



NOTICE OF FUNDING OPPORTUNITY

BEAM FUND CPF GRANT PROGRAM

The United States Department of Treasury (“Treasury”) allocated to the State of Mississippi \$162,609,351.00 from the Coronavirus Capital Projects Fund (“CPF”) established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act (“ARPA”) of 2021, and has authorized the Department of Finance and Administration Office of Broadband Expansion and Accessibility of Mississippi (“BEAM”) to oversee the awarding of grants from these funds to eligible subrecipients for broadband projects. Miss. Code Ann. § 77-19-7.

In accordance with Treasury Guidance,¹ a maximum of five percent (5%) of the federal CPF grant funds are for program administrative costs such as BEAM’s costs in administering the CPF grant funding, providing technical assistance to potential subrecipients of CPF grants, and complying with federal grant administration and audit requirements as set forth in applicable federal regulations. The State has authorized BEAM to employ the services of “legal, professional, technical and operational personnel and consultants” to carry out its duties. Miss. Code Ann. § 77-19-17(2).

The remaining CPF funds, totaling over \$154.4 million, are to be awarded to eligible subrecipients for broadband projects located in unserved areas of the State through the process established in the Broadband Expansion and Accessibility of Mississippi (BEAM) Act (“BEAM Act”), Miss. Code Ann. §§ 77-19-1 *et seq.*, and BEAM Rules 1.1-7.3.

The purpose of this Notice of Funding Opportunity (“NOFO”) is to provide guidance to entities which may seek to be awarded such grants.² BEAM looks forward to receiving and reviewing a broad range of applications with project proposals designed to fill the gaps in our state’s broadband infrastructure and advance our goal of providing connectivity for every Mississippian.

¹ See U.S. Department of the Treasury Guidance for the Coronavirus Capital Projects Fund for States, Territories & Freely Associated States (“Treasury Guidance”) at Section I.D(a).

² This NOFO is for guidance purposes only and is not exhaustive, binding, or final. It may be updated, revised, or modified, and BEAM may waive its provisions to the extent permitted by law. Information and instructions in the application form and portal are controlling if in conflict with anything herein. Further, in the event of any conflict with federal or state law, federal or state law shall govern.

EXECUTIVE SUMMARY

A. Funding Opportunity Title

BEAM Fund CPF Grant Program

B. Funding Instrument

Grants in a sum certain will be disbursed over a specific period of performance as reimbursements for eligible costs as incurred during reporting periods or pursuant to other criteria or methods as allowed by Treasury. See Section IV.D-E of this NOFO for additional information.

C. Announcement Type

Initial

D. Funding Opportunity Description

The BEAM Fund CPF Grant Program, using funds provided to the State of Mississippi from the federal ARPA Capital Projects Fund, will provide funding for broadband infrastructure projects to provide access to broadband connectivity for as many Mississippians as possible who live in unserved areas of the State. The program is divided into four categories:

- (1) Broadband Infrastructure to fund large scale projects designed to serve sizeable numbers of targeted addresses;
- (2) Line Extension and Deployment to fund extensions of existing last-mile broadband networks that can be constructed quickly;
- (3) ARPA Broadband Communities to fund projects where an applicant partners with a county, municipality, or an affiliated organization that dedicates a portion of its ARPA or other funds to a broadband deployment initiative; and
- (4) Digital Connectivity Technology to fund technology projects installed as part of public wi-fi infrastructure, once approval is received from Treasury.

Categories 1, 2, and 3 of the program have received Treasury approval, and the initial application process will be for these three categories only. Category 4 requires separate approval from Treasury which is pending. See Section IV of this NOFO for the full Program Description.

E. Anticipated Amounts

BEAM expects to make awards under this program within the following funding range: \$100,000 to \$5,000,000.

F. Matching Funds Requirements

All grants awarded to an eligible applicant under the BEAM Fund CPF Grant program require matching funds of at least 20% or more depending on the category for which funds are awarded. See Section IV.C of this NOFO for a full discussion of matching funds requirements.

G. Period of Performance

The period of performance for grants issued pursuant to this program ends on December 31, 2026, unless BEAM obtains extensions from the U.S. Department of the Treasury.

H. Eligibility

Entities eligible to apply for a grant under the BEAM Fund CPF Grant Program are as follows: a company, firm, corporation, limited liability company, partnership, or association authorized to do business in Mississippi that (i) has been providing broadband service to at least one hundred (100) residences and businesses in Mississippi for at least three (3) consecutive years, (ii) is an electric power association's broadband affiliate operating pursuant to Miss. Code Ann. § 77-17-1 *et seq.*, or (iii) has demonstrated financial, technical, and operational capability in building and operating a broadband network. Each applicant will be required to demonstrate that it has the technical, financial, and managerial resources and experience to provide broadband services in Mississippi to retail end users. *See* Miss. Code Ann. § 77-19-3(a), (e).

I. Application Submission Process

Complete application packets must be submitted electronically through the BEAM online grant application portal on BEAM's website at broadbandms.com. Any application or portion thereof submitted by other means will not be accepted. *See* Section VI of this NOFO for detailed information concerning application submission requirements.

J. Key Dates and Time Frames

BEAM will provide on its website advance notice of the opening and closing dates for the BEAM Fund CPF Grant Program's application portal. Complete applications must be received by BEAM through its online application portal no later than 5:00 p.m. Central Time on the application portal closing date.

After BEAM completes its review and preliminary determinations of successful applicants, BEAM will then publish the preliminary determinations on the BEAM website after which BEAM will accept comments and objections to the preliminary determinations for a period of thirty (30) days. *See* Miss. Code Ann. § 77-19-15(2) and BEAM Rules 4.4 and 5.1. After BEAM completes its investigation of any comments or objections, BEAM will then publish its final determinations.

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BEAM FUND CPF GRANT PROGRAM**

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I. INTRODUCTION

This NOFO describes the requirements and procedures by which BEAM will award grants from the BEAM Fund CPF Grant Program, as authorized by the BEAM Act, Miss. Code Ann. §§ 77-19-1 *et seq.* The BEAM Fund CPF Grant Program, will provide funding for broadband projects to provide access to broadband connectivity for as many Mississippians as possible.

II. DISCLAIMERS

This NOFO is for guidance purposes only, and may be updated, revised, or modified. Any amendments to this NOFO or additional program guidance will be announced on BEAM's website, broadbandms.com. See footnote 2 on page 1 herein.

The provisions set forth in this NOFO shall not be waived unless extraordinary circumstances exist and the waiver is in the best interests of the state of Mississippi. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

This NOFO is not intended to provide a comprehensive listing of BEAM Fund CPF Grant Fund Program terms and conditions. Such terms and conditions will be contained in the Grant Agreements to be entered into by BEAM and subrecipients, a sample copy of which will be available for review on BEAM's website.

III. DEFINITIONS

(1) "Applicant" means an eligible broadband service provider that has authorization to do business in this state and has demonstrated that it has the technical, financial and managerial resources and experience to provide broadband services in the state to retail end users.

(2) "Broadband service" means a mass-market retail service by wire, cable, fiber, or radio provided to customers in the State of Mississippi that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, at speeds of at least one hundred (100) megabits per second downstream and twenty (20) megabits per second upstream, including, but not limited to, any capabilities that are incidental to and enable the operation of communications service, but excluding dial-up Internet access service.

(3) "Community anchor institution" means a school, library, medical or healthcare provider, public safety entity, community college or other institution of higher education, or other community support organization or agency that provides outreach, access, equipment, or support services to facilitate greater use of broadband service by vulnerable populations, including low-income, unemployed, and the aged.

(4) "Office" means the Office of Broadband Expansion and Accessibility of Mississippi (referred to as "BEAM") within the Department of Finance and Administration created in Section 3 of the BEAM Act.

(5) "Deployed" means a person or entity at a location has access to broadband service at the location, regardless of whether the person or entity subscribes to the service.

(6) "Eligible broadband service provider" means any company, firm, corporation, limited liability

company, partnership, or association (i) that has been providing broadband service to at least one hundred (100) residences and businesses in Mississippi for at least three (3) consecutive years; (ii) is an electric power association's broadband affiliate operating pursuant to Miss. Code Ann. § 77-17-1 et seq.; or (iii) that has demonstrated financial, technical, and operational capability in building and operating a broadband network.

(7) "Shapefile" means a digital storage format containing geospatial or location-based data and attribute information regarding the availability of broadband internet access service that can be viewed, edited, and mapped in geographic information system software.

(8) "Subrecipient" means an eligible applicant that BEAM selects to receive a grant in any of the four categories of the BEAM Fund CPF Grant Program.³

(9) "Unserved" means a designated geographic area in which households or businesses are without a fixed, terrestrial connection supporting at least 100 Mbps download and 20 Mbps upload speeds.

IV. PROGRAM DESCRIPTION

A. Categories of Projects for CPF Awards

The BEAM Fund CPF Grant Program is divided into four categories to provide opportunities for a variety of circumstances, subscribers, and providers in Mississippi. Those categories are as follows:

Broadband Infrastructure (Category 1): Awards in this category will help fund large scale projects designed to serve sizeable numbers of targeted addresses. This program will reimburse awardees for actual capital expenses, or pursuant to other criteria or methods allowed by Treasury, up to a maximum project cost identified in the award. Costs must be a directly related upfront investment associated with installing or upgrading existing broadband facilities on the proposed project on a one-time, capital improvement basis.

Line Extension and Deployment (Category 2): Awards in this category will help fund extensions of existing last-mile networks that can be constructed quickly. Internet service providers are eligible if they have an existing network offering service of at least 100 Mbps download and 20 Mbps upload to mass-market users that can be extended to targeted premises.

ARPA Broadband Communities (Category 3): Awards in this category will be for projects where the BEAM Fund CPF Grant Program applicant partners with a county, municipality, or an affiliated organization (economic development corporation, regional planning and development council, etc.) that dedicates a portion of its ARPA funds (received separately from the BEAM Fund CPF Grant Program), or other funding, to the project. Before applying for a Category 3 grant, the applicant must have in place a written agreement with the county, municipal government, or affiliated organization and provide appropriate documentation, including official board action of

³ The State of Mississippi is the initial "recipient" of the federal CPF funds, and those to which the State awards funds under the BEAM Fund CPF Grant Program are thus "subrecipients." See Treasury Guidance at Section I.A.

the county, municipality, or affiliated organization authorizing said agreement and reflecting the commitment of ARPA funds or other funding if applicable. Projects which are selected may be reimbursed for actual capital expenses, or pursuant to other criteria or methods as allowed by Treasury, up to the maximum project cost identified in the award. Costs must be directly related to the upfront investment associated with installing and/or upgrading existing broadband facilities on a one-time capital improvement basis.

Digital Connectivity Technology (Category 4): Pending approval from Treasury, awards in this category will fund technology projects installed as part of public wi-fi infrastructure (e.g., access points, repeaters, routers) and will be for projects in communities and areas of the State where the applicant has demonstrated that affordability is a barrier to adoption and use of broadband internet access. Before applying for such grants, applicants must have in place a written agreement with the county, municipal government, or an affiliated organization (economic development corporation, regional planning and development council, etc.) and provide appropriate documentation, including official board action of the county, municipality, or affiliated organization authorizing said agreement.

Categories 1, 2, and 3 of the program have received Treasury approval, and the initial application process will be for these three categories only. Category 4 requires separate approval from Treasury which is pending. Once BEAM receives Treasury approval for Category 4, it will announce the opening of the application portal as to grants in that category.

Categories 1, 2, and 3 share the following requirements:

- (1) Download speeds of 100 Mbps and 100 Mbps symmetrical upload speeds unless proven impracticable;⁴
- (2) Project costs are limited to new construction or must be directly related to the upfront investment associated with installing and/or upgrading existing broadband facilities on a one-time capital improvement basis;
- (3) Awards limited to \$5 million per project unless substantial justification for a higher amount is presented to and approved by BEAM, with projects being reimbursed for actual capital expenses, or pursuant to other criteria or methods allowed by Treasury, up to the maximum project cost identified in the award;
- (4) Periodic disbursements will be made from the BEAM Fund by the Department of Finance and Administration after the grantee submits verifiable information that funds were expended consistent with the terms of the final determination awarded by BEAM and any requirements of applicable state and federal law;
- (5) Participation in the Affordable Connectivity Program;
- (6) Projects that incidentally cover served addresses may be reimbursable if the expenditure is not solely to benefit a served address, but customer drops, installations, and equipment at incidentally served addresses are not eligible for reimbursement; and

⁴ Please see Section V.C.5, page 13, for additional information.

(7) Compliance with all state and federal laws, rules, regulations, and guidance is required.

B. Award Amounts

Approximately \$116.4 million may be awarded for projects in Category 1 (Broadband Infrastructure). BEAM expects awards in this category will range from \$2 million to \$5 million.

Approximately \$20 million may be awarded for projects in Category 2 (Line Extension and Deployment). BEAM expects awards in this category will range from \$2 million to \$5 million.

Approximately \$15 million may be awarded for projects in Category 3 (ARPA Broadband Communities). BEAM expects awards in this category will range from \$2 million to \$5 million.

Pending Treasury approval, a total of \$3 million may be awarded for projects in Category 4 (Digital Connectivity Technology). BEAM expects awards in this category will range from \$100,000.00 to \$500,000.00.

C. Matching Fund Requirements

Subrecipients of awards in Category 1 (Broadband Infrastructure) will be required to provide matching funds of at least 20%.

Subrecipients of awards in Category 2 (Line Extension and Deployment) will be required to provide matching funds of at least \$500 per address passed by line extensions funded by the program.

Subrecipients of awards in Category 3 (ARPA Broadband Communities) will be required to provide matching funds of at least 50%, only a portion of which need be from the public entity's ARPA or other funds.

Subrecipients of awards in Category 4 (Digital Connectivity Technology) will be required to provide matching funds of at least 20% of total project costs.

Additional matching funds over the required minimum amount in any of these four categories will have a positive impact on application scoring.

In-kind contributions will not be allowed in meeting these cost-sharing requirements.

D. Type of Funding Instrument

Grants in a sum certain will be disbursed over the period of performance as reimbursements for eligible costs incurred during reporting periods or pursuant to other criteria or methods as allowed by Treasury. The final determinations made by BEAM will state the total amount of the award to the subrecipient. During the period of performance, the subrecipient will be required to submit reports, along with requests for reimbursement from the total award amount for the eligible costs incurred during the reporting period. BEAM will review reimbursement requests and, if the request is approved, disburse funds pursuant to the criteria or methods allowed by Treasury.

E. Period of Performance

An applicant must agree to complete the project by December 31, 2026, which is the end of the

period of performance currently allowed by Treasury.

Extensions of the period of performance may be granted only with approval from Treasury at the request of BEAM. Whether to seek such an extension is within the sole discretion of the Director of BEAM. If an extension is granted, BEAM will modify any project benchmarks as necessary under the extension.

F. Buildout Benchmarks

Buildout benchmarks will be established as a condition of any BEAM Fund CPF Grant. CPF projects are required to reach substantial completion before December 31, 2026, unless extensions have been granted as set forth in Section IV.E above. Substantial completion is defined as the date for which the project can fulfill the primary purpose that it was designed to perform, namely: delivering services to end-users. At substantial completion, service operations and management systems infrastructure must be operational.

It is anticipated that buildout benchmarks will be set for 40 percent, 60 percent, 80 percent, and 100 percent of project completion. However, BEAM retains the authority to modify these buildout benchmarks for individual projects after consultation with a subrecipient if the nature of and circumstances surrounding the project make it reasonable to do so.

G. Reversion of Funds

Unless BEAM has received an extension of time from Treasury to complete a project, any grant funds from which reimbursement has not been sought by the subrecipient by the end of the performance period on December 31, 2026, must be returned by BEAM to Treasury.

H. Treatment of Unallocated Funds

In the event that any funds remain available after initial grants are awarded, the Director of BEAM, to address disbursement of any remaining funds, may direct that applications submitted during the initial application process be subject to further review and award, or provide notice that additional applications will be accepted for review during a specified time period, or both. The Director of BEAM may also reallocate funds remaining in any of the categories set forth in Section IV.A-B to another listed category if deemed appropriate.

V. ELIGIBILITY INFORMATION

A. Eligible Applicants

An applicant must be authorized to do business in Mississippi and must have demonstrated that it has the technical, financial, and managerial resources and experience to provide broadband services in Mississippi to retail end users. (Miss. Code Ann. § 77-19-3(a).)

An applicant must be an eligible broadband service provider defined in Miss. Code Ann. § 77-19-3(e) as any company, firm, corporation, limited liability company, partnership, or association:

- (i) that has been providing broadband service to at least one hundred (100) residences and businesses in Mississippi for at least (3) consecutive years;

- (ii) that is an electric power association's broadband affiliate operating pursuant to Section 77-17-1 *et seq.* of the Mississippi Code; or
- (iii) that has demonstrated financial, technical, and operational capability in building and operating a broadband network.

Applicants must also demonstrate a commitment to sustain the project for a minimum of five years.

For BEAM to ensure the applicant meets these requirements, each applicant will be required to provide the information discussed below when applying for a BEAM Fund CPF Grant.

1. Financial Capability

a. Affidavit

Each applicant must supply a notarized affidavit from an officer-level employee (or individual of comparable rank) attesting that the applicant is financially qualified to meet the obligations associated with the proposed project through its completion, taking into account that grant funds will only be disbursed incrementally as reimbursements for eligible and approved costs, or pursuant to other criteria or methods allowed by Treasury; that the applicant will have available funds for all required matching funds as well as funds for all project costs that exceed the amount of the grant; and that the applicant will comply with all BEAM Fund CPF Grant Program requirements, including all service milestones or benchmarks.

b. Audited Financial Statements

Each applicant must submit financial statements from the three prior fiscal years that are audited by an independent certified public accountant. If the applicant is not audited in the ordinary course of business, in lieu of submitting audited financial statements it must submit unaudited financial statements from the three prior fiscal years and certify that it will provide financial statements from the three prior fiscal years that are audited by an independent certified public accountant by a BEAM specified deadline. BEAM will not approve any grant award unless BEAM determines that the documents submitted demonstrate the applicant's financial capability with respect to the proposed project.

2. Managerial Capability

Applicants must submit to BEAM resumes for (a) all key management personnel and (b) all key personnel of subcontractors or other entities that will play substantial roles in building, managing, or operating the broadband network built using BEAM Fund CPF Grant Program funding. In addition, each applicant must submit any organizational chart(s) detailing all of its parent companies, subsidiaries, and affiliates. Each applicant must also provide a narrative describing the applicant's readiness to manage a broadband network. This narrative should describe the relevant experience and qualifications of key management, the applicant's experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies. BEAM will not approve any CPF grant unless BEAM determines that the documents submitted demonstrate the applicant's managerial capability with respect to the proposed project.

3. Technical Capability

Each applicant must certify that it is technically qualified to complete and operate the proposed project and that it is capable of carrying out the funded activities in a competent manner.

Each applicant must submit a network design diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule showing how the applicant will meet interim buildout requirements and will complete the project by December 31, 2026. BEAM will not approve any CPF grant unless BEAM determines that the materials submitted demonstrate the applicant's technical capability with respect to the proposed project.

4. Additional Requirements

Applicants must also be active participants in federal subsidy programs for their eligible customers prior to application submission to optimize digital inclusivity and adoption including partnering with school districts and colleges to raise awareness of subsidy programs (*i.e.*, Lifeline, Affordable Connectivity Program, Emergency Connectivity Fund).

B. Eligible Areas

All areas in Mississippi without broadband service as defined in the BEAM Act, Miss. Code Ann. § 77-19-3(b), *see* Section III(2) above, are eligible for funding under the BEAM Fund CPF Grant Program categories listed above in Section IV.A. The purpose of a CPF grant is to facilitate broadband access to unserved areas with demonstrated need which may include residential, business, and community anchor institution locations.

Applications for geographical areas funded by other federal broadband expansion programs (*e.g.*, RDOF, Reconnect) are not eligible and will not be considered unless approval is secured from Treasury and the National Institute of Standards and Technology (NIST).

No final award will be made if the proposed project includes an area where broadband is currently deployed, or where construction of a network to deploy broadband service is underway by a provider other than the applicant, and the construction is scheduled to be completed within this one year after the date of the application.

C. Eligible Projects

For a project to be deemed eligible for CPF funding, the following must be satisfied:

1. The project is a discrete and specific project located in an unserved area of the state seeking to provide broadband services to residences, businesses, and community anchor institutions not currently available for service.
2. The project invests in capital assets designed to directly enable work, education, and health monitoring.
3. The project is designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency.
4. The project is designed to address a critical need of the community to be served by it.

5. Treasury specifies in the Treasury Guidance, under Item I, Award Terms and Conditions, Part C, Project Eligibility, subsection a, Presumptively Eligible Projects, that projects must provide download speeds of 100 Mbps and 100 Mbps symmetrical upload speeds with a preference for fiber. However, if it would be impracticable, because of geography, topography, or excessive cost, for a broadband infrastructure project to be designed to deliver services at such a speed, the project must be designed so that it reliably meets or exceeds 100 Mbps download speeds and between 20 Mbps and 100 Mbps upload speeds, and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds. If a proposed project will not meet the requirement of 100 Mbps symmetrical speed, the applicant must provide a detailed justification of why it is impracticable.

D. Eligible Uses of BEAM Fund CPF Grant Funds

Grant subrecipients may only use grant funds to pay for allowable costs and grant closeout costs. Except as may otherwise be provided in the SLFRF and CPF Supplementary Broadband Guidance issued by Treasury on May 17, 2023 (“Supplementary Guidance”), allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E. Costs must be reasonable, necessary, allocable, and allowable for the proposed project, and conform to generally accepted accounting principles.

For pre-award costs incurred after March 15, 2021, but prior to execution of the Grant Agreement, subrecipients are required to provide reasonable assurance that the costs were incurred pursuant to the negotiation of and in anticipation of the CPF award and are necessary for the efficient and timely performance of the project. Such costs are allowable only to the extent they would have been allowable if incurred after the date of the CPF award and only with the written approval of Treasury.

Eligible Project Costs. Below is a non-exhaustive list of eligible costs:

- Costs associated with completing the application;
- Pre-project development costs and uses, including data-gathering, feasibility studies, community engagement and public feedback processes, equity assessments and planning, needs assessments permitting, planning, architectural design, engineering design, and work related to environmental, historical, and cultural reviews;
- Costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment (e.g., devices and office equipment), and facilities (e.g., telecommunications equipment, including infrastructure for backhaul, middle (if necessary to provide last-mile service), and last mile networks);
- Costs of long-term leases (for terms greater than one year) of facilities required to provide qualifying broadband service, including infeasible right-of-use (IRU) agreements and capital leases;
- Personnel costs including salaries and fringe benefits for staff and consultants required for carrying out a Capital Project (such as project managers, program directors, subject matter experts, equity consultants, grant administrators, financial analysts, accountants, and attorneys);

- Ancillary costs necessary to operationalize and put the capital assets to full use, including costs to increase broadband adoption and improve digital literacy;
- Costs associated with monitoring of and reporting on projects in compliance with BEAM requirements, including award closeout costs;
- Costs associated with collecting and measuring performance data and conducting activities needed to establish and maintain a performance management and evaluation regime related to projects funded by the CPF program.

Ineligible Project Costs. Unless otherwise permitted by BEAM, in writing, CPF grant funds may not be used for the following purposes:

- Acquisition of spectrum licenses;
- Operating expenses;
- Short-term (one year or less) operating leases;
- Payment of interest on principal or outstanding debt instruments, or other debt service costs incurred prior to March 15, 2021;
- Fees or insurance costs associated with the issuance of new debt;
- Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, arbitration, administrative, or regulatory proceeding; or
- To support or oppose collective bargaining. This does not affect the ability to use funds to comply with 41 C.F.R. 60-1.4.

VI. APPLICATION PROCESS

BEAM will provide advance notice on its website of the dates that the application portal for the BEAM Fund CPF Grant Program will open and close. The application portal will be open for four weeks.

A. Content and Submission of Application

All applications and supporting documentation must be submitted using the application portal for the BEAM Fund CPF Grant program on the BEAM website. Application packages, or portions thereof, submitted by other means will not be accepted.

A complete application packet consists of the information that will be required by the application portal at broadbandms.com. Applicants should be mindful that the State of Mississippi will award grants to projects that provide the highest return in providing access to unserved areas and meet all the grant requirements.

Required information will include (but not necessarily be limited to) the following:

1. An Executive Summary of the project, not to exceed two (2) pages (approximately 1,000 words). If an applicant's proposal is selected for funding, BEAM may use all or a portion of the Executive Summary as part of a press release issued by BEAM, or for other public information and

outreach purposes. Applicants are advised not to incorporate information that concerns business trade secrets or other confidential commercial or financial information as part of the Executive Summary.

2. Applicant Information and all supporting documentation demonstrating applicant eligibility as discussed above in Section V.A.
3. The location of the project with address level location data.
4. The type and amount of broadband infrastructure to be deployed for the project, including the amount the applicant intends to invest in the project from private funds.
5. Evidence regarding the nature of the broadband service, if any, available in the community in which the project is to be located.
6. The number of households, businesses, community anchor institutions, or other entities that will have access to broadband service as a result of the project, or whose internet access service will be upgraded to broadband service as a result of the project.
7. The significant community institutions that will benefit from the proposed project.
8. Evidence of community support for the project with a narrative description of the impact that the investment will have on community and economic development efforts in the area.
9. The total cost of the project and a detailed budget and schedule for the project (showing major milestones), including the submission of a business plan that provides for the use of funds provided under the BEAM Fund CPF Grant Program, shows all other sources of funding for the project, and confirms that BEAM Fund CPF Grant Program funds shall not be used to support the operational expenses of the network or to subsidize any other service provided by the applicant.
10. The broadband service provider's experience and financial capabilities to deploy, operate, and manage the proposed project and broadband service offering, including any evidence of the applicant's successful operations of broadband services to retail end users, as well as evidence that the broadband service provider can meet all applicable federal grant program requirements.
11. The network technology standard to be used.
12. Service tiers and costs where applicable, including any low-cost options.
13. Whether the applicant is willing to use Mississippi-based employees to the fullest extent possible if awarded grant funds.
14. Information as to the affordability of the products and services within the proposed service area and how this will address current barriers to broadband access in the area.
15. Any additional information that BEAM may deem necessary for its consideration of the application and is requested by BEAM during the review process.

B. Submission Dates and Times

Complete applications must be received through the BEAM application portal no later than 5:00 p.m. Central Time on the closing date of the application portal.

Proof of timely submission is automatically recorded by the BEAM application portal. An

electronic date/time stamp is generated within the system when an application is successfully submitted in the BEAM application portal. The applicant will receive an email acknowledgement of receipt from the BEAM application portal with the successful transmission of their application.

All applicants are required to have current registrations in the electronic System for Award Management (SAM.gov). A federal assistance award cannot be issued if the designated subrecipient's registration in SAM.gov is not current at the time of the award.

C. Material Representations

All forms and supporting documents submitted as part of the complete application packet will be treated as a representation upon which BEAM will rely in awarding grants. A material misrepresentation may be a basis for denial of an application.

D. Confidential Information

Confidential and/or proprietary information submitted to BEAM by an applicant shall be protected in accordance with provisions of the BEAM Act, Miss. Code Ann. §§ 77-19-7(2)(d), 77-19-15(5), and BEAM Rule 7.2.

E. Revisions

An applicant may make any non-material revision to its application after the submission deadline upon approval from BEAM. It is in the BEAM Director's sole discretion whether a revision is material or not.

VII. APPLICATION REVIEW AND DETERMINATIONS

A. Review Process

The review process will be divided into two stages, an initial review as to eligibility requirements and a merit review based on the scoring rubric criteria as set forth below. BEAM may seek additional information or clarification from an applicant during the review process if BEAM determines such is necessary for an informed review of an application. An applicant's refusal to provide such information or failure to provide it within the time required by BEAM may be a basis for denial of the application being considered.

1. Initial Review

After the closing of the application window, BEAM will conduct an initial review of timely received applications to determine eligibility, completeness, and responsiveness to the minimum threshold requirements of the BEAM Fund CPF Grant Program. If an applicant or project fails to meet the eligibility criteria set forth in Section V above, the application will not be considered for scoring in the second stage of the review process.

As part of its initial review, BEAM shall consider the guidelines and factors required by the BEAM Act, Miss. Code Ann. §§ 77-19-9 and 77-19-11, as incorporated in the scoring rubric set forth below.

2. Scoring Rubric

Applications will be evaluated against the merit review criteria shown below.

A total of 345 points are possible. This section serves to provide a high-level overview of what should be included in an application in order for it to be adequately scored and considered for funding. This scoring criteria should be used in conjunction with the Capital Projects Fund Score Tabulation Sheet which is attached hereto as Appendix A.

Item 1: Project Description (0 to 10 points)

- Project descriptions should include sufficient detail to allow BEAM to assess whether the proposed solution achieves the program goals and complies with state and federal guidance. Sufficient detail should include the following:
 - Clear, detailed boundaries of the project area with markings for passings
 - FCC Fabric locations clearly marked within project areas.
 - Detailed engineering design layout with details regarding the technology and design
 - A clear, detailed network route map (.kml format required to get points) that is consistent with route miles
 - A certification that the applicant's network design is technically feasible and capable, upon completion of the project, by providing certification from a Professional Engineer or by using an in-house engineer who designs and oversees the implementation of network designs in the regular course of business.

Item 2: Schedule (0 to 20 points)

- Project schedule should include detail sufficient to assess whether the projects as proposed can be completed in compliance with state and federal guidance (December 31, 2026). Sufficient detail should include:
 - Demonstration of a thorough and complete project schedule, including each necessary task to move from preliminary design to construction and close out. A Gantt chart should be uploaded to illustrate the project timeline.
 - Any other documentation that demonstrates the project will be completed on or before December 31, 2026

Item 3: Regulatory Compliance (0 to 40 points)

- Applicants must provide sufficient detail to enable BEAM to assess whether the applicant is prepared and equipped to comply with applicable federal and state requirements. Sufficient detail should include the following:
 - Prior experience managing federal or state awards, including an explanation of required corrective action plans, missed deadlines, significant environmental assessment delays, or withdrawals from grant programs.
 - Existence of policies that address compliance with federal and state guidelines
 - Results of previous audits and Single Audits (3 years minimum)

- Experience of key personnel

Item 4: Readiness (0 to 20 points)

- Applicants must provide sufficient detail to enable BEAM to assess whether the applicant is capable of conducting such a project. Sufficient detail should include:
 - Does the applicant have a plan in place and/or proven ability to obtain all necessary rights of way/easements/permits?
 - Does the applicant demonstrate the required technical, operational, managerial, and financial capacity to successfully complete the proposed project?
 - Does the applicant have sufficient capability to handle customer installations and service issues?
- A non-exhaustive list of examples of permits may include:
 - City Road
 - County Road
 - State-Aid Road
 - State Highway
 - Federal Highway
 - Interstate
 - Railroad
 - Wetlands
 - National Forest
 - State Forest
 - River
 - Navigable Waterway Levee
 - Culturally Sensitive Area
 - Storm Water
 - Army Corp of Engineers
 - US Geological Survey
 - Bureau of Land Management
 - Conservation & Preservation
 - Endangered Species

Item 5: Project Impact (0 to 20 points)

- Applicants should provide sufficient detail that outlines the economic and social impact by the proposed project. Sufficient detail should include the following:
 - Number of Residents: ability to telework, remote learning engagement, new housing starts, etc.
 - Number of Businesses: degree of competitiveness, market expansion, workforce development, job creation, attracting new business establishments, etc.
 - Number of Farmers and agricultural use customers: farming efficiency and productivity, new applications for precision agriculture, etc.

- Number of Connected institutions: enhancement to capabilities to execute mission in more effective and efficient manner (across schools, libraries, hospitals, clinics, social service centers, community gathering centers, etc.)
- Project's impact on public safety improvements; other complementary infrastructure improvements, etc.
- Project's impact on workforce training and development, employment search, and other individual and community economic advances meeting the specific challenges resulting from the pandemic within the proposed project area
- Degree to which the need for funding is described
- Financial metrics including rate of return and payback periods with and without the requested grant amount with all supporting details
- Details that quantitatively equate the specific grant amount to the gap in the business plan

Item 6: Community (0 to 10 points)

- Applicants should provide sufficient detail to enable BEAM to assess the level of community support and engagement for the proposed project. Sufficient detail should include the following:
 - Evidence of community support and demonstration of community engagement. This may include, but is not limited to, “personalized” letters of support, attendance at events/meetings demonstrating community engagement at-large, and planning/organizing events for community members.
 - Engagement with stakeholders outside of the project team, which may include residents, businesses, community leaders, project partners, elected officials, community broadband task force, etc.
 - The degree to which the project will include local hires and provide opportunities for local hires, such as apprenticeship programs, job fairs, and training programs; recent survey data that covers a broad spectrum of the community with statistically meaningful results regarding the level of need, gaps, and project support.
 - Evidence of commitment to workforce development, including but not limited to meeting and working with local community colleges.

Item 7 – Affordable Connectivity (0 to 15 points)

- Applicants should include sufficient detail to enable BEAM to assess how the proposed project provides affordable connectivity to the end user. Sufficient detail should include the following:
 - Service offerings and price points provided meet the unique needs of economically disadvantaged households and their affordability levels.
 - Enrollment in the Affordable Connectivity Program is available.
 - A marketing plan for enrollment in the Affordable Connectivity Program is in place.
 - Offerings that enable the purchase of unbundled internet at reasonable price points without obligations are available.

Item 8 – Speed & Pricing (0 to 20 points)

- Applicants should provide sufficient detail to assess the speed which the project will render to the end user as well as the corresponding pricing structure. Sufficient detail should include the following:
 - What speeds and at what price point a potential provider will deliver service. Also include the length of time for which this price is guaranteed to customers.
 - Does the provider implement data caps or throttle broadband speeds for customers purchasing any of the proposed services?

Item 9: Objective Scoring (total of 190 points)

Households, businesses, and anchor institutions passed that are currently unserved (0 to 190 points)

Download Speed After Build				
# of Passings	100 Mbps	250 Mbps	500 Mbps	1 Gbps
1-74	19	27	35	43
75-149	20	28	36	44
150-224	21	29	37	45
225-299	22	30	38	46
300-374	23	31	39	47
375-449	24	32	40	48
450-524	25	33	41	49
525+	26	34	42	50
Upload Speed After Build				
# of Passings	20 Mbps	100 Mbps	500 Mbps	1 Gbps
1-74	19	28	35	60
75-149	20	30	46	62
150-224	21	32	48	64
225-299	22	34	50	66
300-374	23	36	52	68
375-449	24	38	54	70
450-524	25	40	56	72
525+	26	42	58	75

Proposed Supplementary Rubric Impact for projects that do not meet the 100 Mbps symmetrical speed standard:

Rubric Category	Original Points Range	Post-Review Possible Increase
Item 9 Download Speed	0-50 Points	0-12 Points
Item 9 Upload Speed	0-50 Points	0-12 Points

Post heightened review, the applicant can regain up to 24 points through Item 9: Download Speed and Upload Speed. The regained points shall not exceed the point maximum in the original category. Projects below 25 Mbps download speed and/or 5 Mbps upload speed will not be considered for a point increase. Projects serving over 299 households will not be considered for a point increase.

Download Speed After Build			
# of Passings	25 Mbps	50 Mbps	75 Mbps
1-74	1	5	9
75-149	2	6	10
150-224	3	7	11
225-299	4	8	12

Upload Speed After Build			
# of Passings	5 Mbps	10 Mbps	15 Mbps
1-74	1	5	9
75-149	2	6	10
150-224	3	7	11
225-299	4	8	12

Cost Sharing (0 to 65 points)

Match % of Eligible Project Costs	Points
20-29%	10
30-39%	20
40-49%	30
50-59%	35
60-69%	45
70-74%	55
>75%	65

B. Determinations

1. Preliminary Determinations

After its initial review is completed, BEAM will publish on its website: the identity of each application project receiving a preliminary determination; the proposed geographic broadband service area for each application that receives a preliminary determination illustrated by a shapefile; and the proposed broadband service speeds for each application that receives a preliminary determination. No information exempt from disclosure under the BEAM Act shall be published.

2. Investigation of Comments and Objections as to Preliminary Determinations

For a period of thirty (30) days following the publication of the preliminary determinations on BEAM's website, BEAM shall accept comments or objections concerning the preliminary determinations. Said comments or objections should be submitted to BEAM via email addressed to COMMENTS@beam.ms.gov and must be received by BEAM within this thirty-day period.

BEAM will investigate all comments and objections received, and the findings from those investigations will be considered in determining whether an applicant is eligible for a final determination and award. A final determination and award shall not be made to an applicant if verifiable information received shows the proposed project includes an area where broadband services currently are deployed, or where construction of a network to deploy broadband service is underway by a provider other than the applicant, and the construction is scheduled to be completed within one (1) year after the date of the application.

3. Final Determinations

The Office will publish final determinations on its website as to applications to be awarded BEAM Fund CPF Grant Program funds. No information exempt from disclosure under the BEAM Act will be included in the publication.

4. Timing of Announcements

BEAM will announce preliminary determinations as rapidly as possible after the closing of the application portal. BEAM anticipates announcing final determinations made under the BEAM Fund CPF Grant Program on a rolling basis.

As required by Miss. Code Ann. § 77-19-17(1), before distributing any grant monies from the BEAM Fund, BEAM shall notify the Lieutenant Governor, the Speaker of the House of Representatives, and the Legislative Budget Office of the planned distribution.

VIII. AWARD ADMINISTRATION

A. Grant Agreements

If an applicant receives a final determination to be awarded a grant under the BEAM Fund CPF Grant Program, BEAM will require the applicant to sign a Grant Agreement. By signing the Grant Agreement, the subrecipient of CPF grant funds agrees to comply with all award provisions, terms, and conditions. A sample Grant Agreement is available on BEAM's website.

B. Reporting

BEAM Fund CPF Grant Program award subrecipients will be responsible for satisfying the following reporting requirements:

- *Project and Expenditure Reports* shall be submitted to BEAM or its designee quarterly (with dates to be provided by BEAM) that include data regarding the project, expenditures, project status, community engagement efforts, programmatic data such as geospatial data for broadband infrastructure projects, and other measures as determined by BEAM. To provide public transparency on whether projects are using practices that promote on-time and on-budget delivery, BEAM may, at any time, seek information from grant recipients on their workforce plans and practices related to the CPF grant projects, as well as information about subcontracted entities.
- *Performance Reports* demonstrating the outcomes of the CPF-financed grant projects shall be submitted to BEAM or its designee on periodic dates to be provided by BEAM to each subrecipient. Reports must include data related to project outcomes against the stated objectives of the recipient's application.

Grant subrecipients must maintain sufficient records to substantiate all information above upon request. Grant subrecipients shall certify that the information in each report is accurate.

Grant subrecipients shall comply with any other reasonable reporting requirements determined necessary by BEAM.

C. Compliance with Applicable Laws

Grant subrecipients are responsible for complying with all applicable federal, tribal, and state laws.

D. Broadband Subsidies Programs

BEAM is required to ensure that the service provider for a completed CPF-funded broadband infrastructure project participate in federal programs that provide low-income consumers with subsidies for broadband internet access services. Initially, CPF grant recipients will be required to ensure that completed service offerings funded by CPF grants allow subscribers in the service area to utilize the Federal Communication Commission's (FCC) Emergency Broadband Benefit (EBB) program. Once the FCC's EBB program has terminated, the U.S. Department of the Treasury will identify any other program(s) that service providers must participate in to meet this requirement. The Treasury Department will not identify programs that would require the service provider to be designated as an eligible telecommunications carrier.

E. Oversight

BEAM Fund CPF Grant Program fund subrecipients will be subject to audit or review by the federal Treasury Inspector General and Government Accountability Office as well as by BEAM.

F. Sanctions

In the event of a BEAM Fund CPF Grant Program subrecipient's noncompliance with applicable law or CPF program requirements or guidance, Treasury or BEAM may impose additional conditions on the receipt of additional CPF funds by the subrecipient, terminate further payments from the CPF grant program, seek the repayment of previous CPF payments, or take available remedies pursuant to federal or state law.

IX. INQUIRIES

Please direct all inquiries via email to INFO@beam.ms.gov.

X. Other Information

A. Funding Availability and Limitation of Liability

Funding for the program listed in this NOFO is contingent upon the continued availability of appropriations as provided by the federal government. In no event will BEAM, the Mississippi Department of Finance and Administration, or the State of Mississippi be responsible for a recipient's costs if the program fails to receive funding or is cancelled because of agency priorities. Publication of this NOFO does not oblige BEAM, the Department of Finance and Administration, or the State of Mississippi to award any specific project or to obligate any available funds. BEAM will fund only projects that are deemed likely to achieve the BEAM Fund CPF Grant Program's goals and for which funds are available.

B. Third Party Beneficiaries

The BEAM Fund CPF Grant Program is not intended to and does not create any rights enforceable by third party beneficiaries.

APPENDIX A

**Capital Projects Fund
Score Tabulation Sheet**

Item 1: Project Description (10 points)	Yes	No
Detailed boundaries of project area including passings are identifiable in application	2	0
FCC Fabric locations are marked on project area	2	0
Engineering design was provided	2	0
Engineering design identifies the technology deployed or to be deployed	2	0
Network route map indicating route miles was provided in a .kml format	1	0
A certification by a PE or in-house engineer (with relevant experience) was provided	1	0

10

Item 2: Project Schedule (20 points)	Yes	No
Project schedule includes gantt chart outlining project timeline	2	0
Project schedule includes both major tasks (e.g. engineering design, environmental assessment, permitting, route deployment, customer connection) and minor tasks (procurement of materials, procurement of services, environmental review times, etc.)	2	0
Project schedule indicates construction completion on or after September 30, 2026	5	0
Project schedule indicates construction completion between September 30, 2024 and September 29, 2026	10	0
Project schedule indicates construction completion on or before September 30, 2024	16	0

20

Item 3: Regulatory Compliance (40 points)	Yes	No
Applicant demonstrates experience managing federal awards	5	0
Applicant has adopted policies that address compliance with federal and state guidelines	5	0
Applicant's audits indicate absence of findings in audits and Single Audits (as applicable) OR Applicant can demonstrate remediation efforts in response to audit or Single Audit findings.	5	0
Key personnel have been consistent for each of the last three years of operation.	5	0
Applicant has no record of unexplained missed programmatic deadlines associated with prior grant awards.	5	0
Applicant has never received a corrective action plan associated with its prior grant awards.	5	0
Applicant has no record of unexplained withdrawal or award termination from a program following issuance of the grant award.	5	0
Applicant has no record of unexplained delays associated with environmental assessments under prior grant awards.	5	0

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Item 4: Readiness (20 points)	Yes	No
Applicant has identified all needed permits and has begun obtaining all necessary permits OR Project does not require any permits	5	0
Applicant has identified all necessary easements and rights of way and has begun obtaining such OR Project does not require any easements or rights of way	5	0
Applicant has detailed plan for obtaining permits	2	0
Applicant has detailed plan for obtaining rights of way and easements	2	0
Applicant has significant recent experience obtaining permits (5 projects in the past 3 years)	4	0
Applicant has significant recent experience obtaining easements and right of ways (5 projects in the past 3 years)	4	0
Applicant provided customer installation plan and customer service plan.	2	0

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Item 5: Project Impact (20 points)	Yes	No
Applicant adequately describes the extent to which the project will benefit a discrete amount of individuals, businesses and community anchor institutions	5	0
Applicant adequately describes the extent to which the project will impact public safety, workforce training and development	5	0
Applicant establishes need for funding the project area	5	0
Applicant effectively illustrates the rate of return and other financial metrics with AND without grant funding	5	0

20

Item 6: Community (10 points)	Yes	No
Applicant can provide evidence of community support (personalized letters of support)	2	0
Applicant has conducted community meeting in proposed project area	2	0
Applicant has prioritized local hires	2	0
Applicant demonstrates commitment to prioritize local hires	1	0
Applicant has conducted apprenticeship programs, training programs, or attended job fairs	2	0
Applicant demonstrates commitment to conduct apprenticeship programs, training programs, or attend job fairs	1	0
Applicant has engaged with community college nearest to project	2	0
Applicant demonstrates commitment to engage with community college	1	0

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Item 7: Affordable Connectivity (15 points)	Yes	No
Applicant has ACP offerings	5	0
Applicant has marketing plan for enrollment in ACP	5	0
Applicant provides unbundled internet at reasonable price points without obligations.	5	0

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Item 8: Speed & Pricing (20 points)	Yes	No
Does the application clearly illustrate plans including price and speed?	5	0
Prices and service tiers are guaranteed for at least 12 months	2	0
Prices and service tiers are guaranteed for at least 24 months	5	0
Applicant's plans exclude data caps or throttling after a specified amount of usage	5	0
Applicant demonstrates that price points are in line with market rates?	5	0

20