and at-your-own-pace modalities. The WSBO will award five points to applicants that can demonstrate how they will provide subsidized end-user digital devices to residents in their project area. The WSBO will award an additional two points to applicants that can demonstrate how they will offer digital navigation services to residents in their project area (e.g., digital literacy services).

Rationale: Supporting adoption of broadband service and providing digital navigation is essential to the success of the BEAD program. The provision of subsidized end-user digital devices will support the use of newly constructed broadband infrastructure in populations who may not otherwise be able to purchase internet-capable devices. Additionally, offering digital navigation services will support Washingtonians who may not have previous experience accessing the internet, allowing them to take advantage of broadband service.

SPEED OF NETWORK – 3 POINTS

Description: The speed of network measures the data transfer rate from a source system to a destination system. This impacts the speed at which an internet user can access the service. The WSBO has outlined three non-fiber broadband technologies that will receive points for the speed of network for last-mile broadband deployment projects. The most preferred technology is hybrid fiber coaxial using a DOCSIS 3.1 standard or higher, which receives three points; the second most preferred technology is fixed wireless using licensed spectrum, which receives two points; and the third is Low Earth Orbit (LEO) satellite, which receives one point. LEO satellite is only allowed for projects proposed in extremely high-cost areas.

Rationale: System performance, assured scalability and sustainability are priorities for the other last-mile broadband deployment projects. Priority is given to the systems that provide this based on the technology outlined in the application.

SCORING FOR APPLICATIONS WITH MULTIPLE TECHNOLOGIES FOR BROADBAND SERVICE

The WSBO is committed to using fiber optic technology for locations that are not identified as extremely high-cost locations. The WSBO will still accept applications that propose a combination of fiber optic technology, hybrid fiber coaxial DOCSIS 3.1 or higher, wireless using licensed

spectrum, or LEO satellite to serve a project area optimally. Applications that include multiple technologies for broadband service will be considered for an award if they:

- Satisfy the speed of service requirements.
- Can attain a lower cost per location within the applied for project area(s) due to the combination of technologies.

However, these applications will be scored using the “Other Last-Mile Broadband Deployment Projects” scoring criteria. Moreover, these applications will obtain “Speed of Network” scores based on the slowest broadband speed technology. For example, if the project proposes a combination of fiber optic technology, wireless using licensed spectrum, and LEO satellite, the application will receive a score of one for “Speed of Network.” Additionally, in accordance with the BEAD NOFO, for project areas that receive two applications, one proposing an all-fiber solution and the other proposing a mixed technology approach, if the all-fiber approach does not exceed the EHCT – discussed in [Section 4.9 – Extremely High-Cost Per Location Threshold Identification](#) – the all-fiber application would be the default winner.³⁶

4.2.1 ATTACHMENT – SCORING RUBRIC AND PRIORITIZATION

Attachment 2.4.2.1: As a required attachment, submit the scoring rubric to be used in the subgrantee selection process for deployment projects. Eligible Entities may use the template provided by NTIA or use their own format for the scoring rubric.

The WSBO has included its proposed scoring rubric for priority broadband projects and other last-mile broadband deployment projects in [Appendix 18.5](#).

³⁶ Please note that in the described scenario the mixed approach application could be awarded funding only if the NTIA grants a waiver allowing the WSBO to accept an alternative project. NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

4.3 PRIORITIZATION OF PROJECTS

Text Box 2.4.3: Describe how the proposed subgrantee selection process will prioritize Unserved Service Projects in a manner that ensures complete coverage of all unserved locations prior to prioritizing Underserved Service Projects followed by prioritization of eligible CAIs.

Using BEAD funding, the WSBO will strive to meet its goal of universal broadband service across Washington. To do so, the WSBO will prioritize complete coverage of unserved locations before awarding funding for underserved locations and eligible CAIs. However, the WSBO also understands that some project applications may include a mix of unserved, underserved, and eligible CAIs to optimize network design, minimize BEAD outlay costs, and increase speed to deployment. The WSBO will undertake the proposed subgrantee selection process considering all these factors.

The WSBO has defined project areas as county boundaries with project areas limited to 1,000 BSLs based on responses given by stakeholders during the public comment period. Please see [Section 4.6 – Project Area Definition](#) for more information on project area definition. As such, the WSBO requires applicants to commit to providing at least 100/20 Mbps service to all unserved and underserved BSLs within a project area. For eligible CAIs within a project area, applicants are strongly encouraged to commit to providing 1 Gbps symmetrical service. To offset the anticipated shortfall in BEAD funding to support universal service goals, the WSBO will prioritize BEAD applications that offer a higher match percentage if all technical solutions and coverage areas are equal.

As described in [Section 4.7 – Coverage for Locations with No Proposals](#), if unclaimed locations remain after all applications are received, the WSBO will engage with applicants who have submitted applications for project areas adjacent to the unclaimed locations. If there are no applicants who fit this description, the WSBO will reach out to potential providers who may have the ability to extend services to the unclaimed areas, either due to existing infrastructure assets or the WSBO's knowledge of planned coverage areas. The WSBO will utilize the cost modeling tools referenced in [Section 4.9 – Extremely High-Cost Per Location Threshold Identification](#) to assess cost reasonableness for expanding coverage proposed by applicants. In this scenario, the WSBO will also review how much unawarded BEAD funding remains that could be applied as an incentive by awarding funding above the 75% project cost (maximum allowable under 25% minimum match) for unclaimed areas if the NTIA grants a waiver for areas that are not designated as high-cost areas.

4.4 *PRIORITIZATION OF CAIs*

Text Box 2.4.4: If proposing to use BEAD funds to prioritize non-deployment projects prior to, or in lieu of the deployment of services to eligible CAIs, provide a strong rationale for doing so. If not applicable to plans, note “Not applicable.”

Not applicable.

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4.5 SUBGRANTEE EHP AND BABA REQUIREMENTS

Text Box 2.4.5: The proposed subgrantee selection process is expected to demonstrate to subgrantees how to comply with all applicable Environmental and Historic Preservation (EHP) and Build America, Buy America Act (BABA) requirements for their respective project or projects. Describe how the Eligible Entity will communicate EHP and BABA requirements to prospective subgrantees, and how EHP and BABA requirements will be incorporated into the subgrantee selection process.

The WSBO is committed to communicating and monitoring subgrantees' compliance with the requirements outlined in the [National Environmental Policy Act \(NEPA\)](#), the [National Historic Preservation Act \(NHPA\)](#), and [Build America, Buy America Act \(BABA\)](#), throughout each subgrantees' project.

ENVIRONMENTAL AND HISTORIC PRESERVATION (EHP) COMPLIANCE

The WSBO will adhere to all EHP requirements in the NEPA and NHPA and will communicate these requirements to all potential applicants before the selection process begins. This will be completed by conducting informational webinars, posting a list of regulations on the [project website](#), and including the requirements in grant guidelines, instructions, and applications. The WSBO will reiterate BABA requirements in contract agreements and through all monitoring and evaluation requirement instruction documents. These communications will specifically highlight the following points:

- Subgrantees must submit all required environmental documentation describing how they will comply with applicable environmental and national historical preservation requirements to the WSBO for all broadband deployment projects or other eligible activities containing construction and/or ground-disturbing activities. The WSBO will include this documentation in its Final Proposal. Documentation may include:
 - The completion of environmental review and issuance of a Record of Consideration, Finding of No Significant Impact, or Record of Decision that meets the requirements of the NEPA.
 - The completion of required consultations, including consultations with the State Historic Preservation Office and the appropriate federally recognized Native American tribes under Section 106 of the NHPA and/or consultations with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.
 - The completion of any other additional information that may be required after an application is accepted for funding to demonstrate compliance with all other applicable Federal, State, and local environmental laws and regulations.
- Subgrantees are responsible for obtaining and providing proof of all necessary federal, state, and local governmental permits and approvals necessary for conducting the proposed work.
- Subgrantees must design projects and other eligible activities to minimize the potential for adverse impacts on the environment.

Project implementation (site preparation, demolition, construction, ground disturbance, or any other project implementation activities) may not begin before the completion of the above activities, and projects that fail to comply with EHP regulations will not receive BEAD funding.

The WSBO will conduct thorough reviews of all invoices and materials provided by subgrantees to ensure compliance with submitted documentation before reimbursement to ensure compliance with submitted documentation.

As adhering to these requirements is necessary to participate in any BEAD funding grant rounds, stakeholder engagement is critical for success. The WSBO will encourage applicants to engage with federal, state, and local stakeholders, including:

- Federal land and resource managing agencies, including but not limited to the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the National Marine Fisheries Service, the U.S. Army Corps of Engineers, the U.S. Coast Guard, the U.S. Forest Service, and others, to understand any restrictions or special conditions that may apply to infrastructure proposed on federal land, or that may impact federally managed resources such as wetlands, threatened or endangered species, navigable waterways, and others.
- State and local agencies that may have a role in EHP requirements, such as the State or Local Historic Preservation Office, as well as state or local agencies that may need to issue their own permits for any proposed projects.

The WSBO recognizes the importance of compliance with the acts noted above and ongoing monitoring of the subgrantees to ensure compliance. In preparation for monitoring subgrantee compliance with EHP requirements, the WSBO will also take the following steps, as suggested in the NTIA's Federal EHP Preparation Checklist.³⁷

- Review of available resources and requirements:
 - Familiarity with the EHP requirements and additional guidance in the BEAD NOFO.
 - Understanding of the requirements of the NEPA review process and the NHPA.
 - Review of the NEPA, Historic Preservation, and Climate Resiliency Webinar and presentation materials.
- Sourcing of EHP-focused staff or contractors:
 - Demonstrate the readiness of their broadband team to analyze potential environmental impacts.
 - If necessary, hire additional staff or contractor support to ensure their broadband team has the appropriate capacity and expertise to manage EHP activities.
 - Designate individuals to be specifically responsible for EHP activities. Outline their responsibilities associated with managing EHP and NEPA review activities.
 - Invite collaborators or subject matter experts to support their team.
- Outline an approach for EHP activities:
 - Outline steps and activities necessary to ensure applicants understand the requirements to comply with NEPA.

³⁷ NTIA (2022), Environmental and Historical Preservation and Climate Resiliency Preparation Checklist. Accessed at: [Environmental & Historical Preservation and Climate Resiliency Preparation Checklist \(ntia.gov\)](https://www.ntia.gov/environmental-and-historical-preservation-and-climate-resiliency-preparation-checklist)

- Coordinate with other state offices with experience administering federal grants, such as the Department of Transportation & Development, to identify best practices and approaches for managing the NEPA review process.
- Identify subcontractors they may engage to support with potential environmental assessments.
- Share best practices for developing a project description that provides enough detail about the potential impacts on the environment to make a preliminary determination about the level of NEPA review required.

Qualified personnel will collect, and review documentation related to the above requirements and submit NEPA documentation to the NTIA's Environmental Compliance and Federal Preservation Office for review and approval. The WSBO will consider hiring additional staff or contractors to ensure appropriate capacity and expertise to adequately review the documentation and provide a third-party perspective of the abovementioned requirements.

BUILD AMERICA, BUY AMERICA ACT (BABA) COMPLIANCE

The WSBO will communicate the requirements stipulated in BABA to all potential applicants before the selection process begins. This will be completed by conducting informational webinars, posting a list of regulations on the [project website](#), and including the requirements in grant guidelines, instructions, and application. The WSBO will reiterate BABA requirements in contract agreements and through all monitoring and evaluation requirement instruction documents. These communications will specifically highlight the following points:

- Taxpayer dollars invested in public infrastructure should not be used to reward companies that have moved their operations, investment dollars, and jobs to foreign countries or foreign factories, particularly those that do not share or openly flout the commitments of the United States to environmental, worker, and workplace safety protections.
- Entities using taxpayer-financed Federal assistance should give a commonsense procurement preference for the materials and products produced by companies and workers in the United States following the high ideals embodied in the environmental, worker, workplace safety, and other regulatory requirements of the United States.
- Construction materials such as steel, iron, manufactured products (including fiber-optic communications facilities), non-ferrous metals, plastic and polymer-based products, glass, lumber, and other construction materials used in the funded BEAD project must be produced in the United States unless a waiver is granted.
- In determining whether a product is produced in America, subrecipients must comply with definitions included in Section 70912 of BABA, which provides that a manufactured product is considered produced in the United States if the manufactured product was manufactured in the United States. The cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55% of the total cost of all components of the manufactured product unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

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- Subgrantees may not use BEAD funding to purchase or support any covered communications equipment or service, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 ([47 U.S.C. § 1608](#)).
 - As the Infrastructure Investment and Jobs Act prohibits, subgrantees may not use BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People’s Republic of China unless the NTIA Assistant Secretary grants a waiver.

The WSBO acknowledges that, at the time of drafting this Initial Proposal, the NTIA is still developing guidance around BABA as the U.S. Department of Commerce considers a limited waiver to existing BABA requirements.³⁸ To account for this uncertainty, the WSBO will adopt the final guidance published by NTIA and communicate this process to all prospective applicants.

Applicants will not receive BEAD funding if they do not show intent to abide by BABA or explicitly violate the BABA requirements.

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³⁸ NTIA (2023), BEAD Build America, Buy America Waiver Request for Comment. Accessed at: [BEAD Build America, Buy America Waiver Request for Comment | BroadbandUSA \(doc.gov\)](#)

4.6 PROJECT AREA DEFINITION

Text Box 2.4.6: Describe how the Eligible Entity will define project areas from which they will solicit proposals from prospective subgrantees. If prospective subgrantees will be given the option to define alternative proposed project areas, describe the mechanism for de-conflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.

The WSBO recognizes the importance of adequately defining project areas, as a subgrantee's readiness to deploy is a function of the size of the project area. Therefore, it has contracted with Breaking Point Solutions, LLC, to help the WSBO find the right balance in defining project areas. To understand different points of view on project area definition, the WSBO engaged with stakeholders in multiple ways, including a public webinar discussing project area definition, and one-on-one meetings with ISPs, public utility districts, counties, and others to receive input.

Based on feedback received during the public comment period for the Initial Proposal Volume II, the WSBO has decided to use county boundaries with projects within these boundaries targeted at approximately 1,000 BSLs. For counties with over 1,000 BSLs, this means that multiple project areas will be within a county boundary. For example, King County Project Area 1, King County Project Area 2, etc. Through continued consultation with stakeholders and additional public engagement, some project areas will be fine-tuned manually to ensure that they are contiguous. The manual editing process will be completed prior to the Challenge Process start date and will permit adjustments if needed, especially around geographic barriers such as rivers, or consolidating island groups into single areas within a county. The automatic and manual processes will be structured so there is no overlap between project areas.

With respect to tribal areas, the WSBO has identified one project area per reservation regardless of the number of BSLs. The WSBO welcomes further engagement and consultation opportunities with tribes to determine the preferred identification of tribal project areas.

The following steps outline the criteria and methods for producing the project area selection maps and data for county boundaries and school districts.

1. For each location ID in the Federal Communication Commission's (FCC's) most recent October release of the fabric, the location ID is selected as unserved if no ISP provides a minimum of 25/3 Mbps service. The location ID is classified as underserved if the service provides greater than or equal to 25/3 Mbps service but less than 100/20 Mbps service. If the location ID shows as having a firm commitment from either State or Federal programs, it is removed from consideration.
2. Technologies such as Geosynchronous Satellite, LEO Satellite, and unlicensed fixed wireless are excluded from consideration.
3. Copper wire technologies, or Digital Subscriber Line (DSL), showing speeds greater than or equal to 100/20 Mbps are downgraded to less than 100/20 Mbps to be classified as underserved. As outlined in the [DRAFT Initial Proposal Volume I](#), this modification better reflects the locations eligible for BEAD funding, as it facilitates the phase-out of legacy copper facilities and ensures the delivery of "future-proof" broadband service.
4. Unserved and underserved location ID counts are aggregated by census block, resulting in an unserved and underserved count for each census block. The census block thereby becomes the most granular unit of analysis.

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5. Census blocks within the census block groups identified by the NTIA as high-cost areas are flagged as high-cost, as is each location ID within the census block.
 6. Location IDs within one mile of any coaxial or fiber service providing greater than or equal to 100/20 Mbps service are defined as potential expansion targets for existing network deployments and may be identified as distinct project areas.
 7. Location IDs within the boundaries of tribal areas are processed separately. Tribal areas will be treated as independent project areas.
 8. Location IDs that are neither unserved nor underserved are excluded from further consideration.
 9. The remaining census blocks are used for area assignment, each containing one or more unserved or underserved location IDs.

Following these initial steps outlined above, boundaries are set to counties. Within each county, the project area target count is 1,000 location IDs. Following this designation, an iterative automated cluster process will be started essentially as defined below:

10. If there are census blocks that have not yet been assigned to an area (county):
 - a. For all unassigned census blocks, the census block with the highest number of unserved and underserved location IDs is selected for the starting point.
 - b. The area geography is retrieved from this census block for future comparison.
 - c. A new project area ID is created, starting with the inclusion of this census block.
 - d. The nearest census blocks are added to the area ID in order from closest to furthest until:
 - i. There are at least 1,000 location IDs in the area, OR
 - ii. There are no remaining unassigned census blocks in the area.
11. When all census blocks have been assigned to an area ID, the geometry of the areas is reviewed to ensure that areas do not jump over other areas, creating discontinuous areas. If such cases are found, census blocks are reassigned to areas to ensure each area is reasonably contiguous. If areas defined in this way have extreme anomalies, i.e., rivers bisecting the area with no available bridge access, these anomalous areas will be manually adjusted by changing assignments from one area to another or by creating new areas. If areas show an extremely low number of BSLs that could jeopardize bidding, they may be manually merged with adjacent areas (in some cases, the automated process resulted in project areas with less than 50 BSLs).
12. Each location ID is assigned an area ID corresponding to the area ID of its census block.

4.7 COVERAGE FOR LOCATIONS WITH NO PROPOSALS

Text Box 2.4.7: If no proposals to serve a location or group of locations that are unserved, underserved, or a combination of both are received, describe how the Eligible Entity will engage with prospective subgrantees in subsequent funding rounds to find providers willing to expand their existing or proposed service areas or other actions that the Eligible Entity will take to ensure universal coverage.

If, after soliciting proposals, the WSBO has received no applications to serve a location or group of locations that are unserved, underserved, or a combination of both unserved and underserved, the WSBO will start by engaging with applicants who have submitted applications for project areas adjacent to the unclaimed locations. If there are no applicants who fit this description, the WSBO will reach out to potential providers who may have the ability to extend services to the unclaimed areas either due to existing infrastructure assets or the WSBO's knowledge of planned coverage areas. It is the WSBO's intent that, even if a project area does not initially receive any proposals, fiber optic technology would be the priority technology for non-extremely high-cost locations. The WSBO will utilize the cost modeling tools referenced in [Section 4.9 – Extremely High-Cost Per Location Threshold Identification](#) to assess cost reasonableness for expanding coverage proposed by applicants. The WSBO will also review how much unawarded BEAD funding remains in this scenario that could be applied as an incentive by awarding funding above the 75% project cost (max allowable under 25% minimum match) for unclaimed areas if the NTIA grants a waiver for areas that are not designated as high-cost areas. This process could involve several rounds of negotiations until the WSBO reaches an agreement with a potential subgrantee that best serves the project area.

The WSBO plans to be transparent with direct negotiation of offers and counteroffers. After publicly announcing awards, awards provided through direct negotiation will be noted. The WSBO will allocate no more than 60 days for direct negotiation to allow sufficient time to submit the Final Proposal within the one-year timeline. The direct engagement and negotiation with potential subgrantees will take place concurrently with the evaluation of the second application evaluation round—once all applications have been received and unclaimed project areas are identified. Award decisions for the first and second rounds of applications will not be impacted by applicants' decisions to participate in direct negotiation. If direct negotiations are unsuccessful, the WSBO will seek NTIA's approval to allow a program for broadband technologies that are considered less reliable, such as LEO satellite service, that can still meet the minimum of 100 Mbps download and 20 Mbps upload speed.

4.8 DEPLOYMENT PROJECT TRIBAL CONSENT

Text Box 2.4.8: Describe how the Eligible Entity intends to submit proof of Tribal Governments' consent to deployment if planned projects include any locations on Tribal Lands.

The WSBO is committed to implementing a selection process that honors and respects the sovereignty, autonomy, and authority of the 29 federally recognized tribes throughout Washington state. Therefore, applicants with plans to build within any tribal lands will be required to provide a Resolution of Consent or other formal demonstration of consent from each tribal government's tribal council or other governing body upon whose tribal lands the infrastructure will be deployed. If the applicant is the tribe or an internet service provider owned by the tribe, consent to deployment is presumed. The WSBO will require that a Resolution of Consent, or any substitute document used at the request of the tribal government, be submitted by the applicant at the time of application, along with other relevant documents demonstrating that holistic local coordination occurred.

The WSBO will also require all applicants to follow the Bureau of Indian Affairs rights-of-way processes documented in 25 CFR § 169. In addition, the rule requires that the majority of owners of the interests in a tract must consent to the rights-of-way, following the statutory requirement in 25 USC § 324. It specifies that tribes and "individual Indian" landowners may negotiate the terms of their consent, which ultimately become the terms of the grant.

The WSBO will aim to ensure that applicants are aware of these requirements, in addition to any grant agreement terms and conditions and subgrantee grant reporting requirements before and throughout the selection process. The WSBO will inform potential applicants of requirements through conducting regulations information webinars, posting a list of regulations on the [project website](#), and including the requirements in grant applications and instructions.

4.9 EXTREMELY HIGH-COST PER LOCATION THRESHOLD IDENTIFICATION

Text Box 2.4.9: Identify or outline a detailed process for identifying an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process. The explanation must include a description of any cost models used and the parameters of those cost models, including whether they consider only capital expenditures or include the operational costs for the lifespan of the network.

The WSBO will not determine an EHCT until after issuing a Washington State BEAD NOFO and receiving responses in the first (potentially only) round of applications.³⁹ Initial universal service cost estimates have been based on awarded projects from previous grant programs and cost estimates described in the [Five-Year Action Plan](#).⁴⁰ This initial estimate primarily relied on a density-based fiber-only model. It was analyzed at a county level and compared with rapid design assessments conducted independently. Using this method, which was completed before any deduplication efforts, a budget shortfall of approximately \$480 million was expected. After deduplication, the WSBO will update the cost per location calculations using actual project budgets submitted as part of the subgrantee selection process to accurately reflect the number of unserved and underserved BSLs and current market conditions. The WSBO will then compare the actual budgets proposed by applicants to information from cost modeling tools to identify a reasonable EHCT value. These cost modeling tools include:

- The Extremely High-Cost Threshold tool is part of the NTIA’s Eligible Entity Toolkit in the National Broadband Availability Map. This tool is based on CostQuest Associates’ cost model data. The WSBO will look at the Net Present Value, which includes the up-front construction costs of the network and the revenue and operational costs over the assumed lifespan of the network. The WSBO will follow the Uniform Guidance pertaining to the lifespan of the network.
- OptiExpress Software™ is a cloud-based platform designed to optimize the ability to cost, design, and deploy cost-effective broadband networks based on various scenarios, including fiber, fixed wireless, and potentially alternative technologies as needed. Much of the data is based on U.S. census blocks and other public and private data sources. The model outputs include the percentage of households covered given specified cost constraints, the project cost per household, and the five-year ‘Internal Rate of Return for ISPs.’ This metric includes subscription rate assumptions and subscription fee assumptions. It provides an investment finance perspective on the feasibility of a design.⁴¹

Triangulating between various cost model estimates and actual BEAD application budget data will help WSBO establish an EHCT that can optimize BEAD funding to reach all unserved and underserved locations. Additionally, the WSBO will follow guidance from the NTIA and update the EHCT in the subsequent application round if needed.

4.10 EXTREMELY HIGH-COST PER LOCATION THRESHOLD PROCESS

Text Box 2.4.10: Outline a plan for how the Extremely High Cost Per Location Threshold will be utilized in the subgrantee selection process to maximize the use of the best available technology

³⁹ As defined by the BEAD NOFO, an “Extremely High-Cost Per Location Threshold” is a BEAD subsidy cost per location to be utilized during the subgrantee selection process above which an Eligible Entity may decline to select a proposal if use of an alternative technology meeting the BEAD Program’s technical requirements would be less expensive.

⁴⁰ Appendix 7.13 of the [Five-Year Action Plan](#) describes the methodology for estimating the cost of universal services.

⁴¹ Breaking Point Solutions (2023). Project Overview documentation for Rapid Design Studies.

while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.6.b of the BEAD NOFO. The response must describe:

- a. The process for declining a subgrantee proposal that exceeds the threshold where an alternative technology is less expensive.
- b. The plan for engaging subgrantees to revise their proposals and ensure locations do not require a subsidy.
- c. The process for selecting a proposal that involves a less costly technology and may not meet the definition of Reliable Broadband.

DECLINING AN APPLICATION THAT EXCEEDS THE EXTREMELY HIGH-COST PER LOCATION THRESHOLD (EHCT) PROCESS

The EHCT provides a mechanism for the WSBO to decline a fiber-to-the-home (FTTH) application that exceeds the threshold where an alternative technology is less expensive. However, the WSBO will still prioritize FTTH projects unless the decision not to select an FTTH project results in significantly more eligible unserved and underserved locations receiving service that still meets the minimum broadband requirements. The WSBO will conduct the initial application round, deconflict project areas, and conduct its evaluation of the highest-scoring applications. If there are remaining project areas that have not received any applications, the WSBO will use cost modeling to estimate how much funding may be needed to serve the remaining areas and will make a determination based on how much funding is still needed. The WSBO may still decide to fund a priority project above the threshold if sufficient BEAD funding remains available.

Where there is overlap in project areas between the highest-scoring FTTH project and an alternative technology, the WSBO will utilize the EHCT to determine if the FTTH application exceeds this amount. If better value is provided by an alternative technology, which would enable more funding for a subsequent application round and more locations to be covered. The WSBO may then opt to go with the alternative technology. If any project areas remain unclaimed after the second application round, the WSBO will revisit the EHCT and may also reach out to applicants from both the first and second round of applications who have proposed projects in areas adjacent to the unclaimed areas to discuss if applicants can revise their applications to either reduce the funding requested or to cover more locations.

PLAN FOR ENGAGING SUBGRANTEES TO REVISE APPLICATIONS AND ENSURE LOCATIONS DO NOT REQUIRE A SUBSIDY

The WSBO anticipates that unserved and underserved locations that do not require a subsidy to provide the location with broadband will be identified through the Challenge Process. In other words, areas not requiring a subsidy are likely to already have an existing enforceable commitment. In these areas, providers can demonstrate that additional locations may be served beyond those identified in the most recent version of the [FCC National Broadband Map](#). The WSBO assumes that applicants will only submit applications for locations requiring a subsidy to achieve full-service coverage of an area.

PROCESS FOR SELECTING A PROPOSAL THAT INVOLVES A LESS COSTLY TECHNOLOGY AND MAY NOT MEET THE DEFINITION OF RELIABLE BROADBAND

Although the WSBO will prioritize projects that meet the definition of reliable broadband, given anticipated budget constraints, there will likely be some locations that may need to be served by

alternative, less costly technologies. Based on this understanding, the WSBO has developed scoring criteria for this scenario outlined in [Section 4.2 – Scoring Rubric and Prioritization](#) under the secondary ‘Speed of Network’ criteria. The scoring of applications using alternative technologies will receive points in this category weighted in order of presumed reliability. The WSBO has identified these technologies as:

- Hybrid fiber coaxial technology using the DOCSIS 3.1 standard or higher (considered reliable by the NTIA)
- Fixed wireless technology using licensed spectrum (considered reliable by the NTIA)
- LEO satellite (only for areas considered extremely high-cost and is considered unreliable by the NTIA).

4.11 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: FINANCIAL CAPABILITY

Text Box 2.4.11: Describe how the Eligible Entity will ensure prospective subgrantees deploying network facilities meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a Project, that prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that prospective subgrantees will comply with all Program requirements, including service milestones. To the extent the Eligible Entity disburses funding to subgrantees only upon completion of the associated tasks, the Eligible Entity will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the Eligible Entity authorizes additional disbursements.
- b. Detail how the Eligible Entity plans to establish a model letter of credit substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF).
- c. Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements.
- d. Detail how the Eligible Entity will require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project.

The WSBO is committed to ensuring that applicants deploying network facilities meet the minimum financial capability qualifications outlined in the BEAD NOFO. To understand the financial capability of BEAD program applicants, the WSBO will undertake the strategies below.

CERTIFICATION

The WSBO will require applicants to certify that they are financially qualified to meet the obligations associated with a project, that they will have available funds for all project costs that exceed the grant amount, and that they will comply with all program requirements, including service milestones. The WSBO will disburse funding to subgrantees only upon completion of the associated tasks. Each applicant must also certify that it has and will continue to have sufficient financial resources to cover its eligible project costs until the WSBO authorizes additional disbursements.

The WSBO will follow federal and state requirements for disbursements of funds. The WSBO anticipates using the forms and processes for disbursement it has utilized in previous grants, including from the Broadband Infrastructure Fund, which is familiar to both the WSBO and potential applicants.

LETTER OF CREDIT

The WSBO will require applicants to submit a letter of credit – or any acceptable alternative approved by the NTIA – for each proposed project application. To establish a model letter of credit substantially similar to the one established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF), the WSBO will require applicants to submit a letter from a bank that meets eligibility requirements consistent with those set forth in [47 CFR § 54.804\(c\)\(2\)](#). In the letter, the bank must commit to issuing an irrevocable standby letter of credit to the applicant in the required form. The letter shall, at a minimum, provide the dollar amount of the letter of credit and the issuing bank's agreement to follow the terms and conditions of the WSBO's model letter of credit. Before entering into any subgrantee agreement, each applicant shall submit the letter of

credit which shall be acceptable in all respects to the WSBO and in a value of no less than 25% of the sub-award amount.

In October 2023, the NTIA issued a conditional programmatic waiver that includes four acceptable alternatives to the letter of credit requirements described above.⁴² Specifically, the NTIA will allow applicants to:

- Obtain a letter of credit from a credit union insured by the National Credit Union Administration and with a credit union safety rating issued by Weiss of B- or better.
- Obtain a performance bond with a value of at least 100% of the awarded amount in lieu of a letter of credit.
- Reduce the letter of credit, or performance bond, amount upon achievement of specific deployment milestones. The WSBO would be responsible for establishing the parameters associated with any reductions, which would apply to all subgrantees.
- Obtain a letter of credit or performance bond in the amount of 10% if funding is reimbursable for a performance period of six months or less.

Only a letter of credit or an alternative as prescribed by the NTIA for applications, will be acceptable. All documents related to letters of credit or an approved NTIA alternative to satisfy this requirement will be treated confidentially by the WSBO and its contractors.

AUDITED FINANCIAL STATEMENTS

The WSBO will require applicants to submit financial statements from the most recent two years that are audited by an independent certified public accountant. Financial statements must include income statements, balance sheets, cash flow statements, auditor's opinions, management letters, and any other statements, schedules, disclosures, or representations. If the applicant has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the most recent two years, with a certification that the applicant will provide audited financial statements from the most recent two years as soon as they are made available to the applicant. The WSBO will also require applicants to complete a Risk Assessment Form. An example Risk Assessment Form is attached in [Appendix 18.6](#).

Local governments applying for BEAD funding will not have to submit prior audits if the Office of the Washington State Auditor conducted the audits. The WSBO will instead utilize the Washington State Auditor's Financial Intelligence Tool to evaluate a local government applicant's financial status fully. However, during the financial review, WSBO may request additional information. If audits conducted within the past two years include significant findings, the WSBO may include special conditions in the applicant's contract, if awarded.

The WSBO will not approve any grant for deploying or upgrading network facilities unless it determines that the documents submitted demonstrate the applicant's financial capability concerning the proposed project.

SUSTAINABILITY / PRO FORMA ANALYSES OF PROPOSED PROJECT

⁴² NTIA (2023), Notice of Programmatic Waiver. Accessed at: [BEAD Letter of Credit Waiver Notice \(ntia.gov\)](#)

The WSBO will require applicants to submit business plans and related analyses demonstrating each proposed project's sustainability. These can be provided as pro forma statements or analyses that include current cash flow and balance sheet projections, and at least three years of operating costs and cash flow projections after the project's targeted completion. The business plan and related analyses must include, but are not limited to, the following elements:

- A marketing plan to stimulate and retain subscriptions, including the implications of the Affordable Connectivity Program, Middle Class Affordability, and Low-Cost Service Option.
- Pricing plans that commit to not raising rates that exceed the Consumer Price Index for All Urban Consumers (CPI-U), as discussed in [Chapter 13 – Middle-Class Affordability](#), for at least five years from the date of infrastructure deployment.
- A customer service plan ensuring qualified broadband service installation within 10 days of any request.
- A customer service plan ensuring the repair of qualified broadband service within 48 hours (except during inclement weather when service crews may be unable to travel).
- A customer complaint process ensuring response within five days and resolution within 30 days unless a more extended period is mutually agreed upon with the subscriber.
- Network monitoring and outage reporting procedures, including public transparency.
- Staffing of personnel to support network and customer operational sustainability after construction.
- Location(s) of field personnel involved in installation and repair of the proposed project network and estimated “windshield” time – the time technicians spend traveling to and from sites – for response (to demonstrate adequate operational support).
- A business continuity and disaster recovery plan for the project area.
- Redundancy, diversity, and fault points of the proposed project network.
- Use of shared infrastructure owned or controlled by a third party.
- The network technology to be deployed and its long-term stability indicated by possible capital investments required within five years – if required, the engineering plan, procurement process, and evidence of funding must be included.
- Consumer support plans for sustainable digital equity, training, and technical support.
- Network standards employed to determine augments or expansion of middle mile, lateral, or backhaul facilities for network congestion and the ability to expand.

The WSBO will require subgrantees to complete a post-construction business operations budget for the five years following the end of construction. The business operations budget must include revenues based on subscription and pricing, including subsidies to all locations in the project area, direct cost of operations, and administrative and selling costs in a financial statement pro forma, including depreciation of the subgrantee match. The budget submitted will be measured against semiannual reporting post-completion of the project.

INCORPORATION INTO SUBGRANTEE SELECTION PROCESS

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that do not meet the minimum qualifications for financial capability, as outlined on pages 72–73 of the BEAD NOFO, will not be considered for BEAD funding.⁴³

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⁴³ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

4.12 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: MANAGERIAL CAPABILITY

Text Box 2.4.12: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for managerial capability as outlined on pages 73 – 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to submit resumes for key management personnel.
- b. Detail how it will require prospective subgrantees to provide a narrative describing their readiness to manage their proposed project and ongoing services provided.

The WSBO is committed to ensuring that applicants deploying network facilities meet the minimum qualifications for managerial capability, as outlined in the BEAD NOFO.

The WSBO will require applicants to submit resumes for all key management personnel and any necessary project organizational chart(s) and corporate relationships detailing all parents, subsidiaries, and affiliates. Applicants will submit resumes, organizational chart(s), and corporate relationships through a Risk Assessment Form. An example Risk Assessment Form can be found in [Appendix 18.6](#). If a key management personnel position is currently vacant, the applicant must include a staffing plan and projected date of hire. Any key management position staffed by a contractor/subcontractor individual or firm must be identified as such, and disclosure of the duration and renewal clauses is required.

Each applicant must also provide a narrative describing the applicant's readiness to manage a broadband service network. This narrative should describe the experience and qualifications of key management for undertaking this project, its experience undertaking projects of similar size and scope, recent and upcoming organizational changes (including mergers and acquisitions), and relevant organizational policies. The narrative should include relevant organizational policies, including, but not limited to, Equal Opportunity Employment, Labor Standards and Protection, Workforce Development of a skilled and credentialed workforce, and compliance with employment law and union contracts.

The WSBO will require applicants to provide timely updates if any changes are made to the organizational structure, key personnel, or any of required documents listed above. The WSBO will not approve any grant for deploying or upgrading network facilities unless the submitted documents demonstrate the applicant's managerial capability for the proposed project.

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that do not meet the minimum qualifications for managerial capability, as outlined on pages 73–74 of the BEAD NOFO, will not be considered for BEAD funding.⁴⁴

4.13 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: TECHNICAL CAPABILITY

⁴⁴ Ibid.

Text Box 2.4.13: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are technically qualified to complete and operate the Project and that they are capable of carrying out the funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce.

b. Detail how the Eligible Entity will require prospective subgrantees to submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all 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 WSBO is committed to thoroughly vetting all applicants seeking to deploy network facilities to verify that they meet the minimum technical capability qualifications outlined in the BEAD NOFO.

Applicants must submit certification to the WSBO that they are technically qualified to complete and operate their proposed project(s) and capable of carrying out the funded activities competently. This includes using an appropriately skilled and credentialed workforce (see Section IV.C.1.e of the BEAD NOFO).

The WSBO will require all applicants to submit a network design, network diagram, project costs, build-out timeline, and milestones for project implementation. In addition, all applicants must submit a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the applicant would be under a contract stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the project.

Any applicants utilizing fixed wireless technology to serve locations with qualified broadband service must provide the information listed above, plus details of network design (to include towers in place to be used or those to be built), backhaul availability (owned or leased), and timelines for backhaul construction, if needed. Applicants utilizing fixed wireless technology must also specify the spectrum that they will use and provide documentation of the applicant's license for the project area considered in an application.

The WSBO will not approve any grant for deploying or upgrading network facilities unless it determines that the materials submitted demonstrate the applicant's technical capability concerning the proposed project. The WSBO may, at its discretion, request additional information from applicants that have not fully fulfilled contractual obligations as co-applicants of other WSBO, Washington State Community Economic Revitalization Board, Washington State Public Works Board, or other Washington state agency-funded projects to demonstrate additional components of technical capabilities. The WSBO, in its sole discretion, may decline a proposal following such analysis if another priority application exists within the same application area.

The WSBO will require applicants to submit final network designs and diagrams detailed above within four years of the awarded subgrant. All documentation submitted by the applicant must be certified by a professional engineer licensed by the State of Washington Board of Registration for

Professional Engineers & Land Surveyors with active status. The engineer must have demonstrated experience in broadband and/or telecommunications engineering on projects of similar scope to the applicant's project.

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that do not meet the minimum qualifications for technical capability, as outlined on page 74 of the BEAD NOFO, will not be considered for BEAD funding.⁴⁵

⁴⁵ Ibid.

4.14 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: COMPLIANCE CAPABILITY

Text Box 2.4.14: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to demonstrate that they are capable of carrying out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws.
- b. Detail how the Eligible Entity will require prospective subgrantees to permit workers to create worker-led health and safety committees that management will meet with upon reasonable request.

The WSBO is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for compliance with applicable laws as outlined in the BEAD NOFO.

Each applicant must demonstrate that it can conduct funded activities competently in compliance with all applicable federal, state, territorial, and local laws. Applicants must submit a narrative demonstrating this capability for the WSBO to place on record.

The subgrantee must be able to document compliance with all state and federal (if applicable) laws and regulations. Good record-keeping and reporting systems are essential to document compliance. These records must be accessible to Commerce, the Office of the Washington State Auditor, the NTIA, and the Government Accountability Office.

Recipients of BEAD program funds must have a contract management system to ensure contractors follow contract terms, conditions, specifications, and applicable state and federal requirements. This system must:

- Ensure prevailing wage requirements are included in bid documents and contracts.
- Verify the selected contractor and subcontractor are not excluded from receiving federal funds.
- Review contractor and subcontractor compliance with prevailing wage laws, on-site inspections, review of change order requests, project closeout, release of retainage and record keeping.

Please see [Section 16.2 – Subgrantee Accountability](#) for more information about what reporting requirements subgrantees must adhere to so that the WSBO can continuously monitor subgrantees for compliance with applicable federal, state, local, and territorial laws.

Additionally, to ensure that an applicant complies with occupational safety and health requirements, applicants must permit workers to create worker-led health and safety committees that management will meet with upon reasonable request.

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that fail to meet the minimum qualifications for compliance with applicable laws, as outlined on page 74 of the BEAD NOFO, will not be considered for BEAD funding.⁴⁶

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⁴⁶ Ibid.

4.15 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: OPERATIONAL CAPABILITY

Text Box 2.4.15: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for operational capability as outlined on pages 74 – 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they possess the operational capability to qualify to complete and operate the Project.
- b. Detail how the Eligible Entity will require prospective subgrantees to submit a certification that have provided a voice, broadband, and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, attests to and specify the number of years the prospective subgrantee or its parent company has been operating.
- c. Detail how the Eligible Entity will require prospective subgrantees that have provided a voice and/or broadband service, to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this time period, and otherwise has complied with the Commission’s rules and regulations.
- d. Detail how the Eligible Entity will require prospective subgrantees that have operated only an electric transmission or distribution service, to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.
- e. In reference to new entrants to the broadband market, detail how the Eligible Entity will require prospective subgrantees to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.

The WSBO is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for operational capability as outlined in the BEAD NOFO. The WSBO will require applicants to certify that they possess the operational capability to qualify to complete and operate the project. Examples of the required certification are provided below. All applicants must provide a narrative describing the applicant’s operation and maintenance plans and identifying the party’s responsibilities. This will also include a review of the workforce plans submitted as part of the application, components of which are described in **Section 8.1 – Equitable Workforce Development Plans.**

An applicant that has provided a voice, broadband, and/or electric transmission or distribution service for at least two consecutive years before the date of its application submission or that is a wholly owned subsidiary of such an entity must submit a certification that attests to these facts and specifies the number of years the applicant or its parent company has been operating.

If an applicant has provided a voice and/or broadband service, it must certify that it has filed the FCC’s Form 477s and the Broadband DATA Act submission, if applicable, in a timely manner as required during this period, and otherwise has complied with the FCC’s rules and regulations. The certification must be signed by an officer of the applicant (e.g., President or CEO) to be provided to the WSBO.

Alternatively, an applicant must disclose any Form 477 issues, corrections, or other actions requested by the FCC to the applicant, including data irregularities, missed filings, and any other inquiries. An applicant must disclose any 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 FCC rules or regulations.

If an applicant has operated only an electric transmission or distribution service, it must submit qualified operating or financial reports that it has filed with the relevant financial institution for the relevant period, along with a certification that the submission is a true, and accurate copy of the reports that were provided to the relevant financial institution.

For a new entrant to the broadband market, an applicant must provide sufficient evidence to demonstrate that the newly formed entity has obtained sufficient operational capabilities through internal or external resources. Such evidence may include resumes from key personnel, project descriptions and narratives from contractors, subcontractors, or other partners with relevant operational experience or comparable evidence.

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that do not meet the minimum qualifications for operational capability, as outlined on pages 74 –75 of the BEAD NOFO, will not be considered for BEAD funding.⁴⁷

⁴⁷ Ibid.

4.16 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: OWNERSHIP

Text Box 2.4.16: Describe how the Eligible Entity will ensure that any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:
a. Detail how the Eligible Entity will require prospective subgrantees to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).

The WSBO is committed to ensuring that applicants seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for providing information on ownership as outlined in the BEAD NOFO. The WSBO will require each applicant to provide ownership information consistent with the requirements set forth in [47 CFR § 1.2112\(a\)\(1\)-\(7\)](#). The Code of Federal Regulations regarding ownership information requires the following:

1. List the real party or parties in interest in the applicant or application, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the applicant.
2. List the name, address, and citizenship of any party holding 10% or more of stock in the applicant, whether voting or nonvoting, common, or preferred, including the specific amount of the interest or percentage held.
3. List, in the case of a limited partnership, the name, address, and citizenship of each limited partner whose interest in the applicant is 10% or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses).
4. List, in the case of a general partnership, each partner's name, address, and citizenship, and the share or interest participation in the partnership.
5. List, in the case of a limited liability company, the name, address, and citizenship of each member whose interest in the applicant is 10% or greater.
6. List all parties holding indirect ownership interests in the applicant as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain that equals 10% or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50% or represents actual control, it shall be treated and reported as if it were a 100% interest.
7. List any FCC-regulated entity or applicant for an FCC license in which the applicant or any of the parties identified in paragraphs (a)(1) through (a)(5) of the applicable CFR section owns 10% or more of stock, whether voting or nonvoting, common, or preferred. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the applicant (e.g., Company A owns 10% of Company B (the applicant) and 10% of Company C, then Companies A and C must be listed on Company B's application, where C is an FCC licensee and/or license applicant).

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that do not meet the minimum qualifications for providing ownership information, as outlined on page 75 of the BEAD NOFO, will not be considered for BEAD funding.⁴⁸

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⁴⁸ Ibid.

4.17 DEPLOYMENT SUBGRANTEE QUALIFICATIONS: PUBLIC FUNDING

Text Box 2.4.17: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined on pages 75 – 76 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must:

a. Detail how it will require prospective subgrantees to disclose for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.

b. At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of:

- (a)** the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules),
- (b)** the geographic area to be covered,
- (c)** the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage),
- (d)** the amount of public funding to be used,
- (e)** the cost of service to the consumer, and
- (f)** the matching commitment, if any, provided by the subgrantee or its affiliates.

The WSBO is committed to ensuring that any applicant deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined in the BEAD NOFO. Therefore, the WSBO will require each applicant to disclose, for itself and its affiliates, any application for public funding the applicant or its affiliates have submitted or plan to submit. Applicants will also need to disclose every broadband deployment project that the applicant or its affiliates are undertaking or have committed to undertake at the time of the application using public funds, including but not limited to funds provided under:

- The Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178)
- The Coronavirus Aid, Relief, and Economic Security 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)
- Any federal Universal Service Fund high-cost program (e.g., RDOF, Connect America Fund Phase II)
- Any Washington state or local universal service or broadband deployment funding program

The WSBO will require the disclosure, for each broadband deployment project, of:

1. The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules).
2. The geographic area to be covered.
3. The number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage).

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4. The amount of public funding to be used.
 5. The cost of service to the consumer.
 6. The matching commitment, if any, provided by the applicant or its affiliates.

The WSBO will aim to ensure that applicants are aware of these requirements before and throughout the selection process by conducting informational webinars and posting a list of regulations on the [project website](#). Additionally, the WSBO will include the requirements in grant applications and instructions, grant agreement terms and conditions, and subgrantee grant monitoring program requirements.

Applicants that do not meet the minimum qualifications for providing information on other public funding, as outlined on pages 75–76 of the BEAD NOFO, will not be considered for BEAD funding.⁴⁹

⁴⁹ Ibid.

5. NON-DEPLOYMENT SUBGRANTEE SELECTION (REQUIREMENT 9)

5.1 NON-DEPLOYMENT SUBGRANTEE SELECTION PROCESS INTEGRITY

Text Box 2.5.1: Describe a fair, open, and competitive subgrantee selection process for eligible non-deployment activities. Responses must include the objective means, or process by which objective means will be developed, for selecting subgrantees for eligible non-deployment activities. If the Eligible Entity does not intend to subgrant for non-deployment activities, indicate such.

According to the Broadband Equity, Access, and Deployment (BEAD) Notice of Funding Opportunity (NOFO), the Washington State Broadband Office (WSBO) can only use BEAD funding for non-deployment activities if it can demonstrate a plan to bring affordable, high-speed broadband services to all unserved and underserved locations. Unserved locations are those with broadband download speeds less than 25 megabits per second (Mbps) and upload speeds less than 3 Mbps, whereas underserved locations have broadband speeds less than 100 Mbps for downloads and 20 Mbps for uploads.⁵⁰ The BEAD program allocates more than \$1.2 billion to the state of Washington to expand broadband service. However, this amount will likely be insufficient given the estimated number of unserved and underserved locations and the relatively high number of high-cost locations. The Federal Communications Commission's (FCC) National Broadband Map, published October 10, 2023, indicates that Washington has more than 230,000 unserved locations and more than 85,000 underserved locations. These numbers will change once the WSBO begins removing locations with enforceable commitments and after the Challenge Process, as described in the [DRAFT Initial Proposal Volume I](#).⁵¹

For non-deployment activities (activities unrelated to constructing broadband infrastructure), the WSBO expects to rely on other resources, such as the Digital Equity Act's capacity building and competitive grant programs, along with other funding sources, such as state or public-private partnerships. However, if funding is available after providing broadband service to all unserved and underserved locations and eligible community anchor institutions, the WSBO will select non-deployment activities using fair, open, and competitive subgrantee selection processes for eligible activities. The non-deployment subgrantee selection process will parallel the open and competitive grant processes used in currently active state grant programs, like the Digital Navigator Program or the Job Skills Program (see [Appendix 18.7](#) for more information on these program examples). Adjustments will be made to the grant processes as necessary to meet National Telecommunications and Information Administration (NTIA) requirements.⁵² If funding is available, the WSBO will either issue a NOFO or work with another state agency with relevant experience in administering grant programs related to activities supporting statewide priorities. These are workforce development, internet adoption, and affordability.⁵³

⁵⁰ Ibid.

⁵¹ For more information about the WSBO's universal coverage cost estimate and the anticipated funding gap, please refer to the [Five-Year Action Plan](#).

⁵² The Digital Navigator Program is managed by Commerce and provides grants to eligible organizations to provide digital equity and navigation services to Washington residents with limited access to broadband services. The Job Skills Program is administered by the Washington State Board for Community and Technical Colleges to provide training to meet employers' specific needs across multiple industries and provides up to a 50% of training costs paid directly to colleges partnered with employers.

⁵³ Eligible non-deployment uses are described in the [BEAD NOFO](#) (p.39).

5.2 NON-DEPLOYMENT INITIATIVE PREFERENCES

Text Box 2.5.2: Describe the Eligible Entity's plan for the following:

- a. How the Eligible Entity will employ preferences in selecting the type of non-deployment initiatives it intends to support using BEAD Program funds;
- b. How the non-deployment initiatives will address the needs of residents within the jurisdiction;
- c. The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities;
- d. How the Eligible Entity will determine whether other uses of the funds might be more effective in achieving the BEAD Program's equity, access, and deployment goals.

If Washington has remaining funds to allocate towards non-deployment activities, the WSBO will use the [Digital Equity Plan's](#) needs assessment and proposed activities as a guide. This will serve as an initial basis to identify non-deployment initiatives to address the goal of universal access beyond access to infrastructure. In addition to universal access, the WSBO will consider the potential return on investment for state residents. For example, if proposed initiatives can make a case for a "multiplier effect" in communities or applicants can offer match dollars.

Some of the adoption and affordability needs identified through public engagement include, but are not limited to:

- Increasing equitable, diverse, and inclusive on-the-job broadband workforce training program opportunities aligned to broader workforce goals, including emerging areas such as cybersecurity and other information technology-related fields.
- Reducing the digital literacy and skills gap.
- Broadening outreach efforts to increase digital inclusion through trusted community partners.
- Increasing affordability through increasing ACP adoption.

While the BEAD and Digital Equity Planning processes established some preliminary needs, ongoing engagement with diverse state stakeholders and tribal governments will be important to help adjust priorities if needed throughout both programs. Local and tribal coordination efforts described in [Chapter 3 - Local Coordination](#) will inform the selection of eligible non-deployment activities. The WSBO will rely on partnerships to implement activities and to secure additional funding to address federal funding gaps and support the sustainability of activities.

The WSBO will continue to annually evaluate existing digital equity-related programs, such as the Digital Navigator Program, to measure program impact and identify any gaps that BEAD funding can best address. Additionally, the WSBO will review what remains after deployment projects are funded to identify other initiatives that can support the goals established in the [Five-Year Action Plan](#) of universal access, equitable economic development, and scalability and sustainability. The WSBO will also work with partner agencies to monitor progress toward objectives and KPIs established in the [Digital Equity Plan](#).

5.3 ENSURE COVERAGE PRIOR TO NON-DEPLOYMENT PROJECTS

Text Box 2.5.3: Describe the Eligible Entity's plan to ensure coverage to all unserved and underserved locations prior to allocating funding to non-deployment activities.

As mentioned, Washington is focused on first extending broadband coverage to all unserved and underserved locations and then, once those locations are served, supporting symmetrical gigabit service to eligible community anchor institutions before using any BEAD funding for non-deployment activities. Based on initial cost modeling, the WSBO does not anticipate having additional funding available for non-deployment activities.

5.4 NON-DEPLOYMENT SUBGRANTEE QUALIFICATIONS

Text Box 2.5.4: Describe how the Eligible Entity will ensure prospective subgrantees meet the general qualifications outlined on pages 71 – 72 of the NOFO.

Where applicable, the WSBO will apply a similar process to the deployment subgrantee qualification process outlined in [Chapter 4 - Deployment Subgrantee Selection](#) to verify that applicants can meet the general qualifications required in the BEAD NOFO. Before entering into any subgrantee agreement, the WSBO will verify that the subgrantee can:

1. Competently comply with all applicable federal, Washington state, and local laws.
2. Demonstrate financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the program and other requirements as prescribed by the Assistant Secretary of the NTIA or the WSBO.
3. Demonstrate technical and operational capability to provide the services promised in the subgrant as described in the subgrant award.

Applicants must submit a work plan with a narrative describing how they can meet project objectives. They will also need to submit responses to questions that support evidence of the three items mentioned above in addition to supporting documentation, which may include:

- A description of previous successful compliance experience with federal, state, or local requirements related to grant implementation. Applicants must include a statement as to whether they have been subject to any enforcement actions related to past projects. For applicants who have not previously been awarded grant funding, a description of how they intend to comply with all applicable laws will be acceptable.
- Financial reports.
- Resumes of key managerial staff and organizational charts.

6. ELIGIBLE ENTITY IMPLEMENTATION ACTIVITIES (REQUIREMENT 10)

Text Box 2.6.1: Describe any initiatives the Eligible Entity proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

The Washington State Broadband Office (WSBO) will use some of its Broadband Equity, Access, and Deployment (BEAD) funding for implementation activities without making a subgrant, which may include, but is not limited to the following activities:

- Ongoing stakeholder engagement
- Development, management, and implementation of the challenge process which includes technical assistance, challenge submission, rebuttal, deduplication, and adjudicative processes (including potential audits)
- Data collection and/or mapping initiatives
- Other project and program management activities, such as
 - providing training
 - developing and implementing a BEAD Program Handbook for the WSBO staff and subgrantees
 - program evaluation monitoring and compliance

Funding for these activities is vital for the state to meet its ambitious goals promptly and efficiently. Program administration costs will adhere to National Telecommunications and Information Administration (NTIA) guidance on qualifying expenses and will not exceed the two percent limit established in the BEAD Notice of Funding Opportunity (NOFO) under Section 60102(d)(2)(B) of the Infrastructure Act.⁵⁴ The WSBO manages and administers state and federal broadband grants with subject matter experts and has established relationships with experts in other state agencies that provide support. The WSBO may coordinate with the Washington State Office of the Attorney General, the Office of the Washington State Auditor, and the State of Washington Office of Financial Management as needed to ensure that the BEAD program is sufficiently managed and staffed to administer subgrants to subgrantees, when applicable.

⁵⁴ NTIA (2022), BEAD NOFO. Accessed at: <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>

7. LABOR STANDARDS AND PROTECTION (REQUIREMENT 11)

7.1 LABOR STANDARDS AND PROTECTION: SUBGRANTEES COMPLIANCE WITH FEDERAL LABOR AND EMPLOYMENT LAWS

Text Box 2.7.1: Describe the specific information that prospective subgrantees will be required to provide in their applications and how the Eligible Entity will weigh that information in its competitive subgrantee selection processes. Information from prospective subgrantees must demonstrate the following and must include information about contractors and subcontractors:

- a. Prospective subgrantees' record of past compliance with federal labor and employment laws, which:
 - i. Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years;
 - ii. Should include a certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal labor and employment laws by the subgrantee, as well as all contractors and subcontractors; and
 - iii. Should include written confirmation that the prospective subgrantee discloses any instances in which it 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.
- b. Prospective subgrantees' plans for ensuring compliance with federal labor and employment laws, which must address the following:
 - i. How the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:
 1. 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
 2. 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.

All projects are required to pay state prevailing wages, as outlined in [RCW 39.12](#). Washington's state prevailing wage law is modeled after the federal Davis-Bacon Act, which was enacted to protect employees of contractors performing public works construction from substandard earnings and preserve local wage standards. State prevailing wage is triggered when construction projects use public funds to build schools, roads, and other projects.⁵⁵ Recipient contractors and subcontractors are required to pay prevailing wages to all workers, laborers, and mechanics for public works and maintenance contracts, regardless of the dollar value of the contracts. During construction, subgrantees are responsible for enforcing prevailing wage requirements.

State prevailing wages are determined and enforced by the Washington State Department of Labor and Industries (L&I) based on collective bargaining agreements or—if collective bargaining agreements are unavailable—wage surveys or other methods. L&I offers several publications, tools, and resources to assist in complying with state prevailing wage requirements, including:

⁵⁵ Additional guidance on the state's Prevailing Wage Law can be found in L&I's Prevailing Wage Publication. Accessed at: <https://lni.wa.gov/forms-publications/f700-032-000.pdf>

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- [The L&I webpage](#)
 - [Awarding agencies' web pages](#)
 - [The Washington State Prevailing Wage Law publication](#)

Additional Resources:

- [MRSC - Public Works Contracts](#)
- [MRSC - Prevailing Wages](#)
- [Prevailing Wage in Public Works \(Chapter 39.12 RCW\)](#)

A. PAST COMPLIANCE WITH FEDERAL LABOR AND EMPLOYMENT LAWS

The Washington State Broadband Office (WSBO) will require applicants, their contractors, and subcontractors to submit the following information during the application period of the competitive subgrantee selection process. This information will demonstrate their record of past compliance with federal labor and employment laws, and must include:

- Information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years.
- A notarized certification using the template provided by the WSBO from an Officer / Director-level employee (or equivalent) of the applicant attesting to consistent past compliance with federal labor and employment laws by the applicant, as well as all contractors and subcontractors.
- Written confirmation in the form of a notarized self-attestation from an officer-level employee (or employee of comparable level) that the applicant discloses any instances in which it, or its contractors or subcontractors, have been found to have violated laws such as the [Washington Industrial Safety and Health Act](#), [Occupational Safety and Health Act](#), the [Fair Labor Standards Act](#), or any other applicable labor and employment laws for the preceding three years. Reports documenting the violation and measures taken to address the violation should be attached if applicable.

B. PLANS FOR ENSURING COMPLIANCE WITH FEDERAL AND LABOR EMPLOYMENT LAWS

Applicants must also submit plans to ensure compliance with federal and state labor and employment laws. These plans must address how the applicant will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:

- 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.
- 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.

The WSBO will also include fair labor and employment standards as subgrantee selection criteria. Reference [Section 4.2 – Scoring Rubric and Prioritization](#) for details on scoring. New entrants

without a labor and employment law compliance record can make forward-looking commitments to strong labor and employment standards and protections for Broadband Equity, Access, and Deployment (BEAD) funded projects.

7.2 LABOR STANDARDS AND PROTECTION: ADDITIONAL MEASURES

Text Box 2.7.2: Describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) any of the following and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes:

- a. Using a directly employed workforce, as opposed to a subcontracted workforce;
- b. 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;
- c. 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);
- d. Use of local hire provisions;
- e. Commitments to union neutrality;
- f. Use of labor peace agreements;
- g. 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);
- h. Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and
- i. Taking steps to prevent the misclassification of workers.

Worker's rights are a high priority in Washington state, which has some of the highest standards in the country and often exceed federal requirements. Washington state workers are protected by laws and rules covering workers' wages, benefits, working conditions, overtime pay, and prevailing wage on public works construction projects. The WSBO and its workforce partner agencies will engage with workforce development and educational organizations, labor unions, and other labor organizations to support the development of the necessary broadband workforce to construct, operate, and maintain broadband network infrastructure and services. Applicants' plans will be reviewed for compliance with federal and state labor and employment laws, in addition to commitment to fair labor standards and protections.

Washington state law requires contractors and subcontractors to pay state prevailing wages and submit certified payrolls (Item b) when requested if construction projects use public funds to build schools, roads, and other public works projects. This law applies to the broadband infrastructure that will be constructed as part of the BEAD program. State prevailing wages are determined and enforced by L&I based on collective bargaining agreements or—if collective bargaining agreements are unavailable—wage surveys or other methods.

Washington state also requires the use of an appropriately skilled and credentialed workforce (Items g and h). For example, telecommunications administrators must pass a qualifying exam to make sure that telecommunication contractor's electrical work follows electrical laws and rules. Guidance on skills and credentials required for contractors is available on L&I's [website](#) or through L&I's toll-free number.

Employers are also required to take steps to prevent the misclassification of workers (Item i). This requirement emphasizes that subgrantees should take steps to prevent the misclassification of workers. Worker misclassification can occur when employees are incorrectly classified as independent contractors, which are described in [RCW 39.12.100](#), leading to tax, benefits, and labor rights issues.

The WSBO will require legally binding commitments through agreements with subgrantees that adhere to minimum federal and state labor law requirements. Subgrantees will be given guidance on applicable fair labor standards and protections related to Prevailing Wages on Public Works, [RCW 39.12](#), as applicable to the funded project and work hours and safety standards that comply with the Contract Work Hours and Safety Standards Act ([40 USC 327-333](#)), how to obtain necessary credentials, and the definition of independent contractors to avoid misclassification of workers.

The WSBO will aim to ensure that applicants are aware of labor standard requirements by conducting informational webinars, including regulatory requirements in grant application materials (like the BEAD Handbook), and including requirements as applicable for grant compliance reporting as part of grant agreement terms. The WSBO will also consult with L&I in the event that subgrantees need support to navigate and comply with state requirements. The WSBO will also consider termination of the contract and clawback provisions if misconduct and noncompliance occur, as appropriate.

8. WORKFORCE READINESS (REQUIREMENT 12)

8.1 EQUITABLE WORKFORCE DEVELOPMENT PLANS

Text Box 2.8.1: Describe how the Eligible Entity and their subgrantees will advance equitable workforce development and job quality objectives to develop a skilled, diverse workforce. At a minimum, this response should clearly provide each of the following, as outlined on page 59 of the BEAD NOFO:

- a.** A description of how the Eligible Entity will ensure that subgrantees support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;
- b.** A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (e.g., childcare, transportation, mentorship), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;
- c.** A description of how the Eligible Entity will plan to create equitable on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector; and continually engage with labor organizations and community-based organizations to maintain worker voice throughout the planning and implementation process; and
- d.** A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers.

A highly skilled workforce is both a necessity and an opportunity to meet Washington’s goals for universal access, economic development, and scalable and sustainable broadband infrastructure. Even before the Infrastructure Investment and Jobs Act, which includes funding for the Broadband Equity, Access, and Deployment (BEAD) program, the anticipated demand for new broadband sector jobs was around 850,000 nationwide through 2024. With the addition of BEAD-funded broadband infrastructure projects, there will be more demand for broadband sector jobs. The U.S. Government Accountability Office predicts that the BEAD program could create tens of thousands of new jobs for skilled telecommunications workers. To effectively capitalize on the workforce and economic development benefits of increased broadband access, Washington state must support the development of a highly skilled, diverse workforce prepared to deliver upon broadband deployment goals.

Workforce Needs Assessment

Although the state of Washington has a robust construction workforce, it may become more challenging for its broadband industry to hire the workers necessary to complete BEAD projects. The passage of the [Infrastructure Investment and Jobs Act](#) provides state, local, and tribal governments with needed funding to improve and expand existing infrastructure, which includes funding for the BEAD program for broadband. However, the timelines associated with the implementation of federal infrastructure programs will cause public and private subgrantees to compete for talent across sectors.⁵⁶ According to the National Telecommunications and Information Administration's (NTIA's) State Workforce Analysis Report, there are 12 key BEAD occupation groups: laborers and material movers, software engineers, trucking crew, fiber and wireless technicians, trenchers, equipment operators, structural engineers, master and stage

⁵⁶ McKinsey (2022). Will a Labor Crunch Derail Plans to Upgrade US Infrastructure? Accessed at: <https://www.mckinsey.com/industries/public-sector/our-insights/will-a-labor-crunch-derail-plans-to-upgrade-us-infrastructure>

electricians, network architects and coordinators, radio frequency and field engineers, surveyors and drafters, and inspectors (e.g., permit, health and safety). Based on the NTIA's report, the highest forecasted percentage deficits include software engineers (-13.8%), trenchers (-13.1%), and fiber and wireless technicians (-11.1%).

To understand the challenges internet service providers (ISPs) face pre-BEAD disbursement, the Washington State Broadband Office (WSBO) surveyed 100+ public and private ISPs in Washington in July 2023. Respondents corroborated the NTIA's findings and indicated that they anticipate workforce gaps for jobs related to technician positions, such as construction laborers, installation technicians, and field service technicians. Seven of 18 respondents indicated hiring for various technician positions is challenging, and 10 of 33 indicated hiring staff for broadband deployment is challenging overall.

Due to the technical nature of many key BEAD occupations, it is crucial to consider the entry-level requirements for education, licenses, and training. Three of the 12 key occupation groups (structural engineers, radio frequency and field engineers, and network architects and coordinators) require a bachelor's degree, as informed by the Bureau of Labor Statistics Occupational Outlook Handbook.⁵⁷ Notably, software engineers have the most significant percentage deficit compared to the workforce supply (-13.8%) in Washington, according to the NTIA's analysis. Many of the other key occupation groups require the pursuit of a high-school diploma, licenses, or on-the-job training. However, the NTIA's analysis notes that laborers and material movers will have the most significant demand based on the implementation demands of BEAD projects. This presents an opportunity for the state, as employees for those roles can start with a commercial driver's license and one month of on-the-job training.

Workforce Development Strategy

Overall, a highly skilled and diverse workforce is critical component for subgrantees to meet project deadlines. It also contributes to reducing on-the-job risks and promotes worker safety. To effectively scale Washington's broadband workforce equitably, and support a highly skilled workforce, the state intends to engage in the following strategies:

- Support workforce development priorities in applications.
- Coordinate with workforce stakeholders and partners across the state.
- Reduce barriers to entry in the broadband workforce by identifying gaps in social infrastructure.
- Expand workforce programs.
- Support the provision of on-the-job training.
- Incorporate registered apprenticeships and apprenticeship preparation programs.
- Promote 'good jobs' principles.
- Raise awareness of broadband career opportunities.
- Promote workforce diversity in hiring practices.

⁵⁷ Bureau of Labor Statistics (n.d.), Occupational Outlook Handbook. Accessed at: <https://www.bls.gov/ooh/a-z-index.htm>

A. Obtaining Subgrantee Support

Support Workforce Development Priorities in Applications

To reinforce the use of a highly skilled and prepared workforce in BEAD-funded broadband deployment projects, the WSBO will require applicants to submit a workforce plan as part of their application to demonstrate a commitment to advancing workforce development. The WSBO will evaluate and assess responses based on their comprehensiveness. The workforce plan must include the following elements:

- How the applicant 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.
- The steps they will take to ensure that all project workforce members will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure.
- Whether the workforce is unionized.
- Whether the workforce will be directly employed or a subcontracted workforce will perform work.
- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.

By requiring applicants to include workforce development strategies as part of their application, the WSBO hopes to advance equitable workforce development and support employment and economic benefits.

B. Developing and Promoting Partnerships

Coordinate with Workforce Stakeholders and Partners Across the State

Coordinating with workforce stakeholders across the state will allow Washington to develop and promote sector-based partnerships and support a skilled and ready workforce prepared to deliver on broadband deployment projects. This strategy stems from feedback given by Local Workforce Development Boards, Washington's Workforce Training and Education Coordinating Board (Workforce Board) and the Washington Employment Security Department (ESD), two of the leading workforce agencies in the state.

The Workforce Board is Washington's principal workforce policy advisor, responsible for the state's workforce development system and is the designated oversight entity for federally funded Career and Technical Education. It also serves as a regulator of private career schools and veteran education programs. The Workforce Board's unique board composition – one-third business, one-third workers, and one-third government – means that business and labor are at the same table, supplying a real-world view of workforce challenges and opportunities. Coordinating workforce stakeholders under the Workforce Board's leadership allows for a diverse representation of ideas and alignment with Washington's broader workforce goals. In addition to the Workforce Board, ESD has volunteered to support the coordination of broadband stakeholders. ESD's overall focus is to help workers and businesses succeed, with a mission of contributing to healthy communities by providing Washingtonians equitable access to resources

that improve their economic security. Armed with detailed data analysis on employment trends in Washington, ESD will supply insight into key BEAD occupations and lateral occupations. Other workforce stakeholders may include representatives for state, local government, and tribal entities, higher education institutions, community colleges and trade schools, trade representatives, state and local workforce boards, unions and worker organizations, ISPs, employers, the public workforce system, and community-based organizations. The goal of coordination is to establish a workforce strategy that incorporates regional and local needs for broadband deployment, incorporates digital upskilling initiatives, and identifies longer-term workforce needs to support the sustainability of infrastructure projects. The Workforce Board and ESD leading workforce coordination sets a solid foundation for comprehensive engagement.

The WSBO will also request that the Washington Workforce Association, organizations that contribute to WorkSource Washington, tribal organizations, and Local Workforce Development Boards develop workforce training and job placement programs to support BEAD project implementation. WorkSource Washington is a statewide partnership of state, local and nonprofit agencies that provides a variety of employment and training services to job seekers and Washington employers. Local Workforce Development Boards are responsible for connecting workers to skill development and credential acquisition, as well as providing direct support to businesses to determine their workforce needs and create a talent pipeline. This work will support the efforts spearheaded by the Workforce Board and ESD, to encourage broader organizational inclusion. Specifically, this group will target BEAD-related opportunities for covered populations to promote greater diversity in the broadband workforce and support access to higher-paying, higher-quality jobs for historically underrepresented groups.

In addition to the coordination efforts described above, the WSBO intends to encourage and support the inclusion of small, minority, and women-owned enterprises in BEAD contracting and subcontracting, as detailed in [Chapter 9 – Minority Business Enterprise, Women’s Business Enterprises, and Labor Surplus Area Firms Inclusion](#).

Reduce Barriers to Entry in the Broadband Workforce by Identifying Gaps in Social Infrastructure

To attract and encourage underrepresented populations to pursue key BEAD occupations, access to training and wraparound services, like high-quality and affordable childcare, transportation, and mentorship, is necessary to reduce barriers to entry. Often referred to as social infrastructure, these wraparound services may encourage potential workers previously excluded from BEAD-related jobs. Many state agencies in Washington currently provide various supportive services, including those related to transportation, mentorship, and childcare, as outlined below.

- [Washington Career Bridge](#) is Washington’s one-stop source for career and education planning. This service is in the Employment and Training Services category and is overseen by the Workforce and Training Education and Coordinating Board.
- [WorkSource](#) is a statewide partnership of state, local and nonprofit agencies that provides an array of employment and training services to job seekers and employers in Washington. This service is in the Employment and Training Services category and is overseen by statewide partnership of state, local, and nonprofit agencies.

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- Career Connect Washington is a statewide network of business, labor, education, and community leaders creating work-based and academic programs for young people in Washington to explore, prepare, and launch themselves into college and careers. This service is in the Employment and Training Services category and is overseen by Career Connect Washington.
 - Worker Retraining Program helps pay for training expenses at Washington state's community and technical colleges and selected licensed private schools for qualifying individuals. This service is in the Employment and Training Services category and is overseen by the Washington State Board for Community and Technical Colleges (SBCTC).
 - Medicaid helps pay for medical services for qualifying low-income adults, children, pregnant women, older adults, and people with disabilities. This service is in the Healthcare category and is overseen by the Washington State Department of Social and Health Services (DSHS).
 - Basic Food in Washington helps people with low incomes make ends meet by providing monthly benefits to buy food. This service is in the Food Assistance category and is overseen by DSHS.
 - Basic Food Employment and Training Program assists federally funded Basic Food participants gain skills, training, or work experience to increase their ability to attain a living wage career. These services are available at all WA State community and technical colleges as well as many community-based organization providers, including the Employment Security Department (ESD). This service is in the Employment and Training Services category and is overseen by DSHS.
 - Women, Infants, and Children (WIC) Nutrition Program helps eligible pregnant women, new mothers, babies, and young children eat well, learn about nutrition, and stay healthy. This service is in the Food Assistance category and is overseen by DSHS.
 - Temporary Assistance for Needy Families (TANF) provides temporary cash for families in need. This service is in the Monetary Assistance category and is overseen by DSHS.
 - WorkFirst assists recipients of TANF to meet their goals and provide well-being for their family. WorkFirst is a collaborative effort with families, WorkFirst case managers, and local community and partner agencies to build a stable foundation for employment, provide employment and training opportunities, and ultimately serve as a gateway to financial independence. This service is in the Employment and Training Services category and is overseen by multiple Washington state agencies.
 - Housing and Essential Needs Referral Program provides access to essential needs items and potential rental assistance for qualifying, low-income individuals. This service is in various categories and is overseen by DSHS.
 - Pregnant Women Assistance Program provides women who are low-income and pregnant and who are not eligible for TANF or State Family Assistance with cash assistance and a

referral to the Housing and Essential Needs program for 24 consecutive months. This service is in the Monetary Assistance category and is overseen by DSHS.

- Working Connections Child Care helps eligible families pay for childcare. This service is in the Childcare category and is overseen by DSHS.
- Sound Transit is an intercity transit system that operates the Link light rail, Sounder commuter trains, and Sound Transit Express buses. This service is in the Transportation category and is overseen by Central Puget Sound Regional Transit Authority.
- Train Service refers the Amtrak Cascades rail line serving the Pacific Northwest. Its tracks run parallel to the I-5 corridor from Vancouver, British Columbia, south to Eugene, Oregon. This service is in the Transportation category and is overseen by National Railroad Passenger Corporation.
- Ferry Services are the public transportation routes that run through Washington's waterways and islands. These services are in the Transportation category and is overseen by the Washington State Department of Transportation (WSDOT).
- Paratransit Services are usually door-to-door shared rides with flexibility in scheduling and routing. This service is in the Transportation category and is overseen by WSDOT through the provision of state-funded grants to expand services through a competitive process.
- Bus Services are public transportation routes offered by local bus systems. These services are in the Transportation category and are overseen by local and regional transit authorities.

Collaborating with statewide broadband stakeholders, the WSBO intends to expand the inventory of wraparound services for trainees listed above by identifying additional social infrastructure programs. Once complete, the WSBO will publish the list on the Internet for All in Washington webpage and share it with partners. The process of expanding the inventory can also highlight and identify social services that are missing. Through informal engagement, the WSBO will encourage subgrantees to provide wraparound or support services for trainees, such as on-site childcare or stipends for childcare, learning materials, or transportation to training programs to create a more substantial labor pipeline, particularly to support those in covered populations.

Expand Workforce Programs

In addition to connecting trainees to wraparound services, the WSBO will work with state, local, and tribal partners to expand existing workforce programs and develop new programs, as needed, to promote sector-based partnerships to advance Washington's equitable workforce development goals. By engaging with broadband workforce stakeholders, in coordination with the Workforce Board and ESD, the WSBO seeks to increase access to education and training opportunities to support worker attraction, training, retention, or transition to meet local workforce needs and increase high-quality job opportunities.

Recently, the Workforce Board, in partnership with a wide range of statewide workforce stakeholders, submitted its final decision package to the Washington State Legislature for Digital

Literacy and Information Technology (IT) Career Equity.⁵⁸ The group was comprised of higher education organizations, community-based organizations, state agencies, and industry associations. The Workforce Board and its partners reported that Washington’s employers face a severe skilled IT worker shortage, with many people from disadvantaged and marginalized communities unable to access these high-paying jobs. The Workforce Board recommended public, private, state, and local collaboration to expand digital literacy and equitable access to IT careers. In addition to several key program components, the decision package proposed two new funding pools that – pending legislative approval – the Workforce Board would oversee to promote IT-related workforce development efforts that apply to BEAD over the next four years. Information on these two funds is described below.

- Technology Access Devices for Jobseekers: This fund will procure devices, such as laptops, for job seekers to facilitate job training and access. This responds to the need of low-income jobseekers for devices to access online training in preparation for livable wage jobs and to secure and be successful in those jobs. This will also allow marginalized populations to access livable wage remote or hybrid employment options, rather than low-wage, low-barrier jobs that are solely in-person customer interactive. Local workforce development councils will manage device distribution, with initiative staff overseeing program rules, guidelines, and effectiveness monitoring.
- Public-Private New Program Funds: These funds are allocated when critical skills gaps are identified, often through regional partners, BEAD plan implementation, or the Workforce Board's mapping process working with hiring employers. This fund addresses critical gaps in the state's education and training investment framework, such as the recent need in trucking and warehousing businesses in some Washington counties for workers skilled in installing and maintaining digital sensors and controllers.

In addition to the work overseen by the Workforce Board, the WSBO will consult local workforce development boards for greater insight. Collaborating with local workforce development boards is essential to support alignment between projects and the needs of local labor markets and their communities. Workforce development boards play a key role in providing valuable insights into labor market data, training needs, and career pathways, which may help BEAD-related workforce development be more effective and inclusive.

Secondary and post-secondary schools throughout Washington also offer programs that could fill broadband workforce gaps. Preliminary data collected by SBCTC indicates that 33 colleges and universities in the state system offer academic programs in BEAD-related fields – primarily IT, engineering, and computer science – with 350+ certificate and degree options. The WSBO may facilitate conversations between educational institutions and broadband workforce employers, such as ISPs and manufacturers or suppliers of equipment and materials needed for broadband networks, to promote the development of innovative programs and the expansion of current offerings in response to broadband industry needs and gaps. SBCTC’s broadband program inventory can serve as a starting point to identify regions lacking educational programs for key BEAD occupations, eventually supporting the development of new academic offerings.

⁵⁸ Workforce Training and Education Coordinating Board (2023), Policy Level – DL – Digital Literacy & IT Career Equity. Accessed at: [DP-PL-DL-Digital-Literacy-IT-Career-Equity.pdf \(wa.gov\)](https://www.wa.gov/DP-PL-DL-Digital-Literacy-IT-Career-Equity.pdf)

Additionally, the WSBO will encourage expanding the High School & Beyond (13th Year) Plan across the state to support key BEAD occupations.⁵⁹ The High School & Beyond Plan is a state graduation requirement wherein each student must have a plan to guide the student's high school experience and prepare the student for postsecondary education or training and career.

C. Maintaining Job Quality

The WSBO hopes to create equitable on-ramps into broadband-related jobs and maintain job quality for new and incumbent broadband workers throughout the BEAD program. By continually engaging with labor and community-based organizations to develop inclusive career pathways, the WSBO will center workers in its strategies to attract, recruit, and retain a highly skilled and diverse workforce. In tandem, the WSBO intends to check in regularly with labor and community-based organizations throughout the planning and implementation process. In partnership with the Workforce Board, ESD, and regional workforce councils, the WSBO will also hold conversations with employees, unions, worker organizations, and underrepresented communities to support worker input on BEAD processes.

Incorporate Registered Apprenticeships and Apprenticeship Preparation Programs

Building a highly skilled and diverse workforce requires additional career on-ramps, such as apprenticeships or pre-apprenticeships.⁶⁰ For example, Washington's Registered Apprenticeship Programs can increase skill-building and learning opportunities for Washingtonians interested in a key BEAD occupation.⁶¹ Overseen by the Washington State Department of Labor and Industries (L&I), the state's registered apprenticeship programs provide on-the-job training and classroom instruction that develops highly trained, knowledgeable, and skilled professionals. Each apprentice works with a journey-level professional who helps them acquire the knowledge, skills, and abilities their employer needs. At the end of the program, each apprentice graduates with a state-issued, nationally recognized industry credential. The credential aspect is crucial for broadband-related workforce development, which requires training certifications for many key BEAD occupations. Apprenticeships related to key BEAD occupations already exist in Washington, such as the Fiber Network Technician Apprenticeship sponsored by Grant County Public Utility District.⁶² Employers and labor unions offering registered apprenticeship programs can actively support job skills development and diversity, equity, accessibility, and inclusion by providing a pipeline for women, people of color, formerly incarcerated individuals, and people with disabilities, among others, to enter the broadband workforce more easily.⁶³

⁵⁹ Washington State Board of Education (n.d.), High School & Beyond. Accessed at: https://www.sbe.wa.gov/faqs/high_school_beyond

⁶⁰ Nicol Turner Lee and Jack Malamud (May 18, 2023), Workforce development is a crucial part of digital equity. Accessed at: <https://www.brookings.edu/articles/workforce-development-is-a-crucial-part-of-digital-equity/>

⁶¹ Washington State Department of Labor & Industries (n.d.), Apprenticeship Registration Tracking System. Accessed at: <https://secure.lni.wa.gov/arts-public/#/>.

⁶² L&I (n.d.), Grant County PUD No. 2 Apprenticeship Committee. Accessed at: <https://secure.lni.wa.gov/arts-public/#/program-details?programId=192&from=%2Fprogram-search>

⁶³ America Achieves (June 22, 2022), Creating and Expanding a Diverse Broadband Workforce with Good Jobs and Career Pathways. Accessed at: www.americaachieves.org/wp-content/uploads/2022/06/America-Achieves-Broadband-Workforce-ReportJune-2022.pdf.

The WSBO will also work with the Washington State Apprenticeship and Training Council to establish additional telecommunications apprenticeship preparation programs.⁶⁴ These programs offer workers industry-recognized credentials that can bolster candidate experience and create a more accessible pipeline to key BEAD occupations for underrepresented groups. Notably, Washington has a Construction Trades Apprenticeship Preparation program in partnership with the Department of Corrections and the SBCTC, which is offered at the Monroe Correctional Complex facility campus.⁶⁵ Replicating additional pre-apprenticeship programs for other covered populations will support Washington’s goal of a diverse workforce.

Support the Provision of On-the-Job Training

As detailed in the state’s [Five-Year Action Plan](#), the WSBO will convene discussions with community colleges, technical schools, workforce development boards, ISPs, and others to determine how on-the-job training can support Washington’s broadband workforce. Increasing access to on-the-job training resources may allow ISPs to upskill entry-level broadband workers and scale their broadband workforces more quickly to support BEAD funded projects. Working with ISPs to encourage limited-term technical training may also increase the number of skilled workers in rural counties, as there are typically limited educational or training programs in those regions.

The WSBO will also encourage private ISPs to utilize Washington’s Job Skills Program, which provides training to meet employers’ specific needs for new and current employees at work or in a classroom, through informal engagement.⁶⁶ Overseen by SBCTC, the Job Skills Program funds training in regions with high unemployment rates and elevated poverty levels. It also supports areas with new and growing industries, locations where the local population does not have the skills needed to stay employed, and regions impacted by large-scale job loss. The program is unique because it funds up to half of the training cost, with partner employers providing cash, an in-kind contribution, or a combination to support the other half.

Promote ‘Good Jobs’ Principles

Required fair labor standards and protections for workers were identified in [Labor Standards and Protection’s Section 7.1 – Subgrantee’s Compliance with Federal Labor and Employment Laws](#) and [Section 7.2 – Additional Measures](#). In addition, the WSBO will engage subgrantees, unions, worker organizations, and workforce development partners to identify opportunities to emphasize investment in good jobs as outlined in the U.S. Department of Labor’s Training and Employment Guidance Letter No.07-22. Good jobs are defined as jobs that help workers achieve economic stability and mobility, while prioritizing diversity and worker perspectives.⁶⁷ Conversations with unions, other labor organizations, and workforce development

⁶⁴ Ariane Hegewisch and Eve Mefferd (2021), A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry. Accessed at: https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building_What-TradeswomenSay_FINAL.pdf.

⁶⁵ Edmonds College (n.d.), Construction Trades Apprenticeship Preparation. Accessed at: https://catalog.edmonds.edu/preview_program.php?catoid=53&poid=10743&returnto=15272

⁶⁶ SBCTC (n.d.), Job Skills Program. Accessed at: [Job Skills Program | SBCTC](#)

⁶⁷ U.S. Department of Labor (2023). Training and Employment Guidance Letter No. 07-22. Eight key attributes of good jobs include: 1) Recruitment and hiring – Employers are intentional in recruitment and hiring and actively recruit applicants from marginalized communities and other practices like providing reasonable accommodations for applicants with disabilities. 2) Benefits – Employers

boards will inform the WSBO on how to support subgrantees in creating equitable access to good jobs. Discussions with employers, including subgrantees, will also allow the WSBO to promote compliance and to incorporate good jobs principles more broadly into workforce development. Moreover, creating an open line of communication with subgrantees regarding labor practices will allow for continuous monitoring and transparency of subgrantee labor practices.

D. Building a Diverse Pool of Workers

Raise Awareness of Broadband Career Opportunities

Increasing the awareness of broadband opportunities will be integral to building a successful pipeline of highly skilled workers in key BEAD occupations and will promote the hiring of Washingtonians for key BEAD occupations. To do so, the WSBO will leverage relationships with organizations operating in the workforce development space, such as the Workforce Board, ESD, regional Workforce Councils, workforce development groups, tribal partners, and local workforce and education organizations. To raise awareness of upcoming broadband career opportunities, the WSBO will collaborate with community-based organizations, tribal partners, and workforce organizations across the state to conduct marketing and outreach to historically underrepresented populations. The WSBO intends to support outreach through the state's WorkSource system. WorkSource is in a unique position to spread awareness and disseminate information about broadband career opportunities via networking, WorkSourceWA.com, and at in person and virtual job fairs and hiring events. Overall, Washington state will prioritize outreach activities that recruit historically underrepresented populations into broadband-related fields, increasing awareness of broadband career opportunities and contributing to a diverse broadband workforce.

Materials on key BEAD occupations and associated training or education opportunities will also be shared on the Washington Career Bridge, which is overseen by the Workforce Board.⁶⁸ This tool allows job seekers to explore potential career paths, compare education and training opportunities, and view compensation data. A BEAD-specific webpage can be built to help job seekers find employment opportunities, understand the skills or licenses needed, locate applicable education and training opportunities, and more. Local economic development councils and regional workforce boards can also disseminate and spread awareness of upcoming broadband career opportunities through their community relationships. Similarly, by sharing the Washington Career Bridge resource on its project website or with community engagement partners, the WSBO will promote broadband-related educational opportunities and occupations.

The WSBO will encourage subgrantees to hire local workers, implement robust and specific plans to recruit historically underrepresented populations facing labor market barriers, and commit to supporting reasonable access to job opportunities created by the subgrantee. The WSBO will accomplish this through informal engagements with ISPs. In practice, workforce diversity strategies may include diversity in hiring practices, initiatives to promote workforce inclusion,

prioritize good jobs that provide workers with family-sustaining benefits. 3) Diversity, Equity, Inclusion, and Accessibility – All workers are respected, empowered, and treated fairly. 4) Empowerment and representation – Workers can form and join unions and can engage in protected activity without fear of retaliation. 5) Job security and working conditions. Workers have a safe, healthy, and accessible workplace. 6) Organizational culture – All workers belong, are valued, contribute meaningfully to the organization, and are respected. 7) Pay – All workers are paid a stable and predictable living wage, as determined by the local area cost of living (prevailing wage where applicable). 8) Skills and career advancement: Workers have equitable opportunities and tools to progress to future jobs.

⁶⁸ Workforce and Education Coordinating Board (n.d.), Washington Career Bridge. Accessed at: [Washington Career Bridge](https://www.wa.gov/career-bridge)

establishing Diversity, Equity, Inclusion, and Accessibility Training programs, and targeted mentorship opportunities. The WSBO will encourage subgrantees to include workforce diversity strategies in their workforce plans, which will be reviewed as a part of the subgrantee selection process. For more detail on the minimum labor standards, please see [Chapter 7 – Labor Standards and Protections](#). To verify the hiring of underrepresented populations, the WSBO may require subgrantees to provide plans on specific locations where they will hire and hold hiring events, in addition to encouraging the inclusion of regions with a significant proportion of underrepresented populations and labor surplus areas.⁶⁹

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⁶⁹ The U.S. Department of Labor (DOL) issues a list of Labor Surplus Areas each fiscal year. The list becomes effective on October 1, and remains in effect through the following September 30. The FY2024 Labor Surplus Area list can be found on the DOL website: <https://www.dol.gov/agencies/eta/lsa>.

8.2 SUBGRANTEE PLANS TO ENSURE A SKILLED AND CREDENTIALLED WORKFORCE

Text Box 2.8.2: Describe the information that will be required of prospective subgrantees to demonstrate a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce. These plans should include the following:

- a. The ways in which the prospective 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;
- b. 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;
- c. Whether the workforce is unionized;
- d. Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
- e. The entities that the proposed subgrantee plans to contract and subcontract with in carrying out the proposed work.

If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:

- a. 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;
- b. For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - i. 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
 - ii. Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

As part of the subgrantee selection process, applicants must submit their plans for ensuring an appropriately skilled and credentialed workforce. The BEAD program's "workforce" will encompass employees, contractors, and subcontractors directly involved in BEAD-funded projects. The WSBO will evaluate and assess responses based on their comprehensiveness and quality. Within submitted plans, applicants will be required to include information regarding the criteria listed below:

- How the applicant will encourage the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers.
- 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.
- Whether the workforce is unionized.
- Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce.

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- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.

If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:

- The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) required to carry out the proposed work throughout the project and the entity that will employ each portion of the workforce; and
- For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - 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 certification titles. Safety training should align with federal and state Labor and Industry agency standards.
 - Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

9. MINORITY BUSINESS ENTERPRISES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS INCLUSION (REQUIREMENT 13)

9.1 MINORITY BUSINESS ENTERPRISES (MBEs), WOMEN'S BUSINESS ENTERPRISES (WBEs), AND LABOR SURPLUS AREA FIRMS INCLUSION STRATEGY

Text Box 2.9.1: Describe the process, strategy, and the data tracking method(s) the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises (WBEs), and labor surplus area firms are recruited, used, and retained when possible.

Washington state is committed to supporting the recruitment, use, and retainment of minority business enterprises (MBEs), women's business enterprises (WBEs), and labor surplus area firms.⁷⁰ In compliance with federal funding subgrantee requirements, the Washington State Broadband Office (WSBO) will adhere to [2 CFR 200.321](#) to promote contracting with MBEs, WBEs, and labor surplus area firms where possible.⁷¹ A key partner in this work, the Washington State Office of Minority and Women's Business Enterprise (OMWBE) is the sole agency responsible for maintaining a central list of certified small, minority, and women-owned businesses for state agencies to use ([RCW 39.19.030](#)). OMWBE also promotes equitable participation in public spending and contracting through several programs and services, including promoting bid opportunities on its website.

To support the inclusion of MBEs, WBEs, and labor surplus area firms, the WSBO may engage in the following strategies.

- Publish a link to OMWBE's website to access a list of relevant and qualified businesses on its Internet for All in Washington webpage, leveraging OMWBE's database to increase Broadband Equity, Access, and Deployment (BEAD) subgrantee awareness of MBEs, WBEs, and labor surplus area firms.
- Encourage MBEs, WBEs, and labor surplus area firms to be certified as a Disadvantaged Business Enterprise (DBE) by OMWBE. Businesses certified as DBE can contact the Office of Equity and Civil Rights for immediate, free business counseling and technical assistance. Additionally, OMWBE is waiving certification fees until June 2024.⁷² DBE support services include:
 - Targeted technical assistance on a range of business topics
 - Accessing construction plans, specifications, and manuals

⁷⁰ According to the U.S. Department of Labor, a labor surplus area is a civil jurisdiction that has a civilian average annual unemployment rate during the previous two calendar years of 20% or more above the average annual civilian unemployment rate for all states during the same 24-month reference period. U.S. Department of Labor (n.d.), Frequently Asked Questions. Accessed at: [Frequently Asked Questions | U.S. Department of Labor \(dol.gov\)](#)

⁷¹ Code of Federal Regulations (n.d.), 200.321. Accessed at: [eCFR :: 2 CFR 200.321 -- Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms](#)

⁷² OMWBE (n.d.), OMWBE is Waiving Certification Fees Until June 2024. Accessed at: [OMWBE is Waiving Certification Fees until June 2024! | Office of Minority and Women's Business Enterprises](#)

- Announcements of outreach and training
- One-on-one counseling
- Support in creating business plans for company growth
- Classroom style training⁷³
- Encourage subgrantees to divide total requirements for bid solicitation into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises when economically feasible. This contract language may result in:
 - Enforcing a tracking and reporting plan for prime vendors on MBE, WBE, and labor surplus area firm subcontracting.
 - Deploying a contractor compliance plan for prime vendors, including how many DBEs were subcontracted as an evaluation factor for future contract awards.
- Encourage the development of small business teams that can compete for smaller task contracts.
- Encourage subgrantee contracting officers to arrange solicitations, time for the preparation of quotations, scope of work, and delivery schedules to facilitate the participation of MBEs and WBEs and to support equal opportunity to compete in bid solicitations.
- Work with the Washington Employment Security Department (ESD) to determine areas with the highest unemployment rates and conduct area-specific outreach to promote awareness of BEAD subcontracting opportunities for labor surplus area firms.
- Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce.
- Require subgrantees to post all invitation to bid advertisements for BEAD on OMWBE's website to encourage MBEs, WBEs, and labor surplus area firms to bid.
- Require subgrantees to document good faith efforts to proactively reach out to MBEs, WBEs, and labor surplus area firms. For example, outreach may include advertising in local community publications or documenting outreach with MBEs, WBEs, and labor surplus area firms during solicitation.
- Require subgrantees to track and report their BEAD spending in detail to determine public spending with OMWBE-certified businesses, consulting OMWBE's Access Equity data collection and monitoring system.⁷⁴

The WSBO will communicate these expectations to applicants before and throughout the selection process by:

- Conducting information webinars.
- Posting a list of regulations and expectations on the WSBO's website.

⁷³ Washington State Department of Transportation (n.d.), Diverse Business Programs. Accessed at: <https://wsdot.wa.gov/business-wsdot/equal-opportunity-contracting/diverse-business-programs>

⁷⁴ OMWBE (2022), Annual Report FY 2022. Accessed at: [OMWBE FY 2022 Annual Report \(wa.gov\)](https://www.omwbe.wa.gov/annual-report)

- Including the requirements in grant applications/instructions, grant agreements terms/conditions, and subrecipient grant monitoring program requirements.
- Sending email notifications.

In addition to the abovementioned measures, the WSBO may request that subgrantees track key metrics on the inclusion of underrepresented enterprises throughout the process to support a level playing field for MBEs, WBEs and labor surplus area firms applying for contract awards. These metrics may include recruitment, utilization, and retention of MBEs, WBEs, and labor surplus area firms. Monitoring and tracking MBE, WBE, and labor surplus area firm metrics will be done in consultation with OMWBE and build off their Access Equity data collection and monitoring system. The WSBO will also require subgrantees to take the affirmative steps listed above as it relates to subcontractors.

9.2 **MBEs, WBEs, AND LABOR SURPLUS FIRMS INCLUSION AFFIRMATIVE STEPS**

Check Box 2.9.2: Certify that the Eligible Entity will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the following outlined on pages 88 – 89 of the BEAD NOFO:

- a. Placing qualified small and minority businesses and women’s business enterprises on solicitation lists;
- b. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources;
- c. 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;
- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises;
- e. 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; and
- f. Requiring subgrantees to take the affirmative steps listed above as it relates to subcontractors.

The WSBO certifies that it will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the steps outlined on pages 88-89 of the BEAD Notice of Funding Opportunity (NOFO).⁷⁵

⁷⁵ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

10. COST AND BARRIER REDUCTION (REQUIREMENT 14)

Text Box 2.10.1: Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment. Responses may include but not be limited to the following:

- a. Promoting the use of existing infrastructure;
- b. Promoting and adopting dig-once policies;
- c. Streamlining permitting processes;
- d. Streamlining cost-effective access to poles, conduits, easements; and
- e. Streamlining rights of way, including the imposition of reasonable access requirements.

To effectively connect all areas of Washington, the Washington State Broadband Office (WSBO) supports reducing costs and barriers to deployment across the state. Coordinating with local, state, and tribal government entities, the WSBO will work to leverage existing assets and to streamline governmental processes where possible. To do so, the WSBO will engage in the strategies below.

PROMOTING USE OF EXISTING INFRASTRUCTURE

Promoting the use of existing infrastructure can reduce capital expenditure costs, thereby reducing overall deployment costs.^{76,77} There are approximately 44 public or open access networks located throughout the state – including networks currently under construction – with network ownership consisting of cities, counties, and tribal nations.⁷⁸ Currently, 15 of the state’s 28 public utility districts and nine of the state’s 75 port districts own public networks and have provided some level of broadband service since 2000, when the Washington State Legislature changed state law to allow public utility districts and port districts to offer wholesale telecommunications services.^{79,80} The WSBO intends to support using these existing open access networks to reduce costs and barriers to deployment.

In addition to open access networks owned by public entities, there are communications structures – fiber lines, telephone lines, and radio towers – on federal land across Washington. These structures are overseen by federal agencies such as the Bureau of Indian Affairs, the Bureau of Land Management, the Bureau of Reclamation, Fish and Wildlife Services, the General Services Administration, and the National Park Service. Existing infrastructure is also present throughout the state as a part of the Bonneville Power Administration, a federal agency responsible for selling and distributing electricity generated from 31 dams throughout the Pacific Northwest.⁸¹ The agency’s transmission lines crisscross the state, including areas without broadband service. Over the years, several large internet service providers (ISPs) have entered into agreements with the Bonneville Power Administration to install fiber cables and other

⁷⁶ NTIA (2022), Economics of Broadband Networks. Accessed at: [Economics of Broadband Networks PDF.pdf \(doc.gov\)](#)

⁷⁷ USTelecom (February 2, 2022), State Broadband Best Practices. Accessed at: [State Broadband Best Practices – USTelecom](#)

⁷⁸ Information provided directly from the Northwest Open Access Network.

⁷⁹ Washington State Legislature (2023), RCW 54.16.330. Accessed at: [RCW 54.16.330: Telecommunications facilities—Purposes—Limitations—Provision of telecommunications services—Eminent domain \(as amended by 2021 c 293\). \(wa.gov\)](#)

⁸⁰ Washington State Legislature (2023), RCW 53.08.370. Accessed at: [RCW 53.08.370: Telecommunications facilities—Construct, purchase, acquire, etc.—Purposes—Limitations—Eminent domain \(as amended by 2021 c 293\). \(wa.gov\)](#)

⁸¹ Bonneville Power Administration (n.d.), About. Accessed at: <https://www.bpa.gov/about>

communication along its rights-of-way corridors.⁸² These agreements suggest building additional broadband infrastructure, and reducing costs and barriers to deployment, using preexisting infrastructure located on federally owned land or corridors is possible.

PROMOTING DIG ONCE POLICIES

The WSBO will continue to support the Washington State Department of Transportation (WSDOT) with its Dig Once policy. The 'Dig Once' concept consists of policies and procedures that minimize the number and scale of excavations when installing telecommunication infrastructure in the highway rights-of-way. It benefits both service providers and the state. WSDOT recently launched the Dig Once policy initiative and has published a map of Dig Once opportunities at this link: <https://wsdot.maps.arcgis.com/apps/webappviewer/index.html?id=0635854cd487427f9464d802dcd92d11>. Dig Once also addresses issues associated with pavement cut moratoriums. For state highway rights-of-way, WSDOT has a policy prohibiting the open cut of pavement to preserve the roadway unless it can be justified. In these cases, a variance request is needed to approve an open cut. Therefore, the Dig Once policy helps prevent open cut requests and preserves the highways, while creating efficiencies in construction for broadband service providers.

State law only directs WSDOT to proactively notify broadband providers of any planned state highway projects.⁸³ However, if no providers are ready or able to install broadband conduit at the time of WSDOT's construction project, then WSDOT can decide if it wants to hire its own contractors to lay broadband conduit. The WSBO will work with the Washington State Legislature and WSDOT to explore ways to strengthen existing Dig Once legislation to require the installation of conduit during WSDOT's construction projects. Additionally, for Broadband Equity, Access, and Deployment (BEAD) projects that involve state facilities, the WSBO will communicate with WSDOT to cross-check these projects with those in the State Transportation Improvement Program to look for opportunities for coordination.

In partnership with WSDOT, the WSBO will also consider expanding the Dig Once policy to include all public utility and public works projects, where applicable. For example, it may be feasible to deploy fiber in conjunction with other infrastructure development projects that require pavement cutting and trenching. This may include "dry" utility installations or maintenance. For BEAD projects that involve state roads, the WSBO will facilitate a working relationship between the subgrantee and WSDOT to support coordination and promote Dig Once activities.

Integrating broadband deployment into other public infrastructure projects through Dig Once can optimize resources, reduce costs, and minimize environmental disruptions caused by construction. Coordinating the planning and deployment of multiple infrastructure types can also lead to more efficient and cost-effective outcomes. Consequently, the WSBO is committed to facilitating conversations to increase coordination.

⁸² Bonneville Power Administration (April 2020), Categorical Exclusion Determination. Accessed at: [20200415---CX---Longview-Washington-Way-Fiber-Installation.pdf \(bpa.gov\)](#);

Bonneville Power Administration (June 2018), Categorical Exclusion Determination. Accessed at: [Verizon Fiber Optic Upgrade CX \(bpa.gov\)](#);

Bonneville Power Administration (January 2018), Categorical Exclusion Determination. Accessed at: [BPA / Doe Memo Template](#)

⁸³ Washington State Legislature (n.d.), RCW 47.44.160. Accessed at: <https://app.leg.wa.gov/RCW/default.aspx?cite=47.44.160>

STREAMLINING COST-EFFECTIVE ACCESS TO POLES, CONDUITS, AND EASEMENTS

The WSBO will encourage applicants to become familiar with the make-ready process for fiber optic construction to streamline cost-effective access to poles and conduits. “Make-ready” refers to the inspections, engineering, and rearrangements required to accommodate the installation of multiple cables on a utility pole.⁸⁴ For fiber optic cables, make-ready engineering must comply with the National Electric Safety Code and may include moving existing fiber optic cable or increasing the load-bearing ability of poles. The WSBO will encourage applicants to utilize a “One-Touch Make-Ready” approach, which enables a single company to complete all make-ready work in one service trip. This streamlines cost-effective access to poles and conduits, reducing deployment costs.

Additionally, the WSBO will coordinate with the Washington Utilities and Transportation Commission to provide additional guidance to subgrantees regarding utility pole attachments.⁸⁵ State law allows utility pole owners to require entities interested in using utility poles – such as ISPs – to pay for costs to upgrade utility poles to accommodate additional attachments.⁸⁶ However, the WSBO can help streamline the make-ready process for ISPs by working with Washington Utilities and Transportation Commission to develop guidance on standardizing attachment requirements and improving consistency in the approval process. This could significantly benefit broadband expansion, particularly in rural and remote areas, where deploying infrastructure often relies on availability and costs to access utility poles. Establishing leading practices would support a transparent process that establishes a fair distribution of costs between pole owners and entities seeking to use the pole, set height standards to facilitate aerial fiber attachments, and require utility owners to seek easements that include future telecommunications attachments on pole lines.

STREAMLINING RIGHTS-OF-WAY, INCLUDING THE IMPOSITION OF REASONABLE ACCESS REQUIREMENTS AND PERMITTING PROCESSES

The WSBO is committed to collaborating closely with stakeholders to improve existing permitting and easement processes to increase project efficiency and timeliness. The land across Washington is often checkerboarded, meaning land ownership is intermingled between two or more owners.⁸⁷ Checkerboarding contributes to a convoluted permitting process, as applicants must seek permits through multiple owners to fully access the land. Given the complex ecosystem of permitting entities, a multi-stakeholder engagement process could include local governments, tribal governments, state agencies, and federal agencies. The WSBO will also work with the Washington State Legislature to find legislative solutions for statewide permitting barriers. The Legislature acknowledged the cost-effective benefits of maximizing the use of rights-of-way during

⁸⁴ Diane Kruse (2019), Policies and Ordinances that Facilitate Broadband Deployment. Accessed at: <https://broadband.ramsmn.org/wp-content/uploads/2019/08/Dig-Once-and-Shadow-Conduit-Policies-Best-Practices-and-Impacts.pdf>

⁸⁵ Utilities Technology Council (May 2020), Utilities Technology Council Joint Use Study. Accessed at: <https://utc.org/wp-content/uploads/2020/12/UTC-Joint-Use-Study-Final.pdf>

⁸⁶ Washington State Legislature (n.d.), WAC 480-54-030. Accessed at: [WAC 480-54-030](https://www.wa.gov/govpub/legislature/wac/480-54-030)

⁸⁷ NTIA (2022), Preparing for Permitting to Accelerate Broadband Deployment. Accessed at: https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/IFA_Permitting_101_PDF.pdf

construction or repair of transportation systems to extend and improve broadband and high-speed internet connections throughout the state in ESHB 1457.⁸⁸ ESHB 1457 aims to facilitate the coordinated installation of broadband along state highways.

Recently passed legislation could serve as a model for expediting broadband deployment projects. HB 1216 aims to streamline the siting of new clean energy projects by creating an Interagency Clean Energy Siting Coordinating Council – co-chaired by the Department of Commerce and the Department of Ecology – to help review applications for “Clean Energy Projects of Statewide Significance.” Approved projects are eligible for an expedited, streamlined permitting process.⁸⁹ Replicating a similar approach for BEAD projects may help reduce costs and barriers to deployment related to Rights-of-Way.

EXPAND EXISTING BROADBAND INFRASTRUCTURE DATA

Disparate sources of data are a barrier to universal broadband service implementation. In taking stock of broadband assets across Washington in the state’s [Five-Year Action Plan](#), broadband data and mapping gaps emerged. There is currently no centralized database of broadband infrastructure or other infrastructure – such as utility poles – that can be used to support broadband expansion. ISPs and localities may have difficulty planning and implementing deployment projects without centralized data. While the WSBO has attempted to capture known public assets, obtaining asset information from private providers and many public entities is difficult. To reduce barriers to deployment caused by a lack of centralized data, the WSBO intends to use BEAD funding for data collection and/or mapping initiatives, as outlined in [Chapter 6 – Eligible Entity Implementation Activities](#). To do so effectively, the WSBO will work with other state agencies and develop data-sharing agreements.

INCREASING WORKFORCE READINESS

As referenced in [Chapter 8 – Workforce Readiness](#), the increased demand for key BEAD occupations may present barriers to ISPs across Washington. Anticipated workforce gaps include a lack of skilled labor for broadband construction, broadband project oversight, and grant funding administration. To effectively scale Washington’s broadband workforce equitably and continue to support a highly skilled workforce, the state intends to incentivize workforce development priorities in subgrantee applications and reduce barriers to entry in the broadband workforce by identifying gaps in social infrastructure. Concurrently, the WSBO will coordinate with workforce stakeholders and partners across the state to expand workforce programs, support on-the-job training, and incorporate registered apprenticeships and apprenticeship preparation programs. The WSBO will also support equitable workforce opportunities by promoting ‘good jobs’ principles and raising awareness of broadband career opportunities. For a more detailed overview of the proposed strategies to encourage equitable workforce development, please see [Chapter 8 – Workforce Readiness](#).

⁸⁸ Washington State Legislature (July 25, 2021), Engrossed Substitute House Bill 1457. Accessed at: https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1457-S_SL.pdf?q=20230717152811

⁸⁹ House Committee on Environment & Energy Appropriations (2023), House Bill Report: HB 1216. Accessed at: <https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/House/1216%20HBR%20APP%202023.pdf>

11. CLIMATE ASSESSMENT (REQUIREMENT 15)

11.1 CLIMATE RISK ASSESSMENT

Text Box 2.11.1: Describe the Eligible Entity's assessment of climate threats and proposed mitigation methods. If an Eligible Entity chooses to reference reports conducted within the past five years to meet this requirement, it may attach this report and must provide a crosswalk narrative, with reference to page numbers, to demonstrate that the report meets the five requirements below. If the report does not specifically address broadband infrastructure, provide additional narrative to address how the report relates to broadband infrastructure. At a minimum, this response must clearly do each of the following, as outlined on pages 62 – 63 of the Broadband Equity, Access, and Deployment (BEAD) Notice of Funding Opportunity (NOFO):

- a. Identify the geographic areas that should be subject to an initial hazard screening for current and projected future weather and climate-related risks and the time scales for performing such screenings;
- b. Characterize which projected weather and climate hazards may be most important to account for and respond to in these areas and over the relevant time horizons;
- c. Characterize any weather and climate risks to new infrastructure deployed using BEAD Program funds for the 20 years following deployment;
- d. Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified; and
- e. Describe plans for periodically repeating this process over the life of the Program to ensure that evolving risks are understood, characterized, and addressed, and that the most up-to-date tools and information resources are utilized.

The Washington State Broadband Office (WSBO) will assess climate threats and encourage applicants to propose mitigation methods for particularly vulnerable regions to promote broadband infrastructure resiliency in the face of current and projected climate-related risks. Washington state's unique landscape includes sweeping coastlines, marshy wetlands, heavily forested mountainous terrain, rolling plains, and deserts. In total, Washington has seven distinct physiographic regions, ranging from coasts and mountains to forests and plains.⁹⁰ Each distinct area comes with challenges regarding climate and weather-related hazards and potential solutions. As Washington state is particularly vulnerable to earthquakes and volcanic activity – geologic hazards – the WSBO has included them in this assessment when referring to weather and climate hazards. Due to the considerable damage that earthquakes and volcanic activity can wreak on broadband infrastructure, it is essential to include them in mitigation strategies.

WEATHER AND CLIMATE HAZARDS

Referencing the state's Enhanced Hazard Mitigation Plan and federal tools such as the National Oceanic and Atmospheric Administration's (NOAA's) state climate tool and Federal Emergency Management Agency's (FEMA's) National Risk Index tool, the WSBO identified weather and climate hazards with the most significant impact to broadband infrastructure across the state.⁹¹ The Risk Index scores are calculated using an equation that combines scores for expected annual loss due to natural hazards, social vulnerability, and community resilience. Most counties in Washington state are at some risk for at least one of FEMA's natural hazards, except for hurricanes. However, the counties and associated hazards below require the most significant

⁹⁰ Washington State Department of Commerce (n.d.), Choose Washington. Accessed at: <http://choosewashingtonstate.com/research-resources/about-washington/climate-geography/>

⁹¹ FEMA (n.d.), National Risk Index Map. Accessed at: [Map | National Risk Index \(fema.gov\)](https://www.fema.gov/national-risk-index)

attention. They will be the focus of this assessment. The WSBO will encourage all applicants to conduct an initial hazard screening for the weather and climate-related risks identified below on a yearly basis.

- **Cold Wave:** A cold wave is a weather event involving air cooling or invading freezing air over a large area. It is marked by a drop in average temperature well below the averages of a region.
 - Counties rated ‘Very High Risk’: Benton, Grant, Okanogan, Spokane, Yakima
 - Counties rated ‘Relatively High Risk’: Adams, Douglas, Franklin, Walla Walla
- **Earthquakes:** Earthquakes are common in Washington, with tiny ones happening nearly daily.⁹² Most of the populated areas of the state have a 40-80% chance of an earthquake in the next 50 years.
 - County rated ‘Very High Risk’: King
 - Counties rated ‘Relatively High Risk’: Clark, Kitsap, Pierce, Snohomish, Thurston
- **Flooding (Coastal and Riverine):** Flooding is overflowing water onto land that is usually dry. Floods can happen during heavy rains, when snow melts quickly, or when dams or levees break. In the Pacific Northwest, flood disasters are often tied to extreme rainfall events, such as atmospheric rivers. Additionally, rising sea level along Washington’s coast also contributes to more frequent coastal flooding.
 - County rated ‘Relatively High Risk’: Grays Harbor (coastal)
- **Heat Wave:** A heat wave is a period of abnormally hot weather lasting more than two days, which can occur with or without high humidity.
 - Counties rated ‘Relatively High Risk’: Benton, Chelan, Douglas, Franklin, Grant, Spokane, Walla Walla
- **Landslides:** A landslide is the movement of a mass of rock, debris, or earth down a slope.⁹³ Washington is one of the most landslide-prone states in the country, with hundreds to thousands of events each year. For this assessment, avalanches will be categorized as a type of landslide. An avalanche occurs when a layer of snow loses its grip on a slope and slides downhill.⁹⁴
 - Counties rated ‘Very High Risk’: Chelan, Clallam, Cowlitz, Grays Harbor, Island, Okanogan, Pierce, Snohomish, Yakima
 - Counties rated ‘Relatively High Risk’: Clark, Douglas, Ferry, King, Kitsap, Lewis, Whatcom
- **Severe Storm:** For this assessment, severe storms also include ice storms and winter weather events. A storm is “severe” when it produces wind gusts of at least 58 mph and/or hail one inch in diameter (about the size of a quarter) or larger and/or a tornado.⁹⁵ An ice storm is a storm that results in the accumulation of at least 0.25 inches of ice on exposed surfaces.⁹⁶ Winter weather consists of storm events in which the main types of precipitation are snow, sleet, or freezing rain.⁹⁷

⁹² Washington State Department of Natural Resources (n.d.), Earthquakes and Faults. Accessed at: [Earthquakes and Faults | WA - DNR](#)

⁹³ United States Geological Survey (n.d.), What is a landslide and what causes one? Accessed at: [What is a landslide and what causes one?](#)

⁹⁴ Washington State Military Department (n.d.), Avalanche. Accessed at: [Avalanche | Washington State Military Department, Citizens Serving Citizens with Pride & Tradition](#)

⁹⁵ NOAA (n.d.), Severe storms. Accessed at: <https://www.noaa.gov/explainers/severe-storms>

⁹⁶ The National Weather Service (n.d.), Glossary. Accessed at: <https://forecast.weather.gov/glossary.php?word=ice+storm>

⁹⁷ FEMA (n.d.), Winter Weather. Accessed at: <https://hazards.fema.gov/nri/winter-weather>

- Counties rated ‘Relatively High Risk’: Benton, Clark, Spokane, Walla Walla
- **Volcanic Activity**: Washington state has five volcanoes that are listed as high or very high threat potential – Mount Baker, Glacier Peak, Mount Rainier, Mount St. Helens, and Mount Adams.⁹⁸
 - Counties rated ‘Very High Risk’: Clark, King, Pierce
 - Counties rated ‘Relatively High Risk’: Cowlitz, Lewis, Skagit, Snohomish, Thurston, Whatcom, Yakima
- **Wildfires**: Summer precipitation is projected to decrease in Washington. Combined with increased average temperatures and earlier snow melting, this will cause drier conditions that will increase the frequency and extent of wildfires.⁹⁹
 - Counties rated ‘Relatively High Risk’: Chelan, Kittitas, Klickitat, Okanogan, Yakima

A table listing counties FEMA rated “Very High,” “Relatively High,” and “Relatively Moderate” risk for these natural hazards is in [Appendix 18.8](#).

Ultimately, climate change is exacerbating and increasing the extent and frequency of most weather and climate hazards in Washington. As referenced in the state’s Enhanced Hazard Mitigation Plan, given the severity of recent climate-related disasters and the increasing likelihood of future disasters related to climate change, the natural hazards placing Washingtonians at the highest risk in the near term are (1) extreme weather, (2) flooding, and (3) wildfire. Extreme weather includes flooding, severe storms, and heat and cold waves.¹⁰⁰

The 2018 National Climate Assessment states that the Northwest Region has warmed by two degrees due to climate change. Washington state must consider the impact of more frequent wildfires, including damage to infrastructure.¹⁰¹ The state’s high percent frequency of drought events (33%) also increases the state’s risk for wildfires.¹⁰² The National Climate Assessment also predicts an increase in severe winter storms with El Niño winter storms contributing to storm surges, large waves, coastal erosion, and flooding in low-lying coastal areas.¹⁰³

Due to the state’s increased likelihood of weather and climate hazards in the future, it is important for subgrantees to consider mitigation tactics when developing Broadband Equity, Access, and Deployment (BEAD) funded broadband infrastructure. This requires Washington state to consider the worsening impact of climate-related hazards on new infrastructure deployed using BEAD funding for the 20 years following deployment. A review of climate assessment tools for hazard screening will be conducted at a frequency between every one to five years, as outlined in the Periodic Review section, below.

Supporting BEAD-funded broadband infrastructure resiliency in the face of these weather and climate hazards will be essential, as communication through broadband service with first responders and community members is vital during any hazard. Establishing mitigation measures

⁹⁸ Washington State Department of Natural Resources (n.d.), Volcanoes. Accessed at: [Volcanoes and Lahars | WA - DNR](#)

⁹⁹ NOAA National Centers for Environmental Information (2022), State Climate Summaries - Washington. Accessed at: [Washington - State Climate Summaries 2022 \(ncics.org\)](#)

¹⁰⁰ Washington Military Department (2023), Washington State Enhanced Hazard Mitigation Plan. Accessed at: https://mil.wa.gov/asset/651ec296d76a9/2023_WA_SEHMP_final_20231004.pdf

¹⁰¹ Ibid.

¹⁰² NOAA National Centers for Environmental Information (n.d.), U.S. Billion-Dollar Weather and Climate Disasters. Accessed at: [Summary Stats | Billion-Dollar Weather and Climate Disasters | National Centers for Environmental Information \(NCEI\) \(noaa.gov\)](#)

¹⁰³ Ibid.

to strengthen broadband infrastructure resiliency in the face of weather and climate hazards will benefit all Washington communities.

MITIGATION EFFORTS

Considering the weather and climate hazards from FEMA’s National Risk Index, the WSBO identified the state’s most urgent weather and climate risks. These weather and climate hazards will be evaluated when comparing proposed infrastructure types. Pulling information from the Center on Rural Innovation’s Hazard-Infrastructure Risk Matrix, the WSBO then identified the most frequent risks associated with aerial, buried, and wireless broadband infrastructure based on the state’s weather and climate risks, in addition to hazard mitigation strategies to increase resiliency. This material is detailed in **Table 3** below.

Table 3: Washington State Hazard-Infrastructure Risk Matrix¹⁰⁴

Natural Hazard	Infrastructure	Main Risks	Hazard Mitigation Strategy
Cold Wave	Aerial	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply
	Buried	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply
	Wireless	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply
Earthquake	Aerial	Structural stress or structural failure, grid power failure	<ul style="list-style-type: none"> Use materials and techniques with extra durability and flexibility in earthquake-prone areas. Uninterruptable power supply (UPS) systems can provide essential backup power during weather-related disruptions. Use generators for larger installations.
	Buried	Structural stress or structural failure, grid power failure	<ul style="list-style-type: none"> Use materials and techniques with extra durability and flexibility in earthquake-prone areas. Damage may be more unpredictable and challenging to repair in comparison to aerial. Equip underground facilities with UPS systems to mitigate power loss risks, especially from flooding. Consider using generators for larger control buildings.
	Wireless	Structural stress, structural failure, service disruption, grid power failure	<ul style="list-style-type: none"> Use materials and techniques with extra durability and flexibility in earthquake-prone areas. Deploy UPS systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.
Flooding <i>Includes risk of: Coastal Flooding Riverine Flooding</i>	Aerial	Corrosion, structural stress, water damage, electrical short-circuit, grid power failure	<ul style="list-style-type: none"> Ensure proper drainage around the base of poles or other components. UPS systems to provide essential backup power during weather-related disruptions. Use generators for larger installations.

¹⁰⁴ Center for Rural Innovation (2023), Hazard-Infrastructure Risk Matrix. Accessed at: http://ruralinnovation.us/wp-content/uploads/2023/08/CH_Appendix-A_Matrix.pdf

Natural Hazard	Infrastructure	Main Risks	Hazard Mitigation Strategy
	Buried	Corrosion, structural stress, water damage, electrical short-circuit, grid power failure	<ul style="list-style-type: none"> Use materials and techniques that consider the possibility of flooding, such as conduit and fiber with waterproofing components (e.g., gel). Consider replacing with aerial in high-risk flood areas. Equip underground facilities with UPS systems to mitigate power loss risks, especially from flooding. Consider using generators for larger control buildings.
	Wireless	Corrosion, structural stress, water damage, electrical short-circuit, grid power failure	<ul style="list-style-type: none"> Avoid building in frequent flood areas if possible. Ensure proper drainage around the base of poles or other components. Deploy UPS systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.
Heat Wave	Aerial	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply.
	Buried	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply.
	Wireless	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply.
Landslide¹⁰⁵ <i>Includes risk of: Avalanche</i>	Aerial	Structural stress or structural failure, equipment damage, grid power failure	<ul style="list-style-type: none"> Use materials and techniques with extra durability and flexibility in landslide-prone areas. It is better to bury cables where possible or locate infrastructure outside landslide-prone areas. Use UPS systems to provide essential backup power during weather-related disruptions. Use generators for larger installations.
	Buried	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply.
	Wireless	Structural stress or structural failure, grid power failure	<ul style="list-style-type: none"> Use materials and techniques with extra durability and flexibility in landslide-prone areas. It is better to locate infrastructure outside of landslide-prone areas. Deploy UPS systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for more extensive facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.
Severe Storm <i>Includes risk of: Ice Storm Lightning Tornado Winter Weather</i>	Aerial	Structural stress, structural failure, electrical surge, equipment damage, grid power failure	<ul style="list-style-type: none"> Use equipment that can withstand significant wind stress (e.g., heavy-duty cable brackets or composite/steel poles). Composite and steel poles are primarily used in high-moisture environments, not necessarily stronger than wood. Heavy-duty cable brackets may not be a viable/industry standard solution. Better to bury cables where possible. Use lightning arrestors and/or grounding wires to transfer strike energy to the ground safely.

¹⁰⁵ FEMA (2013), Mitigation Ideas: A Resource for Reducing Risk to Natural Hazards. Accessed at: https://www.fema.gov/sites/default/files/2020-06/fema-mitigation-ideas_02-13-2013.pdf

Natural Hazard	Infrastructure	Main Risks	Hazard Mitigation Strategy
			<ul style="list-style-type: none"> Install surge protectors to limit the voltage surge and prevent damage. Use materials rated for the extra weight of anticipated ice buildup. Keep tree limbs or vulnerable structures clear of infrastructure. Use UPS systems to provide essential backup power during weather-related disruptions. Use generators for larger installations.
	Buried	Structural stress, electrical surge, grid power failure	<ul style="list-style-type: none"> Use materials and techniques with extra durability and flexibility when freezing can cause ground shifting. Install surge protectors to limit the voltage surge and prevent damage. Specify cables with an appropriately rated grounding conductor. Ensure sufficient backup power supply. Equip underground facilities with UPS systems to mitigate power loss risks, especially from flooding. Consider using generators for larger control buildings.
	Wireless	Structural stress, structural failure, equipment damage, grid power failure	<ul style="list-style-type: none"> Use equipment that can withstand significant wind stress (e.g., heavy-duty cable brackets or composite/steel poles). Keep tree limbs or vulnerable structures clear of infrastructure. Ensure point-to-point connections use high-strength brackets and enclosures to prevent being knocked out of alignment by wind. Use materials rated for the extra weight of anticipated ice buildup. Consider equipment or enclosures with heating elements to prevent ice buildup. Use lightning arrestors and/or grounding wires to transfer strike energy to the ground safely. Deploy UPS systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.
Volcanic Activity	Aerial	Structural stress, structural failure, equipment damage, grid power failure	<ul style="list-style-type: none"> Bury infrastructure in areas prone to volcanic activity if possible. Use UPS systems to provide essential backup power during weather-related disruptions. Use generators for larger installations.
	Buried	Grid power failure	<ul style="list-style-type: none"> Ensure sufficient backup power supply.
	Wireless	Structural stress, structural failure, equipment damage, grid power failure	<ul style="list-style-type: none"> Deploy UPS systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.

Natural Hazard	Infrastructure	Main Risks	Hazard Mitigation Strategy
Wildfire	Aerial	Fire damage, electrical surge, electrical short-circuit, structural stress, equipment damage, grid power failure	<ul style="list-style-type: none"> Bury infrastructure in fire-prone areas if at all possible. If possible, use more significant setbacks and buffers between poles and fire fuel (trees). Use fire-resistant coatings on infrastructure such as poles and other equipment. Use UPS systems to provide essential backup power during weather-related disruptions. Use generators for larger installations.
	Buried	Grid power failure	<ul style="list-style-type: none"> Equip underground facilities with UPS systems to mitigate power loss risks. Consider using generators for larger control buildings.
	Wireless	Fire damage, electrical surge, electrical short-circuit, structural stress, equipment damage, grid power failure	<ul style="list-style-type: none"> Use fire-resistant coatings on infrastructure exposed to fire risk. Deploy UPS systems for wireless base stations and access points to ensure backup during power outages. Generators are suitable for larger facilities like data centers. Consider alternative power sources, such as solar panels, for remote installations.

The WSBO acknowledges that certain broadband infrastructure types are more expensive than others or are not feasible due to the physical geography of the proposed project sites. For example, buried infrastructure is typically more costly than aerial or wireless infrastructure, and it may not be possible to install in some regions of the state due to mountainous terrain or sediment composition. The WSBO will consider this information when evaluating and prioritizing BEAD proposals. As illustrated in **Table 3**, it is possible to incorporate mitigation techniques for climate- and weather-related hazards that may impact new infrastructure.

Concurrent to this Initial Proposal Volume II, the WSBO is conducting a Low Earth Orbit (LEO) satellite feasibility study and may consider funding satellite broadband infrastructure to provide redundancy and support network resiliency in the face of weather and climate hazards.¹⁰⁶ A potentially effective mitigation technique is layering satellite broadband service into areas vulnerable to many risks. Alternative technologies like LEO satellite may be considered for BEAD funding in extremely high-cost areas.¹⁰⁷

To protect against the identified weather and climate hazards, the WSBO will strongly encourage applicants proposing projects in vulnerable geographic areas to integrate mitigation measures in their applications, as **Table 3** outlines. For example, for a potential project area that is in an area prone to wildfires or landslides, the applicant may propose that all broadband infrastructure be buried, where possible, for protection. Mitigation measures may include:

- Developing rapid emergency response and communications strategies to respond promptly and effectively to extreme weather events.

¹⁰⁶ Legislative report on LEO Satellite forthcoming.

¹⁰⁷ Diana Goovaerts (May 24, 2022), NTIA chief answers 5 burning broadband funding questions. Accessed at: [NTIA chief answers 5 burning broadband funding questions \(fiercetelecom.com\)](https://www.fiercetelecom.com/ntia-chief-answers-5-burning-broadband-funding-questions)

- Regular monitoring of any potentially vulnerable buildouts.
- Coordinating with local agencies to understand current weather and climate hazards.
- Incorporating climate resilience into infrastructure designs, including technology platforms, power sources, facility siting, redundancy, processes, asset hardening, and speed restoration, among other considerations.
- Consulting the Center on Rural Innovation’s Risk Assessment Tool.

In addition to the mitigation measures outlined above, the WSBO will strongly encourage applicants to engage in local coordination. As of March 2023, all 39 counties in Washington were actively engaged in hazard mitigation planning. Additionally, all counties – except for Adams County – have already completed at least one county-wide hazard mitigation plan, and many counties have undergone multiple comprehensive updates.¹⁰⁸ Therefore, the WSBO strongly recommends that applicants review the county mitigation plan corresponding to the project site to better understand county-specific hazard mitigation techniques that may be implemented during deployment. Overall, the increase in participation in hazard mitigation planning statewide represents an increase in local jurisdictions’ capacity to mitigate hazards effectively.

The WSBO will also encourage applicants to coordinate with the Washington State Department of Transportation (WSDOT) to understand mitigation strategies that WSDOT has undertaken to protect its infrastructure from climate and natural hazards. For example, WSDOT’s Climate Impacts Vulnerability Assessments Report provides an overview of its conceptual climate risk assessment model developed for transportation infrastructure. It assesses climate vulnerability on its assets in each region and mode across Washington.¹⁰⁹

PERIODIC REVIEW

As climate patterns change, so do the risks and hazards. To support continued understanding and management of these evolving risks, the WSBO will regularly evaluate its screening process over the program’s lifetime. To support up-to-date knowledge of weather and climate hazards in the state, the WSBO will check for updated climate risks and vulnerabilities regularly to promote broadband infrastructure resiliency. Specifically, Washington will update its climate assessment using the following sources.

- FEMA’s National Risk Index
- NOAA’s Washington Climate Summary
- NOAA’s National Centers for Environmental Information
- United States Geological Survey Earthquake Viewer
- 2023 Washington State Enhanced Hazard Mitigation Plan
- University of Washington’s Climate Mapping Tool

¹⁰⁸ Washington Military Department (2023), Washington State Enhanced Hazard Mitigation Plan. Accessed at: https://mil.wa.gov/asset/651ec296d76a9/2023_WA_SEHMP_final_20231004.pdf

¹⁰⁹ Washington State Department of Transportation (2011), Climate Impact Assessment. Accessed at: <https://wsdot.wa.gov/sites/default/files/2021-10/Climate-Impact-AssessmentforFHWA-12-2011.pdf>

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- Georgetown Climate Center’s Preparing for Climate Change in Washington Tool

Once published, the WSBO will also look to the updated Washington State Department of Ecology Climate Response Strategy.¹¹⁰ The WSBO will look at each of the abovementioned resources annually to determine if it has or has not been updated in the last year. Based on that assessment, the WSBO will update its climate assessment accordingly.

The WSBO will encourage subgrantees to perform risk assessment screening as early in their BEAD project planning processes as practical so that appropriate design changes can be made according to identified risks. The WSBO will also strongly encourage subgrantees to monitor their broadband networks annually to determine if climate- or weather-related risks have increased and if further mitigation strategies should be deployed.

The WSBO may also update programmatic materials and guidelines to stay ahead of climate and weather changes as possible. The WSBO is committed to identifying and mitigating hazards and risks wherever possible across the state, particularly in our most vulnerable geographic areas.

¹¹⁰ Washington State Legislature (n.d.), Chapter 70A.05 RCW: Integrated Climate Change Response Strategy. Accessed at: [https://app.leg.wa.gov/rcw/default.aspx?cite=70A.05&full=true&pdf=true#:~:text=\(2\)\(a\)%20By%20September,conservation%20com%20mission%2C%20the%20Puget%20Sound](https://app.leg.wa.gov/rcw/default.aspx?cite=70A.05&full=true&pdf=true#:~:text=(2)(a)%20By%20September,conservation%20com%20mission%2C%20the%20Puget%20Sound)

11.1.1 ATTACHMENT – CLIMATE REPORTS

Optional Attachment 2.11.1: Submit any relevant reports conducted within the past five years that may be relevant for this requirement and will be referenced in the text narrative above.

To view Washington's *State Enhanced Hazard Mitigation Plan*, please visit:
https://mil.wa.gov/asset/65175ddc76dee/2023_WA_SEHMP_Final_20230913.pdf

To view *Biophysical Climate Risks and Economic Impacts for Washington State* prepared by the University of Washington, please visit:
https://cig.uw.edu/wp-content/uploads/sites/2/2023/01/Biophysical-Climate-Risks-and-Economic-Impacts-for-Washington-State_UW_Climate_Impacts_Group_Dec2022.pdf

To view the *Climate Impacts Vulnerability Assessment* prepared by the Washington State Department of Transportation, please visit:
<https://wsdot.wa.gov/sites/default/files/2021-10/Climate-Impact-AssessmentforFHWA-12-2011.pdf>

(Note: This report was developed in 2011, but the framework used for impact assessment is still relevant and is based on the Federal Highway Administration's *Vulnerability Assessment and Adaptation Framework*.)

12. LOW-COST BROADBAND SERVICE OPTION (REQUIREMENT 16)

12.1 LOW-COST BROADBAND SERVICE OPTION

Text Box 2.12.1: Describe the low-cost broadband service option(s) that must be offered by subgrantees as selected by the Eligible Entity, including why the outlined option(s) best services the needs of residents within the Eligible Entity's jurisdiction. At a minimum, this response must include a definition of low-cost broadband service option that clearly addresses the following, as outlined on page 67 of the BEAD NOFO:

- a. All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs);
- b. The plan's basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices);
- c. Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate; and
- d. Any provisions regarding the subscriber's ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.

To bridge the digital divide in Washington and strive to meet **Objective 1.4** set out in the state's **Five-Year Action Plan** and in **Chapter 1 – Objectives**, the Washington State Broadband Office (WSBO) recognizes the intrinsic link between affordability and accessibility. **Objective 1.4** states that every business and household in Washington state should have affordable access to the broadband they need for work, school, healthcare, and more. This includes reducing barriers to access through policy and programs, such as:

- Increasing awareness of benefits and enrollment of eligible households in the Affordable Connectivity Program (ACP).
- Expanding the availability of non-federally funded subsidies and grant programs to increase the affordability of broadband.

As mentioned by multiple participants at the state's public engagement events, many Washingtonians may have broadband service available, but they cannot afford the price of service or devices. Building up broadband infrastructure across the state without addressing affordability issues may bring broadband service to some, but will leave behind Washington's most vulnerable communities, excluding them from the digital economy and society.

While some affordability programs exist to reduce the cost of broadband service for low-income households, many Washingtonians are unaware of these resources or may not understand how to apply for them. For example, the ACP – a Federal Communications Commission program that helps families and households afford internet service – is underutilized in Washington. According to the Universal Service Administrative Co. ACP Enrollment and Claims Tracker, Washington has an estimated 1,125,000 eligible households. However, as of September 2023, less than 315,000 are enrolled. This figure represents only about 28% of eligible households. To address this, the WSBO has expanded its efforts to increase awareness of the ACP and promote enrollment, providing resources on its homepage to assist residents with the application process and supporting the work of digital navigators who can help eligible households apply. Additionally,

many city, county, and nonprofit organization websites link to the ACP to boost awareness and provide details on how residents can apply for the program. The WSBO intends to use the state's digital navigators and any internet service providers receiving Broadband Equity, Access, and Deployment (BEAD) funding to promote community awareness and enrollment in the ACP.

Considering input received during public engagement for the [Five-Year Action Plan](#), and in alignment with the BEAD Notice of Funding Opportunity (NOFO), the WSBO developed the following low-cost broadband service option:

- The subgrantee offers a service option that meets, at a minimum, the following criteria:
 - The low-cost service option costs \$30 per month or less, including all taxes, fees, and charges billed to the subscriber. The WSBO may adjust the low-cost service option price as needed to match inflation.
 - The subgrantee must allow the end user to apply ACP and Lifeline program benefit subsidies to the service price.
 - The subgrantee must work to inform prospective customers of the ACP and Lifeline. The subgrantee must also take the necessary steps to enroll and apply the benefit to the low-cost service option.
 - Subgrantees will be held to performance requirements established by the BEAD program. They must consistently and reliably provide download speeds of at least 100 megabits per second (Mbps) and typical upload speeds of at least 20 Mbps.
 - The low-cost service option must provide no more than 100 milliseconds of typical latency measurements.
 - The subgrantee must not subject low-cost service option subscribers to data caps, surcharges, or usage-based throttling. Low-cost service option subscribers must only be subject to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
 - If the subgrantee later offers a low-cost plan with higher speeds downstream and/or upstream, the subgrantee must permit eligible subscribers subscribed to a low-cost service option to upgrade at little to no extra cost. The subgrantee must also inform subscribers of alternative plan options if they wish to change to another tier of service.
- The subgrantee is required to participate in the ACP and encouraged to ensure that prospective customers are aware of their participation in the ACP. The subgrantee is required to participate in any successor broadband subsidy programs should funding for the ACP be depleted and the program not renewed.
- Subgrantees must also provide a low-cost service option – meeting the parameters established above – to those who qualify for the ACP. Subgrantees may not impose additional eligibility restrictions beyond those applicable to the ACP.

The WSBO strongly encourages the low-cost broadband service option to be available to all eligible prospective customers across the subgrantee's service territory; however, this service option must be available to locations within the awarded project areas under the BEAD program.

With this affordability guidance in place, the WSBO anticipates increased awareness of and participation in affordability programs, reducing cost barriers of connectivity for the most vulnerable communities and households across Washington state.

12.2 AFFORDABLE CONNECTIVITY PROGRAM PARTICIPATION

Checkbox 2.12.2: Certify that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

The WSBO certifies that all subgrantees will be required to participate in the ACP or any successor program. The WSBO also intends to require BEAD subgrantees to offer its customers the ACP device subsidy program.

DRAFT

13. MIDDLE-CLASS AFFORDABILITY (REQUIREMENT 20)

Text Box 2.13.1: Describe a middle-class affordability plan that details how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices. This response must clearly provide a reasonable explanation of how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices.

In addition to the low-cost broadband service option, the Washington State Broadband Office (WSBO) recognizes the importance of providing middle-class families with affordable broadband service. The intention behind supporting an affordable service option for middle-class households is to help those who may not qualify for programs like the Affordable Connectivity Program (ACP) or Lifeline, but for whom internet affordability is still a concern. To address affordability concerns for middle-class households, the WSBO proposes the strategies below.

BEAD PROPOSAL SCORING CRITERIA

Affordability is part of the scoring criteria the WSBO will use to evaluate proposals for Broadband Equity, Access, and Deployment (BEAD) funding. Please see [Chapter 4 – Deployment Subgrantee Selection](#) for information on the WSBO's deployment subgrantee selection process.

AFFORDABLE SERVICE OPTION

Offering middle-class households affordable, high-quality broadband service is a priority for the WSBO. To understand the range of middle-class income in Washington, the WSBO looked to research by the Pew Research Center.¹¹¹ Their analysis defines middle-class as households with annual incomes of two-thirds to twice the median household income. Referencing data from the Washington State Office of Financial Management, the median household income in Washington is \$84,155. This establishes the range of middle-class incomes as \$56,103 to \$168,310.¹¹²

To support broadband affordability for middle-class households, the WSBO will require subgrantees to provide a plan for an affordable service option that supports stable and affordable prices to middle-income end-users. The affordable service option plan must include a proposed price threshold, its justification, and basic service features that align with the BEAD program requirements. The WSBO strongly encourages the affordable service option to be available to prospective customers across the subgrantee's entire service territory. However, this option must be available to locations within the awarded project areas under the BEAD program.

In line with the requirements outlined above, subgrantees must establish an affordable service option plan that meets, at a minimum, the following criteria:

- Proposes a monthly non-promotional price, including all taxes, fees, and charges billed to the customer or subscribers, and justification for the price.
- Provides consistent and reliable download speeds of at least 100 megabits per second (Mbps) and typical upload speeds of at least 20 Mbps.

¹¹¹ Pew Research Center (July 23, 2023), Are You in the Middle Class? Accessed at: <https://www.pewresearch.org/short-reads/2020/07/23/are-you-in-the-american-middle-class/>

¹¹² Office of Financial Management (May 22, 2023), Median Household Income Estimates. Accessed at: https://ofm.wa.gov/sites/default/files/public/dataresearch/economy/median_household_income_estimates.pdf

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- Provides typical latency measurements of no more than 100 milliseconds.
 - Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
 - Only allows prices charged to end users to increase after 12 months have passed, and at a rate that does not exceed the Consumer Price Index for All Urban Consumers (CPI-U) 12-month percentage point change for the “All Items” category, published by the U.S. Bureau of Labor Statistics.¹¹³ Existing customers must be informed via mail, billing announcement, or email, no later than 30 days before an annual price increase.

In addition to the recommendations set above, the WSBO strongly encourages subgrantees to inform all prospective customers of the affordable service option and provide access to publicly available information for the affordable service option on subgrantee websites.

To support price reasonability for middle class households in subsequent years, the WSBO will annually publish consumer pricing benchmarks and income-focused data analysis so that consumers can comparison shop for service options. In addition to regular benchmarking, the WSBO will establish monitoring and public reporting metrics to maintain high-speed internet affordability for middle-income households. To support data accuracy, the WSBO will require that participants annually report service tiers and pricing for project areas to certify that affordable service options are being offered.

¹¹³ U.S. Bureau of Labor Statistics (n.d.), CPI-U: U.S. city average by detailed expenditure category. Accessed at: <https://www.bls.gov/news.release/cpi.t02.htm>

14. USE OF 20 PERCENT OF FUNDING (REQUIREMENT 17)

14.1 20 PERCENT OF FUNDS USAGE

Text Box 2.14.1: Describe the Eligible Entity's planned use of any funds being requested, which must address the following:

- a. If the Eligible Entity does not wish to request funds during the Initial Proposal round, it must indicate no funding requested and provide the rationale for not requesting funds.
- b. If the Eligible Entity is requesting less than or equal to 20 percent of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, and how the proposed use of funds achieves the statutory objective of serving all unserved and underserved locations.
- c. If the Eligible Entity is requesting more than 20 percent (up to 100 percent) of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, how the proposed use of funds achieves the statutory objective of serving all unserved and underserved locations, and provide rationale for requesting funds greater than 20 percent of the funding allocation.

The Washington State Broadband Office (WSBO) requests that 100% of its Broadband Equity, Access, and Deployment (BEAD) funding allocation, or \$1,227,742,066.30, be made available to the state. The WSBO believes that 100% of its BEAD allocation is required to address the state's digital divide adequately and efficiently.

Specifically:

- The WSBO is committed to providing broadband to unserved and underserved locations throughout the state.¹¹⁴ The importance of having reliable and affordable access to broadband in today's society requires the state to act urgently to address existing broadband inequities that have impacted regions of the state for too long.
- The WSBO is prepared and eager to begin implementing the BEAD program according to the strategies and processes described in its [DRAFT Initial Proposal Volume I](#) and throughout this Volume II document.
- The WSBO acknowledges that the number of high-cost locations in the state presents challenges for broadband expansion. Thus, delaying the BEAD process could result in additional cost pressure for these locations. Specifically, projects in high-cost areas could become even more costly as nearby states begin disbursing their BEAD funding, contributing to higher costs for equipment and supplies and workforce shortages. Therefore, the sooner the WSBO can begin the BEAD award process, the better positioned it will be to take full advantage of this funding opportunity.
- The WSBO estimates that, although the state's allocation of BEAD funding is substantially larger than any previous funding program made available to the state, this amount will not be enough to fully serve all unserved and underserved locations with fiber optic infrastructure. As a result, the WSBO believes that, from a planning perspective,

¹¹⁴ According to data from the Federal Communications Commission's (FCC) National Broadband Map published on August 29, 2023, the state of Washington has more than 230,000 unserved locations and more than 85,000 underserved locations. These numbers may change once the WSBO begins removing locations with enforceable commitments, as described in the [DRAFT Initial Proposal Volume I](#).

requesting all BEAD funding at once would allow it to allocate funding more efficiently. Getting access to 100% of the state's BEAD allocation initially would enable the WSBO to solicit all project proposals simultaneously, and subsequently allocate funding to ensure all possible project areas are awarded funding.

The WSBO intends to use its **\$1,227,742,066.30** BEAD allocation in the following way:

- Planning Activities - \$5,000,000.00 (0.4%)
- Administrative Activities - \$2,657,190.00 (0.2%)
- Programmatic Activities - \$19,960,553.94 (1.6%)
- Subgrantee Selection and Deployment - \$1,200,124,322.36 (97.8%)

(The WSBO has already received \$5 million in funding from the National Telecommunications and Information Administration [NTIA] for BEAD planning purposes. As a result, the state will technically be requesting access to its remaining BEAD allocation [\$1,222,742,066.30] in **Section 14.2 – Initial Proposal Funding Request Amount.**)

In accordance with the BEAD Notice of Funding Opportunity (NOFO), the WSBO will use its BEAD funding to provide reliable broadband to all unserved and underserved locations in Washington. As such, the WSBO plans to use its BEAD allocation primarily for last mile and, when applicable, middle-mile deployment costs. Overall, the WSBO anticipates using 97.8% of Washington's total BEAD allocation to support universal service projects.

The WSBO will prudently use BEAD funding for supporting activities, such as administrative costs, and for other BEAD implementation and deployment activity expenses, like funding the challenge and subgrantee selection processes. The WSBO is subject to the administrative cap outlined in the BEAD NOFO, which limits the amount of BEAD funding the WSBO can use for expenses relating (directly or indirectly) to the administration of the grant under Section 60102(d)(2)(B) of the Infrastructure Act, to two percent of the state's total BEAD allocation.¹¹⁵

The WSBO's ability to access 100% of its BEAD allocation, and the associated two percent for administrative uses, will allow it to plan its administrative budget for the entire BEAD program period and use funding for efficiently for Information Technology (IT) support, staffing, and other programmatic expenses that are permitted under BEAD. Although BEAD requirements place a 2% cap on administrative activities, the WSBO intends to only use 0.2% (\$2,657,190) of the state's total BEAD allocation for the following administrative activities:

- Staffing needs.
- Project management.
- NTIA BEAD reporting requirements, including costs to coordinate with other federal, state, local, and tribal programs.
- Agency coordination.
- Procurement of and management of third-party resources.

¹¹⁵ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

-
- Travel associated with BEAD.
 - Execution and monitoring of enforceable commitment agreements for pre-BEAD grant awards to support deduplication.

In addition to the funding set aside for administrative uses, the WSBO intends to use an additional 1.6% (\$19,960,553.94) of BEAD funding on the following eligible programmatic activities for implementing the BEAD program:

- Development, management, and implementation of the challenge process which includes technical assistance, challenge submission, rebuttal, deduplication, and adjudicative processes (including potential audits).
- Development, management, and implementation of the subgrantee selection process.
- Grant development, administration, management, reporting, National Environmental Policy Act (NEPA), monitoring, and compliance specific to BEAD funds.
- Monitoring subgrantee performance through grant agreements and enforceable commitments.
- Development and refinement of cost models for the extremely high-cost threshold (EHCT) and BEAD minimal outlay calculations.
- Local coordination focused on infrastructure planning with local, regional, and tribal entities.
- Mapping, including funding areas, public-facing maps, and dashboards.
- Data collection to support mapping, analysis, and program development.
- Successful disbursement of funds and fiscal management processes.
- Other project and program management activities, such as:
 - Providing grant-related training to staff and subgrantees,
 - Developing and implementing a BEAD Program Handbook for the WSBO staff and subgrantees, and
 - Monitoring and evaluating subgrantee compliance with BEAD requirements.

The work described above will be completed by a combination of WSBO staff and contractors as needed. For example, the challenge portal will be developed by a contractor with support from multiple state IT resources. The state may also seek contractor support for additional Geographic Information Systems (GIS) analysis, stakeholder outreach and engagement, and other specific areas in which the state needs support.

14.2 INITIAL PROPOSAL FUNDING REQUEST AMOUNT

Financial Data Entry 2.14.2: Enter the amount of the Initial Proposal Funding Request. If not requesting initial funds, enter '\$0.00.'

The WSBO will request **\$1,222,742,066.30**.

14.3 PERCENT OF FUNDS REQUIREMENTS

Response 2.14.3: Certify that the Eligible Entity will adhere to BEAD Program requirements regarding Initial Proposal funds usage. If the Eligible Entity is not requesting funds in the Initial Proposal round and will not submit the Initial Funding Request, note "Not applicable."

The WSBO certifies that it will adhere to BEAD program requirements regarding Initial Proposal funds usage.

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15. ELIGIBLE ENTITY REGULATORY APPROACH (REQUIREMENT 18)

15.1 LAWS RELATED TO SUBGRANT COMPETITION

Text Box 2.15.1:

a. Disclose whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer.

b. If the Eligible Entity will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive (using the Excel attachment) and their date of enactment and describe how they will be applied in connection with the competition for subgrants. If there are no applicable laws, note such.

Not applicable.

16. CERTIFICATION OF COMPLIANCE WITH BEAD REQUIREMENTS (REQUIREMENT 19)

16.1 REQUIREMENTS COMPLIANCE CERTIFICATION

Text Box 2.16.1: Certify the Eligible Entity's intent to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

The Washington State Broadband Office (WSBO) certifies that it intends to comply with all applicable Broadband Equity, Access, and Deployment (BEAD) Program requirements, including the reporting requirements. These state and subgrantee reporting requirements, as described in the BEAD Notice of Funding Opportunity (NOFO) Section VII.E, are in [Appendix 18.9](#).

16.2 SUBGRANTEE ACCOUNTABILITY

Text Box 2.16.2: Describe subgrantee accountability procedures, including how the Eligible Entity will, at a minimum, employ the following practices outlined on page 51 of the BEAD NOFO:

- a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);
- b. The inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;
- c. Timely subgrantee reporting mandates; and
- d. Robust subgrantee monitoring practices.

DISTRIBUTION OF FUNDING

Once subgrantees and the Washington State Department of Commerce (Commerce) finalize their respective agreements to be administered by the WSBO, grant funds will become available to subgrantees after the signed agreement's effective date, with the WSBO retaining 5% to 10% of funding until all contract commitments have been fulfilled. Subgrantees may request grant funding by submitting an online Invoice Voucher (also referred to as A-19) using Commerce's electronic vouchering method through the Contracts Management System (CMS) Online A-19 Portal.¹¹⁶

Only an authorized individual by the subgrantee's organization may complete an Invoice Voucher, which shall be submitted to reimburse costs incurred for a specific milestone and not for future expenses. To Commerce's satisfaction, the invoices shall describe and document the work performed, a project status report, and fees. If expenses are invoiced, subgrantees must provide a detailed breakdown of each type and all backup documentation, such as vendor invoices and labor cost reports. A list of eligible expenses for deployment projects is provided in [Appendix 18.10](#).

The subgrantee must also provide proper matching invoice documentation. The subgrantee will not be fully reimbursed for expenditures without documentation demonstrating that the match requirement has been met. If the match is documented correctly and meets the applicable eligibility criteria, expenses may be reimbursed according to the agreement. All match funding

¹¹⁶ Form A-19 is an electronic form that the subgrantee creates when submitting a reimbursement request online using Commerce's CMS Portal.

must be supported by documentation acceptable to Commerce's satisfaction and be verifiable from subgrantee records.

The WSBO will also require subgrantees to complete and submit a Cost Performance Index form with each Invoice Voucher. This form will allow the WSBO to measure the cost efficiency of the project using the Cost Performance Index method, which is based on the following formula:

$$\text{Cost Performance Index} = \text{earned value} / \text{actual cost}$$

The WSBO reserves the right to request further explanation on how applicants will improve the project if its Cost Performance Index performs below expectations and may refuse reimbursement until sufficient justification is provided.

Additionally, Commerce may, in its sole discretion, terminate the grant or withhold payments claimed by the subgrantee for services rendered if the subgrantee fails to satisfactorily comply with any term or condition of the subgrantee's BEAD agreement. Commerce shall make no payments in advance or in anticipation of services or supplies under any subgrantee BEAD agreement.

CLAWBACK PROVISIONS

If the subgrantee fails to perform its contractual obligations in accordance with state laws, federal laws, and/or the provisions of its BEAD agreement, Commerce reserves the right to recapture funds in an amount to compensate Commerce for the noncompliance in addition to any other remedies available at law or in equity.

In the event the subgrantee commits fraud or makes any misrepresentation in connection with the grant application or during the performance of its BEAD agreement, Commerce reserves the right to terminate or amend the subgrantee's BEAD agreement, accordingly, including the right to recapture all funds disbursed to the subgrantee under the grant.

Repayment by the subgrantee of funds under these recapture provisions shall occur within the time period specified by Commerce. Alternatively, Commerce may recapture such funds from payments due under the subgrantee's BEAD agreement.

REPORTING MANDATES

As indicated in the WSBO's response to [Text Box 2.16.1](#) above, the WSBO, on behalf of Commerce, will adhere to the reporting requirements as described in the BEAD NOFO. Beyond the aforementioned reporting requirements, the WSBO will also require subgrantees to submit various reports, both routine and upon request. Through these reports, the WSBO can monitor project progress and determine whether technical assistance may be required.

If a subgrantee fails to meet a reporting deadline, they will be flagged as out of compliance and, until corrected, no remittance requests or any other requests will be approved. In addition to progress reports, the WSBO will monitor projects through compliance reviews. These reviews aim to ensure that the project complies with applicable state and federal guidance and regulations.

QUARTERLY PROJECTION REPORTS

Subgrantees will be required to submit quarterly projections and expenditure reports. The WSBO will request estimated reimbursement amounts and the anticipated dates that subgrantees plan

on submitting an Invoice Voucher for a given quarter. Quarterly projections are used for program budgeting purposes only and **are not binding**.

QUARTERLY PROGRESS REPORT

Subgrantees must submit Project Quarterly Progress Reports, including quarters when no reimbursements have been issued through the quarter of the project's completion. These reports will help the WSBO certify that each subgrantee complies with the Bipartisan Infrastructure Investment and Jobs Act requirements and the BEAD NOFO.

SEMI-ANNUAL REPORT

To be eligible for fund disbursement, subgrantees must submit a Semi-Annual Report to the WSBO to track the use of funds provided. At a minimum, the report must:

- Include a list of addresses or location identifications (including the Broadband Serviceable Location Fabric established under 47 U.S.C (United States Code). 642(b)(1)(B)) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each project.
- Identify new locations served within each project area at the relevant reporting intervals and service taken (if applicable). Identify whether each address or location is residential, commercial, or a community anchor institution.
- Describe the types of facilities that have been constructed and installed.
- Describe the peak and off-peak actual speeds of the broadband service being offered.
- Describe the maximum advertised speed of the broadband service being offered.
- Describe the non-promotional prices charged for different broadband service tiers, including any associated fees.
- List all requested interconnection agreements and their status.
- Report the number and number of contracts and subcontracts awarded by the subgrantee disaggregated by recipients of each such contract or subcontract that are minority business enterprises, women's business enterprises, and labor surplus firms.
- Include any other data required to comply with the Federal Communications Commission's (FCC's) data and mapping collection standards under Section 1.7004 of Title 47, Code of Federal Regulations, or any successor regulation for broadband infrastructure projects.
- Include an SF-425 Federal Financial Report and meet the requirements described in the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01 for Financial Reports.

PROJECT COMPLETION

Subgrantees must submit a Project Completion Report within three months of the project's completion. The report will outline the activities that took place during the project, what facilities were installed and their service capabilities, total costs, and a KMZ map detailing the location of areas served by the project. The report will also include a summary of affordability options and

proof of Affordable Connectivity Program (ACP) participation. An example Project Completion Report Form is in [Appendix 18.11](#).

POST CONDITIONAL CLOSEOUT REPORTS

Subgrantees must submit a Post-Conditional Closeout Report six months and 12 months after the project's completion. These reports will require data on the number of subscribers and speed test results within 30 days of when the report is submitted.

SUBGRANTEE MONITORING PRACTICES

The objectives of monitoring are to determine if subgrantees are:

- Carrying out BEAD-funded activities in a timely manner and complying with applicable laws, regulations and terms as described in their contracts (as modified or amended).
- Charging eligible costs to the program or project and minimizing the opportunity for fraud, waste, and mismanagement.

The role of the WSBO is to ensure that subgrantees carry out their programs according to applicable laws and regulations. In carrying out this responsibility, the WSBO will help subgrantees identify problems or potential problems in program implementation, identify the causes, and help subgrantees correct them. An example monitoring checklist is included in [Appendix 18.12](#).

BEAD project managers will monitor contracts throughout the contract period to assess subgrantee progress and performance.

The WSBO will emphasize the following areas when monitoring subgrantees in accordance with applicable state and federal regulations:

- Overall subgrantee management.
- Subgrantee's subcontractor performance.
- Financial management.
- Professional services procurement (including Minority- and Women's Business Enterprises and labor surplus area firm outreach)
- Construction procurement (including Minority- and Women's Business Enterprises and labor surplus area firm outreach).

Follow-up Action

- If the subgrantee fails to meet a target date for corrective action, the WSBO will issue a formal request for response.
- If the subgrantee has not responded within 30 calendar days after the corrective action date, the WSBO will withhold further payment until the subgrantee responds or implements corrective action.

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- Failure by the subgrantee to correct deficiencies may result in the WSBO withholding funds and possible restrictions on future grants.

Finally, at no additional cost, all records relating to the subgrantee's performance under this grant shall be subject at all reasonable times to inspection, review, and audit by Commerce, the Office of the Washington State Auditor, and federal and state officials authorized by law, to monitor and evaluate performance, compliance, and quality assurance under this grant. The subgrantee shall provide access to its facilities for this purpose.

16.3 SUBGRANTEE CIVIL RIGHTS AND NONDISCRIMINATION

Check Box 2.16.3: Certify that the Eligible Entity will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

The WSBO certifies that it will account for and satisfy each of the following authorities:

- [Parts II and III of Executive Order 11246, Equal Employment Opportunity](#)
- [Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency](#)
- [Executive Order 13798, Promoting Free Speech and Religious Liberty](#)

Additionally, before disbursing any BEAD funding to a subgrantee, the WSBO will require each subgrantee to agree, by contract or other binding commitment, to abide by the non-discrimination requirements set forth in the following legal authorities to the extent applicable and to acknowledge that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed:

- [Title VI of the Civil Rights Act](#)
- [Title IX of the Education Amendments of 1972](#)
- [The Americans with Disabilities Act of 1990](#)
- [Section 504 of the Rehabilitation Act of 1973](#)
- [The Age Discrimination Act of 1975](#)
- Any other applicable non-discrimination law(s)

16.4 SUBGRANTEE CYBERSECURITY AND SUPPLY CHAIN RISK MANAGEMENT COMPLIANCE

Text Box 2.16.4: Certify that the Eligible Entity will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO to require prospective subgrantees to attest that:

Cybersecurity

1) The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either:

- (a) operational, if the prospective subgrantee is providing service prior to the award of the grant; or
- (b) ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;

2) The 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;

3) The plan will be reevaluated and updated on a periodic basis and as events warrant; and

4) The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days.

Supply Chain Risk Management (SCRM)

1) The prospective subgrantee has a SCRM plan in place that is either:

- (a) operational, if the prospective subgrantee is already providing service at the time of the grant; or
- (b) ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;

2) The 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;

3) The plan will be reevaluated and updated on a periodic basis and as events warrant; and

4) The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request.

The WSBO certifies that it will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements outlined on pages 70–71 of the BEAD NOFO.¹¹⁷

¹¹⁷ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

17. PUBLIC COMMENT

Text Box 2.17.1: Describe the public comment period and provide a high-level summary of the comments received during the Volume II public comment period and how they were addressed by the Eligible Entity. The response must demonstrate:

- a. The public comment period was no less than 30 days; and
- b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

The public comment period was open for 30 days and closed on December 1, 2023. Washingtonians were encouraged to comment on any section of this volume of Washington’s Broadband Equity, Access, and Deployment (BEAD) Initial Proposal through a survey on Qualtrics. The link to the survey was provided in the first draft of this document, which was sent out to over 3,200 Washingtonians subscribed to the Internet for All in Washington email list.

In addition, the Washington State Broadband Office (WSBO) attended or conducted the following activities to increase awareness of the Initial Proposal Volume II and to solicit public comment feedback:

- BEAD Project Area Webinar (October 12, 2023)
- Infrastructure Assistance Coordinating Council (October 24–26, 2023)
- Centennial Accord Meeting (October 30– 31, 2023)
- Digital Equity Forum (November 16, 2023, Special Meeting)
- Webinar (monthly Internet for All in Washington webinar held on November 29, 2023)
- Regional Broadband Action Team meetings (multiple throughout November)

The WSBO takes all public comments seriously and has considered every public comment submitted. In addition to the public comments received via survey, public comments were also sent to the internetforall@commerce.wa.gov inbox and directly to WSBO staff members. Based on the comments received, the WSBO distilled the following recurring themes.

- **Some public commenters noted a preference for multiple project areas per application. Other public commenters noted a preference for one project area per application.** Public commenters were roughly split between preferring multiple project areas per application or one project area per application. Therefore, the WSBO will keep the subgrantee process to one application per project area.
- **Most public commenters expressed a preference for the county boundary project area definition.** Based on public comment, the WSBO decided to define the project areas by county boundaries and made updates to the language in Section 4.6.
- **Some public commenters suggested aligning with Washington state legislated broadband speed goals in determining which applicants receive BEAD funding.** The WSBO is adhering to the specific speed goals associated with BEAD funding and will not be making changes to the established speed goals.

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- **Some public commenters recommended changes to the county boundary project areas based on concerns with Federal Communications Commission (FCC) data.** The WSBO made updates to the county boundary project language in Section 4.6 and included language around further manual refinement of project areas and continued engagement with stakeholders.
 - **Some public commenters recommended defining what constitutes an extremely high-cost per location threshold (EHCT) prior to the application process.** The WSBO will not define EHCT prior to the application process, which is compliant with National Telecommunications and Information Administration (NTIA) guidelines.
 - **Some public commenters recommended implementing a pre-qualification phase to ensure applicants meet all requirements outlined in BEAD to lessen the administrative burden on applicants.** The WSBO will be using ZoomGrants to receive applications for BEAD funding, which will make it simple for applicants to copy and paste any information to fulfil the administrative requirements. Therefore, the WSBO will not be implementing a pre-qualification phase.
 - **Some public commenters suggested offering a waiver to the Letter of Credit in line with NTIA updates.** The WSBO updated Section 4.11 to reflect the NTIA’s most recent letter of credit waiver guidance.
 - **Some public commenters recommended that applicants be allowed to submit applications for a percentage of Broadband Serviceable Locations (BSLs) in a project area equal to less than 100%.** To support the expansion of broadband to all BSLs across Washington state, the WSBO will not allow applicants to submit applications for a percentage of BSLs in a project area equal to less than 100%. This approach may encourage cherry-picking of “easier to serve” BSLs, and not serve more difficult, higher-cost locations.
 - **Some public commenters recommended adding a service level agreement associated with the pricing of 1 gigabit per second (Gbps) symmetrical service so that end users are getting the services for which they are paying.** The WSBO considered adding a service level agreement, but decided not to incorporate this recommendation as it may create a barrier to participation by providers due to liability concerns.
 - **Some public commenters expressed a desire to bolster the Fair Labor Practices scoring criterion and to weight the category more heavily.** The WSBO reviewed public comments and increased the Fair Labor Practices Scoring category for Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects by 5 points in Section 4.2.
 - **Some public commenters noted a preference to include network resiliency as a secondary criterion for Priority Broadband Projects and Other Last-Mile Broadband Projects.** The WSBO carefully considered adding network resiliency to its scoring rubrics, but decided to not include this additional criterion as it would require taking points away from other scoring criterion.

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- **Some public commenters suggested increasing the points allocated for Local Coordination Scoring.** The WSBO reviewed public comments and increased the Local Coordination Scoring category by 4 points for Priority Broadband Projects and 3 points for Other Last-Mile Broadband Deployment Projects in Section 4.2.
 - **Some public commenters recommended including Broadband Action Teams as an organization that can provide letters of support for Local and Tribal Coordination scoring.** While the WSBO acknowledges and recognizes the important role that Broadband Action Teams have played in expanding digital equity, they will not be included as organizations that can provide letters of support. Broadband Action Teams are not uniform in membership, activity, or participation. Further, some members work for internet service providers, presenting a potential conflict of interest.
 - **Some public commenters recommended including a requirement for Digital Navigation Services to be provided from subgrantees who receive BEAD funding for infrastructure buildout.** The WSBO did not make changes based on this comment, as this is the focus of Digital Equity Program funding.
 - **Some public commenters expressed confusion around whether Priority Broadband Projects will be scored against Other Last-Mile Broadband Projects.** To reduce confusion, the WSBO added language in Section 4.2 to clarify that Priority Broadband Projects and Other Last-Mile Broadband Projects each have their own scoring rubrics.
 - **Some public commenters recommended eliminating the Speed to Deployment scoring criterion 12-month completion goal.** The WSBO removed the 12-month completion goal in the Speed to Deployment scoring criterion for Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects in Section 4.2.
 - **Some public commenters suggested additional workforce development resources to be added to the Workforce Readiness section.** The WSBO incorporated additional workforce development resources in Chapter 8.
 - **Some public commenters expressed concern about the price of the \$25 low-cost broadband service option requirement.** The WSBO removed the \$25 low-income pricing tier in the Adoption and Digital Navigation scoring criterion for Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects in Section 4.2 and updated the price of the low-cost broadband service option to \$30 in Chapter 12.
 - **Some public commenters recommended adjusting the approach used in the Affordability scoring criterion, as there were concerns the current scoring rubric is equal to ratemaking.** The WSBO did not make any changes to the rate brackets identified in the Affordability scoring criterion. As each rate bracket is only recommended to accrue more points under affordability, not required, this scoring criterion does not equal ratemaking.
 - **Some public commenters recommended updating the section on Dig Once in the Cost and Barrier Reduction chapter to reflect progress made by WSDOT.** The WSBO updated the reference to Dig Once in Chapter 10 to reflect the policy's finalization.

18. APPENDIX

18.1 INITIAL PROPOSAL FUNDING REQUEST REQUIREMENTS BY DOCUMENT

Document	Contents
Initial Proposal – Volume I	Requirement 3: Existing Broadband Funding – <i>may be satisfied by completion of the Five-Year Action Plan</i>
	Requirement 5: Unserved and Underserved Locations
	Requirement 6: Community Anchor Institutions (CAIs)
	Requirement 7: Challenge Process
Initial Proposal – Volume II	Requirement 1: Objectives – <i>may be satisfied by completion of the Five-Year Action Plan</i>
	Requirement 2: Local, Tribal, and Regional Broadband Planning Coordination – <i>may be satisfied by completion of the Five-Year Action Plan</i>
	Requirement 4: Local Coordination
	Requirement 8: Deployment Subgrantee Selection
	Requirement 9: Non-deployment Subgrantee Selection
	Requirement 10: Eligible Entity Implementation Activities
	Requirement 11: Labor Standards and Protections
	Requirement 12: Workforce Readiness
	Requirement 13: Minority Business Enterprises (MBEs)/ Women’s Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion
	Requirement 14: Cost and Barrier Reduction
	Requirement 15: Climate Assessment
	Requirement 16: Low-Cost Broadband Service Option
	Requirement 20: Middle Class Affordability
Requirement 17: Use of 20 Percent of Funding	
Requirement 18: Eligible Entity Regulatory Approach	
Requirement 19: Certification of Compliance with BEAD Requirements	
Initial Proposal Funding Request	Project Plan/Narrative
	Consolidated Budget Form

18.2 LOCAL COORDINATION TRACKER TOOL

An updated Local Coordination Tracker can be accessed using the link below. The tracker includes a list of federal, state, municipal, and tribal governments, as well as businesses, community organizations, and other stakeholder groups that the WSBO has engaged with, a list of activities that the WSBO has either hosted or participated in, a list of county and tribal broadband action plans, and a list of public comments.

[Local Coordination Tracker Tool link](#)

A Public Comment Report of the comments received for the Initial Proposal Volume I can be accessed using the link below.

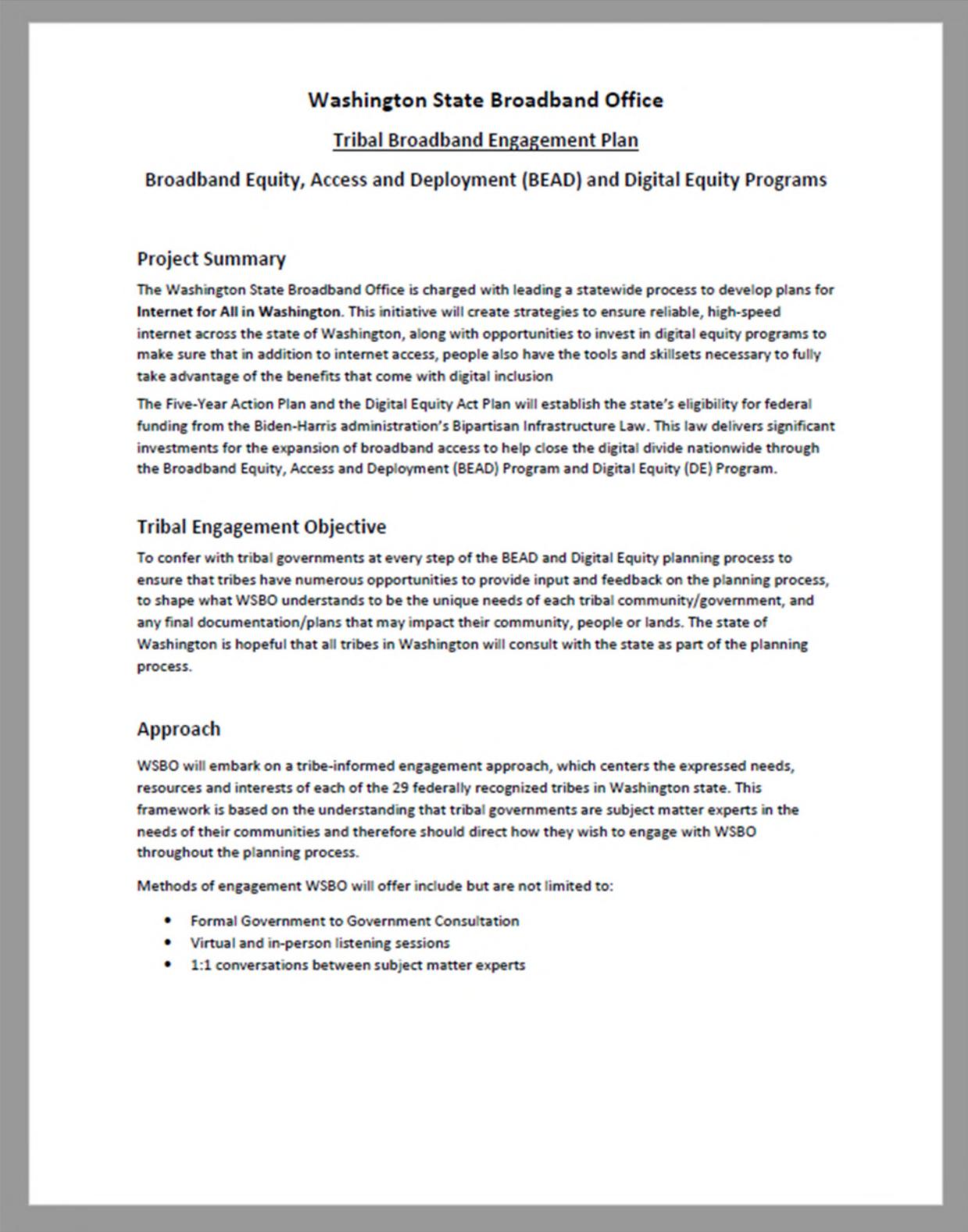
[Initial Proposal Volume I Public Comment Report link](#)

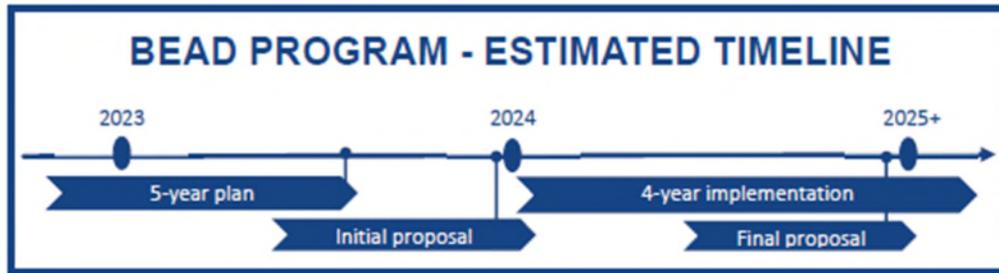
A Public Comment Report of the comments received for the Initial Proposal Volume II can be accessed using the link below.

[Initial Proposal Volume II Public Comment Report link](#)

18.3 TRIBAL BROADBAND ENGAGEMENT PLAN

The WSBO’s Tribal Broadband Engagement Plan can be found below:





Tiered approach scaled to individual tribal needs

- Listen to tribes about how they would like lead their engagement in this process.
- Learn about tribal priorities around broadband and digital equity.
- Engage with tribes to achieve shared clarity regarding key milestones for the BEAD planning process and potential funding opportunities.
- Communicate with tribes regarding eligibility and requirements for tribes as sub-grantees and offer technical assistance as requested.
- Share resources throughout the planning process.
- Consult with tribes, tribal leadership and staff
- Follow Up with tribes to maintain communication once established
- Document engagement for accuracy and accountability throughout the planning process

Examples of activities WSBO has and will continue to engage in to maintain open communication with tribes:

- Dear Tribal Leader Letter announcing the BEAD and DE programs.
- Announcements sent to Tribal Leaders and SMEs sharing relevant resources regarding the BEAD and DE Programs.
- WSBO attendance at regional conferences where tribal leaders will be in attendance such as ATNI and COMTAC.
- Virtual and in-person listening sessions
- Regional group listening sessions
- Individual information sessions/meetings

Contact information summary:

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18.4 TRIBAL CONSULTATION EVIDENCE

The folder containing the WSBO's evidence of formal tribal consultations it has conducted throughout the BEAD planning process can be accessed using the link below.

[Tribal Consultation Evidence link](#)

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18.5 SCORING RUBRIC AND PRIORITIZATION

Priority Broadband Projects Scoring Criteria

	Criterion	Weight	Description	Maximum Points
Primary Criteria	Minimal BEAD Program Outlay*	40	Amount of funding requested to provide service to a project area.	40
	Affordability* (Nonpromotional rates)	20	Broadband service rate for 1 gigabit per second (Gbps): 1/1 Gbps service for less than \$75 per month	10
			1/1 Gbps service between \$75 – \$84.99 per month	5
			Broadband service rate for 100/20 megabit per second (Mbps): 100/20 Mbps service for less than \$40 per month	10
			100/20 Mbps service for \$40 – \$49.99 per month	5
	Fair Labor Practices*	15	Compliance with federal labor and employment laws	3
			Disclosure of applicant violations	3
Disclosure of contractor and/or subcontractor violations			3	
Wage information			3	
Workplace safety committees			3	
Secondary Criteria	Speed to Deployment*	1	Construction completion date within 48 months	1
	Open Access	8	Number of committed internet service providers (ISPs): 2 or more committed ISPs above and beyond the applicant with signed agreements (contracts)	4
			Wholesale cost: 1/1 Gbps wholesale cost less than \$40 per connection	4
			1/1 Gbps wholesale cost for \$40 – \$50 per connection	2
	Local and Tribal Coordination	8	Letters of support from county commissioners, city councils, or tribal governments	4
			Records of local or tribal government consultations	4
	Adoption and Digital Navigation	8	Provision of subsidized end-user digital devices	5
Other digital navigation services (e.g., digital literacy services, educational resources for digital resources)			3	

* - The BEAD NOFO requires this scoring category for all Priority Broadband Projects.

Other Last-Mile Broadband Deployment Projects Scoring Criteria

	Criterion	Weight	Description	Maximum Points
Primary Criteria	Minimal BEAD Program Outlay*	40	Funding request	40
	Affordability* (Nonpromotional rates)	20	Broadband service rate for 1 Gbps: 1/1 Gbps service for less than \$75 per month	10
			1/1 Gbps service between \$75 – \$84.99 per month	5
			Broadband service rate for 100/20 Mbps: 100/20 Mbps service for less than \$40 per month	10
			100/20 Mbps service for \$40 – \$49.99 per month	5
	Fair Labor Practices*	15	Compliance with federal labor and employment laws	3
			Disclosure of applicant violations	3
			Disclosure of contractor and/or subcontractor violations	3
			Wage information	3
			Workplace safety committees	3
Secondary Criteria	Speed to Deployment*	1	Construction completion date within the 48 months	1
	Open Access	7	Number of committed providers: 2 or more committed ISPs above and beyond the applicant with signed agreements (contracts)	3
			Wholesale cost of 1 Gbps symmetrical: 1/1 Gbps wholesale cost \$39.99 per connection or less	2
			Wholesale cost of 100/20 Mbps: 100/20 Mbps wholesale cost \$30 per connection or less	2
	Local and Tribal Coordination	7	Letters of support from county commissioners, city councils, or tribal governments	3
			Record of local or tribal government consultations	4
	Adoption and Digital Navigation	7	Provision of subsidized end-user digital devices	5
			Other digital navigation services (e.g., digital literacy services, educational resources for digital resources)	2
	Speed of Network*	3	Hybrid fiber coaxial DOCSIS 3.1 or higher	3
			Wireless using licensed spectrum	2
Low Earth Orbit (LEO) satellite (extreme high-cost areas only)			1	

* - The BEAD NOFO requires this scoring category for all Other Last-Mile Broadband Deployment Projects.

18.6 EXAMPLE RISK ASSESSMENT FORM

State Broadband Office - Federal Risk Assessment	
Contract Number:	
Name of Organization:	
Name of Person Completing Form:	
Title:	
Phone:	
Email:	
Directions	
Highlight the applicable answer to each question and return in Excel format. Commerce may request documentation related to any or all of the questions below.	
Question	Answer
1 Has the organization been in existence as currently structured for 5+ years?	Yes No
2 Has the organization provided service similar to the scope of work under this contract in the past three years?	Yes No
3 Does the organization have appropriate programmatic, administrative, and financial services staffing (FTEs and experience) to adequately address the scope of work under this contract?	Yes No
4 Do you have an accounting system capable of recording revenues and expenditures for each funding source/award by required budget categories?	Yes No
5 Has the organization as currently structured managed federal grants? <i>Please mark the one most appropriate range of years.</i>	0 – 1 year 1 – 2 years 3+ years
6 Has the organization received an audit of any type in the past 5 years?	Single audit Financial review, compliance, internal controls No

7	If an audit has been conducted, has there been findings and/or management letter outlining concerns/issues in the past 5 years?	Yes No N/A
8	Does the organization follow Generally Accepted Accounting Principles (GAAP)?	Yes No
9	Does the organization track multiple funding sources and assign expenditures for each funding source?	Yes No
10	Does the organization actively manage and monitor subcontracts? <i>If the organization does not have subcontracts, choose 'N/A'</i>	Yes No N/A
11	Does the organization have written policy/procedure related to the procurement of subcontracts? <i>If the organization does not have subcontracts, choose 'N/A'</i>	Yes No N/A
12	Has the organization or a funding entity ever terminated a contract or similar agreement with the organization because of the organization's performance or compliance issues?	Yes No
13	What is the contract award? <i>Please "highlight" the appropriate award, only one answer.</i>	\$0 - \$4,999,999 \$5,000,000 - \$9,999,999 \$10,000,000+

18.7 EXAMPLES OF RELEVANT NON-DEPLOYMENT PROGRAM GRANTEE SELECTION

Digital Navigator Program

1. [Webinar on the Digital Navigator NOFO](#)
2. Digital Navigator [Application Q&A](#)
3. Digital Navigator [Application Link \(application is closed\)](#)

Job Skills Program

1. [Job Skills Program Guidelines](#)
2. [Job Skills Program Applicant Webinar Slides](#)
3. [Job Skills Program Q&A](#)

18.8 FEMA NATIONAL RISK INDEX

The Federal Emergency Management Agency’s (FEMA’s) National Risk Index calculates the risk associated with 18 natural hazards for each U.S. County and census tract. These 18 natural hazards, include:

- Avalanche
- Heat Wave
- Strong Wind
- Coastal Flooding
- Hurricane
- Tornado
- Cold Wave
- Ice Storm
- Tsunami
- Drought
- Landslide
- Volcanic Activity
- Earthquake
- Lightning
- Wildfire
- Hail
- Riverine Flooding
- Winter Weather

After calculating the risk for a natural hazard, FEMA categorizes risk as either “Very Low,” “Relatively Low,” Relatively Moderate,” “Relatively High,” or “Very High.”

The table below identifies Washington counties that FEMA considers to be at “Very High,” “Relatively High,” and “Relatively Moderate” risk for the natural hazards most likely to impact the state.¹¹⁸

List of Washington State Counties Considered “Very High,” “Relatively High,” or “Relatively Moderate” Risk for Selected Natural Hazards

	"Very High" risk counties	"Relatively High" risk counties	"Relatively Moderate" risk counties
Avalanches	Pierce	King Lewis Whatcom	Chelan Kittitas Okanogan Skagit Snohomish
Cold waves	Benton Grant Okanogan Spokane Yakima	Adams Douglas Franklin Walla Walla	Kittitas Klickitat Lincoln Stevens Whatcom Whitman
Earthquakes	King	Clark Kitsap Pierce Snohomish Thurston	Benton Clallam Cowlitz Grant Grays Harbor Island Jefferson Lewis Mason Pacific Skagit Skamania Spokane Walla Walla Whatcom

¹¹⁸ FEMA (2023), National Risk Index. Accessed at: <https://hazards.fema.gov/nri/map>.

	"Very High" risk counties	"Relatively High" risk counties	"Relatively Moderate" risk counties
Flooding Coastal - C Riverine - R	Grays Harbor [C]	N/A	Kitsap [C] Kittitas [R] Lewis [R] Pacific [C] Skagit [C] Snohomish [C, R] Wahkiakum [C] Yakima [R]
Heat waves	N/A	Benton Chelan Douglas Franklin Grant Spokane Walla Walla	Adams King Kitsap Lincoln Okanogan Pierce Snohomish Whitman Yakima
Severe Weather Ice Storm – I Lightning – L Tornado – T Winter Weather - W	N/A	Benton [I] Clark [I] Spokane [I] Stevens [W] Walla Walla [I]	Benton [L, W] Clark [L, W] Franklin [I] King [I, L, T] Kitsap [I] Pend Oreille [W] Pierce [I] Snohomish [I, L, W] Thurston [I] Whatcom [I] Whitman [W] Yakima [L]
Landslides	Chelan Clallam Cowlitz Grays Harbor Island Okanogan Snohomish Yakima	Clark Douglas Ferry King Kitsap Lewis Mason Pierce Skagit Whatcom	Adams Asotin Benton Jefferson Kittitas Klickitat Lincoln Pacific Skamania Spokane Stevens Thurston Wahkiakum Whitman

	"Very High" risk counties	"Relatively High" risk counties	"Relatively Moderate" risk counties
Volcanos	Clark King Pierce	Cowlitz Lewis Skagit Snohomish Thurston Whatcom Yakima	Chelan Island Kitsap Kittitas Klickitat San Juan Skamania
Wildfires	N/A	Chelan Kittitas Klickitat Okanogan Yakima	Benton Douglas Ferry Grant Lincoln Spokane Stevens

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18.9 STATE AND SUBGRANTEE REPORTING REQUIREMENTS

According to the BEAD Notice of Funding Opportunity (NOFO) Section VII.E, reporting requirements will include the following information provided by the state or subgrantees.

STATE REPORTING REQUIREMENTS

The WSBO will submit an initial report that:

- Describes the planned and actual use of funds;
- Describes the planned and actual subgrant process;
- Identifies the establishment of appropriate mechanisms by the Eligible Entity to ensure that all subgrantees of the Eligible Entity comply with the eligible uses prescribed under the BEAD program; and
- Includes any other information required by the NTIA Assistant Secretary.

The WSBO will submit semi-annual reports that provide:

- A description of how the Eligible Entity expended the grant funds;
- A description of each service provided with the grant funds and the status of projects or other eligible activities supported by such funds;
- A description of the locations at which broadband service was made or will be made available using the grant funds, the locations at which broadband service was utilized, and the comparative demographics of those served; and
- A certification that the Eligible Entity complied with the requirements of this Section and with any additional reporting requirements prescribed by the Assistant Secretary.

SUBGRANTEE REPORTING REQUIREMENTS

The WSBO will require subgrantees to submit the following information at least semiannually for broadband infrastructure projects.

- Include a list of addresses or location identifications (including the Broadband Serviceable Location Fabric established under 47 U.S.C. 642(b)(1)(B)) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each project;
- Identify new locations served within each project area at the relevant reporting intervals, and service taken (if applicable);
- Identify whether each address or location is residential, commercial, or a community anchor institution;
- Describe the types of facilities that have been constructed and installed;
- Describe the peak and off-peak actual speeds of the broadband service being offered;
- Describe the maximum advertised speed of the broadband service being offered;
- Describe the non-promotional prices, including any associated fees, charged for different tiers of broadband service being offered;

-
- List all interconnection agreements that were requested, and their current status;
 - Report the number of contracts and subcontracts awarded by the subgrantee disaggregated by recipients of each such contract or subcontracts that are Minority Business Enterprises (MBEs) or Women Business Enterprises (WBEs);
 - Include any other data that would be required to comply with the data and mapping collection standards of the Commission under Section 1.7004 of title 47, Code of Federal Regulations, or any successor regulation, for broadband infrastructure projects;
 - Include an SF-425, Federal Financial Report and meet the requirements described in the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01 for Financial Reports;
 - For projects over \$5,000,000 (based on expected total cost):
 - A subgrantee may provide a certification that, for the relevant Project, all laborers and mechanics employed by contractors and subcontractors in the performance of such Project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as “baby Davis-Bacon Acts”). If such certification is not provided, a Recipient must provide a project employment and local impact report detailing:
 - The number of contractors and sub-contractors working on the Project;
 - The number of workers on the Project hired directly and hired through a third party;
 - The wages and benefits of workers on the Project by classification; and
 - Whether those wages are at rates less than those prevailing.
 - If a subgrantee has not provided a certification that a Project either will use a unionized project workforce or includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)), then the subgrantee must provide a project workforce continuity plan, detailing:
 - Steps taken and to be taken to ensure the Project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure construction is completed in a competent manner throughout the life of the Project (as required in Section IV.C.1.e), including a description of any required professional certifications and/or in-house training, Registered Apprenticeships or labor-management partnership training programs, and partnerships with entities like unions, community colleges, or community-based groups;

-
- Steps taken and to be taken to minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the Project;
 - Steps taken and to be taken to ensure a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training required of workers employed by contractors), including issues raised by workplace safety committees and their resolution;
 - The name of any subcontracted entity performing work on the Project, and the total number of workers employed by each such entity, disaggregated by job title; and
 - Steps taken and to be taken to ensure that workers on the Project receive wages and benefits sufficient to secure an appropriately skilled workforce in the context of the local or regional labor market.
- Comply with any other reasonable reporting requirements determined by the Eligible Entity to meet the reporting requirements established by the Assistant Secretary; and certify that the information in the report is accurate.

18.10 ELIGIBLE USES OF FUNDING FOR DEPLOYMENT PROJECTS

As outlined in the BEAD NOFO, eligible uses of funding in connection with last-mile broadband deployment projects include the following:

1. Construction, improvement, and/or acquisition of facilities and telecommunications equipment required to provide qualifying broadband service, including infrastructure for backhaul, middle- and last-mile networks, and multi-tenant buildings.
2. Long-term leases (for terms greater than one year) of facilities required to provide qualifying broadband service, including infeasible right-of-use agreements.
3. Deployment of internet and Wi-Fi infrastructure within an eligible multi-family residential building.
4. Engineering design, permitting, and work related to environmental, historical, and cultural reviews.
5. Personnel costs, including salaries and fringe benefits for staff and consultants providing services directly connected to the implementation of the BEAD program (such as project managers, program directors, and subject matter experts).
6. Network software upgrades, including, but not limited to, cybersecurity solutions.
7. Training for cybersecurity professionals who will be working on BEAD-funded networks.
8. Workforce development, including registered apprenticeships and pre-apprenticeships, and community college and/or vocational training for broadband-related occupations to support deployment, maintenance, and upgrades.¹¹⁹

¹¹⁹ NTIA (2022), BEAD NOFO. Accessed at: [BEAD NOFO.pdf \(doc.gov\)](#)

18.11 EXAMPLE PROJECT COMPLETION REPORT FORM

BEAD - PROJECT COMPLETION REPORT

This form must be completed and submitted, along with electronic photos of the completed project, with your final A-19 reimbursement request.

WSBO Recipient:	
Contract Number:	
Project Name:	
Initiation of Operations Date:	
Total Project Funds Expended (include all funds)	
Source	Amount
WSBO Expenditures to Date	
Amount of Final Reimbursement	
Total WSBO Funds Used	
Please identify other funding sources below:	
TOTAL PROJECT FUNDING: <i>(Include all sources and the WSBO grant amount used.)</i>	
Briefly summarize the results of your Project:	

Number of Passings (Please list the passings by connection speed pre-project and post-project)												
	25/5 Mbps		50/10 Mbps		100/20 Mbps		100/100 Mbps		300/700 Mbps		1G/1G	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
Households												
Businesses												
Anchor Institutions												
TOTAL												
<p><u>Business definitions:</u> all business types; includes farms, home-based businesses, and work-at-home/telecommuter use of broadband.</p> <p><u>Community Anchor Institutions definitions:</u> includes facilities such as libraries, township halls, fire and police stations, city halls, county buildings, state facilities, public safety locations, hospitals and nursing homes, and educational institutions.</p>												
<p>Please email high resolution digital photographs of the completed project with this report. By providing images, Recipient hereby consents to and authorizes the use and reproduction in print or electronic format by Commerce or anyone authorized by Commerce, of any and all photographs which have been provided to Commerce without compensation.</p>												
<p>What is the next step for this project? For example, will a construction project result from this grant? Please include estimated timeframes for next steps.</p>												
<p>Certification of Final Report Accuracy: I hereby certify that the information entered above, and any attachments hereto are true and correct to the best of my knowledge and belief. Further, I certify that the infrastructure project was completed as described in the WSBO application and WSBO contract scope of work.</p>												



 Signature of Authorized Official

 Title

 Print Name

 Date of Signature

18.12 MONITORING CHECKLIST

BEAD - CONSTRUCTION MONITORING CHECKLIST

RECIPIENT		CONTRACT #	
PROJECT		PRIMARY RECIPIENT CONTACT OTHER PARTICIPANTS	
DATE		COMMERCE STAFF	

REVIEW COMPLETION & ROUTING

	Initials	Date Completed
BEAD PROJECT MANAGER		
INFRASTRUCTURE PROGRAMS MANAGER		

OVERALL RECIPIENT MANAGEMENT

1. Does the Recipient have written standards of conduct (Handbook Attachment 3-A)?
2. Is there any appearance or evidence of conflict of interest? (BEAD Project Manager to determine and answer)
3. Confirm Recipient has an executed BEAD Contract and BEAD NOFA (digital or hardcopy)
4. Does it appear that the recipient is implementing the project in accordance with overall management and reporting requirements?

COMMENTS:

SUBRECIPIENTS (if applicable)

1. Sub-recipient Name
2. Copy of SAM.Gov active registration verification (showing date checked)
3. Is there a written contract or agreement that includes the required Federal Standard Provisions along with other recommend content listed in the management handbook?
4. How has the recipient monitored the performance and compliance?

COMMENTS

FINANCIAL MANAGEMENT

- Identify the person(s) primarily responsible for the financial management of the BEAD contract.

Check for Allowable and Eligible Costs

- Review funding sources for the project. Identify other funding sources: State, local, private, and federal. Federal funds cannot be used to duplicate costs/services/equipment/etc. Identify internal controls to ensure no duplicate expenditures.

The Recipient is expected to disburse BEAD funds for outstanding invoices within a reasonable time, per their contract requirements. The BEAD Project Manager will ask the recipient to fill in the table below using three vouchers of their choice.

Check for Timely Distribution of Funds

<i>A19-Voucher #</i>	<i>Date Funds Received from Commerce:</i>	<i>Date Funds Disbursed to Sub-recipient/Contractor:</i>	<i>Total Days</i>

COMMENTS

PROFESSIONAL SERVICES PROCUREMENT

1. Name of consultant/engineer/architect:	
2. Copy of SAM.Gov Consultant exclusion check showing date checked (prior to award):	
3. Amount of contract:	
4. Purpose of the contract work:	
5. Which type of RFQ/RFP procurement, either an Annual Roster or Project Specific Advertisement did the Recipient prepare?	
6. Did the procurement instrument (RFQ or RFP) contain all required clauses and provisions?	
7. List Publications Dates (Was the RFQ/RFP advertised once per week for two weeks with 14 days allowed after last publication for respondents to submit RFQ/RFP?)	
8. Has the Recipient provided a copy of the Affidavit of Publication or provided actual copies of the Published Ad?	

Efforts to use Small, Minority, and Women-Owned Businesses, Document Review /Selection Process and Federal Standard Provisions	
1. Did the Recipient provide the posted advertisement or the email from the State Office of Minority and Women’s Business Enterprises (OMWBE) website at www.omwbe.wa.gov showing date posted? OR Did Recipient provide documentation that they sent the advertisement to a minimum of five MWBE consultants?	
2. Does the Recipient have documentation supporting the review and selection process?	
Comments:	

CONSTRUCTION PROCUREMENT	
Construction Procurement - Utilizing Competitive Sealed Bids	
1. List Publications Dates of the Advertisement for Bids (Did the advertisement run once per week for two weeks with 14 days allowed after last publication for bidders to submit?):	
2. Has the Recipient provided a copy of the Affidavit of Publication or provided actual copies of the published advertisement?	
3. For projects that do NOT contain solely last mile work, verify that contract contains the following language: <ul style="list-style-type: none"> a. Include interconnection requirements in contract (to any grant funded facilities at any technically feasible point along the network without exceeding capacity limitations) – <i>physical interconnection with public and/or private facilities.</i> b. Mandatory connection to public internet (directly or indirectly). c. Rates and terms shall be reasonable and nondiscriminatory. Document compliance (copies of policies, rate/term sheets, etc.)	
4. Efforts to use Small, Minority, and Women-Owned Businesses Did the Recipient provide the posted advertisement or the email from the State Office of Minority and Women’s Business Enterprises (OMWBE) website at www.omwbe.wa.gov showing date posted? OR Send the invitation to bid advertisement to a minimum of five MWBE contractors. You can use the directory on the OMWBE website or develop your own local list.	
Key Dates/comments:	
1. Bid Closing/Opening:	
2. Bid Tabulation (If less than 3 bids, PM ask for Plan Holders List):	
3. Contractor Name:	

4. Copy of SAM.Gov Contractor exclusion check showing date checked (prior to award):	
5. Contract Award Date:	
6. Preconstruction Conference, if applicable:	
7. Executed contract (with bonds and insurance):	
8. Construction Start:	
9. Notice of Contract Award and Start of Construction form:	
10. SCHEDULE INSPECTION FOR FINAL ACCEPTANCE: <ul style="list-style-type: none"> Attendees: WSBO, Sub-recipient, Contractor(s), NIST Grants officer. Send "Save the date" emails. Schedule 2 months in advance if possible.	
Comments:	

SMALL PURCHASE/ NON-COMPETITIVE PROCUREMENT	
Small Purchases (less than \$50,000)	Response
1. Name of Contract/Purchase:	
2. Amount:	
3. Date of SAM.Gov Contractor Clearance:	
4. How many price quotations did Recipient solicit? (Must solicit bids from at least three sources; must receive at least two bids)	
5. Did Recipient issue a purchase order or contract to the most advantageous vendor in terms of price and other factors considered?	
6. Were bonding and insurance requirements met (if applicable)?	