

STATE OF FLORIDA FLORIDACOMMERCE DRAFT INITIAL PROPOSAL

BROADBAND EQUITY
ACCESS AND
DEPLOYMENT (BEAD)

DECEMBER 2023

FLORIDACOMMERCE



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Initial Proposal Executive Summary

Reliable broadband Internet access is necessary for access, communication, job seekers and job creators in a modern community – in a connected economy – playing a central role in family and community connections, K-12 education, workforce education, job training, upskilling, job seeking, business development, industry and market sector growth, access to health care services, emergency preparedness and response, supporting the needs of Florida’s federally recognized tribes, and – collectively – community resilience.

Along with access to digital devices and the required skills to use those devices, broadband is critical to an individual’s economic mobility and overall quality of life. Individuals who lack broadband access cannot realize these economic and social benefits, and the expansion of broadband represents a tremendous opportunity. This is particularly true for rural, unserved, and underserved communities across Florida, where expanded access will encourage increased business growth, greater educational and employment opportunities, and better access to public and private programs and services.

In the state of Florida, it is recognized that broadband access has become an input that impacts all Floridians’ outcomes. In calendar year 2023, FloridaCommerce has awarded more than \$474 million in broadband grants¹, representing more than 140 awards in 60 of Florida’s 67 counties. These investments are already yielding significant return on investment with more than \$534 million in private leverage and the creation of an expected 17,000 direct and indirect jobs across the state.

BEAD Program & Community Engagement

In 2023, the State of Florida was allocated more than \$1.16 billion (\$1,169,947,392.70) through the federal Broadband Equity, Access, and Deployment (BEAD) program to facilitate the expansion of broadband Internet infrastructure and service access across the state, as well as funds for broadband planning, mapping, and non-deployment activities relating to workforce development and adoption.² Prior to launching the full program in calendar year 2024, the State of Florida’s Office of Broadband must first

¹ Through the state’s Broadband Opportunity Grant Program, \$380 Million in funding has been appropriated by the state Legislature for the installation and deployment of broadband Internet infrastructure in unserved Florida communities. Over \$226 million in the Broadband Opportunity Grant Awards were announced in 2023, with the remainder of funds on track to be announced for award in early calendar year 2024. Additionally, through the federal Capital Projects Fund Program, the state has awarded \$247 Million to support last mile infrastructure projects, with additional awards for multi-purpose community facilities and digital connectivity technology projects to be announced in early 2024.

² On July 12, 2022, the Office submitted a letter of intent to participate in the BEAD program through the National Telecommunications and Information Administration (NTIA). On August 15, 2022, the Office submitted the program proposal, [Prosperity Through a Connected Florida](#). The FloridaCommerce Office of Broadband was [awarded](#) \$5 million for an Initial Planning Grant to create the [BEAD Five-Year Action Plan](#).

develop a “Draft Initial Proposal” to be submitted to the National Telecommunications and Information Administration (NTIA) by December 27, 2023.

As part of the planning and development of the Draft Initial Proposal, the Office of Broadband implemented robust community engagement initiatives. The Office held a series of six public meetings and three statewide virtual webinars to hear directly from Floridians about barriers to accessing broadband Internet service. The Office also held in-person meetings with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, engaged with local technology planning teams, held a statewide Broadband Summit with over 300 stakeholders and community representatives, and launched the ConnectedFlorida Map to bring enhanced transparency to broadband programs deployed within the state. In November and December 2023, the Office also held two concurrent public comment periods for Volumes I and II of its draft initial proposal as required by the NTIA.³

NTIA Requirements for BEAD Initial Proposal

The NTIA [Notice of Funding Opportunity \(NOFO\)](#) describes 20 requirements under which it will award grants for the BEAD Program, authorized by the Infrastructure Investment and Jobs Act (IIJA) of 2021.

The Florida Office of Broadband has detailed its plan to meet these requirements in two parts of the Initial Proposal, Volumes I and II, following its rigorous community engagement and public comment process to ensure the needs of communities and Floridians across the state are reflected in these plans.

Draft Initial Proposal Volume I addresses four BEAD requirements including FloridaCommerce’s plan for the Challenge Process, identifying existing broadband funding, listing unserved and underserved locations throughout the state, and defining and listing Community Anchor Institutions:

- Existing Broadband Funding (Requirement 3)
- Unserved and Underserved Locations (Requirement 5)
- Community Anchor Institutions (Requirement 6)
- Challenge Process (Requirement 7)

Draft Initial Proposal Volume II addresses the remaining 16 initial proposal requirements, including a description of the BEAD application process, non-deployment activities, and workforce initiatives:

- Objectives (Requirement 1)
- Local, Tribal, and Regional Broadband Planning Processes (Requirement 2)

³ The public comment period for Volume I was held from Wednesday, November 15, 2023, and ended on Friday, December 15, 2023, at 11:59 p.m., Eastern Time. The public comment period for Volume II was held from Wednesday, November 22, 2023, and end on Friday, December 22, 2023, at 11:59 p.m., Eastern Time.

- Local Coordination (Requirement 4)
- Deployment Subgrantee Selection (Requirement 8)
- Non-Deployment Subgrantee Selection (Requirement 9)
- Eligible Entity Implementation Activities (Requirement 10)
- Labor Standards and Protection (Requirement 11)
- Workforce Readiness (Requirement 12)
- Minority Business Enterprises (MBEs)/Women's Business Enterprises (WBEs)/Labor Surplus Area Firms Inclusion (Requirement 13)
- Cost and Barrier Reduction (Requirement 14)
- Climate Assessment (Requirement 15)
- Low-Cost Broadband Service Option (Requirement 16)
- Middle Class Affordability Plans (Requirement 20)
- Use of 20 Percent of Funding (Requirement 17)
- Eligible Entity Regulatory Approach (Requirement 18)
- Certification of Compliance with BEAD Requirements (Requirement 19)

VOLUME I

Executive Summary and Introduction

In 2021, Congress passed the Infrastructure Investment and Jobs Act (IIJA) establishing the Broadband, Equity, Access and Deployment (BEAD) program and Digital Equity program, among others. The BEAD Program is administered by the National Telecommunications and Information Administration (NTIA) and allocates \$42.5 billion to help states deploy high-speed, reliable broadband Internet to remaining unserved and underserved locations within their jurisdictions. In June 2023, NTIA announced Florida would receive \$1.16 billion of this funding to supplement existing efforts to bring universal Internet service to all Floridians. Under section 288.9961(5), Florida Statutes, the FloridaCommerce Office of Broadband (Office), is tasked with administering state and federal funds for deployment of broadband Internet access to every location in the state.

The Notice of Funding Opportunity (NOFO) NTIA-BEAD-2022 requires states to create an initial proposal to establish a roadmap to guide elimination of the digital divide through use of BEAD funding. Florida's Initial Proposal builds upon the solid foundation established through the Florida Strategic Plan for Broadband, the BEAD Five-Year Action Plan, and the Digital Adoption and Use Plan. The state has elected to provide the Initial Proposal in two parts: Volume I and Volume II.

Volume I (this volume) addresses four of the 20 BEAD NOFO requirements (sections 3,5,6, and 7), including identifying existing broadband funding, listing the unserved and underserved locations throughout the state, defining and listing Community Anchor Institutions (CAIs), and plans to conduct evidence-based, fair and expeditious challenge and de-duplication processes.

2. Existing Broadband Funding (Requirement 3)

The IIJA defines “reliable broadband service” as “broadband service that meets performance criteria for service availability, adaptability to changing end-user requirements, length of serviceable life, or other criteria other than upload and download speeds, as determined by the Assistant Secretary in coordination with the Commission” *Id.* § 60102(a)(2)(L). For purposes of this definition, the Assistant Secretary adopts the criteria that reliable broadband service must be (1) a fixed broadband service that (2) is available with a high degree of certainty, (3) both at present and for the foreseeable future. The NTIA, in its Notice of Funding Opportunity (NOFO) NTIA-BEAD-2022, defines “priority broadband project” as those that use end-to-end fiber-optic architecture, as only end-to-end fiber will “ensure that the network built by the project can easily scale speeds over time to meet the evolving connectivity speeds of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services.” Accordingly, fiber to the home is the preferred method of deployment to the extent it is cost effective. To ensure 100 percent access to all citizens, Florida will continue to be technology neutral and consider solutions such as

fixed wireless and satellite, provided they adhere to minimum standards required in the Infrastructure Act⁴ Volume II will separately address the remainder of the 20 requirements, including a description of the BEAD application process, non-deployment activities and workforce initiatives.

2.1 Florida BEAD Allocations

In June 2023, the NTIA announced the final BEAD allocations by state with Florida receiving approximately \$1.16 billion to achieve universal broadband coverage across the state. Florida has already begun its work to bring reliable, high-speed broadband Internet access to every unserved and underserved location within its boundaries, estimated to be 408,416 locations according to the Federal Communications Commission’s (FCC) Broadband Data Map dated December 30, 2022.

2.2 Existing Broadband Funding

Table 1 below depicts the existing federal, state, Tribal, and local broadband-related programs supporting the mission to achieve a fully connected, digitally literate Florida.

Table 1: Broadband Funding

Source	Florida Office of Broadband Administered	Purpose	Total	Obligated	Expended	Available
State of Florida Broadband Opportunity Program ⁵ in Fiscal Year (FY) 2022-2023	Yes	Provides funding for the installation and deployment of broadband Internet infrastructure in unserved Florida communities, providing valuable telehealth, economic, educational,	\$380,000,000 ²	\$377,447,514	\$2,552,486	\$0

⁴ The definitions of “unserved location” and “underserved location” set forth in Section 60102(a)(1) require that a location have Reliable Broadband Service with “a latency sufficient to support real-time, interactive applications.” See Infrastructure Act § 60102(a)(1)(A)(ii)(II), (C)(ii)(II). NTIA interprets this to mean a latency of less than or equal to 100ms for the reasons articulated by the FCC’s Wireline Communications Bureau in the 2013 Connect America Fund Phase II Service Obligations Order. See Connect America Fund, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 15060, 15068-76 paras. 19-38 (Phase II Service Obligations Order).

⁵ FloridaCommerce Office of Broadband: Broadband Opportunity Program, www.FloridaJobs.org/broadband. Florida's Legislature originally appropriated \$400 million to its Broadband Opportunity Program. The Legislature subsequently reduced the Broadband Opportunity Program's funding by \$20 million pursuant to Section 233 of Senate Bill 2500 (2023).

		and workforce development opportunities ²				
Broadband Equity, Access, and Deployment (BEAD) Program – Infrastructure Investment and Jobs Act	Yes	Provides federal funding for broadband planning, deployment, mapping, and adoption.	\$1,169,947,393	\$4,301,558	\$698,419	\$1,164,947,416
Digital Equity Planning Grant – Infrastructure Investment and Jobs Act	Yes	Provides funding to research and create a plan to reduce or eliminate barriers to an individual's ability to access and understand information in our digital economy.	\$2,407,224	\$1,885,322	\$521,902	\$0
U.S. Treasury Capital Projects Fund - Admin	Yes	Funding provided for management of the Capital Projects Fund grant.	\$18,301,843	\$14,635,956	\$3,665,887	\$0
U.S. Treasury Capital Projects Fund - Broadband Infrastructure Program	Yes	Provides funds for broadband infrastructure deployment in areas where broadband Internet service is not available from a terrestrial provider.	\$247,761,206	\$247,503,055	\$0	\$258,151
U.S. Treasury Capital Projects Fund – Digital Connectivity Technology Program	Yes	Provides funds for digital devices (tablets, laptops, desktops, and routers) to subgrantees for distribution through short-	\$13,040,063	\$13,040,063	\$0	\$0

		or long-term loan.				
U.S. Treasury Capital Projects Fund – Multi-purpose Community Facility Program	Yes	Provides funds for construction or rehabilitation of community facilities that directly enable work, education, and healthcare monitoring.	\$86,933,756	\$86,933,756	\$0	\$0
Universal Service Fund Administration - Rural Digital Opportunity Program (RDOF)	No	Provides funding to bring high-speed fixed broadband services to rural homes and small business.	\$191,753,609	\$191,753,609	unknown	unknown
Tribal Connectivity Act – Infrastructure Investment and Jobs Act	No	To provide high-speed Internet to Tribal lands, including telehealth, distance learning, affordability, and digital literacy	\$499,921	\$499,921	unknown	unknown
Enabling Middle-Mile Broadband Infrastructure Program – Infrastructure Investment and Jobs Act	No	To reduce the cost of bringing high-speed internet service to unserved and underserved communities by connecting local networks to major networks.	\$2,812,086	\$2,812,086	unknown	unknown
Connecting Minority Communities Pilot Program	No	Support for colleges and institutions serving minority and Tribal Communities	\$10,809,668	\$10,809,868	unknown	unknown

The Affordable Connectivity Program (ACP)	No	Provides eligible households with a discount of up to \$30.00/month for high-speed Internet service and up to \$100.00 toward a laptop, desktop or tablet offered by participating Internet Service Providers.	\$465,111,464	\$465,111,464	unknown	unknown
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2.3. Existing Broadband Deployment Projects

2.3.1 Broadband Opportunity Program Application Cycle 1

The Broadband Opportunity Grant Program, administered through the Office was established under section 288.9962, Florida Statutes to award grants to applicants seeking to expand broadband Internet service to unserved areas of the state. Applications for the program were accepted between November 7 and December 6, 2022. Figure 1 depicts the locations of the awarded projects.

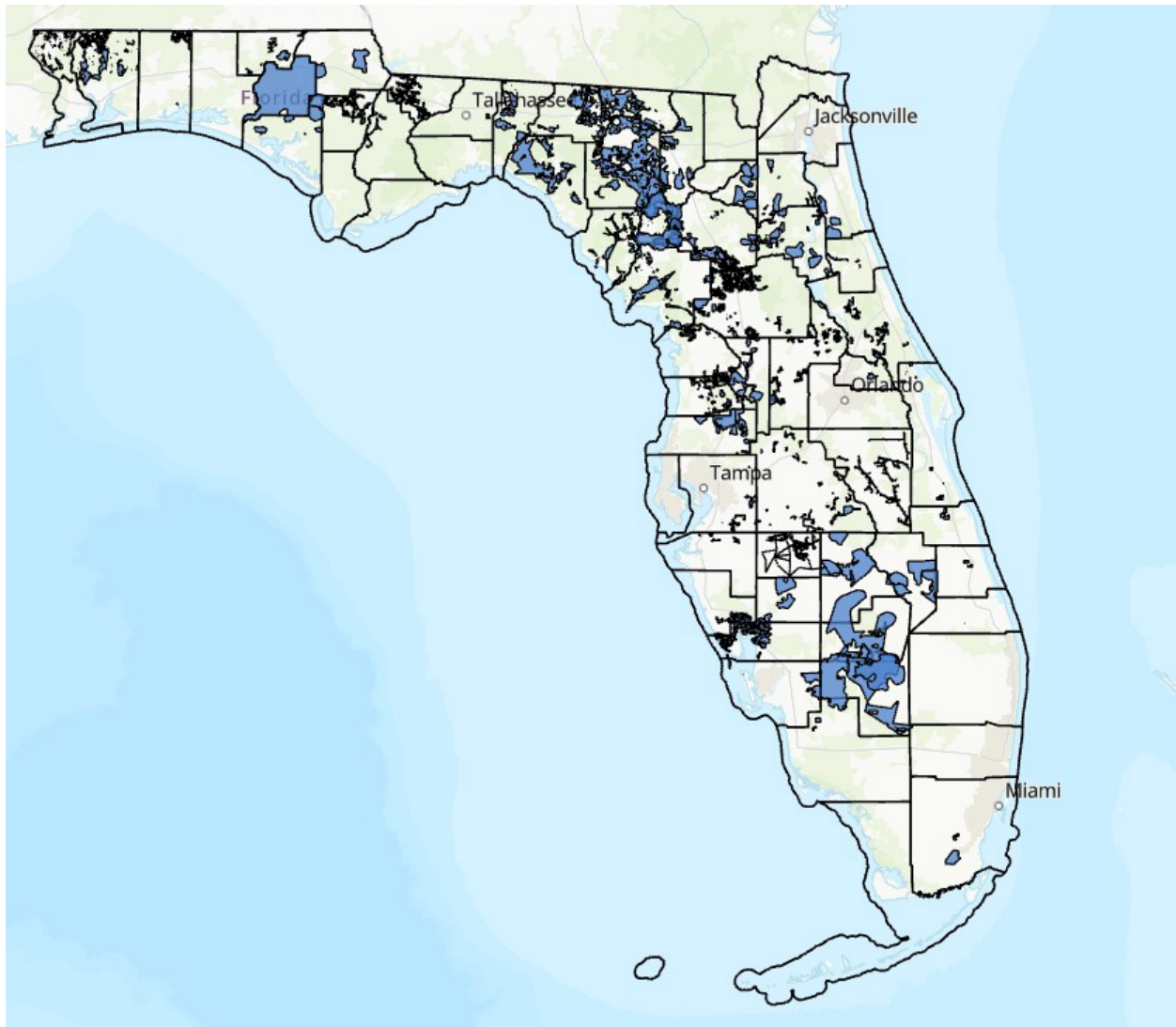


Figure 1. Broadband Opportunity Program - awarded projects.

2.3.2 Capital Projects Fund – Broadband Infrastructure

The Capital Projects Fund- Broadband Infrastructure Program, administered through the Florida Office of Broadband, consists of three separate programs: Broadband Infrastructure, Multi-purpose Community Facilities, and Digital Connectivity Technology. Figure 2, below, shows awarded projects for the Broadband Infrastructure Program.

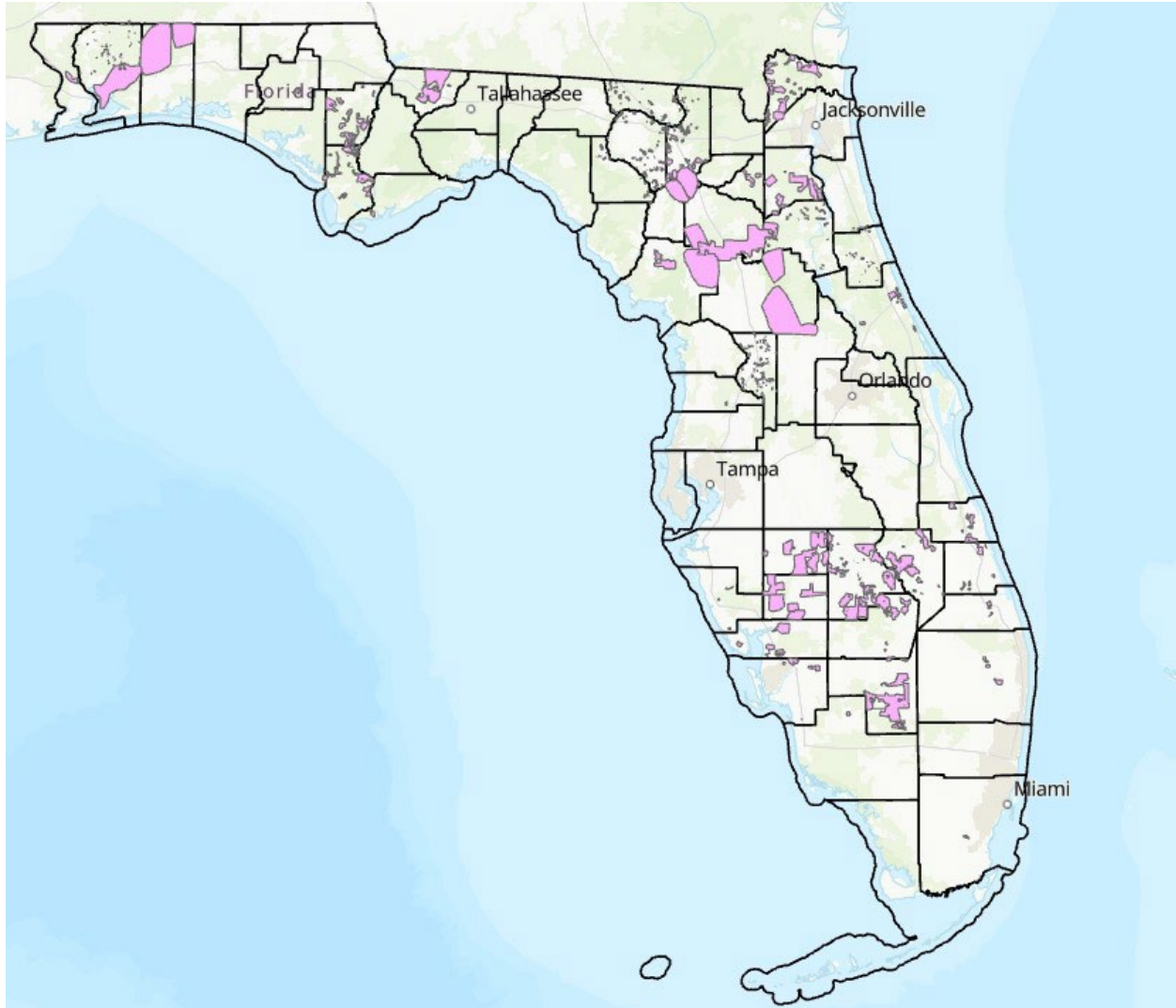


Figure 2. Capital Project Fund-Broadband Infrastructure Program - awarded projects.

2.3.3 Broadband Opportunity Program Application Cycle 2

Applications submitted during the second application cycle, from May 10 through July 21, 2023, is currently under challenge review. The map below (figure 3) identifies the service areas covered by the applications received during this cycle. The map will be updated as project areas are awarded.

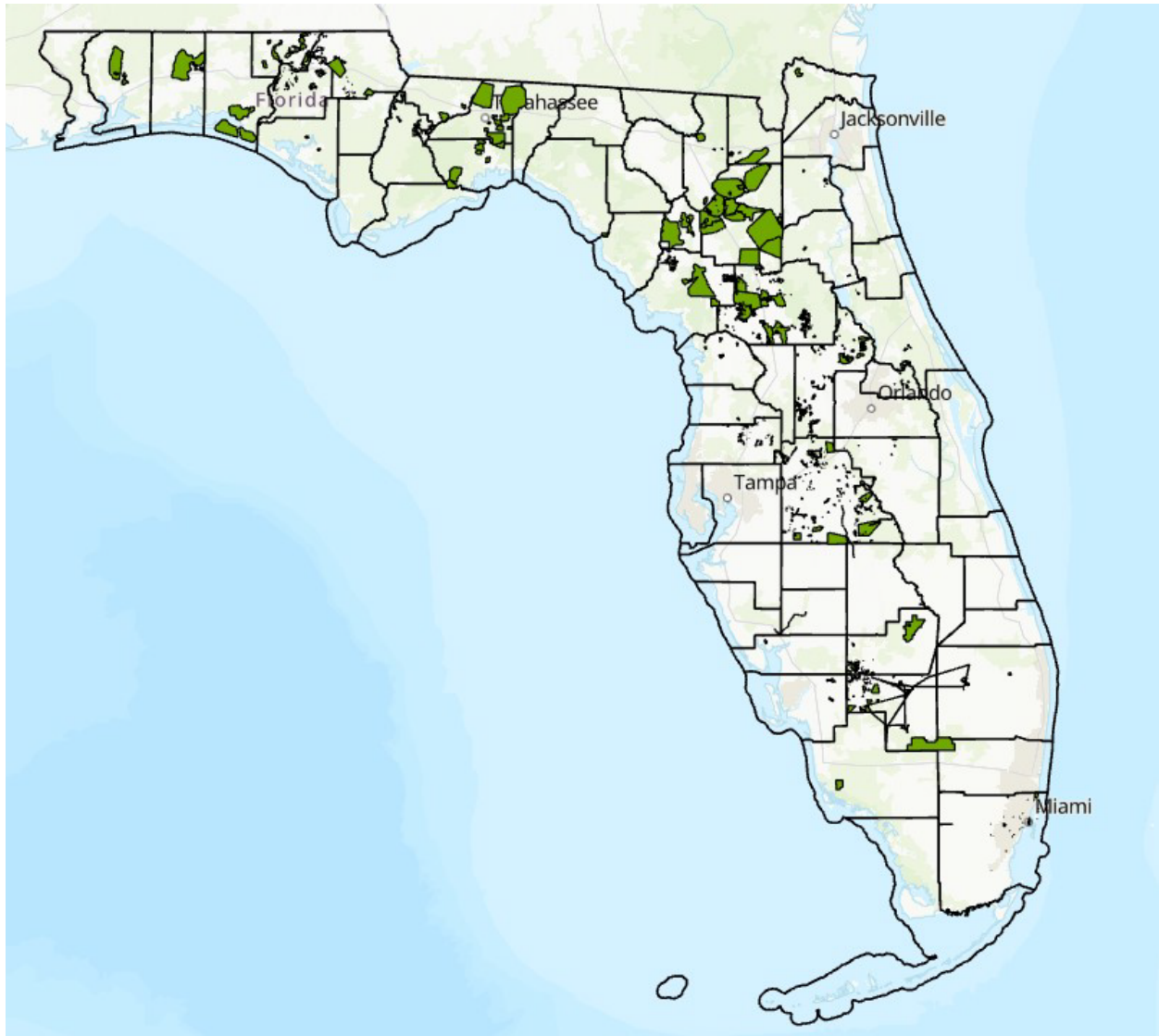


Figure 3. Service areas covered by applications from Broadband Opportunity Program's second application cycle.

2.3.4. Rural Digital Opportunity Fund (RDOF)

The Rural Digital Opportunity Fund (RDOF) is a federal program that is not administered through the Florida Office of Broadband, but rather the Federal Communications Commission (FCC) under the Universal Service Administrative Company (USAC). Through this program, USAC provided funding to bring high-speed fixed broadband services to rural homes and small business. In 2020, the USAC awarded funding to eight Florida providers for projects serving more than 103,000 locations over a 10-year period. Project start dates are as early as March 2022, and completion dates on or before May 2034. The below map (figure 4) depicts the current RDOF projects.

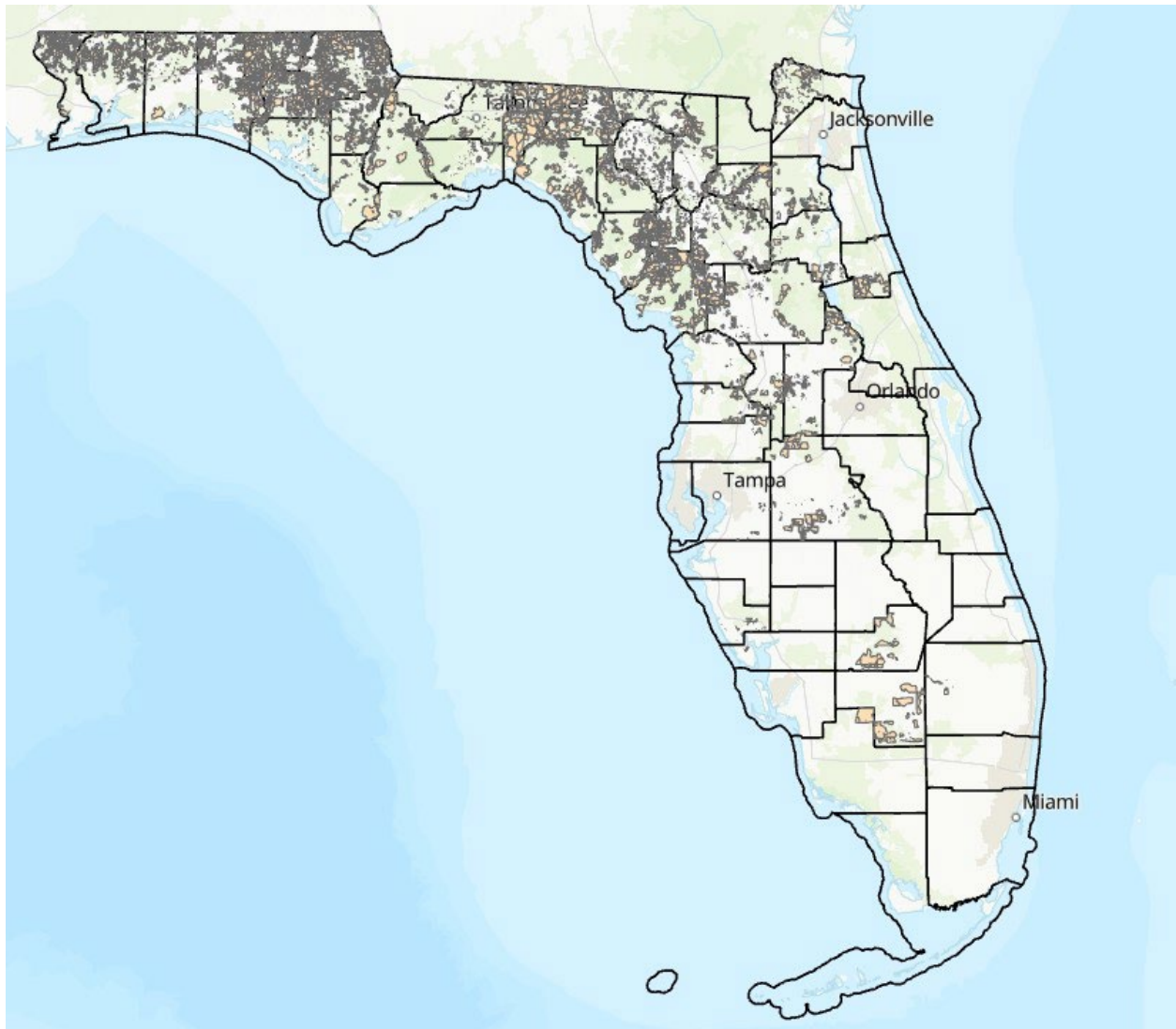


Figure 4. Current Rural Digital Opportunity Fund (RDOF) Projects.

3. Underserved and Unserved Locations (Requirement 5)

3.1. Broadband Deployment

The principal focus for the BEAD Program is to deploy broadband service to *unserved* locations (those without broadband service or service offering speeds less than 25 megabits per second (Mbps) download and 3 Mbps upload), and *underserved* locations (those without broadband service offering speeds of 100 Mbps download and 20 Mbps upload).⁶

In order to report Florida's unserved and underserved locations, FloridaCommerce will establish the Florida Open Data Portal in early 2024. The portal will house the "BEAD Unserved Locations.csv" and "BEAD Underserved Locations.csv" files which will list the unserved and underserved location IDs⁷. Provided are the current [unserved data files](#) and [underserved data files](#).

The publication date of the National Broadband Map does not predate the submission of the Initial Proposal by more than 59 days. For the purposes of the BEAD Program, in accordance with the BEAD Notice of Funding Opportunity, locations served exclusively by satellite, services using entirely unlicensed spectrum, or a technology not specified by the FCC for purposes of the Broadband Data Maps, do not meet the criteria for Reliable Broadband Service and so will be considered "unserved." The status of state or federal funding present at these locations does not impact their service status of served, unserved, or underserved. Locations with an enforceable commitment are not eligible for funding under BEAD. An enforceable commitment for the deployment of qualifying broadband to a location exists when the commitment to deploy qualifying broadband service to that location was made as defined in Footnote 52⁸ of the BEAD Notice of Funding Opportunity.

⁶ Per Broadband Equity, Access, and Deployment Program's Notice of Funding Opportunity (NTIA-BEAD-2022), (I)(B)(1), the Program's principal focus will be on deploying broadband service to unserved locations (those without any broadband service at all or with broadband service offering speeds below 25 megabits per second (Mbps) downstream/3 Mbps upstream) and underserved locations (those without broadband service offering speeds of 100 Mbps downstream/20 Mbps upstream).

⁷ Current unserved/underserved location files are sourced from the December 30, 2022 Broadband Data Map and are for informational purposes only. Data used for the challenge process will be obtained from the December 30, 2023 Broadband Data Map. Note: This date relies upon posting of the Challenge Process.

⁸ <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>

3.1.1 Data Sources and Map Date Selection

To generate an updated database and files of unserved (maximum available speeds below 25/3 Mbps) and underserved locations (maximum available speeds between 25/3 Mbps and 100/20 Mbps), Florida will use the FCC's Broadband Availability Data from the National Broadband Map from September 30, 2023 (FloridaCommerce will update the map data with the most recent available data prior to initiating the challenge process).

4. Community Anchor Institutions (CAI) (Requirement 6)

4.1 Identification of Community Anchor Institutions

Based on the statutory definition of "community anchor institutions" as defined in 47 USC 1702, (a)(2)(E), the Office adopts the definition of "community anchor institutions" to mean "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 low-income individuals, unemployed individuals, and aged individuals." The purpose of defining Community Anchor Institutions is to identify organizations eligible for fiber connections of at least 1GBps symmetrical speeds. Identification of these institutions facilitates greater use of broadband service by vulnerable populations and advances the goals of the BEAD program.

Based on the statutory definition above, the following criteria were used to determine the inclusion or exclusion of community support organizations not specifically listed in 47 USC 1702(a)(2)(E):

1. Whether the community support organization facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, and aged individuals.

The definitions and sources used to identify the types of community anchor institutions are listed in the table below. Provided is the corresponding [list of Community Anchor Institutions](#) and the [data source list associated with the Community Anchor Institutions](#).

Table 2: Community Anchor Institutions Defined

Community Anchor Institution Type	Category and Definition	Source
Schools	All public K-12 schools in Florida with a valid Master School Identification (MSID) number and any private K-12 schools included in the Florida Department of Education's Directory of Private Schools. Also included in this category are adult education institutions and technical colleges with MSID numbers, school readiness programs, and voluntary prekindergarten education programs under Chapter 1002, F.S.	Florida Department of Education
Libraries	All public libraries, as identified by the Florida Department of State.	Florida Department of State, Florida Division of Libraries and Information Services
Health Clinic/Health Center/Hospital/Other Medical Provider	Hospitals, health centers, health clinics and other medical providers which are regulated by the Florida Department of Health, the Florida Department of Veteran's Affairs, the Florida Department of Children and Families, the Florida Department of Elder Affairs, or the Agency for Health Care Administration. These facilities must be able to provide medical care or treatment beyond what is normally provided by a doctor's office.	Florida Department of Health, the Florida Department of Veteran's Affairs, the Florida Department of Children and Families, the Florida Department of Elder Affairs or the Agency for Health Care Administration
Public Safety Entity	Entities such as fire houses, emergency medical service stations, police stations, sheriff and constable offices, and public safety answering points (PSAP). The list of public safety answering points (PSAPs) includes all PSAPs in the FCC PSAP registry.	HIFLD, Florida Department of Corrections, Florida Department of Law Enforcement

	This also includes jails and both local and state corrections institutions.	
Institution of Higher Education	Institutions of higher education include Florida State College System Institutions, Florida State University System institutions, private college and university members of the Independent Colleges and Universities of Florida, and private colleges and universities regulated by the Commission for Independent Education. Also included (for a second time in this table) in this category are adult education institutions and technical colleges with MSID numbers.	Florida Department of Education, Florida Board of Governors, Independent Colleges and Universities of Florida
Public Housing Organization/ Public Housing Agency/ HUD-Assisted Housing Organization	This includes all public housing agencies, and all public housing organizations receiving public housing funds.	U.S. Department of Housing and Urban Development
Community Support Organization	Community support organizations are most often private, nonprofit organizations that facilitate “greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.”	FloridaCommerce’s Office of Broadband, state and local community support organization partners, Florida Department of State, Florida Division of Corporations

5. Challenge Process (Requirement 7)

5.1 NTIA BEAD Model Challenge Process Adoption

5.1.1 Challenge Process Model Adopted

Florida will adopt the NTIA BEAD Model Challenge Process.

5.1.2 Modifications to Classification of Broadband Serviceable Locations

The Office will treat locations that the National Broadband Map indicates have available qualifying broadband service (i.e., a location that is “served”) that is delivered via digital subscriber line (DSL) as “underserved.” This modification will better reflect the locations eligible for BEAD funding because it will facilitate the phase-out of legacy copper facilities and ensure the delivery of “future-proof” broadband service. This designation cannot be challenged or rebutted by the provider.

5.2 Deduplication of Funding

5.2.1 Use of BEAD Eligible Entity Planning Toolkit

The Office plans to use the BEAD Eligible Entity Planning Toolkit to identify existing federal enforceable commitments.

5.2.2 Process to Identify and Remove Locations Subject to Enforceable Commitments

The Office will further consult with at least the following data sets:

1. The Broadband Funding Map published by the FCC pursuant to IIJA § 60105.⁹
2. Data sets from state broadband deployment programs that rely on funds from the Capital Projects Fund and State and Local Fiscal Recovery Funds administered by the U.S. Treasury.
3. Florida and local data collections of existing enforceable commitments.

The Office will create a list of Broadband Serviceable Locations (BSL) subject to enforceable commitments based on state or local grants or loans. If necessary, the Office will translate polygons or other geographic designations (e.g., a county or utility district) describing the area to a list of Fabric locations. The Office will submit this list to NTIA in the format specified by the FCC Broadband Funding Map.¹⁰

The Office will review its repository of existing state and local broadband grant programs to validate the upload and download speeds of existing binding agreements to deploy broadband infrastructure. In situations in which the Florida or local program does not specify broadband speeds, or when there is reason to believe a provider deployed higher broadband speeds than required, the Office will reach out to the provider to verify the deployment speeds of the binding commitment. The Office will document this process by requiring providers to sign a binding agreement certifying the actual broadband speeds deployed.

⁹ The broadband funding map published by FCC pursuant to IIJA § 60105 is referred to as the “FCC Broadband Funding Map.”

¹⁰ Guidance on the required format for the locations funded by state or territorial and local programs will be specified at a later date, in coordination with FCC.

The Office will draw on these provider agreements, along with its existing database of state and local broadband funding programs' binding agreements, to determine the set of Florida and local enforceable commitments.

5.3 Challenge Process Design

5.3.1 Plan to Conduct an Evidence-based, Fair, Transparent and Expedient Challenge Process

Based on the NTIA BEAD Challenge Process Policy Notice, as well as the Office's understanding of the goals of the BEAD program, the proposal represents a transparent, fair, expedient and evidence-based challenge process.

Permissible Challenges

The Office will only allow challenges on the following grounds:

- Community anchor institution BEAD eligibility determinations,
- BEAD eligibility determinations for existing broadband serviceable locations (BSLs),
- Enforceable commitments, or
- Planned service.

Permissible Challengers

During the BEAD Challenge Process, the Office will exclusively recognize challenges from nonprofit organizations, units of local and tribal governments, and broadband service providers, per NTIA challenge model.

Challenge Process Overview

The challenge process conducted by the Office will include four phases, spanning 90 calendar days¹¹:

1. Publication of Eligible Locations:

Prior to beginning the Challenge Phase, the Office will publish the set of locations eligible for BEAD funding, which consists of the locations resulting from the activities outlined in Sections 5 and 6 of the NTIA BEAD Challenge Process Policy Notice (e.g., administering the deduplication of funding process). The Office will also publish locations considered served, as they may be challenged. The tentative posting date is February 5 through May 6, 2024, pending approval of the Initial Proposal by NTIA.

2. Challenge Phase:

¹¹ The NTIA BEAD Challenge Process Policy Notice allows *up to* 120 calendar days. Broadband offices may modify the model challenge process to span up to 120 days, as long as the timeframes for each phase meet the requirements outlined in the NTIA BEAD Challenge Process Policy Notice.

During the Challenge Phase, the challenger will submit the challenge through the Office’s challenge portal. The challenge will be visible to the service provider whose service availability and performance is being contested. The portal will notify the provider of the challenge through an automated email, which will include related information regarding timing for the provider’s response. After this step, the location will enter the “challenged” state.

a. Minimum Level of Evidence Sufficient to Establish a Challenge:

The challenge portal will verify that the address provided can be found in the Fabric and is a BSL. The challenge portal will confirm that the challenged service is listed in the National Broadband Map and meets the definition of reliable broadband service. The challenge will confirm that the email address is reachable by sending a confirmation message to the listed contact email address. For scanned images, the challenge portal will determine whether the quality is sufficient to enable optical character recognition. For availability challenges, the Office will manually verify that the evidence submitted falls within the categories stated in the NTIA BEAD Challenge Process Policy Notice and the document is unredacted and dated.

b. Timeline:

Challengers will have 30 calendar days to submit a challenge from the time the initial list of unserved and underserved locations, community anchor institutions, and existing enforceable commitments are posted on February 5, 2024, pending approval of the Initial Proposal by NTIA.

3. Rebuttal Phase:

Only the challenged service provider may rebut the reclassification of a location or area with evidence, causing the location or locations to enter the “disputed” state. If a challenge that meets the minimum level of evidence is not rebutted, the challenge is sustained. A provider may also agree with the challenge and thus transition the location to the “sustained” state. Providers must regularly check the challenge portal notification method (e.g., email) for notifications of submitted challenges.

a. Timeline:

Providers will have 30 calendar days from notification of a challenge to provide rebuttal information to the Office. The rebuttal period begins once

the provider is notified of the challenge, and thus may occur concurrently with the challenge phase which begins February 5 and ends March 6, 2024, pending approval of the Initial Proposal by NTIA.

4. Final Determination Phase:

During the Final Determination phase, the Office will make the final determination of the classification of the location, either declaring the challenge “sustained” or “rejected.”

a. Timeline:

Following intake of challenge rebuttals, the Office will make a final challenge determination within 30 calendar days of the challenge rebuttal. Reviews will occur on a rolling basis, as challenges and rebuttals are received beginning February 5, 2024, and ending April 4, 2024, pending approval of the Initial Proposal by NTIA.

5. Evidence & Review Approach

To ensure that each challenge is reviewed and adjudicated based on fairness for all participants and relevant stakeholders, the Office will review all applicable challenge and rebuttal information in detail, without bias, before deciding to sustain or reject a challenge. The Office will document the standards of review to be applied in a Standard Operating Procedure and will require reviewers to document their justification for each determination. The Office plans to ensure reviewers have sufficient training to apply the standards of review uniformly to all challenges submitted and will also require that all reviewers submit affidavits to ensure that there is no conflict of interest in making challenge determinations.

The table below identifies the types of possible challenges and permissible rebuttals. Florida will allow for the challenge types identified in the Permissible Challenges section above. Unless otherwise noted, “days” refers to calendar days.

Table 3: Types of Challenges and Rebuttals

Code	Challenge Type	Description	Specific Examples	Permissible Rebuttals
A	Availability	The broadband service identified is not offered at the location, including a unit of a multiple dwelling unit (MDU).	<ul style="list-style-type: none"> • Screenshot of provider webpage. • A service request was refused within the last 180 days (e.g., an email or letter from provider). • Lack of suitable infrastructure (e.g., no fiber on pole). • A letter or email dated within the last 365 days that a provider failed to schedule a service installation or offer an installation date within 10 business days of a request.¹² • A letter or email dated within the last 365 days indicating that a provider requested more than the standard installation 	<ul style="list-style-type: none"> • Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill. • If the evidence was a screenshot and believed to be in error, a screenshot that shows service availability. • The provider submits evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.

¹² A standard broadband installation is defined in the Broadband DATA Act (47 U.S.C. § 641(14)) as “[t]he initiation by a provider of fixed broadband Internet access service [within 10 business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network of the provider.”

			fee to connect this location or that a provider quoted an amount in excess of the provider's standard installation charge in order to connect service at the location.	
S	Speed	The actual speed of the service tier falls below the unserved or underserved thresholds. ¹³	Speed test by subscriber, showing the insufficient speed and meeting the requirements for speed tests.	Provider has countervailing speed test evidence showing sufficient speed, e.g., from their own network management system. ¹⁴
L	Latency	The round-trip latency of the broadband service exceeds 100 milliseconds (ms) ¹⁵ .	Speed test by subscriber, showing the excessive latency.	Provider has countervailing speed test evidence showing latency at or below 100 ms, e.g., from their own network management system or the Connect America Fund (CAF) performance measurements. ¹⁶
D	Data cap	The only service plans marketed to consumers impose an	<ul style="list-style-type: none"> • Screenshot of provider webpage. • Service description 	Provider has terms of service showing that it does not impose an unreasonable data cap or offers another

¹³ The challenge portal must gather information on the subscription tier of the household submitting the challenge. Only locations with a subscribed-to service of 100/20 Mbps or above can challenge locations as underserved, while only locations with a service of 25/3 Mbps or above can challenge locations as unserved. Speed challenges that do not change the status of a location do not need to be considered. For example, a challenge that shows that a location only receives 250 Mbps download speed even though the household has subscribed to gigabit service can be disregarded since it will not change the status of the location to unserved or underserved.

¹⁴ As described in the NOFO, a provider's countervailing speed test should show that 80 percent of a provider's download and upload measurements are at or above 80 percent of the required speed. See *Performance Measures Order*, 33 FCC Rcd at 6528, para. 51. See BEAD NOFO at 65, n. 80, Section IV.C.2.a.

¹⁵ *Performance Measures Order*, including provisions for providers in non-contiguous areas (§21).

¹⁶ *Ibid.*

		unreasonable capacity allowance (“data cap”) on the consumer. ¹⁷	provided to consumer.	plan at the location without an unreasonable cap.
T	Technology	The technology indicated for this location is incorrect.	Manufacturer and model number of residential gateway (CPE) that demonstrates the service is delivered via a specific technology.	Provider has countervailing evidence from their network management system showing an appropriate residential gateway that matches the provided service.
E	Enforceable Commitment	The challenger has knowledge that broadband will be deployed at this location by the date established in the deployment obligation.	Enforceable commitment by service provider (e.g., authorization letter). In the case of Tribal Lands, the challenger must submit the requisite legally binding agreement between the relevant Tribal Government and the service provider for the location(s) at issue (see Section 2,a,above).	Documentation that the provider has defaulted on the commitment or is otherwise unable to meet the commitment (e.g., is no longer a going concern).
P	Planned Service	The challenger has knowledge that broadband will be deployed at	<ul style="list-style-type: none"> Construction contracts or similar evidence of ongoing deployment, along with evidence 	Documentation showing that the provider is no longer able to meet the commitment (e.g., is no longer a corporation or that the planned

¹⁷ An unreasonable capacity allowance is defined as a data cap that falls below the monthly capacity allowance of 600 GB listed in the FCC 2023 Urban Rate Survey (FCC Public Notice DA 22-1338, December 16, 2022). Alternative plans without unreasonable data caps cannot be business-oriented plans not commonly sold to residential locations. A successful challenge may not change the status of the location to unserved or underserved if the same provider offers a service plan without an unreasonable capacity allowance or if another provider offers reliable broadband service at that location.

		<p>this location by June 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.</p>	<p>that all necessary permits have been applied for or obtained.</p> <ul style="list-style-type: none"> • Contracts or a similar binding agreement between the Office and the provider committing that planned service will meet the BEAD definition and requirements of reliable and qualifying broadband even if not required by its funding source (i.e., a separate federal grant program), including the expected date deployment will be completed, which must be on or before June 30, 2024. 	<p>deployment does not meet the required technology or performance requirements.</p>
N	Not part of enforceable commitment.	<p>This location is in an area that is subject to an enforceable commitment to less than 100% of locations and the location is not covered by that</p>	<p>Declaration by service provider subject to the enforceable commitment.</p>	<p>No acceptable rebuttal</p>

		commitment. (See BEAD NOFO at 36, n. 52.)		
C	Location is a CAI	The location should be classified as a CAI.	Evidence that the location falls within the definitions of CAIs set by the Office.	Evidence that the location does not fall within the definitions of CAIs set by the Eligible Entity or is no longer in operation.
R	Location is not a CAI	The location is currently labeled as a CAI but is a residence, a non-CAI business, or is no longer in operation.	Evidence that the location does not fall within the definitions of CAIs set by the Office.	Evidence that the location falls within the definitions of CAIs set by the Office or is still operational.

5.4 Area and MDU Challenge

The Office will administer area and multi-dwelling unit (MDU) challenges for challenge types A, S, L, D, and T. An area challenge reverses the burden of proof for availability, speed, latency, data caps and technology if a defined number of challenges for a particular category, across all challengers, have been submitted for a provider. Thus, the provider receiving an area challenge or MDU must demonstrate that it meets the availability, speed, latency, data cap and technology requirement, respectively, for all (served) locations within the area or all units within an MDU. The provider may use any of the permissible rebuttals listed above.

An area challenge is triggered if six or more broadband serviceable locations within a census block group are using a particular technology and a single provider are challenged.

An MDU challenge requires challenges by at least three units or 10 percent of the unit count listed in the Fabric within the same broadband serviceable location, whichever is larger.

Each type of challenge and each technology and provider is considered separately, i.e., an availability challenge (A) does not count towards reaching the area threshold for a speed (S) challenge. If a provider offers multiple technologies, such as DSL and fiber, each is treated separately as they are likely to have different availability and performance.

Area challenges for availability must be rebutted with evidence that service is available for all BSLs within the census block group, e.g., by network diagrams that show fiber or hybrid fiber coaxial (HFC) infrastructure or customer subscribers. For fixed wireless service, the challenge system will offer a representative random sample of the area in contention, but no fewer than 10, where the provider has to demonstrate service availability and speed (e.g., with a mobile test unit).¹⁸

5.5 Transparency Plan

To ensure that the challenge process is transparent and open to public and stakeholder scrutiny, the Office will, upon approval from NTIA, publicly post an overview of challenge process phases, challenge timelines, and instructions on how to submit and rebut a challenge. This documentation will be posted publicly for at least a week prior to the opening of the challenge submission window. The Office also plans to actively inform all units of local government of its challenge process and maintain regular touchpoints to address any comments, questions, or concerns from local governments, nonprofit organizations, and Internet service providers. The Office will issue a press release containing basic challenge process information including a link to the Office of Broadband website for additional information and the challenge portal. Additionally, the Office will notify all applicants of previous broadband solicitations, the Florida Regional Councils Association and the Florida Association of Counties.

Relevant stakeholders can sign up for challenge process updates and newsletters on the Office website floridajobs.org/broadband and engage with the Office via email at Broadband@Commerce.fl.gov. The challenge program will be designed to automatically notify the Office and providers upon submission of a challenge.

Beyond actively engaging relevant stakeholders, the Office will post challenges and rebuttals before final challenge determinations are made, including:

- The provider, nonprofit, or unit of local government that submitted the challenge,
- the census block group containing the challenged broadband serviceable location,
- the provider being challenged,
- the type of challenge (e.g., availability or speed), and
- a summary of the challenge, including whether a provider submitted a rebuttal.

The Office will not publicly post any personally identifiable information (PII) or proprietary information, including subscriber names, street addresses and customer IP addresses. To ensure all PII is protected, the Office will review the basis and summary of all challenges and rebuttals to ensure PII is removed prior to publishing. Additionally,

¹⁸ A mobile test unit is a testing apparatus that can be easily moved, which simulates the equipment and installation (antenna, antenna mast, subscriber equipment, etc.) that would be used in a typical deployment of fixed wireless access service by the provider.

all challengers will receive guidance on which information submitted may be posted publicly.

The Office will treat information submitted by an existing broadband service provider designated as proprietary and confidential, consistent with applicable federal law. If any of these responses do contain information or data that the submitter deems to be confidential commercial information that should be exempt from disclosure under state open records laws, or is protected under applicable state privacy laws, that information should be identified as privileged or confidential. Otherwise, the responses will be made publicly available.

6. Volume I Public Comment

The public comment period for Volume I was open for 30 days and closed on December 15, 2023. Floridians were encouraged to comment on any section of this volume of Florida's BEAD Initial Proposal. Public comments could be sent to Broadband@Commerce.fl.gov, or by postal mail to:

FloridaCommerce
Office of Broadband
The Caldwell Building
107 East Madison Street, MSC-400
Tallahassee, Florida 32399

In addition, the Florida Office of Broadband conducted an Initial Proposal Webinar on December 7, 2023, to increase awareness of the Initial Proposal and to solicit public comment. The presentation slides from this webinar as well as a recording of the webinar were made available on the [Office of Broadband's website](#) following the webinar.

VOLUME II

2.1 Objectives (Requirement 1)

2.1.1 Text Box: 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.

Source; NTIA Initial Proposal Template

Reliable broadband Internet access is necessary for job seekers and job creators in a modern community – and in a connected economy. The Internet plays a central role in family and community connections, K-12 education, workforce education, job training, upskilling, job seeking, business development, industry and market sector growth, access to health care services, emergency preparedness and response, supporting the needs of Florida’s federally recognized tribes, and – collectively – community resilience.

Along with access to digital devices and the required skills to use those devices, broadband is critical to an individual’s economic mobility and overall quality of life. Individuals who lack broadband access cannot realize these economic and social benefits, and the expansion of broadband represents a tremendous opportunity. This is particularly true for rural, unserved, and underserved communities across Florida, where expanded access will encourage increased business growth, greater educational and employment opportunities, and better access to public and private programs and services.

Bottom line – broadband access has become an input that impacts all Floridians’ outcomes.

To that end, Florida has made significant progress in its broadband expansion efforts, reaching 94% coverage statewide according to December 2022 data from the Federal Communications Commission (FCC) Broadband Data Collection (BDC) system. Part of this success can be attributed to the state’s wide network of carriers and Internet service providers (ISPs), as well as state and federally funded broadband programs that have helped bring much of the state online. Additionally, in 2020 the creation of the Office of Broadband (“the Office”), housed within the Florida Department of Commerce (FloridaCommerce), enabled the state to allocate more funding and resources for broadband expansion. While these milestones represent Florida’s success, there is still work to be done in the remaining six percent of the state. Approximately 406,000 locations in Florida still lack access to high-speed, reliable Internet service.¹⁹ While some of the awards from the Office initiated planned and in progress deployments, that service coverage may not yet be reflected in the FCC’s data. For residents in these areas, the

¹⁹ Based on analysis of December 2022 data from the Federal Communications Commission (FCC) Broadband Data Collection (BDC) system.

repercussions of the digital divide extend far beyond the inability to simply browse the Internet.

The Broadband Equity, Access, and Deployment (BEAD) Program will address some of these challenges and build on the state’s ongoing broadband expansion and digital literacy efforts. To help guide the development and implementation of Florida’s BEAD Program, the Office created a Strategic Framework, which includes three goals and nine objectives in line with the following vision: “To foster a Connected Economy that supports workforce and community development, education opportunities, resiliency, and telemedicine by increasing broadband availability, accessibility, and adoption.”

To achieve its goals and objectives, the Office will partner with multiple state agencies, including the Department of Education, Department of Transportation, Department of Management Services, Agency for Health Care Administration, Department of Health, Department of Children and Families, Agency for Persons with Disabilities, Department of State, Department of Environmental Protection, and others. In addition to public entities, the Office will also engage with external stakeholders including Internet service providers (ISPs), community anchor institutions (CAIs), and Florida’s federally recognized tribes. The following overarching themes are emphasized in Florida’s Digital Adoption and Use Plan to prioritize efforts and emphasize the cohesion of both plans.

Florida BEAD Vision, Goals, and Objectives

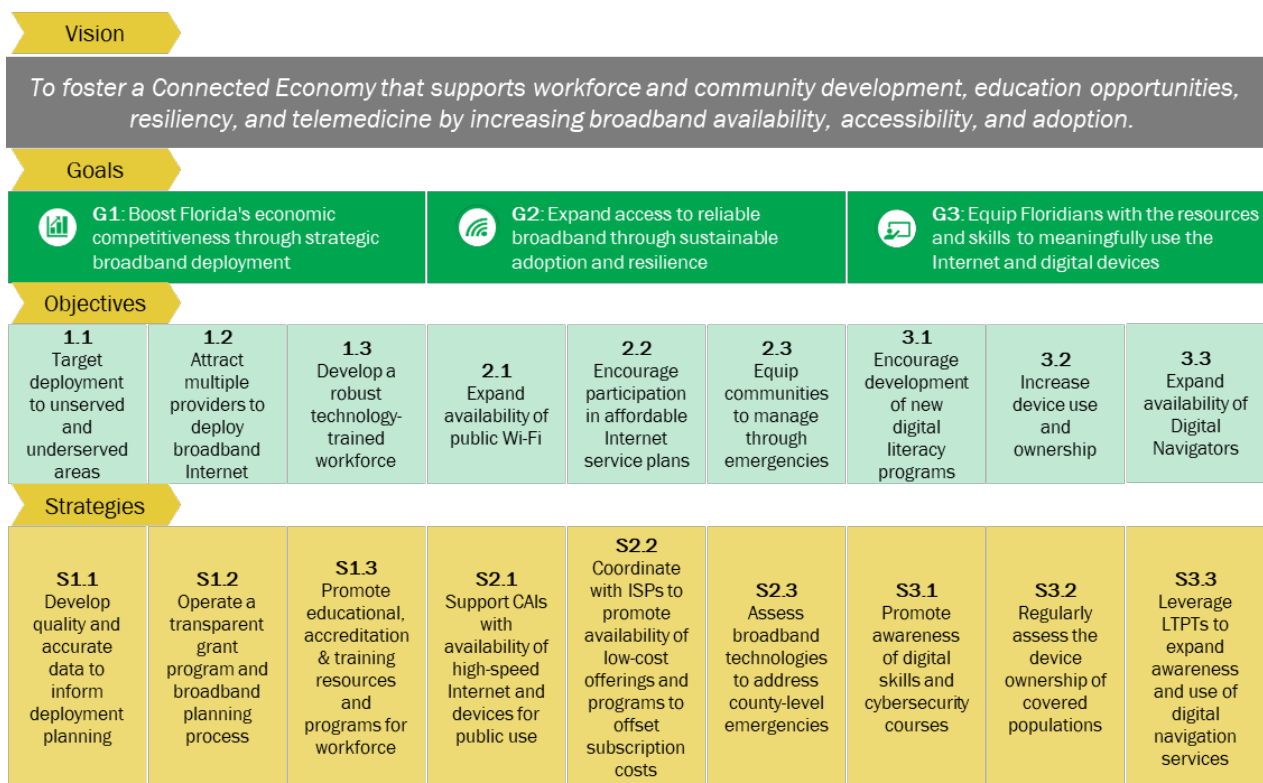


Figure 5: Florida’s BEAD Strategic Framework

Broadband Deployment and Economic Growth



G1: Boost Florida's economic competitiveness through strategic broadband deployment

1.1: Target deployment to unserved and underserved areas

1.2: Attract multiple providers to deploy broadband Internet in rural, unserved, and underserved communities

1.3: Develop a robust technology-trained workforce

Florida's goals and objectives related to broadband deployment and economic growth are inherently intertwined. Key stakeholders and communities from across the state identified low provider presence or unreliable existing service as factors hindering economic development by deterring larger businesses from establishing offices in their regions. Equipping each community with quality, reliable Internet - especially in Florida's rural areas - will encourage business retention and attraction, tourism, and access to education and workforce opportunities in alignment with the state's economic development goals. Additionally, as the state facilitates expansion of broadband Internet to unserved and underserved communities, it will focus on opportunities to develop and train a skilled workforce. These efforts will build and expand upon the work that Florida has already begun to strengthen its talent pipeline and close the supply and demand gaps in the workforce.

Broadband Access and Affordability



G2: Expand access to reliable broadband through sustainable adoption and resilience

2.1: Expand availability of public Wi-Fi

2.2: Encourage participation in affordable Internet service plans

2.3: Equip communities to manage through emergencies

Over the past three years, the Office of Broadband has conducted extensive outreach to key stakeholders and community members. A major theme from these interactions is that broadband access means different things to different communities, depending on their needs. As such, the state of Florida aims to increase access through the following activities:

- Expanding the availability of access both inside and outside the home, with a special focus on covered populations. Covered populations, as defined within Florida’s Digital Adoption and Use Plan, include:
 1. Individuals living in households that have incomes at or below 150% of the Federal Poverty Level;
 2. Incarcerated individuals;
 3. Individuals with disabilities;
 4. Individuals who are members of a racial or ethnic minority group;
 5. Aging individuals;
 6. Veterans;
 7. Individuals with a language barrier;
 8. Individuals who primarily reside in a rural area.
- Spreading awareness of the benefits of broadband Internet to encourage expanded access and sustainable adoption over time.
- Promoting broadband resiliency in the face of natural disasters, public health emergencies, and economic downturns for each and every community.²⁰

Broadband Adoption and Digital Literacy



G3: Equip Floridians with the resources and skills to meaningfully use the Internet and digital devices

<p>3.1: Encourage development of new digital literacy programs</p>	<p>3.2: Increase device use and ownership</p>	<p>3.3: Expand availability of Digital Navigators</p>
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Publicly available data demonstrates that not all Floridians receive reliable, high-speed, broadband Internet. This point has been highlighted through FloridaCommerce’s engagement with communities and conversations with citizens all around the state, especially with respect to Florida’s rural, low-income, and elderly populations. Discussions with community leaders, parents, and working-age individuals from rural and low-income areas revealed that many struggled to keep up with the demands of school and work due to a lack of reliable or affordable broadband subscriptions and devices. Additionally, it became apparent that much of Florida’s senior population lacked the skills necessary to use the Internet and could not access the telehealth services they so vitally needed.²¹

²⁰ The defined term “sustainable adoption” implies that while public financial support may be important in the short term, the end goal is for providers to be able to obtain “adoption and use levels” that allow services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.)

²¹ Florida Office of Broadband 2021 Workshop Summary. https://floridajobs.org/docs/default-source/2015-community-development/ocp/obworkshopsummaryfinal5f1c2da4cbbb61cbb02aff01004f56df.pdf?sfvrsn=a0a14cb0_10

These adoption challenges expressed by both the public and community leaders are also supported by data:

- Nearly a quarter of the state’s population does not use the Internet – this is the second highest rate of non-adoption among all states.²²
- Approximately 40% of Florida’s population does not use a digital device – this is the third highest rate of non-adoption among all states.²³

To tackle these adoption challenges, Florida will place an emphasis on digital literacy by:

- Carrying out activities with community partners to equip more Floridians with the skills to participate meaningfully in a digital world.
- Focusing on the Internet-enabled devices that meet the unique needs of communities.
- Providing one-on-one support from digital navigators²⁴ for ongoing assistance with Internet access, device acquisition, technical skills, and application support.

2.2 Local, Tribal and Regional Broadband Planning Process (Requirement 2)

2.2.1 Text Box: 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.

Source; NTIA Initial Proposal Template

Since its inception, the Office has engaged local and regional entities, including Florida’s federally recognized tribes, on their planning processes and efforts to deploy broadband and close the digital divide. The Office has engaged these entities through online resources and planning toolkits, in-person and virtual meetings, and information-sharing and data-gathering. Engagement efforts included:

- The [Florida Strategic Plan for Broadband](#), which included guidance on the role of local and regional governments in broadband expansion efforts.

²² National Telecommunications and Information Administration, Digital Nation Data Explorer, <https://www.ntia.gov/other-publication/2022/digital-nation-data-explorer#sel=internetUser&disp=map>

²³ National Telecommunications and Information Administration, Digital Nation Data Explorer, <https://www.ntia.gov/other-publication/2022/digital-nation-data-explorer#sel=internetUser&disp=map>.

²⁴ The term “digital navigator” is used to describe “trusted guides who assist community members in Internet adoption and the use of computing devices. Digital navigation services include ongoing assistance with affordable Internet access, device acquisition, technical skills, and application support” (National Digital Inclusion Alliance).

- The [Office of Broadband webpage](#) which serves as a one-stop-shop for news, funding opportunities, and helpful planning toolkits and resources for local, regional, and Tribal stakeholders.
- The FloridaCommerce listserv to communicate more directly with stakeholders on the Office's priorities and activities. All interested parties can join the listserv by simply signing up [here](#).
- [Local Technology Planning Teams \(LTPTs\)](#) which are statutorily created²⁵ county-level teams (67 in total) devoted to technology and broadband planning for communities. They consist of representatives from diverse backgrounds and industries, including libraries; K-12 education; colleges and universities; local health care providers; private businesses; community organizations; economic development organizations; local governments; tourism; parks and recreation; and agriculture.
- [Broadband Toolkits](#) to assist local governments in identifying access gaps in high-speed Internet service.
- An in-person [Broadband Summit](#) that brought together more than 300 broadband industry stakeholders, local government officials, workforce and economic development professionals, and community organizations to share information and discuss the expansion and adoption of broadband across the state and how these services impact Florida's economy.
- A series of [10 virtual workshops](#), hosted in collaboration with the Florida Regional Councils Association, where participants discussed broadband Internet accessibility. Community leaders within each region of Florida attended along with a cross-section of industry representatives.
- Dozens of one-on-one listening sessions that were held with local and regional leaders to inform the Five-Year Action Plan (future listening sessions will be held as opportunities arise).
- Meetings with leadership from the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida.

FloridaCommerce is committed to ensuring the voices of Florida's federally recognized tribes were included as part of the development of the state's Five-Year Action Plan. Through tribal consultation letters, in-person and virtual meetings, and questionnaires, FloridaCommerce was able to learn the perspectives of the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida on broadband needs in their communities. FloridaCommerce will build off these efforts to continue supporting Florida's federally recognized tribes as they expand broadband deployment and digital adoption.

²⁵ Fla. Stat. § 288.9961(4)(b)

2.3 Location Coordination (Requirement 4)

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

Source; NTIA Initial Proposal Template

While FloridaCommerce can help plan, guide, and facilitate the expansion of broadband and digital adoption, an array of Tribal, private, public, and non-profit stakeholders will ultimately implement the solutions to address their regions' service needs and gaps. Thus, coordinating with these stakeholders was and continues to be a critical component in developing and implementing a successful and comprehensive BEAD Program.

The following sections detail the elements of Florida's stakeholder engagement process and plans for ongoing stakeholder coordination throughout the lifecycle of the BEAD Program:

1. **Stakeholder Engagement Principles:** Describes how the stakeholder engagement process aligns with National Telecommunications and Information Administration (NTIA) local coordination evaluation criteria.
2. **Stakeholder Identification:** Describes the process for identifying stakeholders.
3. **Engagement Activities:** Describes specific engagement mechanisms and activities used in plan development.
4. **Scale of Outreach:** Describes the magnitude of stakeholder engagement activities.
5. **Plans for Ongoing Coordination:** Describes plans for ongoing stakeholder engagement.

Stakeholder Engagement Principles

The Office of Broadband referenced and considered the local coordination evaluation criteria included in the BEAD Notice of Funding Opportunity (NOFO) and guidance when developing its stakeholder engagement process. As displayed in [Table 4](#) below, the Office of Broadband implemented key engagement principles identified by the NTIA throughout the engagement process.

Table 4: Stakeholder Engagement Principles

Stakeholder Engagement Principle	Implementation Activities During Plan Development
Provide opportunities for the entire state of Florida to participate in plan development process	<ul style="list-style-type: none"> • Hosted six public in-person workshops across Florida (see Figure 6). • Hosted three public virtual workshops and posted webinar recordings on the Office of Broadband webpage (link). • Provided a contact email address for stakeholders and the public to interact with the Office of Broadband, ask questions and provide feedback. • Hosted the Broadband Summit in Orlando, which drew over 300 participants from across the state.
Meaningfully engage diverse stakeholder groups	<ul style="list-style-type: none"> • Used outreach efforts to target diverse stakeholder groups to encourage participation in plan development activities through questionnaires, interviews, and in-person and virtual workshops. • The Office of Broadband engaged with stakeholder groups it had not previously engaged.
Use multiple awareness and participation mechanisms to share information and outreach to stakeholder groups and Floridians	<ul style="list-style-type: none"> • The Office of Broadband deployed several mechanisms to support public awareness of engagement opportunities as detailed in this section. • Public, in-person and virtual workshop information was shared on the Office of Broadband’s webpage during the plan development process in June and July 2023. • Information was also shared through direct communications to FloridaCommerce’s stakeholder listserv.
Establish, document, and follow clear procedures to ensure transparent plan development process	<ul style="list-style-type: none"> • As further detailed in Sections 4.1.3 and 5.1.3 of Florida’s Digital Adoption and Use and Five-Year Action Plans, respectively, the Office of Broadband: <ul style="list-style-type: none"> ○ Shared virtual workshop recordings and presentations on Office of Broadband webpage. ○ Continues to maintain an email inbox for stakeholders and Floridians to ask questions or provide feedback about plan development. ○ Provided Spanish interpretation services at all in-person workshops. ○ Provided American Sign Language (ASL) interpretation services at all in-person and virtual workshops. • Provided an updated map on Office of Broadband webpage that shows what areas have received funds under current or past grant programs to inform BEAD process.
Engage and conduct outreach to unserved and underserved communities	<ul style="list-style-type: none"> • Identified and engaged with stakeholders that had not previously engaged with in the plan development process.

Stakeholder Identification

The Office specifically targeted the following types of stakeholder groups and entities to engage in the development process based on NTIA guidance:

- **Government entities:** State agencies and local governments
- **Community anchor institutions:** meaning “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 low-income individuals, unemployed individuals, and aged individuals.” (See Volume I)
- **Local Technology Planning Teams²⁶:** Statutorily created county-level teams devoted to technology and broadband planning for communities.
- **Organizations supporting covered populations:** Non-profits, community organizations, etc. that specifically target to serve one or more covered populations.
- **Workforce and economic development organizations:** Chambers of Commerce, Local Workforce Development Boards, the Florida Department of Education, and CareerSource Florida
- **Private industry:** Internet service providers and industry associations (e.g., Florida Internet and Television, Wireless Internet Association).
- **Florida’s Federally Recognized Tribes:** The Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida

The Office identified these types of specific stakeholder groups and entities through the following methods:

- **Previous engagement/contact:** Stakeholder groups that previously engaged with the Office through activities such as developing its Strategic Plan or contacted the Office about Florida’s BEAD plan development.
- **Desk research:** Internet searches and research.
- **Existing structures:** Local Technology Planning Teams, inter-agency collaborations.
- **Recommendations/word of mouth:** Referrals from organizations or community members about other organizations or entities to engage in the planning process.

²⁶ Under Section 288.9961(4)(b) of Florida Statutes, the Office of Broadband was mandated to build and facilitate local technology planning teams representing cross-sections of the community, which may include, but are not limited to: Libraries; K-12 education; colleges and universities; local health care providers; private businesses; community organizations; economic development organizations; local governments; tourism; parks and recreation; and agriculture.

Engagement Activities

The Office used multi-faceted stakeholder engagement tactics to conduct outreach and solicit feedback. Engagement mechanisms include the following activities that are detailed in this section:

1. Local Technology Planning Teams
2. Office of Broadband Webpage
3. In-Person Community Engagement Public Workshops
4. Virtual Community Engagement Public Workshops
5. Community and Broadband Events
6. Questionnaires
7. Interviews
8. Tribal Engagement
9. ConnectedFlorida map

1. Local Technology Planning Teams (LTPTs)

LTPTs serve as the bridge between communities and the Office. As established under section 288.9961(4)(b), Florida Statutes, LTPTs are county-level teams that “work with rural communities to help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet services in the community.” The Office used the LTPT structure to disseminate information about plan development progress, public engagement opportunities to inform the plan, and to solicit local plans.

LTPTs can include representatives from libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture.

2. Office of Broadband Webpage

The Office used its webpage ([link](#)) to invite all interested stakeholders and Floridians to participate in six in-person and three virtual workshops. The webpage also includes the recordings and presentations from each of the three virtual workshops.

The Office webpage also shares a general contact email address for the Office of Broadband that is regularly monitored to field stakeholder and community questions and feedback. Interested visitors can also subscribe to receive updates on the Office of

Broadband’s activities and initiatives, including many of the engagements outlined in this plan.²⁷

3. In-Person Community Engagement Public Workshops

The Office hosted six in-person workshops across Florida that were open to the public, as detailed in Figure 6.

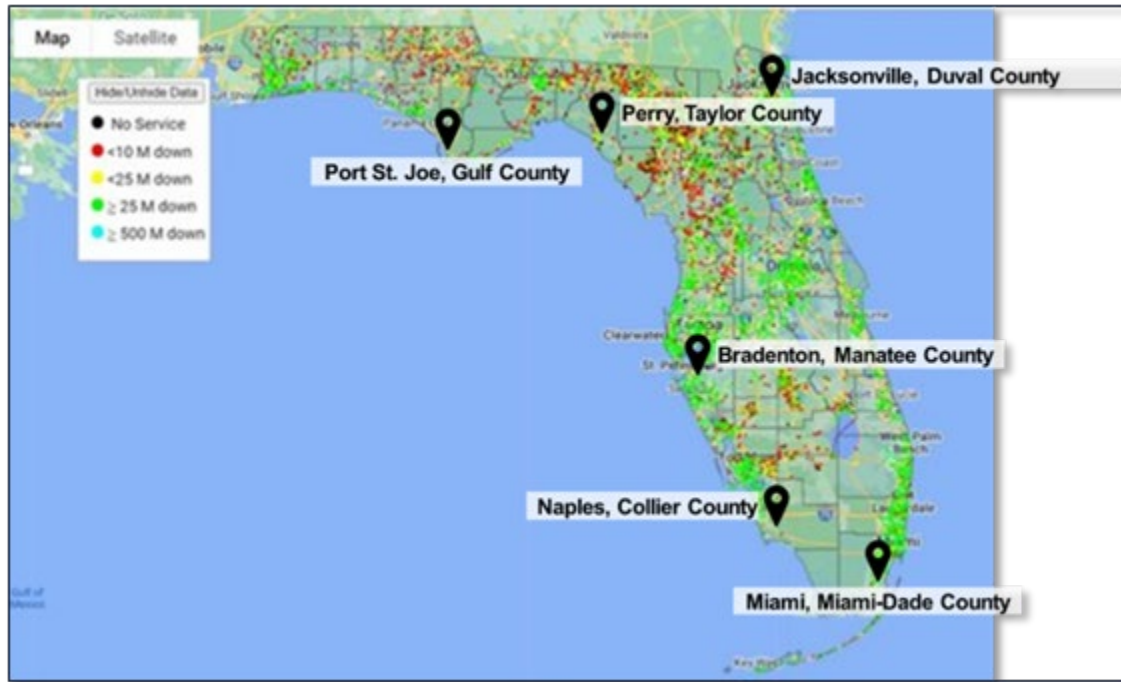


Figure 6: In-Person Community Engagement Public Workshop Locations

Workshops were scheduled for 90 minutes and focused on hearing directly from Floridians about barriers to Internet access and digital adoption and use. A sample workshop agenda is shown in Figure 7.

Topic #	Activity
1	Welcome and Introduction
2	Broadband 101
3	Overview of Federal Broadband Programs
4	Group Discussion
5	Interactive Activity
6	Q&A / Public Comment

Figure 7: Sample In-Person Broadband Public Workshop Agenda

Workshops began with introductory remarks from FloridaCommerce and Office of Broadband leaders. Workshop facilitators then gave an overview of broadband and its current state in Florida

²⁷ FloridaCommerce Office of Broadband, Sign-up to receive updates from DEO’s Office of Broadband, <https://cloud.communications.deo.myflorida.com/Broadband>

to support shared understanding of broadband concepts. Facilitators shared information about the BEAD and Digital Adoption and Use plans including timelines, eligible uses of funding, and program priorities. Facilitators then held a group discussion and activity with participants about what community members use the Internet for, barriers to accessing the Internet, and solutions to identified barriers. The Office then heard public comments and answered questions from workshop participants.

American Sign Language (ASL) and Spanish interpretation services were offered at each workshop. Additionally, the FLORIDA Channel, a public affairs programming service funded by The Florida Legislature and produced and operated by WFSU-TV, broadcast three workshops on PBS multicast channels, cable systems, as well as public, education and government access channels across the state. The FLORIDA Channel also recorded and publicly posted the recordings of the three workshops it broadcast on its webpage.

4. Virtual Community Engagement Public Workshops

The Office hosted three virtual workshops that were open to the public. Like the in-person workshops, the virtual workshops were scheduled for 90 minutes and focused on hearing directly from Floridians about barriers to Internet access and digital adoption and use. A sample workshop agenda is available in [Figure 8](#).

Topic #	Activity
1	Welcome and Introduction
2	Broadband 101
3	Overview of Federal Broadband Programs
4	Interactive Activity
5	Q&A / Wrap Up

Figure 8: Sample Virtual Broadband Workshop Agenda

ASL interpretation services were offered at each workshop. Additionally, the FLORIDA Channel broadcast the virtual workshops on PBS multicast channels, cable systems, and public, education and government access channels across the state. The FLORIDA Channel also recorded and publicly posted the recordings of the three workshops it broadcast on its [webpage](#).

5. Community and Broadband Events

In addition to participation in public events across the state, the Office also hosted the Florida Broadband Summit from September 21-22 in Orlando to bring together industry leaders, local government officials, workforce and economic development professionals, and community advocates to discuss the expansion of broadband Internet and its impact on infrastructure, business, and job growth in Florida. Because of the multi-faceted nature of broadband deployment efforts and the vast numbers of stakeholders involved in the efforts, the Office knows that multiple opportunities for public input and updates is a key step to delivering broadband coverage to the state.

6. Questionnaires

The Office developed questionnaires for stakeholder groups and Internet service providers to provide another feedback avenue.

The stakeholder questionnaire was distributed to 232 stakeholder groups and 29 responses were received. The questionnaire focused on gathering information about the covered populations (if any) the organization serves, feedback on Florida’s “community anchor institutions” definition, community programs to support Internet access, and feedback on how the Office of Broadband can improve access to the Internet, Internet capable devices, and digital skills in Florida.

The ISP questionnaire was sent to 30 Internet service providers and four responses were received. The questionnaire focused on gathering information about workforce needs, challenges to expanding broadband infrastructure, the ISP’s current income-restricted or low-cost offerings, and feedback on how the Office of Broadband can improve access to the Internet, Internet capable devices, and digital skills in Florida.

7. Interviews

Using NTIA guidance and interview guide examples, the Office conducted individual interviews with 32 organizations. Interview questions were tailored to the stakeholder group’s unique focus and impact on broadband deployment and digital adoption and use. Interviews focused on identifying barriers the organization or its members face related to broadband and digital adoption and use, solutions, and feedback on plan development.

8. Tribal Engagement

To include the voices of Florida’s federally recognized tribes in the plan development process, FloridaCommerce engaged the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida. Through tribal consultation letters, in-person and virtual meetings, and questionnaires, FloridaCommerce was able to learn the perspectives of Florida’s federally recognized tribes on the broadband needs of their communities. FloridaCommerce is committed to continued engagement with Florida’s federally recognized tribes, over the course of the BEAD development process, on strategies to expand broadband deployment and digital adoption for tribal populations.

9. ConnectedFlorida map

The Office published the ConnectedFlorida map in June 2023.²⁸ This map was the culmination of significant efforts to visually demonstrate broadband project areas across the state of Florida. There are several layers of data including the Broadband Opportunity Program, the Capital Projects Fund – Broadband Infrastructure, Connect America, and others. The Office continues to value transparency, and the ConnectedFlorida map provides residents and businesses a tool to see planned and in progress work to improve connectivity across the state.

²⁸ FloridaCommerce, ConnectedFlorida Map, Accessed November 6, 2023, at <https://experience.arcgis.com/experience/54d3be208bae4eacad7303b50347de78>.

Scale of Outreach

Table 5 displays the number of stakeholders invited to engage in the plan development process, categorized by entity type and engagement type. The “Total” column details the number of unique entities by type who were invited to participate in plan development in at least one of four engagement mechanisms. The “Engagement Mechanism” columns show the number of entities within that total who were invited to participate in each engagement. These summary numbers are subsets of the entity totals and demonstrate the extent of the Office’s outreach to various parties.

Table 5: Number of Engagement Stakeholder Entities by Type and Engagement Mechanism

Entity Type	Total	Engagement Mechanism			
		Invited to Interview	Invited to Public Workshop (In-Person)	Invited to Public Workshop (Virtual)	Invited to Complete Questionnaire
Private industry	78	24	46	48	50
Community anchor institutions	144	13	79	23	76
Government entities	133	32	122	42	36
Local Technology Planning Teams	63	63	63	63	63
Organizations supporting covered populations	72	27	56	21	29
Workforce and economic development organizations	25	6	16	7	6
Seminole Tribe of Florida	1	1	1	1	1
Miccosukee Tribe of Indians of Florida	1	1	1	1	1
Grand Total	517	167	384	206	262

Plans for Ongoing Coordination

Transparency and stakeholder engagement are key tenets by which the Office operates. During each phase of these broadband and digital adoption and use efforts, the Office will remain transparent and engage stakeholders to align program priorities to Florida's needs. Each new planning and implementation phase will be informed by more accurate mapping, local assistance to identify assets and address barriers, interdepartmental coordination, and workforce planning.

The Office will continue to use a variety of engagement activities and mechanisms to share information and updates about plan development and implementation, including but not limited to the Office of Broadband webpage, FloridaCommerce listserv, ongoing LTPT meetings, and community and broadband events.

Additionally, digital literacy program funding will be implemented in parallel with – and immediately following – broadband infrastructure deployment. Full details on these initiatives and plans will be available in Florida's Digital Adoption and Use Plan.

2.3.1.1 Attachment: 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.

The list of stakeholders engaged, and specific stakeholder engagement activities conducted are included in [Appendix I](#). Additional stakeholder details are available on our [Local Coordination Tracker](#).

2.3.2 Text Box: 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."

Source; NTIA Initial Proposal Template

Input from Florida's federally recognized tribes were included in the development of Florida's BEAD Five-Year Action Plan. The Office engaged Florida's federally recognized tribes, the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida, and successfully captured their tribal perspectives on broadband needs in their communities, through formal tribal consultation letters, in-person and virtual meetings, and questionnaires. The Office is committed to continued engagement with Florida's federally recognized tribes, over the course of the BEAD development process on strategies to expand broadband deployment and digital adoption for tribal populations.

2.3.2.1 Optional Attachment: 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.

Source; NTIA Initial Proposal Template

FloridaCommerce has developed template letters that may be used to support the ongoing consultation process with Florida's federally recognized tribes. Please see [Appendix I](#).

2.4 Deployment Subgrantee Selection (Requirement 8)

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

Source; NTIA Initial Proposal Template

The Office intends to follow the process outlined below to solicit applications from potential subgrantees for BEAD funding.

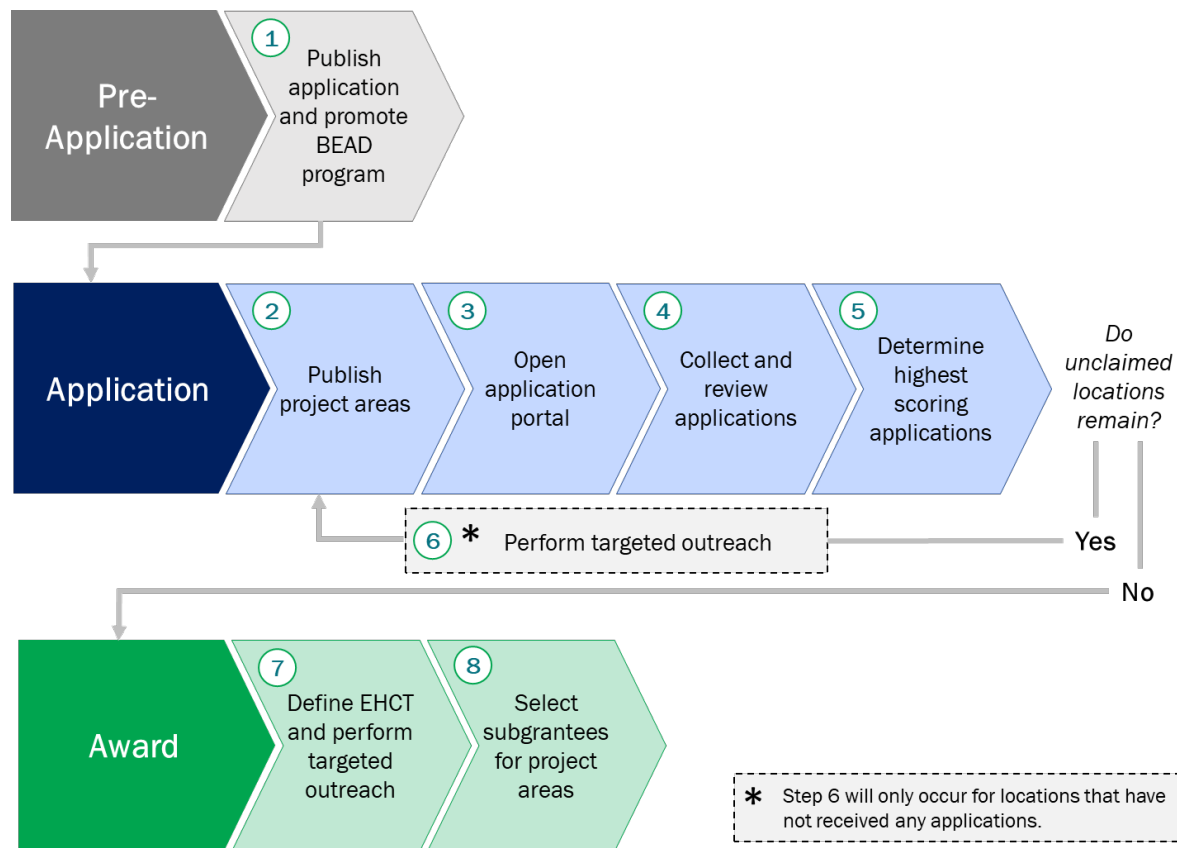


Figure 9: Deployment Subgrantee Selection Process

Subgrantee Selection Process

1. Publish application and promote BEAD Program

The Office of Broadband plans to publish the BEAD Program application on the program portal and promote the BEAD Program to various prospective subgrantees through the following means:

- Publish information on the FloridaCommerce Office of Broadband website.
- Promote opportunities through various means (i.e., press releases, website, and LTPT meetings) to reach a broad range of prospective subgrantees.
- Publish a BEAD Program Guidelines document similar to that currently available for the Broadband Opportunity and Capital Projects Fund Programs.
- Host a webinar to review the application and answer questions from prospective subgrantees.

- Post a program Frequently Asked Questions document to the Office website.

2. Publish project areas

The Office of Broadband intends to define project areas eligible for bids in advance, giving providers the ability to select the specific project areas for which they will apply. In the case that a single provider submits applications for more than one project area, a unique application will be required for each area, though much of the general background content from one application can be used across multiple applications.

The Office will publish the areas on the designated portal where all BEAD Program activity will take place. For full detail on the project area definitions, see Section 2.4.6.

3. Open application portal

The BEAD portal will be opened through the duration of a designed application period to receive applications for the project areas. Inquiries from prospective subgrantees can be made to the FloridaCommerce email address or by contacting the Office by mail or phone.

4. Collect and review applications

A few specific activities will take place during this part of the process:

- Basic quality assurance checks will be completed on incoming applications. While it is the responsibility of prospective subgrantees to ensure the completeness of their applications, the Office benefits from initial checks to applications and will proactively communicate missing or incomplete sections of the application to the applicant to remedy them.
- Coordination between review teams will begin. The Office has extensive experience reviewing applications for deployment activities from the Broadband Opportunity and Capital Projects Fund Program application cycles. Coordinating review teams to speed up the transition from application receipt to application review can begin during this time.

5. Determine highest scoring applications

Using the scoring criteria (*Table 6* and 4), the Office will determine the highest scoring applications for the outlined project areas. These criteria provide a fair basis for comparison across applications. They also act as a safeguard against arbitrary decisions or any bias entering the selection process.

Once the scoring of applications for project areas is complete, preliminary notice of intent will be formed by the Office for possible awardees. A more complete understanding of unclaimed locations will be achieved as the subgrantee process continues for outstanding project areas.

The Office will repeat steps two through five, updating the list of remaining project areas with unserved and underserved locations until all locations are covered.

6. Perform targeted outreach (as needed)

This step will occur if there are outstanding project areas that have yet to receive any applications. The Office reserves the right to reach out to providers and/or potential awardees of adjacent areas and discuss the expansion of existing coverage to areas that remain uncovered.

Because the project areas bundle more desirable unserved and underserved locations with less attractive ones, the Office intends to use this method of outreach to encourage coverage for the final unserved and underserved parts of the state.

7. Identify Extremely High-Cost Threshold (EHCT) and perform final targeted outreach

With all available applications received and a sense of how all unserved and underserved locations might be covered, the Office can identify the EHCT. Detail on the methodology and the potential uses of the EHCT are outlined in Sections 2.4.9 and 2.4.10. By determining the EHCT, the Office can proceed with confidence that it is expanding broadband deployment through the best and most appropriate technologies available that maximize the use of the BEAD funding across Florida.

8. Select subgrantees for project areas

The Office will select and finalize all awardees in a timely manner as decisions are made for project areas. This includes making final award determinations and formally notifying subgrantee awardees as to the result and terms of their submissions. The Office intends for all unserved and underserved locations across Florida to be claimed at this point in the subgrantee selection process, aligning with the BEAD NOFO requirements.

Subgrantee Accountability Procedures

The Office plans to use several accountability measures to establish oversight and create a monitoring presence over subgrantee performance. The transparent and proper use of taxpayer funds remains a key aim of the Office as it has been throughout the lifetime of the Broadband Opportunity and Capital Projects Fund Programs. The Office intends to use the accountability procedures outlined below in the implementation of the BEAD Program.

Disbursement of Funding

Once an award has been made and a project commences, the Office intends to disburse funding to subgrantees only upon completion of the associated milestones. The Office 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 the Office authorizes additional disbursements. The Office will monitor grantees to determine compliance with the financial requirements of 2 C.F.R. Part 200, including 2 C.F.R. Parts 200.300-309 and 2 C.F.R. Parts 200.328-330. Typically, ledgers, invoices, canceled checks, bank statements, and requisitions are reviewed to see whether the subrecipient has an adequate system of financial management. Office of Broadband staff may also make specific requests to review information or documentation relating to the financial management of a grant. The Office will monitor and update as new guidance is published. This includes updated guidance about Letter of Credit requirements, which will be conditionally waived.²⁹

Importantly, Florida House Bill 1209 (Chapter 2023-202 Laws of Florida) requires Florida's state agencies – including FloridaCommerce – to include language in their agreements that provides for the payment of specified invoices to certain counties or municipalities for certain verified and eligible performance. As of July 1, 2023, a rural community or rural area of opportunity, as those terms are defined in section 288.0656(2), Florida Statutes, may receive payment for costs under its grant agreement with FloridaCommerce for “verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement.” As such, county or municipal grantees that meet certain grant requirements may receive direct payment

²⁹ BEAD Letter of Credit Waiver, BroadbandUSA. Accessed on November 6, 2023 at <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>

for performance under its grant agreement with FloridaCommerce without being required to spend its own funds first.

Monitoring and Reporting

Pursuant to 2 C.F.R. Part 200.332, FloridaCommerce is required to monitor its subrecipients to promote program compliance. The Office will monitor each project throughout its lifecycle. Monitoring may be conducted when approximately 15 percent of the awarded funds have been disbursed to review that the recipient has systems in place to properly comply with program requirements such as administrative, civil rights, financial management, and auditing requirements. Monitoring may also take place once construction is nearing completion to review that the subrecipient has continued to comply with the program requirements, as well as to check that requirements related to construction have been followed. Recipients will be required to submit quarterly status reports that detail progress made on the project and what steps will be taken in the next quarter.

Audits

Pursuant to 2 C.F.R. Part 200 Subpart F, recipients expending \$750,000 or more from all federal sources within a fiscal year are required to have a Single Audit conducted for that fiscal year. As such, the Office plans to conduct audits as prescribed to offer an additional layer of oversight during the BEAD Program performance period. This practice is consistent with procedures from the Broadband Opportunity Program.³⁰ As new guidance on subgrantee accountability procedures is published, the Office will explore adjusting program requirements accordingly.

Conflicts of Interest

Pursuant to section 112.311, Florida Statutes, the following people, or their immediate family members shall not have any direct or indirect financial interest in any contract, subcontract, or the proceeds thereof for work to be performed in connection with the grant during their tenure or for one year thereafter.

- Employees or agents of the recipient who exercise any function or responsibility for the BEAD Program.
- Officials of the recipient, including members of the governing body.

These guidelines are in line with the procedures from the Broadband Opportunity Program.³¹ The Office requires all subrecipients to provide a Conflict-of-Interest Policy prior to agreement execution.

Financial Management

The FloridaCommerce Office of Broadband will monitor subrecipients to determine compliance with the financial requirements of 2 C.F.R. Part 200, including 2 C.F.R. Parts 200.300-309 and 2 C.F.R. Parts 200.328-330, and other regulations applicable to the BEAD Program, including section 218.33, Florida Statutes. Typically, ledgers, invoices, canceled checks, bank statements, and requisitions are reviewed to see whether the subrecipient has an adequate system of financial

³⁰ FloridaCommerce Office of Broadband, BOGP Program Guidelines, Accessed on October 23, 2023 at: https://www.floridajobs.org/docs/default-source/ra-appeals-commission/program-guidelines.pdf?sfvrsn=6e5b54b0_2

³¹ Ibid.

management. FloridaCommerce staff may also make specific requests to review information or documentation relating to the financial management of a grant.

These financial management provisions are in line with the guidelines from the Broadband Opportunity Program and Capital Projects Fund.^{32,33} Further, letter of credit and additional BEAD requirements that build upon this standard will be incorporated and updated as new guidance emerges from the NTIA.

Clawback Provisions

The Office will include provisions allowing for the recoupment of previously disbursed funds in agreements between FloridaCommerce and the subgrantee. Where subgrantees used BEAD funds for activities or procurements outside the scope of the agreement with the state, the Office will pursue reclaiming those funds.

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

Source; NTIA Initial Proposal Template

The Office plans to assess applications for two general categories of projects. The first are Priority Projects, which provide service via fiber to the end user. The second are Other Last Mile Projects, which will provide service to the end user through other reliable technologies. The section below offers the scoring rubrics to be used for BEAD subgrantee selection. These scoring criteria are in line with the BEAD NOFO requirements for primary, secondary, and other criteria, and they are compliant with the associated weighting parameters for those areas.

2.4.2.1 Attachment: 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.

Source; NTIA Initial Proposal Template

The following is the overview of scoring criteria and weights for Priority and Other Last Mile Projects. Both the scoring categories as well as the criteria components are largely modeled on the Broadband Opportunity and Capital Projects Fund Programs' evaluation criteria.³⁴ The Office has experience evaluating project applications with this scoring criteria, and providers in the state are already familiar with these scoring parameters. These facts together support the timely deployment of broadband infrastructure in Florida.

As described in the BEAD NOFO, both primary and secondary criteria will be utilized to score projects. Primary criteria will account for at least 75% of the total scoring or bidding credits, and includes Leverage – Minimal BEAD Program Outlay, Affordability, and Fair Labor Practices.

³² Ibid.

³³ FloridaCommerce Office of Broadband, Capital Projects Fund – Infrastructure, Accessed on November 6, 2023 at: [https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/capital-projects-fund-guidance-states-territories-and-freely-associated-states-\(1\).pdf?sfvrsn=4a8459b0_2](https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/capital-projects-fund-guidance-states-territories-and-freely-associated-states-(1).pdf?sfvrsn=4a8459b0_2)

³⁴ FloridaCommerce Office of Broadband, Broadband Opportunity Program Scoring and Evaluation Criteria, Accessed on October 23, 2023 at: https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/broadband-opportunity-program-scoring-and-evaluation-criteria.pdf?sfvrsn=25f657b0_4 and FloridaCommerce Office of Broadband, Capital Projects Fund – Infrastructure, Accessed on November 6, 2023 at: [https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/capital-projects-fund-guidance-states-territories-and-freely-associated-states-\(1\).pdf?sfvrsn=4a8459b0_2](https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/capital-projects-fund-guidance-states-territories-and-freely-associated-states-(1).pdf?sfvrsn=4a8459b0_2)

Secondary criteria can account for no more than 25% of total scoring or bidding credits, and includes all other criteria not classified as primary.³⁵

Rubrics for Priority and Other Last Mile Projects are aligned across criteria components and allocation of points. The Office notes that all Priority Projects will receive maximum points for category 9 when utilizing fiber to the home technology. Full detail is outlined below.

³⁵ NTIA, BEAD NOFO Pg. 44 – 45, Accessed on November 21, 2023 at <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>

Priority Broadband Projects

Table 6: Priority Broadband Projects Scoring Rubric

Scoring Criteria	Criteria Components	Maximum Points (480)	100%
1. Leverage – Minimal BEAD Program Outlay	1.1 Leverage of non-BEAD funding 1.2 Verified financial commitment from community members and organizations 1.3 Leverage of existing infrastructure to reduce deployment costs	260	54%
2. Affordability	2.1 Pricing of 1G symmetrical service option 2.2 Entry level tier and/or discounted rates for low income, small business, and community anchor institutions 2.3 Participates in the Affordable Connectivity Program (ACP)	60	13%
3. Fair Labor Practices	3.1 Proven track record of and/or specific plans and commitments for adhering to fair labor standards	40	8%
4. Speed to Deployment	4.1 Detailed, reasonable project schedule 4.2 Detailed engineering design and network map 4.3 Leveraging existing resources and operating assets	30	6%
5. Meeting Prior Federal Commitments	5.1 Rural Digital Opportunity Fund (RDOF) commitment with or without deployment	30	6%
6. Workforce Development and Job Quality	6.1 Economic development & workforce development impacts	20	4%
7. Local and Tribal Coordination	7.1 Evidence of community support 7.2 Support of Local Technology Planning Team or Broadband Committee	20	4%
8. Open Access	8.1 Two or more committed ISPs beyond applicant with signed agreements or contracts	10	2%

Scoring Criteria	Criteria Components	Maximum Points (480)	100%
9. Speed of Network and Other Technical Capabilities	9.1 Network capacity and scalability	10	2%

1. Leverage – Minimal BEAD Program Outlay (260 total points)

250 points	1.1 Leverage of non-BEAD funding												
Points will be awarded according to the following schedule:													
<table border="1"> <thead> <tr> <th>Percent of eligible project costs covered by non-state funds</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>Less than 25%</td> <td>160</td> </tr> <tr> <td>25.1% - 35%</td> <td>175</td> </tr> <tr> <td>35.1% - 45%</td> <td>195</td> </tr> <tr> <td>45.1% - 55%</td> <td>220</td> </tr> <tr> <td>Greater than 55%</td> <td>250</td> </tr> </tbody> </table>		Percent of eligible project costs covered by non-state funds	Points	Less than 25%	160	25.1% - 35%	175	35.1% - 45%	195	45.1% - 55%	220	Greater than 55%	250
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35.1% - 45%	195												
45.1% - 55%	220												
Greater than 55%	250												

5 points	1.2 Verified financial commitment from community members and organizations
Points will be awarded according to the following factors:	
<ul style="list-style-type: none"> • The degree of financial contribution from applicant, community-based members and institutions • In-kind resource commitments from community-based members and institutions • Evidence to support verification of pledge • Evidence to support verification of public-private partnerships 	

5 points	1.3 Leverage of existing infrastructure to reduce deployment costs
Points will be awarded according to the following factors:	
<ul style="list-style-type: none"> • Evidence that existing infrastructure has connection to project area • Demonstration that existing infrastructure can and will be used to reduce deployment costs 	

2. Affordability (60 total points)

30 points	2.1 Price offering for 1Gb symmetrical plan
Maximum points will be awarded to the application with the lowest total monthly price for 1Gb symmetrical service, inclusive of all taxes, fees, and charges. For other applications, 1 point will be deducted for every \$1 above the lowest price offering for that designated project area, to a maximum of a 30-point deduction.	

15 points	2.2 Entry-level service tier and/or discounted rates for low income, small business and community anchor institutions
Points will be awarded according to the following factors:	

- An entry-level service tier(s) that provides the minimum level of broadband service for an affordable rate for new adopters
- Special discounted rates for small businesses and community anchor institutions
- Special programs and partnerships that provide significant discounts to economically disadvantaged customers, including discounted devices or services, such as E-rate
- Offerings that enable the purchase of unbundled Internet at reasonable price points without obligations
- Detailed description of broadband adoption activities planned for the project – e.g., training, technical support, community networks, etc.
- Technology strategies used to enable adoption to general public (e.g., community networks that provide public Wi-Fi, others)

<i>15 points</i>	2.3 Participates in the Affordable Connectivity Program
Maximum points will be awarded to applications with planned offerings that participate in the Affordable Connectivity Program, or the future equivalent affordability program.	

3. Fair Labor Practices (40 total points)

<i>40 points</i>	3.1 Proven track record of adhering to fair labor standards
Maximum points will be awarded for applicants that narratively demonstrate a record of and plans to be in compliance with Federal labor and employment laws. Applicants without a record of labor and employment law compliance are permitted to mitigate this fact by making specific, forward-looking commitments for strong labor and employment standards and protections with respect to BEAD-funded projects.	

4. Speed to Deployment (30 total points)

<i>10 points</i>	4.1 Detailed, reasonable project schedule
Points will be awarded according to the following factors: <ul style="list-style-type: none"> • Degree to which the project schedule is detailed, structured, clear, and consistent with committed deadlines • Detailed narrative on project schedule • Less than two years until full deployment • Identification of key execution risks and mitigation plan 	

<i>10 points</i>	4.2 Detailed engineering design and network map
Points will be awarded according to the following factors: <ul style="list-style-type: none"> • Clear, detailed network route map that is consistent with route miles • Technology specifications that clearly indicate purported speeds and network indicators can be met 	

<i>10 points</i>	4.3 Leveraging existing resources and operating assets
Points will be awarded according to the following factors: <ul style="list-style-type: none"> • Clear identification of network assets being leveraged – e.g., middle-mile, data centers, colocation facilities, towers, etc. 	

- Clear description of non-network resources and assets being contributed (e.g., personnel, premises, offices, etc.)

5. Meeting Prior Federal Commitments (30 total points)

30 points	5.1 Meeting prior federal commitments										
Points will be awarded according to the following factors:											
<ul style="list-style-type: none"> • Applicants whose parent company and/or associated subsidiaries have an award commitment under the Rural Digital Opportunity Program (RDOF), will receive up to 40 points if project deployment under that commitment has begun for committed locations within Florida prior to the opening of a BEAD application cycle, according to the following schedule: 											
<table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>Percent of awards expended on deployment</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>Started 10% - 25% of awards</td> <td>9</td> </tr> <tr> <td>Started 25.1% - 50% of awards</td> <td>16</td> </tr> <tr> <td>Started 50.1% - 75% of awards</td> <td>23</td> </tr> <tr> <td>Started 75.1% - 100% of awards</td> <td>30</td> </tr> </tbody> </table>		Percent of awards expended on deployment	Points	Started 10% - 25% of awards	9	Started 25.1% - 50% of awards	16	Started 50.1% - 75% of awards	23	Started 75.1% - 100% of awards	30
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Started 50.1% - 75% of awards	23										
Started 75.1% - 100% of awards	30										
<ul style="list-style-type: none"> • Applicants whose parent company and/or associated subsidiaries have an award commitment under the Rural Digital Opportunity Program (RDOF) will receive a reduction of 40 points if project deployment under that commitment has not begun for committed locations within Florida prior to the opening of a BEAD application cycle. 											

6. Workforce Development and Job Quality (20 total points)

20 points	6.1 Economic development & workforce development impacts
Points will be awarded according to the following factors across residents, businesses, farmers and agricultural customers, CAIs, and others:	
<ul style="list-style-type: none"> • Residents: ability to telework, engage in remote learning, facilitate telehealth (including the use of telemedicine and electronic health records, new housing starts, etc.) • Businesses: degree of competitiveness, market expansion, workforce development, job creation, attraction of new business establishments, etc. • Farmers and agricultural use customers: farming efficiency and productivity, new applications for precision agriculture, etc. • Community anchor institutions: enhancement to capabilities to execute the institution’s mission in a more effective and efficient manner (across schools, libraries, hospitals, clinics, social service centers, community gathering centers, etc.) • Other: public safety improvements; other complementary infrastructure improvements; etc. • Degree to which project will include local hires and provide opportunities for local hires such as apprenticeship programs, job fairs, and training programs. • Substantive evidence provided demonstrating the impact of broadband within the project area. • Letters of support describing the project’s impact specific to the target customers’ circumstances. 	

- Petitions or listings of a significant number of the available households and businesses expressing a strong desire to subscribe to broadband service provided from the proposed project.

7. Local and Tribal Coordination (20 total points)

10 points	7.1 Evidence of community support
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Degree of “personalized” letters that reflect a broad spectrum of community members. • Degree to which project fits into an existing community strategic plan. • Recent survey or other similar community-focused analyses or study that covers broad spectrum of community with statistically meaningful results regarding level of need, gaps, and project support. • Evidence of community outreach efforts to gauge interest in the project. • Other community feedback that shows compelling need and project support. 	

10 points	7.2 Support of Local Technology Planning Team or Broadband Committee
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Established an active Local Technology Planning Team within the project area or was an active participant or member of a planning team. • Conducted and/or participated in regular team meetings. • Degree to which teams conducted community-level activities and research to determine the community’s broadband needs, utilization, gaps, barriers, and opportunities. • Degree to which the Local Technology Planning Teams completed, and submitted to the Office of Broadband, the results of the activities and reports identified in the Broadband Planning Toolkit. 	

8. Open Access (10 total points)

10 points	8.1 Signed agreements or contracts with other ISPs
<p>Points will be awarded for each signed agreement or contract with other ISPs beyond the applicant as a demonstration of a provider’s commitment the system is open access in deed and name. Two points will be awarded for each signed agreement or contract with a maximum of five points.</p>	

9. Speed of Network and Other Technical Capabilities (10 total points)

10 points	9.1 Network capacity and scalability
<p>Full points will be awarded to projects utilizing fiber to the home technology.</p>	

Other Last Mile Projects (Non-priority projects)

Table 7: Other Last Mile Broadband Projects Scoring Rubric

Scoring Criteria	Criteria Components	Maximum Points (480)	100%
1. Leverage – Minimal BEAD Program Outlay	1.1 Leverage of non-BEAD funding 1.2 Verified financial commitment from community members and organizations 1.3 Leverage of existing infrastructure to reduce deployment costs	260	54%
2. Affordability	2.1 Pricing of 1G symmetrical service option 2.2 Entry level tier and/or discounted rates for low income, small business, and community anchor institutions 2.3 Participates in the Affordable Connectivity Program (ACP)	60	13%
3. Fair Labor Practices	3.1 Proven track record of and/or specific plans and commitments for adhering to fair labor standards	40	8%
4. Speed to Deployment	4.1 Detailed, reasonable project schedule 4.2 Detailed engineering design and network map 4.3 Leveraging existing resources and operating assets	30	6%
5. Meeting Prior Federal Commitments	5.1 Rural Digital Opportunity Fund (RDOF) commitment with or without deployment	30	6%
6. Workforce Development and Job Quality	6.1 Economic Development & Workforce Development Impact	20	4%
7. Local and Tribal Coordination	7.1 Evidence of community support 7.2 Support of Local Technology Planning Team or Broadband Committee	20	4%
8. Open Access	8.1 Two or more committed ISPs beyond applicant with signed agreements or contracts	10	2%
9. Speed of Network and Other Technical Capabilities	9.1 Network capacity and scalability	10	2%

1. Leverage – Minimal BEAD Program Outlay (260 total points)

<i>250 points</i>	1.1 Leverage of non-BEAD funding
Points will be awarded according to the same schedule as Priority Projects previously prevented.	

<i>5 points</i>	1.2 Verified financial commitment from community members and organizations
Points will be awarded according to the following factors: <ul style="list-style-type: none"> • The degree of financial contribution from community-based members and institutions. • In-kind resource commitments from community-based members and institutions. • Evidence to support verification of pledge. • Evidence to support verification of public-private partnerships. 	

<i>5 points</i>	1.3 Leverage of existing infrastructure to reduce deployment costs
Points will be awarded according to the following factors: <ul style="list-style-type: none"> • Evidence that existing infrastructure has connection to project area. • Demonstration that existing infrastructure can and will be used to reduce deployment costs. 	

2. Affordability (60 total points)

<i>30 points</i>	2.1 Price offering for 1Gb symmetrical plan
Maximum points will be awarded to the application with the lowest total monthly price for 1Gb symmetrical service, inclusive of all taxes, fees, and charges. For other applications, 1 point will be deducted for every \$1 above the lowest price offering for that designated project area, to a maximum of a 30-point deduction.	

<i>15 points</i>	2.2 Entry level service tier and/or discounted rates for low income, small business and community anchor institutions
Points will be awarded according to the following factors: <ul style="list-style-type: none"> • An entry-level service tier(s) that provides minimum level of broadband for an affordable rate for new adopters. • Special discounted rates for small businesses and community anchor institutions. • Special programs and partnerships that provide significant discounts to economically disadvantaged customers, including discounted devices or services, such as E-rate. • Offerings that enable purchase of unbundled Internet at reasonable price points without obligations. • Detailed description of broadband adoption activities planned for project – e.g., training, technical support, community networks, etc. • Technology strategies to enable adoption to general public (e.g., community networks that provide public Wi-Fi, others). 	

<i>15 points</i>	2.3 Participates in the Affordable Connectivity Program
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Maximum points will be awarded to applications with planned offerings that participate in the Affordable Connectivity Program, or the future equivalent affordability program.

3. Fair Labor Practices (40 total points)

40 points	3.1 Proven track record of adhering to fair labor standards
<p>Maximum points will be awarded for applicants that narratively demonstrate a record of, and plans to be, in compliance with Federal labor and employment laws. Applicants without a record of labor and employment law compliance are permitted to mitigate this fact by making specific, forward-looking commitments for strong labor and employment standards and protections with respect to BEAD-funded projects.</p>	

4. Speed to Deployment (30 total points)

10 points	4.1 Detailed, reasonable project schedule
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Degree that project schedule is detailed, structured, clear, and consistent with committed deadlines. • Detailed narrative on project schedule. • Less than two years until full deployment. • Identification of key execution risks and mitigation plan. 	

10 points	4.2 Detailed engineering design and network map
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Clear, detailed network route map that is consistent with route miles. • Technology specifications that clearly indicate purported speeds and network indicators can be met. • Vendors' details (particularly for new technologies or new applications of technology). 	

10 points	4.3 Leveraging existing resources and operating assets
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Clear identification of network assets being leveraged – e.g., middle-mile, data centers, colocation facilities, towers, etc. • Clear description of non-network resources and assets being contributed (e.g., personnel, premises, offices, etc.) 	

5. Meeting Prior Federal Commitments (30 total points)

30 points	5.1 Meeting prior federal commitments
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Applicants whose parent company and/or associated subsidiaries have an award commitment under the Rural Digital Opportunity Program (RDOF), will receive up to 40 points if project deployment under that commitment has begun for committed locations within Florida prior to the opening of a BEAD application cycle, according to the following schedule: 	

Percent of awards expended on deployment	Points
Started 10% - 25% of awards	9
Started 25.1% - 50% of awards	16
Started 50.1% - 75% of awards	23
Started 75.1% - 100% of awards	30

- Applicants whose parent company and/or associated subsidiaries have an award commitment under the Rural Digital Opportunity Program (RDOF) will receive a reduction of 40 points if project deployment under that commitment has not begun for committed locations within Florida prior to the opening of a BEAD application cycle.

6. Workforce Development and Job Quality (20 total points)

<i>20 points</i>	6.1 Economic development & workforce development impact
<p>Points will be awarded according to the following factors across residents, businesses, farmers and agricultural customers, CAIs, and Other:</p> <ul style="list-style-type: none"> • Residents: ability to telework, remote learning engagement, ability to facilitate telehealth, including the use of telemedicine and electronic health records, new housing starts, etc. • Businesses: degree of competitiveness, market expansion, workforce development, job creation, attracting new business establishments, etc. • Farmers and agricultural use customers: farming efficiency and productivity, new applications for precision agriculture, etc. • Community anchor institutions: enhancement to capabilities to execute mission in more effective and efficient manner (across schools (including k-12, colleges, and universities), libraries, hospitals, community gathering centers, etc.). • Other: public safety improvements; other complementary infrastructure improvements; etc. • Degree to which project will include local hires and provide opportunities for local hires such as apprenticeship programs, job fairs, and training programs. • Substantive evidence provided demonstrating the impact of broadband within the project area. • Letters of support describing project impact – specific to the target customers’ circumstances. • Petitions or listings of a significant number of the available households and businesses expressing a strong desire to subscribe to broadband service provided from the proposed project. 	

7. Local and Tribal Coordination (20 total points)

<i>10 points</i>	7.1 Evidence of community support
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Degree of “personalized” letters that reflect a broad spectrum of community members. • Degree to which project fits into an existing community strategic plan. • Recent survey or other similar community-focused analyses or study that covers broad spectrum of community with statistically meaningful results regarding level of need, gaps, and project support. • Evidence of community outreach efforts to gauge interest in the project. • Other community feedback that shows compelling need and project support. 	

10 points	7.2 Support of Local Technology Planning Team or Broadband Committee
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Established an active Local Technology Planning Team within the project area or was an active participant or member of a planning team. • Conducted and/or participated in regular team meetings. • Degree to which teams conducted community-level activities and research to determine the community's broadband needs, utilization, gaps, barriers, and opportunities. • Degree to which the Local Technology Planning Teams completed and submitted to the Office of Broadband the results of the activities and reports identified in the Broadband Planning Toolkit. 	

8. Open Access (10 total points)

10 points	8.1 Signed agreements or contracts with other ISPs
<p>Points will be awarded for each signed agreement or contract with other ISPs beyond the applicant as a demonstration of a provider's commitment the system is open access in deed and name. Two points will be awarded for each signed agreement or contract with a maximum of five points.</p>	

9. Speed of Network and Other Technical Capabilities (10 total points)

10 points	9.1 Network capacity and scalability												
<p>Points will be awarded according to the following factors:</p> <ul style="list-style-type: none"> • Useful life and capacity of the technology. • Process and investment for long-term network scalability, operation, and maintenance. • Degree of evidence provided that demonstrates the installed broadband infrastructure is scalable. <p>Points will be awarded according to the following scoring table:</p>													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Network scalable to:</th> <th style="text-align: center;">Points</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">≥ 100mbps / 20 mbps</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">≥ 100mbps / 100mbps</td> <td style="text-align: center;">4</td> </tr> <tr> <td style="text-align: center;">≥ 250mbps / 250mbps</td> <td style="text-align: center;">6</td> </tr> <tr> <td style="text-align: center;">≥ 500mbps / 500mbps</td> <td style="text-align: center;">8</td> </tr> <tr> <td style="text-align: center;">≥ 1gb / 1gb</td> <td style="text-align: center;">10</td> </tr> </tbody> </table>		Network scalable to:	Points	≥ 100mbps / 20 mbps	2	≥ 100mbps / 100mbps	4	≥ 250mbps / 250mbps	6	≥ 500mbps / 500mbps	8	≥ 1gb / 1gb	10
Network scalable to:	Points												
≥ 100mbps / 20 mbps	2												
≥ 100mbps / 100mbps	4												
≥ 250mbps / 250mbps	6												
≥ 500mbps / 500mbps	8												
≥ 1gb / 1gb	10												

2.4.3 Text Box: 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.

The Office of Broadband aims to promote unserved service projects so that there is complete coverage in the state and will do so through a variety of strategies:

1. To help incentivize universal coverage, the Office will define project areas in a bundled fashion, to prevent uncovered, unserved areas by combining areas that may be less popular with areas that may be more desirable.
2. Incentivize existing deployment infrastructure to reduce construction costs and construction timelines.
3. The Office also intends to conduct multiple expedited application rounds, if needed, to gain an understanding of the application landscape before awards are finalized and announced.
4. Finally, the Office will conduct targeted outreach for project areas that have not received any applications. This targeted outreach is built into the subgrantee selection process as shown in Step 7 in the [Subgrantee Selection Process](#). The Office will collaborate with providers to encourage expansion into adjacent areas where needed.

2.4.4 Text Box: 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.”

Source; NTIA Initial Proposal Template

The Office proposes to simultaneously dedicate a portion of BEAD funds for training and workforce initiatives in lieu of deployment, as achieving access goals will only be possible if Florida’s broadband-related workforce is scaled up to meet the needs of building out communities’ access to broadband at acceptable speeds. The Office aims to be a strong catalyst in the development of a sufficient and sustainable supply of a highly skilled broadband workforce. This initiative will address the urgent need for more skilled workers in broadband-related fields. The decision is also based on a core contingency: for there to be reliable and ongoing service to eligible CAIs, there must be a sufficient talent pipeline to supply, operate, and maintain this service.

Workforce development is a large and multi-faceted economic priority for Florida. Providers cannot recruit, hire, and train the massive workforce required without strategic collaboration among the public and private sectors. To achieve 100 percent connectivity in the state, and maintain and operate the four hundred thousand newly connected locations and thousands of miles of newly deployed fiber technology, the Office must proactively and expediently work with its partners, including the Florida College System, technical and career centers, CareerSource Florida, and local workforce development boards, to identify strategies and programming that help promote the sustainable development and growth of a highly skilled workforce. For more information on work that the Office and its partners are planning related to training and workforce, please see Section 2.8 Workforce Readiness.

To support this initiative, on October 3, 2023, FloridaCommerce engaged an extensive group of broadband-related workforce stakeholders to identify needs, challenges, and pathways to a stronger broadband workforce. Those findings are summarized below.

Participants:

- President Madeline Pumariega, Miami Dade College
- Commissioner Manny Diaz, Florida Department of Education
- Adrienne Johnston, CEO & President, CareerSource Florida

- Rick Beasley, Executive Director, CareerSource South Florida
- Richard Zinno, VP of Strategic Development, MasTec
- Jesus Lebana, SVP of Corporate Operations, MasTec
- Rodrick Miller, Beacon Council
- Fermin Vazquez, North Campus President, Miami Dade College
- Jorge Gonzalez, Director, Business Innovation & Technology Center, Miami Dade College
- Meredith Ivey, Deputy Secretary of Community Development, FloridaCommerce
- TJ Villamil, Deputy Secretary of Economic Development, FloridaCommerce
- Sean Lewis, Chief, Office of Broadband

Purpose & Goal of Roundtable:

Building out a highly skilled broadband workforce is critical to achieving Florida’s goal of 100 percent broadband connectivity within the next five years. To achieve this, we need to identify and document the skills, certificates, credentials, and pathways necessary to support the expansion of broadband-related professions as the state prepares to make significant investments in broadband infrastructure and connectivity. Additionally, an available and skilled workforce is an important part of the “capital stack” in Florida economic development. For most companies looking to being or expand operations, the number one factor affecting their ability is access to workforce talent and workforce training.

By working in cooperation, public, private, education, and local workforce partners can design and implement programs to train new workers and aid existing workers in transitioning to broadband-related occupations, including registered apprenticeships and vocational training. By creating interest and clearly identifying career pathways, Florida has an opportunity to build a pipeline of broadband workforce talent just as we are doing with other sectors including nursing, manufacturing, and electrical. Many broadband-related jobs do not require a four-year degree but may require certifications and licensing. This is an enticing market with potential for a very lucrative career and opportunities for advancement, not only for students, but also older unemployed and underemployed Floridians who don’t just want a job, but a career path. Broadband related occupations include technicians, installers, lineman, operators, laborers, and IT, cybersecurity, and telecommunications specialists.

BEAD Program: Strategies to Develop a Skilled Broadband Workforce that both Supports Greater Access to Broadband and Elevates Skilled Career Opportunities for Floridians

In the BEAD Program plan, Florida must describe its’ strategy to develop a skilled, diverse broadband workforce by:

- Ensuring that award recipients support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;
- Develop and promote sector-based partnerships among employers, education and training providers, workforce partners, and community-based organizations that provide relevant training and wrap-around services to support workers’ ability to access and complete training;
- Create on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector, and continually engage with community-based organizations throughout the planning and implementation process; and
- Ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a broad-based pool of workers.

Roundtable Discussion Takeaways:

Broadband Workforce Data – What We Know

- There will be 3,600 new broadband construction jobs per one billion of construction spending. To put this into perspective, Florida can access \$1.16 Billion in total for BEAD funding over the next five years. While this will result in significant investments across our state, we need to be forward thinking about workforce needs and leverage these funds in a way that yield results far after the funding runs out.
- The current Standard Occupational Codes (SOC) used by the Bureau of Labor Statics (BLS) and North American Industry Classification System (NAICS) industry codes do not include broadband specific codes, making it difficult to estimate the size of Florida's current broadband workforce.
 - There are currently nine (9) occupations that currently used to identify workers in this space, but they are not broadband specific:
 1. Telecommunications Equipment Installers and Repairers, Except Line Installers
 2. Telecommunications Line Installers and Repairers
 3. Sales Representatives of Services, Except Advertising, Insurance, Financial Services, and Travel
 4. Customer Service Representatives
 5. Construction Laborers
 6. Electrical Power-Line Installers and Repairers
 7. Project Management Specialists and Business Operations Specialists, All Other
 8. First-Line Supervisors of Mechanics, Installers, and Repairers
 9. Electronics Engineers, Except Computer
- Broadband infrastructure jobs will require new skills such as fiber cable splicing that do not yet have a Standard Occupational Code (SOC), as well as more traditional utility and construction skills. This lack of job and industry codes also makes it difficult to determine if individuals are leaving the workforce for other states, retiring, or moving on to other careers.
- Although Florida is number one in the nation for net migration, it is very unlikely that in-migration will oversupply a particular profession or cluster of professions. Strategic partnerships and investments will be key to ramping up broadband skills within Florida's workforce over the next five years.
- Among the most populous states, Florida continues to enjoy a historically low unemployment rate and continues to far better than the nation with its labor force. However, we need to be intentional with our workforce strategy:
 - We have about 469,000 job listings and 300,000 people who are unemployed and looking for a job, and so, there is high competition for those who are seeking a job, and herein lies an opportunity.
 - Broadband-related industries are going to have to market to a mix of:
 1. Employed Floridians in need of hard skills;
 2. Unemployed and job-seeking Floridians who likely need hard skills; and
 3. Floridians who are not actively in the workforce (including students) but could be enticed if a clear pathway was presented to them.

Identifying Industry Needs & Challenges

- There is not just a shortage of workers, but major challenges associated with finding workers and funneling workers. Installing fiber, fiber splicers, and lineman - those are the jobs we need to deliver to our main customers today.
- Recruiting continues to be by word of mouth; very few come from colleges or workforce partners. However, traditional strategies to recruit and develop employees for career development (word of mouth, paying your dues, etc.) are no longer sufficient to meet industry demand.
- Companies like MasTec are taking matters into their own hands but these efforts alone will not keep up with the needs of the industry as a whole:
 - *Entry Level:* MasTec has set up national training academies to help bridge the gap on workforce needs for entry level workers; there are not any pre-existing educational or degree requirements for entry level workers.
 - *Management/Supervisors/Foreman:* Companies like MasTec will not be profitable unless they have capable foreman, supervisors, and upper and middle management in place. These positions cannot be recruited as pure entry level and are much more challenge to replicate without having spent time in the industry previously.
- We need a dedicated strategy for management positions, if we can identify individuals in the workforce who have transferrable skills, we may be more easily get them ready to manage crews as opposed to the traditional “pay your dues” model.
 - *Bottom Line:* Managing crews is vital for profitability; training comes at a great cost to the business but is necessary.
- Poaching and competition for skilled workers from utilities, competitors, and customers (like Internet Service Providers), exacerbates the current problems and hurts return on investment made by companies like MasTec.
- If all subsidies and investments from the state only go to Internet Service Providers, we will miss the mark on workforce needs. In other words, relying solely on the private sector to train up a capable broadband workforce will not yield sustainable results. Community partners and state/local agencies/boards need to be involved in helping grow a sustainable talent pipeline.

Recruiting Broadband Workforce Talent - Identifying Pathways & Program “Prototypes”

- We can work together to develop pathways and program prototypes that can be included in the BEAD Action Plan and replicated with colleges, universities, and local workforce boards statewide.
- Florida needs to create an apprenticeship and pre-apprenticeship “prototype.” We must begin by identifying targeted strategies for different groups and map out a crosswalk to broadband jobs: K-12, colleges and university students, veterans, individuals with transferable skills, unemployed and underemployed Floridians, etc.
- Local workforce boards have the capacity and are ready to partner on an apprenticeship program, replicate it statewide, along with a pre-apprenticeship piece that we can build within the high school system. Additionally, there are funds through CareerSource Florida/local workforce boards to subsidize wages up to a year for an apprenticeship program and then expand to on-the-job training to defray some of the employer costs (such as labs and test gear).
- Workforce and education partners need to be weaving broadband occupations into the priority professions we identify high schools, tech colleges, and 2-year college students

for. We should also be looking to bring in the private sector into our college system and leverage their unique resources.

- Miami Dade College has a veterans success center campus that provides a connection to onboarding veterans as they are coming out of the military. This is a great population to be focused on - they have a mission, they have a purpose, and how do we help them maintain that purpose as they transition to civilian life? How do we bridge that space?
- Miami Dade College has two great models to learn from: the partnership between the college's nursing program and Baptist Health, nurses who complete the program make a two-year commitment. Additionally, Miami Dade College implemented a manufacturing sector program.
- Another example is Tallahassee Community College, they have a program with contractors doing electrical, pulling people in off the street, push that down into a partnership with the state college and k-12 system.

“Get There Faster” Version of Broadband (Florida’s Workforce System)

- Marketing job training opportunities for broadband-related professions is a necessary part of propping up such programs at colleges, tech colleges, and local workforce boards.
- There is an opportunity to collaborate with CareerSource Florida on the “Get there Faster” initiative, which utilizes Workforce Innovation and Opportunity Act (WIOA) grants to ensure Floridians have access to education and training that lead to career paths for in-demand, middle-to-high wage jobs.
- Trades are an old name to something that is becoming much more tech oriented and very American, we should be reshaping to what we offer the students, and show that connection to technology, innovation, national security, and the higher purpose of bringing access and connectivity to our entire state. We need to remember that beyond the lineman, which are essential, there are needs for communications and IT/cybersecurity professionals as well.
- To build out our workforce and ramp up, we first need to find a way to put these occupations and careers “on the map.” From K-12 to individuals already in the workforce, there is a genuine lack of awareness on the types of high-quality broadband occupations that exist. For K-12, let’s make sure broadband employers are showing up to career day fairs, and why not target mission-oriented groups with leverage skills, like veterans?
- Additionally, there are several existing tools that can be easily leverage to support this type of initiative. For example, Employ Florida, is a easily accessible online portal that is used by job seekers, employers, and workforce partners across the state. Employ Florida is an online full-service employment center that shares job openings and helps job seekers create resumes and look for training. (EmployFlorida.com)
- We also need to tailor these efforts by communities and zip codes. If you look at what the Florida Chamber is doing with their Gap Map, we can target unserved and underserved communities and help get students interested from a young age in these broadband occupations, and simultaneously support digital literacy efforts within those communities.
- There are funding sources that can be braided into this, apprenticeships are a great example and there are many models that come to mind - Pre-apprenticeship, apprenticeships, and customized training.

Capacity within the Florida College & University Systems

- Colleges and universities have the capacity and the relationships and access to students of all ages – but we need to define those pathways and opportunities to entice the students in. We can also encourage individuals enrolled in other courses – like IT or Cyber – to consider a broadband credential or a no cost training.
- There is not currently a universal industry-recognized credential or credentials for broadband workforce occupations. How can we work together to identify a credential or credentials that would meaningfully translate and create a pipeline of talent?
- If you look at Miami Dade College’s nursing program, they complete the program and then get hired by an employer but must also make a two-year commitment. There is also a requirement that the college has several each class dedicated to managerial type positions.
- We need to create a funnel for broadband employers – in our partnership with manufacturing employers, we developed an easy-to-read chart to help students visual their pathway. (See attachment).

Florida should develop a prototype between MasTec and Miami Dade College. There are partners willing do this regionally and we are willing to share our curriculum to allow for quick replication across the state. MDC is currently doing this with their new AI learning center.

2.4.5 Text Box: 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.

Source; NTIA Initial Proposal Template

The Office of Broadband is committed to compliance with all applicable provisions of the Environmental Historic Preservation (EHP), the National Environmental Policy Act (NEPA), and Build America, Buy America Act (BABA) guidelines for BEAD projects and activities. The Office will mandate all subgrantees to demonstrate in their applications how they intend to comply with EHP and BABA requirements for all projects. An overview of the documentation related to the requirements below will be collected, reviewed, and submitted in the final proposal to the NTIA.

- **Environmental Historic Preservation (EHP):** Awarding agencies are required to analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). Projects or other eligible activities containing construction and/or ground-disturbing activities are required to submit all required environmental documentation to NTIA.
- **National Environmental Policy Act (NEPA):** NEPA requires agencies to evaluate and assess the environmental effects of any proposed actions before making further decisions. The Act was the first major environmental law in the United States, and agencies carrying out federal actions are required to comply.
- **Build America, Buy America Act (BABA):** The Build America, Buy America Act requires iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in the project or other eligible activities are produced in the United States unless a waiver is granted. As guidance continues to evolve

for BABA requirements and waivers, the Office will respond and plan accordingly to improve the outcomes for Florida households, businesses, and communities.

To facilitate compliance with the EHP, NEPA, and BABA, the Office will utilize a variety of strategies:

- Post EHP and BABA links and requirements on the Office of Broadband webpage.
- Publish webinars on the Office of Broadband webpage after the subgrantee application has been published.
- Use existing FloridaCommerce email account affiliated with the Office of Broadband to field any questions/inquiries about compliance.³⁶
- Update the Office of Broadband webpage with videos with helpful information, such as definitions of terms or frequently asked questions.

2.4.6 Text Box: 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.

Source; NTIA Initial Proposal Template

The Office will define and post geographic areas in advance of opening the application cycle(s). Project areas will bundle unserved and underserved locations into packages available for bid to make them more attractive to applicants based upon return on investment (ROI) potential. While this is a departure from the approach the Office uses in the Broadband Opportunity and Capital Projects Fund Programs, defining the project areas in advance better supports the aims of the BEAD Program. Florida has sufficient funding to serve all unserved and underserved locations. The Office plans to support the prioritization of all unserved and underserved locations before engaging in other uses of BEAD funding.

While the specific project areas are still in development, the Office anticipates that they will leverage existing geographic boundaries like census block groups, zip codes, or school districts. Additional research is being conducted on estimated costs for coverage for varying project areas. Regardless, it is expected that prospective subgrantees will provide service to all unserved and underserved locations within that bundle.

The borders of Florida's federally recognized tribes will also be accounted for in the creation of project areas. The Office intends for no non-Tribal project area to include locations on Tribal lands in part. In other words, project areas will either have 100% of locations on Tribal land or zero percent. For more detail on the allowable forms of Tribal consent, please see Section 2.4.8.

2.4.7 Text Box: 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

³⁶ The existing broadband email account is Broadband@Commerce.fl.gov

their existing or proposed service areas or other actions that the Eligible Entity will take to ensure universal coverage.

Source; NTIA Initial Proposal Template

If no proposals to serve a location or group of locations that are unserved, underserved, or a combination of both are received, the Office will engage in the following activities:

- **Consider alternative technologies:** During its application evaluation process, the Office will consider priority broadband projects first—those that provide service via end-to-end fiber-optic technology. However, to reach 100 percent connectivity, the Office will consider other technologies including fixed wireless and satellite solutions that are able to meet federal upload and download standards. If no location or group of locations receives proposals for fiber-optic service, the state will consider these alternative technologies that support reliable broadband service.
- **Outreach to location-adjacent providers:** The Office will identify which providers are adjacent to the locations that did not receive a proposal for service. The Office will reach out to these providers to explore ways to expand the providers' service into the unserved/underserved location.

Consideration for Potential Rural Digital Opportunity Fund (RDOF) Award Defaults

Many of Florida's unserved and underserved rural communities are set to receive service from an ISP operating under an RDOF award from the FCC.³⁷ Under current program rules, BEAD funds cannot be utilized to deploy service to addresses already covered by those that are assigned through RDOF awards. However, there is growing local and national concern over the economic viability of some RDOF awards coming to fruition. To ensure all Floridians have access to high-speed Internet at the conclusion of BEAD, potential approaches to using BEAD funding to cover any defaulted RDOF locations may be considered. One approach may be to request a waiver to allow BEAD funding to be used to serve RDOF addresses and reserving a significant portion of the BEAD funding; this approach would require an additional funding award round late in the BEAD process if the RDOF addresses are released from that program. The Office welcomes public comment and ideas on other approaches to address the uncertainty around RDOF defaults so that all Floridians will have access to high-speed Internet.

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

Source; NTIA Initial Proposal Template

The state of Florida has two federally recognized tribes – the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida. The Office proposes the following steps so that projects on Tribal Lands receive consent from the appropriate Tribal Government:

1. In consultation with Florida's federally recognized tribes, when creating project areas, the Office will only create areas that are either (1) entirely on Tribal Lands, or (2) include no Tribal Lands. This will facilitate the ability for Florida's federally recognized tribes to serve

³⁷ FCC Rural Digital Opportunity Fund Phase I Auction, Attachment A, <https://www.fcc.gov/auction/904>

solely their own Tribal Land, instead of defining project areas with partial coverage on Tribal lands, should they choose to apply for this BEAD Program.

2. Applications submitted for project areas on Tribal Land will require proof of the Tribal Government's consent to be considered.

2.4.9 Text Box: 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.

Source; NTIA Initial Proposal Template

The extremely high-cost threshold (EHCT) is an important element of the subgrantee selection process. It will be used to determine subgrantee selection for grant applications for Priority Broadband Deployment Projects and Other Last-Mile Projects that cover the same project areas.

To develop and define the EHCT, the Office plans to collect information from the three sources listed below throughout the BEAD deployment subgrantee selection process.

1. Project costs from previous broadband grant programs in Florida

The Office has significant experience and data from previous broadband grant programs, including the Broadband Opportunity Program and Capital Project Fund (CPF). This inventory of past applications and awardees offers a window into the per passing costs in provider-defined projects. Though the Office is pursuing a different approach by defining the project areas in advance of the subgrantee selection process, this information is still useful in defining the EHCT for the BEAD Program.

2. Eligible Entity Planning Toolkit

The Office plans to explore the NTIA Eligible Entity Planning toolkit in the consideration of the EHCT. Specifically, the costing module will be used to better understand the effects of the EHCT on the future coverage of the state, and the expected cost of that coverage given the costing parameters outlined in the module.

3. BEAD deployment subgrantee applications

Details from the applications for project areas in Florida will enhance the Office's understanding of the costs and technologies providers are considering for the defined project bundles. The Office plans to leverage the details of the applications to inform the EHCT what works best in achieving the goals of FloridaCommerce and the BEAD Program. The Office is open to incorporating costing analyses from third-party firms, particularly those with a proven track record of broadband deployment modeling. These could further enhance the understanding of an EHCT for the state.

4. Line Extensions and Alternate Technologies

The Office will consider extending broadband infrastructure to homes beyond a service provider's standard connection drop length, to formulate the EHCT. Given the Office of Broadband's success in refining displayed coverage on the Federal Communication Commission's National Broadband Map for the purposes of BEAD eligibility, especially with respect to broadband providers service connection drop length, the Office of Broadband expects a large number of BEAD-eligible

locations to require line extensions to become serviceable, raising the costs to provide broadband access to that location. This threshold will be set in a way which allows as many end-to-end fiber projects to be deployed as possible and accommodates well designed applications that were not funded because of higher costs to build the networks, rendering them uncompetitive for available funding. This approach accommodates the necessity for construction of line extensions, which has been identified as a significant barrier to connectivity and enables the use of alternative technology types, where fiber is cost prohibitive. The Office will work backward from the goal of universal coverage to ensure that the EHCT is set in a way that maximizes priority project deployment, balanced against practical costs to serve these hard-to-reach areas in the review and scoring of submitted applications.

2.4.10 Text Box: 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 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.

Source; NTIA Initial Proposal Template

The Office intends to use the EHCT to maximize the use with the best available technology while meeting the prioritization schema and scoring requirements outlined in Section IV.B.6.b of the BEAD NOFO. There are three main ways the EHCT will be used throughout the deployment subgrantee selection process.

1. Decline a Subgrantee Proposal

The EHCT can be used to decline an application when a Priority Project proposal requests a BEAD subsidy that exceeds the EHCT. In this way, the EHCT can provide a reference point to decline applications that are costlier per passing than the EHCT allows.

2. Revise a Subgrantee Proposal

The EHCT offers a benchmark to frame negotiations around cost per location for a project proposal. Revising proposals during a best and final offer process to make sure BEAD funds are used efficiently may be required.

3. Select Proposals for Alternative Technologies

When the area is above the EHCT, the Office will consider alternative technologies to provide service to project areas. Because scoring criteria are outlined for both Priority and Other Last Mile broadband projects, the Office will use the EHCT to benchmark proposals and better understand where alternative technologies should be considered to reach unserved and underserved locations.

2.4.11 Text Box: 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.

Source; NTIA Initial Proposal Template

As part of the BEAD Program application, the Office of Broadband will request the following to confirm prospective subgrantees meet the minimum qualifications for financial capability:

1. Audited financial statements and other documentation to demonstrate financial standing (which may include SEC filings, or financial records of a parent company along with clear documentation establishing that corporate relationship).
2. Clear identification of additional funding sources and proof of financing availability.
3. Detailed financial statements (cash flow, balance sheet, income statement) for project period (deployment and operational sustainability) – enables review of capital deployment stage and recurring revenue and operating expenditures.
4. Degree to which the applicant demonstrates the ability to obligate and spend funds in compliance with the program deadlines on previous projects
5. Detailed narrative explaining how the grant recipient will obligate and spend funds in compliance with the program deadlines
6. Key metrics regarding financial targets required by non-state fund contributors and how the business plan achieves those objectives
7. Discussion of key financial risks that could impede sustainability (e.g., revenue shortfalls, cost overruns) and mitigation strategy
8. Discussion of plans to promote supply-chain, available materials and workforce, and project resiliency

9. A model letter of credit from an eligible bank (see 47 C.F.R. § 54.804(c)(2)) in which the bank commits to issuing an irrevocable standby letter of credit to the applicant. Letter of Credit (LOC) requirements may be conditionally waived in certain circumstances.³⁸

10. Verified financial commitments from community members and organizations

Once an award has been made and project work commences, the Office intends to disburse funding to subgrantees only upon completion of subrecipient agreement established milestones. The Office will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover eligible costs for the project until the Office authorizes additional disbursements. The Office will monitor grantees to determine compliance with the financial requirements of 2 C.F.R. Part 200, including 2 C.F.R. Parts 200.300-309 and 2 C.F.R. Parts 200.328-330. Typically, ledgers, invoices, canceled checks, bank statements, and requisitions are reviewed to see whether the subrecipient has an adequate system of financial management. Office of Broadband staff may also make specific requests to review information or documentation relating to the financial management of a grant. As further described in Section 2.4.1., a rural community or rural area of opportunity, as those terms are defined in section 288.0656(2), Florida Statutes, may receive payment for costs under its grant agreement with FloridaCommerce for “verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement.”

While the BEAD NOFO requires prospective subgrantees obtain a letter of credit, recent updated guidance provided from the NTIA permits a waiver for certain circumstances, including the subgrantee option to use credit unions, performance bonds, an alternative LOC or performance bond percentage, or a reduction of LOC/performance bonds upon completion of milestones.³⁹ The Office reserves the option to explore a waiver for this requirement if the letter of credit model proves unviable for Florida’s broadband ecosystem. This requirement can present an obstacle for many of the providers and may preclude prospective subgrantees from participating in the process to obtain BEAD funding. Because the Office already has robust checks on financial viability as part of its Broadband Opportunity Program, many of these requirements can be followed here as well.

The BEAD Program scoring rubric will allocate points for the requirements listed above when assessing each project’s financial viability and sustainability.

2.4.11.1 Optional Attachment: As an optional attachment, submit application materials related to the BEAD subgrantee selection process, such as drafts of the Requests for Proposals for deployment projects, and narrative to crosswalk against requirements in the Deployment Subgrantee Qualifications section.

Source; NTIA Initial Proposal Template

³⁸ BEAD Letter of Credit Waiver, BroadbandUSA. Accessed on November 6, 2023 at <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>

³⁹ BEAD Letter of Credit Waiver, BroadbandUSA. Accessed on November 6, 2023 at <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>

2.4.12 Text Box: 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.

Source; NTIA Initial Proposal Template

The Office of Broadband will require that all prospective subgrantees deploying network facilities meet the qualifications for managerial capability as listed in the BEAD NOFO. This will be confirmed via the submission of resumes and a narrative, both of which will be considered in the scoring of prospective subgrantees.

Prospective subgrantees will be required to submit resumes for all key management personnel and other relevant positions. Organizational charts should also be included, detailing all parents, subsidiaries, and affiliates of the prospective subgrantee.

In addition, prospective subgrantees will be required to provide a narrative describing their readiness to manage their proposed project and its ongoing services. This narrative should include the subgrantee's experience and qualifications of key management personnel, its experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies.

2.4.13 Text Box: 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.

Source; NTIA Initial Proposal Template

To confirm that prospective subgrantees deploying network facilities meet the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO, the Office will require the following in the BEAD Program application:

1. **Technical qualifications:** Prospective subgrantees will be required to submit details regarding experience and results in having deployed similar networks, details regarding key personnel, including resumes and relevant certifications, and identification of key partners, roles, and letters of project commitment.
2. **Project Schedule:** Prospective subgrantees will be required to submit a project schedule that is detailed, structured, clear, and evidences a complete build-out and the initiation of service within four years of the date on which the subgrantee receives the subgrant; a detailed narrative on the project schedule; and identification of key execution risks and a mitigation plan.
3. **Engineering Design and Network Map:** Prospective subgrantees will be required to submit a clear, detailed network route map that is consistent with route miles; technology specifications that clearly indicate purported speeds and network indicators can be met; and vendor details (particularly for new technologies or new applications of technology). Additionally, a Professional Engineer, Society of Cable Telecommunications Engineers, or similar certification is required.
4. **Existing Resources and Operating Assets:** Prospective subgrantees will be required to clearly identify network assets being leveraged (e.g., middle-mile, data centers, colocation facilities, towers, etc.), as well as clearly describe non-network resources and assets being contributed (e.g., personnel, premises, offices, etc.).

The BEAD Program scoring rubric will allocate points for the requirements listed above when assessing each project's organizational capability and track record, as well as its project readiness.

2.4.14 Text Box: 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.

Source; NTIA Initial Proposal Template

The Office intends that all prospective subgrantees meet the minimum qualifications for compliance with applicable laws as outlined in the BEAD NOFO. Prospective subgrantees will be required to explicitly confirm their commitment to these laws as part of the application process; subgrantees that fail to demonstrate their ability to comply will not be considered.

As part of the application, prospective subgrantees will be required to provide a narrative demonstrating their ability and intent to carry out funded activities in a competent manner, in compliance with all applicable federal, state, territorial, and local laws.

As part of this narrative, the Office will require confirmation that prospective subgrantees will permit workers to create worker-led health and safety committees that management will meet with upon reasonable request. This must include details on any policies and procedures that promote occupational safety and health requirements. Additional resources may be made available to prospective subgrantees to support occupational safety and health compliance.

2.4.15 Text Box: 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.

Source; NTIA Initial Proposal Template

The Office will require that prospective subgrantees certify their ability to complete and operate BEAD funded projects. Prospective subgrantees deploying network facilities must meet the minimum qualifications for operational capability as outlined on pages 74 – 75 of the BEAD NOFO. The Office will evaluate whether a prospective subgrantee is qualified for the proposed project by considering operational capability.

To demonstrate this, as part of the application, the prospective subgrantee will be required to provide:

- A certification that prospective subgrantees possess the operational capability to qualify to complete and operate the project.
- If the prospective subgrantee has provided a voice, broadband, and/or electric transmission or distribution service for at least two consecutive years prior to the date of its application submission or is a wholly owned subsidiary of such an entity, an

attestation specifying the number of years the prospective subgrantee or its parent company has been operating.

- If the prospective subgrantee has only operated an electric transmission or distribution service, qualified operating or financial reports that it has filed with the relevant financial institution for the relevant time period, and a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.
- If the prospective subgrantee is a new entrant to the broadband market, a narrative and supporting evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.

Further, an organization's capability and track record will be included as part of the scoring criteria for determining awardees. More details on the scoring criteria can be found in Section 2.4.2.

2.4.16 Text Box: 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 Page | 55 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).

Source; NTIA Initial Proposal Template

The Office will require that prospective subgrantees submit evidence of their ability to deploy network facilities that meet the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO. Prospective subgrantees will be required to submit ownership information as part of their applications pursuant to the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).⁴⁰ Prospective subgrantees must fully disclose the following as part of their applications:

- 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.
- List the name, address, and citizenship of any party holding 10 percent or more of stock in the applicant, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held.

⁴⁰ Ownership disclosure requirements for applications, Code of Federal Regulations. Accessed on October 30, 2023 at: <https://www.ecfr.gov/current/title-47/chapter-I/subchapter-A/part-1/subpart-0/subject-group-ECFR7e6f5a3219dc9cd/section-1.2112>.

- List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the applicant is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses).
- List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation in the partnership.
- List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the applicant is 10 percent or greater.
- 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 percent or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest.
- 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 this section, owns 10 percent 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 percent of Company B (the applicant) and 10 percent 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).

2.4.17 Text Box: 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.

Source; NTIA Initial Proposal Template

The Office will require that the prospective subgrantee disclose any existing broadband projects that use public funds. The following will be required as part of the application:

- A list of all broadband deployment projects that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.
- For each broadband deployment project, the following components must also be submitted:
 - The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules).
 - The geographic area to be covered.
 - 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).
 - The amount of public funding to be used.
 - The cost of service to the consumer.
 - The matching commitment, if any, provided by the subgrantee or its affiliates.

2.5 Non-Deployment Subgrantee Selection (Requirement 9)

2.5.1 Text Box: 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.

Source; NTIA Initial Proposal Template

Currently, the state of Florida estimates it may have approximately \$200 million remaining after connecting all remaining locations. The exact amount of remaining funds will hinge upon the outcomes of the deployment subgrantee selection process. Through conversations with providers and other stakeholders, achieving access goals will only be possible if Florida's broadband-related workforce is scaled up to meet the needs of building out communities' access to broadband. Therefore, the state plans to conduct a subgrantee selection process in parallel to the deployment subgrantee selection process that will prioritize workforce development initiatives. As outlined in Section 2.4, the selection process for non-deployment activities will focus on training, developing, and up-skilling Florida's broadband-related workforce. Through conversations with workforce stakeholders, the workforce needs of the state have been more thoroughly explored. Through these discussions, the Office has identified a need for pathways to employment and apprenticeship and pre-apprenticeship offerings. Additionally, conversations identified a need for marketing aimed at increasing awareness of job training opportunities for broadband-related professionals. As such, the Office plans to conduct a non-deployment subgrantee selection process that centers around addressing these identified workforce gaps.

The state is committed to holding a fair, open, and competitive selection process for prospective subgrantees. To adhere to these principles, FloridaCommerce has created safeguards against each of the following:

Collusion

The Office of Broadband is committed to developing a subgrantee selection process that aims to prevent collusion and anti-competitive practices, including bid suppression, complementary bidding, bid rotation, and/or market allocation. The Office will aim to discourage anti-competitive behavior by adopting the following practices:

- develop an expanded list of prospective subgrantees;
- require prospective subgrantees to sign and submit a non-collusion affidavit;
- maintain procurement records e.g., bid lists, awards, applications; and
- request further information with concerning prices when further clarification is needed.

These preventative measures, along with others, will allow the Office to disincentivize anti-competitive behavior and prevent illegal practices. This will also encourage competitive pricing that will maximize the efficacy, reach, and impact of BEAD funds.

Bias

To avoid bias in decision-making and the subgrantee selection process, applications will be evaluated by an established scoring criteria and point system outlined in Section 2.5. This point system aims to score applications on a level playing field and on a quantitative basis. The selection criteria will help verify that subgrantees and their projects conform to objective standards set by the Office of Broadband.

Conflicts

To discourage conflicts of interest, subgrantee selections will be made by a diverse group of decision-makers who are impartial. Ethical standards will be followed and applied to all decision-making, which will include selection through the lens of honesty, fairness, accountability, objectivity, and confidentiality. Additionally, any existing relationships and potential conflicts of interest will require disclosure at the onset of the selection process.

Arbitrary Decisions

To avoid arbitrary decisions, the Office of Broadband will make fair choices based on the establishment of selection criteria. Selections will not be made based on personal will and discretion.

2.5.2 Text Box: 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.

Source; NTIA Initial Proposal Template

To distribute funding for non-deployment initiatives, the Office will issue an open-ended application for potential workforce development opportunities. The state's approach for funding non-deployment initiatives will prioritize those that align with and advance goals related to upskilling or re-skilling the broadband workforce. Broadly speaking, workforce initiatives that the Office will fund will encompass the following categories:

- **Support Services:** Service offerings that help individuals transition into and enter the broadband workforce. These offerings can also support workers' ability to access and complete training;
- **Apprenticeship and Pre-Apprenticeship Programs:** Apprenticeship and pre-apprenticeship offerings that prepare a pipeline of workers for broadband jobs;
- **Training and Formal Degree Offerings:** Informal training and formal degree offerings, particularly as they relate to entry-level roles, and management, supervisor, a foreman positions;
- **Pathway Programs:** Initiatives that aim to define the various pathways to pursue a career in broadband and successfully support on-ramps to broadband jobs; and
- **Marketing Initiatives:** Initiatives that aim to increase awareness surrounding job training opportunities for broadband-related professions and initiatives that intend to increase awareness of high-quality broadband occupations.

The Office's scoring or relative prioritization of proposed non-deployment initiatives will be based on the following:

- **Minimal BEAD Program Funding:** The total BEAD funding that is requested for the project;
- **Alignment with Workforce Objectives:** Demonstrated ability of the proposed initiative to successfully advance or impact workforce priorities, as articulated within the Workforce Plan;
- **Partnerships and Collaboration:** The ability to leverage existing partnerships with other institutions that play a role within the workforce ecosystem or establish new relationships with applicable organizations;
- **Sustainability of Initiative:** The capacity for the initiative to be sustained after BEAD funds have been spent; and
- **Magnitude of Impact:** The potential of the proposed initiative to impact the broadband workforce, as defined by the estimated number of individuals that will benefit.

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

Source; NTIA Initial Proposal Template

The Office proposes to simultaneously dedicate a portion of BEAD funds for training and workforce initiatives in lieu of deployment, as achieving access goals will only be possible if Florida's broadband-related workforce is scaled up to meet the needs of building out communities' access to broadband at acceptable speeds. This approach of simultaneously selecting subgrantees for workforce-related initiatives will be imperative to expand coverage to remaining unserved and underserved locations. Without the proposed upskilling opportunities, Florida may encounter workforce shortages that hinder its ability to serve remaining locations. As such,

workforce development initiatives cannot represent an afterthought, but rather must be a focus for the State to successfully achieve universal coverage. As the Office conducts subgrantee selection for deployment and non-deployment initiatives, it will make determinations related to final awardees based on the proposed initiatives and projects that maximize the impact of BEAD funds. This will be defined by the ability to prepare the broadband workforce for deployment projects and the capacity to serve remaining locations.

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

Source; NTIA Initial Proposal Template

When soliciting applications for non-deployment initiatives, the Office will request that prospective subgrantees submit evidence of the following qualifications:

- Can carry out activities funded by the subgrant in a competent manner in compliance with all applicable federal, Eligible Entity, and local laws.
- Have the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the program and such other requirements as have been prescribed by the Assistant Secretary or the Eligible Entity.
- Have the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

2.6 Eligible Entity Implementation Activities (Requirement 10)

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

Source; NTIA Initial Proposal Template

The Office maintains a strong track record of managing deployment grants, including all the associated processes, with a focus on fairness, transparency, and timeliness. The results of these efforts are documented in the ConnectedFlorida map which outlines project areas submitted in applications and subsequent awards.⁴¹

The Office intends to establish and conduct key oversight, administrative, and implementation activities related to BEAD subgrants. These activities include:

- Challenge process design and implementation
- Stakeholder engagement throughout the BEAD Program period
- Coordination of LTPTs through monthly and ad-hoc meetings
- Subgrantee selection process
- Grant award and management process
- Ongoing subgrant monitoring activities
- Ongoing data collection and mapping throughout the BEAD Program period
- Workforce initiatives to improve readiness for BEAD Program

⁴¹ ConnectedFlorida Map, <https://experience.arcgis.com/experience/54d3be208bae4eacad7303b50347de78>

- Training and apprenticeship expansion opportunities
- Coordination with digital capacity grants and other digital adoption and use initiatives
- Other administrative, oversight, and implementation functions related to management of BEAD subgrants

Connecting unserved and underserved communities through BEAD deployment and the facilitation of a fair, timely and transparent program remains the focus of the Office. The Office will work with FloridaCommerce’s Division of Workforce Services to support the development of the workforce to carry out deployment efforts. As NTIA releases additional and updated guidance that affect those activities, the oversight, administrative, and implementation efforts of the Office of Broadband will be refined.

The Office has a proven track record of managing a successful grants program and has the administrative capabilities and knowledge to implement required BEAD activities. Working within the legislative directives that helped establish the Office of Broadband, the Office sees the BEAD Program as an opportunity to enhance and expand an existing set of activities to support a connected economy in Florida.

2.7 Labor Standards and Protection (Requirement 11)

2.7.1 Text Box: 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.

Source; NTIA Initial Proposal Template

Prospective subgrantees will be required to provide information documenting past compliance with federal labor and employment laws. FloridaCommerce recognizes the importance of compliance with such laws, and as such, compliance must be followed across all levels, including by potential subgrantees, their contractors, and their subcontractors. The state will implement monitoring procedures upon the selection of subgrantees to maintain compliance during buildout. As part of their applications, prospective subgrantees must submit the following:

- **Records of past compliance** with federal labor and employment laws. This includes documentation of compliance with such laws for broadband deployment projects in the last three years.
- **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.
- **Written confirmation of violation disclosure** where either contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act (OSHA), the Fair Labor Standards Act (FLSA), or any other applicable labor and employment laws for the preceding three years.
- **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.
- **Language describing plans for the implementation of workplace safety committees** that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.

In line with labor standards used for Broadband Opportunity Program Funds in Florida, the Office will also require compliance with the following federal labor standards, including but not limited to:

1. While not specifically required under this program, the Davis-Bacon Act of 1931, as amended (40 U.S.C. 3141-3148) will be required for the program if leveraged funding sources require adherence.
2. Labor Standards Provisions of 29 C.F.R. Part 5
3. Contract Work Hours and Safety Standards Act of 1962, as amended (40 U.S.C. 3701-3708)
4. Federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-219)
5. Copeland "Anti-Kickback" Act (18 U.S.C. 874)

In addition to the above requirements, prospective subgrantees must comply with the following, including but not limited to:

1. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200) in general, other than the excluded requirements outlined in Assistance Listing Number 21.027
2. The Hatch Act (5 U.S.C. 1501-1508 and 7324-7328)
3. Governmentwide Requirements for Drug-Free Workplace (31 C.F.R. Part 20)
4. New Restrictions on Lobbying (31 C.F.R. Part 21)
5. Protections for Whistleblowers (41 U.S.C. 4712)
6. False Claims Act (31 U.S.C. 3729-3733)
7. Uniform Relocation Assistance and Property Acquisitions Act of 1970 (42 U.S.C. 4601-4655)
8. Rules and Procedures for Efficient Federal-State Funds Transfers (31 C.F.R. Part 205)

9. Florida Small and Minority Business Assistance Act (288.703-706, Florida Statutes)
10. Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507)

The Office of Broadband reserves the right to modify guidance as needed.

2.7.2 Text Box: 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.

Source; NTIA Initial Proposal Template

Florida is a “right-to-work” state and therefore some of the provisions above are not applicable to a Florida state agency’s agreements with subgrantees. FloridaCommerce’s requirements for subgrantees to submit information will not include anything that is not covered in a previous section. That said, as already noted in the previously covered scoring rubrics, a Fair Labor Standards practices section in the rubric will be used to award points to applicants for adherence to state and federal labor laws.

For example, subgrantees will be required to demonstrate their commitment to a highly skilled workforce in the application. The Office has historically placed an emphasis on granting broadband funding to applicants that can prove this commitment; the most recent example of this is the Office’s Broadband Opportunity Program (BOP). Under the “Organization Capability and Track Record” section of the BOP application, applicants are required to submit a narrative about the organization’s experience and results in having deployed similar networks; a summary of all key personnel that will manage the project; and a resume of all key personnel. The BOP scoring

rubric also takes into consideration the capabilities and track record of applicants. The Office will plan to bring the BOP's emphasis on highly skilled personnel into the BEAD Program application and scoring rubric.

2.8 Workforce Readiness (Requirement 12)

2.8.1 Text Box: 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., child care, 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.

Source; NTIA Initial Proposal Template

See the previous section 2.4.4 details regarding FloridaCommerce’s October 3, 2023 meeting with workforce stakeholders for a detailed discussion on scaling up the broadband workforce in concert with the deployment of broadband infrastructure.

Overall, building out a highly skilled broadband workforce is critical to achieving Florida’s goal of 100 percent broadband connectivity within the next five years. Additionally, an available and skilled workforce is an important part of the “capital stack” for Florida’s economic development. For most companies looking to begin or expand operations, the number one factor affecting their success is access to workforce talent and workforce training. Through the BEAD Program, the state of Florida will have access to more than \$1.16 billion in broadband deployment-related funding over the next five years, and therefore must be forward-thinking about workforce needs and leverage these funds in a way that yields results long after federal funding runs out. While individual ISPs will be part of the equation for identifying and employing a trained workforce for immediate broadband needs, the state and its strong ecosystem of partners will plan for future needs. To do this, the state will harness the resources and expertise of its private sector partners, academic institutions, chambers of commerce, and local workforce development boards to develop workforce readiness initiatives and programming.

Sector-Based Partnerships

Working in cooperation, public, private, education, and local workforce partners in Florida are currently designing and implementing programs that train new workers and aid existing workers

in transitioning to broadband-related occupations, including registered apprenticeships and vocational training.

Apprenticeship Programs

Florida has a track record of success in developing apprenticeship and pre-apprenticeship programs. The state will be utilizing local workforce development boards and Florida colleges that have the capacity and are ready to partner on apprenticeship and credential programs that can be replicated statewide, along with a pre-apprenticeship piece that can be built within the high school system. Additionally, there are funds through CareerSource Florida and local workforce development boards to subsidize wages up to a year for an apprenticeship program and then expand to on-the-job training to defray some of the employer costs (such as labs and test gear). These programs will be developed in coordination with private sector partners to ensure industry buy-in and that curricula utilize industry recognized standards.

For example, Florida's Miami Dade College, one of the nation's largest and most accessible postsecondary institutions with an extensive menu of career pathway offerings and an enrollment of over 100,000 students,⁴² has an apprenticeship model from which the Office and its partners can learn. It includes a successful partnership between the college's nursing program and Baptist Health, where nurses who complete the program make a two-year commitment to work at Baptist Health.⁴³ Moreover, at the beginning of 2023, Miami Dade College announced it would be offering eight new Registered Apprenticeship and Pre-Apprenticeship Programs that offer free tuition, health insurance, books, and tools.⁴⁴

College Training Pipeline

In addition to apprenticeship programs, the Office will work with its partners to develop a college training pipeline that offers explicit credentials and training programs for broadband-specific jobs. The state can begin this work by developing prototypes, created through partnerships between academic institutions and infrastructure companies. Once these prototypes have been tested and refined, the curricula can be shared to allow for rapid replication across the state. The state will also work with colleges and universities to find ways to encourage individuals enrolled in other relevant courses – like information technology or cybersecurity – to consider a broadband credential or a no-cost training.

MasTec Trainee Programs

MasTec, a multinational infrastructure engineering and construction company based in Florida, has already established training academies and trainee programs to address the major challenges associated with finding and funneling workers. MasTec has set up national training academies to help bridge the gap in workforce needs for entry level workers; there are not any pre-existing educational or degree requirements for these entry level workers. Moreover, MasTec has numerous paid trainee programs for relevant jobs including fiber splicers, aerial lineman, and outside plant (OSP) engineers. Florida aims help create partnerships between companies like MasTec and the state's colleges and universities to continue addressing the gap in both entry-level and management positions (e.g., foreman, supervisors, and upper and middle management).

Subgrantee Workforce Initiatives & Requirements

⁴² About Miami Dade College, <https://www.mdc.edu/about/>

⁴³ Miami Dade Registered Apprenticeship Program, <https://www.mdc.edu/apprenticeships/nurse-assistant.aspx#:~:text=This%20program%20leads%20to%20a,an%20Apprenticeship%20Certificate%20of%20Completion.>

⁴⁴ Miami Dade College Announces Eight New Apprenticeship Programs, https://news.mdc.edu/press_release/miami-dade-college-announces-eight-new-apprenticeship-programs/

While the Office and its partners will implement programs and initiatives to support the sustainable growth of a highly skilled workforce, BEAD subgrantees will also have a role.

1. Application and Scoring Rubric

First and foremost, subgrantees will be required to demonstrate their commitment to a highly skilled workforce in the application. The Office has historically placed an emphasis on granting broadband funding to applicants that can prove this commitment; the most recent example of this is the Office's Broadband Opportunity Program (BOP). Under the "Organization Capability and Track Record" section of the BOP application, applicants are required to submit a narrative about the organization's experience and results in having deployed similar networks; a summary of all key personnel that will manage the project; and a resume of all key personnel. The BOP scoring rubric also takes into consideration the capabilities and track record of applicants. The Office will plan to bring the BOP's emphasis on highly skilled personnel into the BEAD Program application and scoring rubric.

2. Involvement in Training Pipelines and Apprenticeships

The Office will also seek subgrantees' support in developing a highly skilled workforce both within and outside of the BEAD application process. Subgrantees have expertise and resources that can be leveraged to develop successful college training pipeline programs. While the Office will encourage subgrantees to partner with the state's K-12 education institutions and Florida State College System in developing apprenticeship programs, it will also directly support workforce initiatives that help up-skill, reskill, and expand the broadband deployment workforce. As discussed in section 2.5, the Office will utilize BEAD funds to support workforce initiatives, such as support services, apprenticeship programs, training offerings, pathway programs, and marketing initiatives that successfully support on-ramps to broadband jobs.

Diverse Pool of Workers

Florida and its partners will identify targeted strategies to recruit a potential workers from throughout the state's many different talent pools and help form on-ramps for all interested potential workers, especially from communities where there's an abundance of untapped talent and an unmet demand for broadband-related skills. Many broadband-related jobs do not require a four-year degree but may require certifications and licensing. This is an enticing market with potential for a lucrative career and opportunities for advancement, not only for students, but also older unemployed and underemployed Floridians in search of a meaningful career path with upward mobility. Broadband related occupations include technicians, installers, lineman, operators, laborers, and IT, cybersecurity, and telecommunications specialists. Florida will use various means to help create awareness and pathways for a larger pool of workers throughout all parts of the state to have access to these jobs that in turn impact all communities throughout the state.

1. Marketing and Communications

From K-12 education to individuals already in the workforce, there is a genuine lack of awareness of the types of high-quality broadband occupations that exist in Florida. To build out the required workforce, the state will prioritize marketing and communications with the goal of putting broadband-related occupations and careers "on the map." This work will begin with developing and actively publicizing easy-to-read charts and guidance materials to help students visualize their pathway into the field and understand the benefits of these careers.

Career day fairs and/or events are great opportunities to educate and recruit individuals into broadband occupation and careers. FloridaCommerce will work with education organizations and

career centers across the state, with an emphasis on outreach to K-12 and post-secondary institutions. Additionally, FloridaCommerce will seek out organizations that have access to underemployed Floridians, including local workforce development boards.

The state will also aim to encourage workforce and education partners to include broadband occupations into priority professions that are pre-identified for high school, technical college, and state college students. There are also several existing tools the state can leverage to boost marketing and outreach. For example, Employ Florida is an easily accessible online portal that is used by job seekers, employers, and workforce partners across the state. It offers an online full-service employment center that shares job openings and helps job seekers create resumes and look for training.²⁷

To achieve these goals, these efforts will be tailored to individual communities and zip codes, leveraging lessons learned – for example – from the successful marketing that Florida’s 48 technical colleges, 28 state colleges and 24 local workforce boards use to reach targeted audiences with targeted opportunities in their respective service areas. The state can target unserved and underserved communities to help get students interested from a young age in these broadband occupations, and simultaneously support digital literacy efforts within those communities.

2. Non-Deployment BEAD Funding for Workforce Readiness

Bringing all of the aforementioned workforce readiness opportunities to the widest group of potential workers will require ample time and resources. As such, Florida plans to use non-deployment BEAD funding, as well as other appropriate funding sources (e.g., Workforce Innovation and Opportunity Act funding) to fund workforce readiness programming to be offered through community organizations and state and local agencies. This funding will go to both established state partners, like CareerSource Florida and academic institutions, as well as vetted organizations and initiatives with a proven track record of success in delivering career readiness to targeted groups of job seekers.

2.8.2 Text Box: 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.

²⁷ Employ Florida, <https://www.employflorida.com/vosnet/default.aspx>

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.

Source; NTIA Initial Proposal Template

Florida is a "right to work state" and therefore cannot require unionization of the broadband workforce. That said, as already noted in the previously covered scoring rubrics, a Fair Labor Standards practices section in the rubric will be used to award points to applicants for adherence to state and federal labor laws.

For example, subgrantees will be required to demonstrate their commitment to a highly skilled workforce in the application. The Office has historically placed an emphasis on granting broadband funding to applicants that can prove this commitment; the most recent example of this is the Office's Broadband Opportunity Program (BOP). Under the "Organization Capability and Track Record" section of the BOP application, applicants are required to submit a narrative about the organization's experience and results in having deployed similar networks; a summary of all key personnel that will manage the project; and a resume of all key personnel. The BOP scoring rubric also takes into consideration the capabilities and track record of applicants. The Office will plan to bring the BOP's emphasis on highly skilled personnel into the BEAD Program application and scoring rubric.

Therefore, the Office's approach to evaluating BEAD subgrantees will focus less on restrictions or criteria that the organization's workforce must meet, and more on identifying an organization's capabilities, merit, and track record. More specifically, the following criteria may be used to assess whether prospective subgrantees demonstrate a plan to ensure that the project workforce will be an appropriately skilled and credentialed workforce:

1. Application: The Office has historically placed an emphasis on granting broadband funding to applicants that can prove their commitment to the development and use of a highly skilled workforce; the most recent example of this is the Office's highly successful Broadband Opportunity Program (BOP). Under the "Organization Capability and Track Record" section of the BOP application, applicants are required to submit a narrative about the organization's experience and results in having deployed similar networks; a summary of all key personnel that will manage the project; and a resume of all key personnel. The Office will plan to bring the BOP's emphasis on highly skilled personnel into its BEAD Program application.

2. Scoring Rubric: In alignment with the above, the BEAD scoring rubric will include an allocation of points for the “Economic development and workforce development impacts ,” section.

3. Monitoring and Compliance: Pursuant to 2 C.F.R. Part 200.332,²⁸ the Office conducts Pre-Award risk assessments of every selected awardee and will monitor subgrantees to facilitate program compliance. This will also include an assessment of the subgrantee workforce’s performance and capabilities. Monitoring will include desk audits and on-site visits and will generally be conducted when about 15 percent of the awarded funds have been disbursed to confirm that the recipient has systems in place to properly comply with program requirements. Periodic desk audits and site visits will be conducted throughout the project based upon the results of the risk assessment, project progress and ongoing compliance. Subgrantees will also be required to submit quarterly status reports that detail the progress the project team has made and detail what steps will be taken in the next quarter.

Subgrantees with a Non-Union Workforce

Florida will not require subgrantee or subcontractor workforces to be unionized and will allow subgrantees to decide if they use contractors or subcontractors. However, if the project workforce or any subgrantee’s, contractor’s, or subcontractor’s workforce is not unionized, Florida will require the following from the subgrantee with respect to the non-union workforce:

1. 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
2. The entity that will employ each portion of the workforce

For each job title required to carry out proposed work (including contractors and subcontractors), Florida will require subgrantees to submit a description of:

1. Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles
2. Information on the professional certifications and/or in-house training in place to confirm that deployment is done at a high standard

²⁸ 2 C.F.R. Part 200.332, <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR031321e29ac5bbd/section-200.332>

2.9 Minority and Women’s Business Enterprises/Labor Surplus Area Firms Recruited (Requirement 13)

2.9.1 Text Box: 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.

Source; NTIA Initial Proposal Template

The FloridaCommerce Office of Broadband plans to implement a variety of strategies to ensure that minority business enterprises (MBEs), women’s business enterprises (WBEs), and labor surplus area firms (LSAs) may be recruited, used, and retained when possible. The Office intends to promote these opportunities to a wide range of entities in their efforts to build a more connected Florida.

For the purpose of the discussion of Requirement 13, under section 287.09451, Florida Statutes, the Florida Department of Management Services developed the following requirements to be considered a minority business enterprise and women’s business enterprise in the state of Florida:²⁹

- Be legally registered to do business in Florida as a for-profit organization (registered through the Department of State).
- Be based in Florida.
- Be owned and managed by a resident(s) of Florida.
- Be 51 percent owned and managed by a woman, veteran, or minority who is a U.S. citizen or permanent resident alien.
- Be engaged in commercial transactions (currently doing business).
- Be registered in [MyFloridaMarketPlace](#).
- Have a net worth of less than \$5 million.
- Have 200 or fewer full-time permanent employees.
- Have a professional license, if required by the industry, in the name of the woman, veteran, or minority business owner.

For the purposes of the discussion of Requirement 13, a labor surplus area firm is defined by the U.S. Department of Labor as 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 (including Puerto Rico) during the same 24-month reference period.³⁰

The Office may pursue strategies that promote the six steps towards recruitment of MBEs, WBEs, and LSAs detailed in the BEAD NOFO. These steps and their associated strategies are detailed below:

1. Place qualified small and minority businesses and women’s business enterprises on solicitation lists.

²⁹ Get Certified, Florida Department of Management Services. Accessed on October 25, 2023 at https://www.dms.myflorida.com/agency_administration/office_of_supplier_diversity_osd/get_certified

³⁰ Frequently Asked Questions, U.S. Department of Labor. Accessed on October 26, 2023, at <https://www.dol.gov/agencies/eta/lsa/faq>

- Encourage eligible businesses to register as Small Disadvantaged Businesses (SDB), WBEs, and MBEs.
 - Leverage a small business agency or local database to obtain a list of MBEs, WBEs, or LSAs that can be referenced when soliciting proposals.
2. Assure that small and minority businesses and women's business enterprises are solicited whenever they are potential sources.
 - Make advertisements to potential MBEs, WBEs and LSAs about opportunities.
 - Publish and promote BEAD funding opportunities broadly to encourage a wide range of prospective subgrantees.
 3. Divide the total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises.
 - Break down projects into smaller phases throughout buildout, when appropriate.
 4. Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises.
 - Support MBEs, WBEs and LSAs in adhering to delivery schedules.
 5. Use the services and assistance, as appropriate, of such organizations as the Small Business Administration (SBA) and the U.S. Department of Commerce, Minority Business Development Agency (MBDA).
 - Encourage subgrantees to consult with SBA's Small Business Development Centers and MBDA's State-Based Business Centers.
 6. Require subgrantees to take the affirmative steps listed above as it relates to its subcontractors.
 - Accept an MBE, WBE and LSA recruitment plan and additional relevant documentation stating a commitment to adhering to MBE, WBE and LSA utilization.

The proposed strategies are not representative of a conclusive list, and the Office will continue to iterate through the process and with selected subgrantees. In addition, the Office will track the number of contracts that are awarded to MBEs, WBEs and LSAs. Selected subgrantees, contractors, and subcontractors will be required to submit periodic reports to the Office demonstrating their efforts to engage a broad range of businesses to expand broadband deployment in Florida.

2.9.2 Check Box: 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 FloridaCommerce Office of Broadband certifies that it will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

2.10 Cost and Barrier Reduction (Requirement 14)

2.10.1 Text Box: 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.

Source; NTIA Initial Proposal Template

Through its experience managing nearly \$500 million in broadband deployment grants, the Office of Broadband has witnessed the common barriers and costs to deployment. Many of these obstacles and barriers were identified in Florida's BEAD Five-Year Action Plan, including a lack of coordination between utility assets and broadband deployment opportunities, poor coordination between infrastructure installation projects, and others involving inadequate data. Still, the Office intends to explore ways to support subgrantees through the duration of the BEAD Program. The following four areas outline the ways in which the Office intends to support cost and barrier reduction through the duration of the program.

Legislative Changes

In 2023, the state of Florida passed House Bill 1221: Broadband Internet Service Providers, which specifies that the Public Service Commission (PSC) can regulate the poles of rural electric cooperatives that provide broadband. It also allows the PSC to access the books and records of these cooperatives for specific purposes.

Promotion of 811 Program

While there are no dig-once policies in Florida, there is a dedicated 811 program, "Sunshine 811," in the state. This is a free service which aims to avoid damage to buried utilities and encourage safe and coordinated excavations. Sunshine 811 will notify its member utility companies so that they can mark their lines, pipes, and cables.

Promoting the Use of Existing Infrastructure

The use of existing infrastructure can both expedite deployment and reduce overall project costs. The Office incorporated a part of the scoring criteria to acknowledge and incentivize the use of existing infrastructure in BEAD deployment efforts. Scoring criteria 1.3 outlines this effort for both Priority and Other Last Mile projects.

Soliciting Feedback from Providers

ISPs in Florida offer a breadth and depth of experience when it comes to managing around and through obstacles to broadband deployment. The Office is proud of the relationships fostered and intends to build on those strong connections as it looks ahead to the BEAD Program.

Soliciting Feedback from LTPTs

Local Technology Planning Teams (LTPT) are a unique feature of the broadband ecosystem in Florida. As statutorily created³¹ county-level teams (67 in total) devoted to technology and broadband planning for communities, LTPTs offer a key point of view when it comes to expanding deployment, adoption, and use across the state. The Office will continue to rely on LTPTs for their insights and feedback through the program.

In addition to these steps, the Office is working to promote the training and enhancement of Florida's workforce so that deployment projects are completed efficiently and effectively.

³¹ Fla. Stat. § 288.9961(4)(b)

2.11 Climate Assessment (Requirement 15)

2.11.1 Text Box: 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 BEAD 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.

Source; NTIA Initial Proposal Template

As a peninsula state, Florida knows firsthand how extreme weather can have an adverse effect on infrastructure. Due to its location and unique geographical ecosystems, the state faces unique weather risks and hazards that can cause damage to broadband infrastructure or delay its deployment.

With this in mind, the Office of Broadband reviewed key literature outlined in the BEAD NOFO, and utilized the Federal Emergency Management Agency’s (FEMA) National Risk Index to identify hazards specific to counties in Florida.³² This Risk Index is continuously updated and provides information on the risk of a variety of weather events to individual counties and census tracts on a scale of “very low” to “very high.”

By utilizing this index, the state identified six hazards that pose a “very high risk” to 22 of 67 Florida counties (33%). These counties will require an initial risk screening based on their risk levels. The hazards posing risks include cold waves, hurricanes, lightning, riverine flooding, strong winds, and tornadoes. For the purposes of this discussion, the definitions of these hazards are defined below.³³

³² National Risk Index Map | National Risk Index, Federal Emergency Management Agency (FEMA). Accessed on October 26, 2023, at <https://hazards.fema.gov/nri/map#>

³³ Natural Hazards, FEMA. Accessed on October 26, 2023, at <https://hazards.fema.gov/nri/natural-hazards>

- **Cold Wave:** A rapid fall in temperature within 24 hours and extreme low temperatures for an extended period. The temperatures classified as a cold wave are dependent on the location and defined by the local National Weather Service (NWS) weather forecast office.
- **Hurricane:** A tropical cyclone or localized, low-pressure weather system that has organized thunderstorms but no front (a boundary separating two air masses of different densities) and maximum sustained winds of at least 74 mph.
- **Lightning:** A visible electrical discharge or spark of electricity in the atmosphere between clouds, the air and/or the ground often produced by a thunderstorm.
- **Riverine Flooding:** Streams and rivers exceed the capacity of their natural or constructed channels to accommodate water flow and water overflows the banks, spilling out into adjacent low-lying, dry land.
- **Strong Wind:** Consists of damaging winds, often originating from thunderstorms, that are classified as exceeding 58 mph.
- **Tornado:** A narrow, violently rotating column of air that extends from the base of a thunderstorm to the ground and is visible only if it forms a condensation funnel made up of water droplets, dust, and debris.

Based on FEMA’s analysis, most counties in Florida are deemed to be susceptible to some weather risks and hazards. However, counties with a FEMA-defined “very high” risk are detailed in [Table 8](#).

Table 8: Risk and Hazards by County in Florida

County	Cold Wave	Hurricane	Lightning	Riverine Flooding	Strong Wind	Tornado
Bay			X			
Brevard	X	X	X			
Broward		X	X			
Collier		X	X			
Duval			X			
Escambia			X			
Hillsborough		X	X			X
Lee		X	X			
Manatee		X	X			
Miami-Dade		X	X	X		
Okaloosa			X			
Orange	X		X			X
Osceola	X					
Palm Beach		X	X			
Pasco	X	X	X			
Pinellas		X	X			
Polk	X		X		X	
Santa Rosa			X			
Sarasota		X	X			
Seminole	X					
St. Lucie	X	X				
Volusia			X			

Weather Risks and Hazards to Broadband Infrastructure

Cold Waves

There are seven counties in Florida which are at “very high” risk for cold waves: Brevard, Orange, Osceola, Pasco, Polk, St. Lucie, and Seminole. Cold or freezing temperatures can damage network equipment, such as causing cables to stiffen and become brittle.

Hurricanes

There are 12 counties in Florida which are at “very high” risk for hurricanes: Brevard, Broward, Collier, Hillsborough, Lee, Manatee, Miami-Dade, Palm Beach, Pasco, Pinellas, Sarasota, and St. Lucie. Hurricanes can affect broadband infrastructure in a variety of ways. Strong winds and rains can impact aerial fiber and poles as they are exposed to the elements. In addition, wireless/satellite distribution or access points can be destroyed by the storms. Underground fiber can also be damaged or disrupted during severe storms.

Lightning

There are 19 counties in Florida which are at “very high” risk for lightning: Bay, Brevard, Broward, Collier, Duval, Escambia, Hillsborough, Lee, Manatee, Okaloosa, Orange, Miami-Dade, Palm Beach, Pasco, Pinellas, Polk, Santa Rosa, Sarasota, and Volusia. Florida is very prone to lightning storms, and these events are most likely to affect above-ground broadband infrastructure, such as poles and aerial fiber cables.

Riverine Flooding

There is one county in Florida which is at “very high” risk for riverine flooding: Miami-Dade. Flooding can damage fiber deployed underground. While cables are made to resist water under normal operating conditions, extreme flooding can have a negative effect on service.

Strong Winds

There is one county in Florida which is at “very high” risk for strong wind: Polk. Strong winds have the potential to damage aerial infrastructure, as the poles and fiber lines are suspended and exposed to the elements.

Tornadoes

There are two counties in Florida which are at “very high” risk for tornadoes: Hillsborough and Orange. Tornadoes have the potential to damage aerial infrastructure, as the poles and fiber lines are exposed. There is also a potential that wireless/satellite services could be disrupted due to heavy winds.

Risk Mitigation Measures

The Office of Broadband aims to avoid and mitigate severe weather risks identified through a variety of strategies. By incorporating resilient designs, developing mitigation and response plans, and encouraging the hardening of assets, the state of Florida aims to strengthen its broadband infrastructure to withstand unpredictable events.

In addition to the information provided by the FEMA risk index, the Office of Broadband also intends to use the risk assessment provided by the Florida Division of Emergency Management

(DEM). This assessment is a robust 2023 State Hazard Mitigation Plan, which identifies hazards based on the history of disasters within Florida.³⁴ This important detail will supplement the Office's understanding of the weather risks that intersect with the deployment aims of the state. The assessment provides a good starting point as the Office of Broadband conducts additional broadband specific planning.

The Office of Broadband will review and update its resilience and mitigation plans periodically. Because weather risks and hazards are continuously evolving, utilizing the most up-to-date tools and information will help risks be better understood, characterized, and addressed. Moving forward, the Office will consult NTIA provided resources, including the National Oceanic and Atmospheric Administration's (NOAA) Disaster Risk Mapping tools, the FEMA National Risk Index, the Climate Mapping for Resilience and Adaptation Assessment Tool, and state-specific information provided by the United States Geological Survey (USGS).

2.11.1.1 Optional Attachment: As an optional attachment, 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.

The Office of Broadband has included references and links as footnotes for relevant reports referenced in the text above.

³⁴ Natural Hazards, Division of Emergency Management. Accessed on October 26, 2023, at <https://flshmp-floridadisaster.hub.arcgis.com/pages/natural-hazards>

2.12 Low-Cost Broadband Service Options (Requirement 15)

2.12.1 Text Box: 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.

Source; NTIA Initial Proposal Template

Cost can be a significant barrier for broadband adoption in Florida. To address this need, the Office of Broadband will require that prospective subgrantees receiving BEAD funds offer a low-cost service option to eligible residents in the state. The proposed service option is detailed below:

- **Cost:** The Office will not set a price for the low-cost service option across the state. Prospective subgrantees may submit their proposed pricing structure with their application. However, the Office will require subgrantees to maintain the price-point for their current low-cost option through the duration of the BEAD Program.
- **Speeds:** Provides the greater of (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps or (b) the performance benchmark for fixed terrestrial broadband service established by the Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934, as amended.
- **Latency:** Provides typical latency measurements of no more than 100 milliseconds.
- **Data Caps:** 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.
- **Affordable Connectivity Benefits Application:** Subgrantees are required to participate in the Affordable Connectivity Program or any successor program, and Eligible Subscribers that are eligible for a broadband service subsidy can apply the subsidy to the proposed service option.

- **Available Technical Upgrades:** If the provider later offers a low-cost plan with higher speeds downstream and/or upstream, then the provider permits Eligible Subscribers subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.

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

The FloridaCommerce Office of Broadband certifies that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

2.13 Middle Class Affordability Plans (Requirement 20)

2.13.1 Text Box: 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.

Source; NTIA Initial Proposal Template

With a population of 22.2 million, Florida remains committed to encouraging reliable and affordable broadband access to all residents, businesses, and communities within the state.³⁵ While it is not the role of the state to dictate price points for consumers, Florida intends to adopt the following strategies to encourage affordability for consumers.

Use of Affordability Scoring Criteria in BEAD Subgrantee Reviews

Affordability will be a priority consideration for scoring in compliance with the BEAD Program. The Office already uses “Affordability & Adoption Assistance” factors for consideration in the Broadband Opportunity and Capital Projects Fund Programs to encourage affordability measures among prospective subgrantees. Building on this work, the Office incorporated these elements plus additional scoring incentives for providers to offer affordable options for middle-class customers.

Encouraging Low-Cost Service Option

Florida is requiring that providers offer a low-cost service option for eligible customers. More detail on the low-cost service option can be found in Requirement 16. This provision enables subgrantees who are accepting BEAD subgrants to offer broadband services that are both affordable and reasonable for eligible populations.

Continued Feedback from LTPTs and Other Stakeholders

The Office will continue to gather feedback through ongoing engagement with LTPTs and other stakeholders. This feedback will be used to inform the state on affordability. Florida maintains strong relationships with a diverse network of stakeholders and will utilize their expertise in maintaining middle-class affordability.

Explore Methods of Better Understanding Rates Across the State

The methods suggested above are not inclusive of every strategy that the Office of Broadband will pursue to maintain middle-class affordability. The Office will continue to iterate and explore additional methods to better encourage affordability for end-consumers. This may include working with ISPs to better understand document pricing across the state, developing a benchmarking system using publicly available data, or collaborating on a combined approach that encourages ISPs to report data about service options available at various price points.

³⁵ United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/FL/PST045222>

In the end, the most sustainable approach to expanding the affordability of broadband services is to bolster the earnings and economic opportunities for Floridians. FloridaCommerce manages a wide range of programs to maintain full employment, promote better wages for all, and expand the economic vibrancy across the state. Success with these mandates supports the ability of Floridians to purchase service plans at competitive price points.

2.14 Use of 20 Percent of Funding (Requirement 17)

2.14.1 Text Box: 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.

Source; NTIA Initial Proposal Template

The FloridaCommerce Office of Broadband and the state of Florida are committed to expanding broadband service to all residents, businesses, and communities throughout the state. As such, **Florida is requesting 100% of its funding allocation** during the Initial Proposal round to expedite broadband deployment. With nearly \$1.17 billion available to reach unserved and underserved locations, the Office's goal is to generate a connected economy across Florida.³⁶

Florida has substantial experience conducting subgrantee application reviews and awarding grants to providers for broadband deployment expansion. Through the state-administered Broadband Opportunity Program, the Office awarded more than \$226 million across 53 counties between February and May 2023, bringing broadband Internet service to more than 250,000 unserved homes and businesses across the state. After launching the application cycle for the Capital Projects Fund (CPF) Broadband Infrastructure Program in February 2023, the Office awarded more than \$247 million through the CPF Broadband Infrastructure Program in July, connecting more than 59,000 unserved and underserved businesses, homes, farms, and community anchor institutions like hospitals and

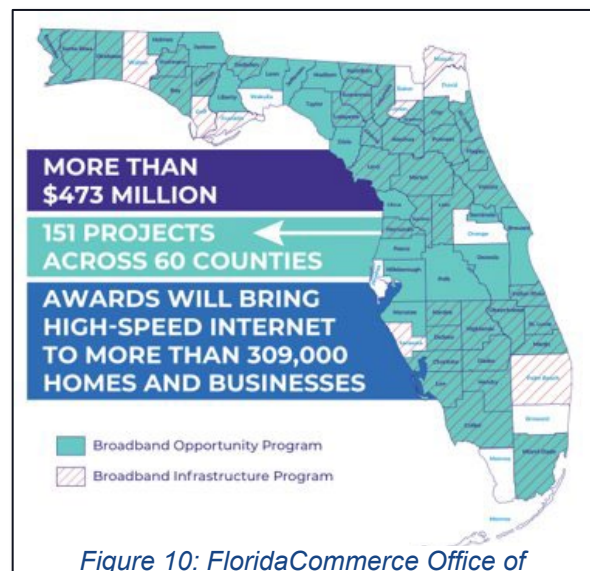


Figure 10: FloridaCommerce Office of Broadband Program Highlights

³⁶ BroadbandUSA National Telecommunications and Information Administration, Biden-Harris Administration Announces State Allocations for \$42.5 Billion High-Speed Internet Grant Program as Part of Investing in America Agenda, <https://broadbandusa.ntia.doc.gov/news/latest-news/biden-harris-administration-announces-state-allocations-4245-billion-high-speed>

libraries. The Office of Broadband shares the NTIA's goal of expedient service to unserved and underserved communities. As such, the Office stands ready to expand on its previous success in awarding deployment grants using BEAD funds. Receiving the full allocation will prevent delays in connecting currently unserved and underserved communities across Florida.

Secondly, construction in Florida must contend with the unpredictability that comes from extreme weather events. While greater detail is outlined in Requirement 15 Climate Assessment, hurricane season from June 1 through November 30 each year poses potential pauses and delays in construction.³⁷ While the state is well-equipped to manage these emergencies, well-intentioned construction schedules for Broadband deployment are no exception. Potential waiting periods for BEAD funding could risk delay but can be mitigated through detailed planning and mitigation measures. Quickly obligating funding to projects can help maximize the workdays around extreme weather events throughout the duration of the BEAD Program.

Lastly, the Office proposes to simultaneously dedicate a portion of BEAD funds for training and workforce initiatives in lieu of deployment, as achieving access goals will only be possible if Florida's broadband-related workforce is scaled up to meet the needs of building out communities' access to broadband at acceptable speeds. Waiting until later releases of funding to scale up Florida's broadband workforce would in effect defeat the underlying goals of closing gaps in access to broadband throughout the state.

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

The Office is requesting \$1,169,947,392.70.

2.14.3 Check Box: 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 FloridaCommerce Office of Broadband certifies it will adhere to the BEAD Program requirements regarding Initial Proposal funds usage.

³⁷ Florida Climate Center, "Hurricanes", accessed on October 16, 2023, at: <https://climatecenter.fsu.edu/topics/hurricanes>

2.15 Eligible Entity Regulatory Approach (Requirement 18)

2.15.1 Text Box:

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.

Source; NTIA Initial Proposal Template

The state of Florida does not have any laws that preclude public sector providers from participation in the subgrant selection process. However, the state does have a law (section 350.81, Florida Statutes) that imposes specific requirements on public sector broadband providers, and it will not waive this law as part of the BEAD Program project selection process. Details on this law and its contents are provided in the “Florida BEAD Initial Proposal Volume II Eligible Entity Regulatory Approach” attachment provided along with this Initial Proposal.³⁸

2.15.1.1 Optional Attachment: As a required attachment only if the Eligible Entity will not waive laws for BEAD Program project selection purposes, provide a list of the laws that the Eligible Entity will not waive for BEAD Program project selection purposes, using the Eligible Entity Regulatory Approach template provided.

Please see the attachment labeled “Florida BEAD Initial Proposal Volume II Eligible Entity Regulatory Approach” provided along with this Initial Proposal.

³⁸ Florida Statute 350.81, <https://www.flsenate.gov/laws/statutes/2021/350.81>

2.16 Certification of Compliance with BEAD Requirements (Requirement 19)

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

The FloridaCommerce Office of Broadband intends to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

2.16.2 Text Box: 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.

Source; NTIA Initial Proposal Template

The FloridaCommerce Office of Broadband intends to employ subgrantee accountability procedures to facilitate BEAD projects that meet established expectations.

Distribution of Funding

The Office will distribute funding to subgrantees on a fixed price basis upon the completion of key project milestones. Funding will only be distributed if subgrantees comply with stated terms in their successful applications and subsequent contracts. Funding will be withheld if subgrantees fail to comply with stated terms. As new guidance is published, the Office will explore possible changes to the distribution of funding schedule as needed.

Clawback Provisions

Florida's subrecipient agreements include clear penalties for non-performance, including clawback provisions to recoup disbursed funds if a subgrantee fails to continue to adhere to the obligations established in the grant agreement. Subgrantees that fail to provide the minimum advertised connection speed and cost at the advertised rate shall forfeit any awarded funds, up to the entire amount received through the program.

Timely Subgrantee Reporting Requirements

Subgrantees will be required to submit reports quarterly to the Office with updates including but not limited to deployment schedules, financial updates, and descriptions of projects/activities progress and completion. Subgrantees must maintain detailed records to be able to provide the information request.

Subgrantee Monitoring Practices

The Office has developed monitoring plans in conjunction with the Broadband Opportunity and Capital Projects Fund Programs to keep subgrantees on track to continually meet standards. These procedures include surveys, site-visits, risk assessments, desk reviews, and compliance reviews. All monitoring procedures will be communicated to subgrantees beforehand.

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

The FloridaCommerce Office of Broadband will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

2.16.4 Check Box: 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 FloridaCommerce Office of Broadband will promote subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO to require that subgrantees 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.
 - 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.
4. The plan will be submitted to the Office prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Office 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.
 - 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.
4. The plan will be submitted to the Office 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 Office must provide a subgrantee's plan to NTIA upon NTIA's request.

2.17 Volume II Public Comment

2.17.1 Text Box: 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: c. The public comment period was no less than 30 days; and d. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

Source; NTIA Initial Proposal Template

The public comment period for Volume II was open for 30 days and closed on December 22, 2023. Floridians were encouraged to comment on any section of this volume of Florida's BEAD Initial Proposal. Public comments could be sent to Broadband@Commerce.fl.gov, or by postal mail to:

FloridaCommerce
Office of Broadband
The Caldwell Building
107 East Madison Street, MSC-400
Tallahassee, Florida 32399

In addition, the Florida Office of Broadband conducted an Initial Proposal Webinar on December 7, 2023 to increase awareness of the Initial Proposal and to solicit public comment. The presentation slides from this webinar as well as a recording of the webinar were made available on the [Office of Broadband's website](#) following the webinar.

2.17.2 Optional Attachment: As an optional attachment, submit supplemental materials to the Volume II submission and provide references to the relevant requirements. Note that only content submitted via text boxes, certifications, and file uploads in sections aligned to Initial Proposal requirements in the NTIA Grants Portal will be reviewed, and supplemental materials submitted here are for reference only.

2.18 Volume II Appendix

1. Local Coordination Tracker

Engagement Title	Engagement Location	Target Audience	Target Audience Location	Target Audience County	# Engaged
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Statewide Engagement	All counties	25
Florida Agricultural and Mechanical University Meeting	Virtual	Met with IT leaders of local HBCU	Local	Leon	*
National Digital Inclusion Alliance Call	Virtual	Meeting with Digital Adoption and Use non-profit organization	Local	All counties	*
Education Superhighway meeting	Virtual	Education Superhighway, a non-profit, Digital Adoption and Use organizations	Statewide Engagement	All counties	*
City of Palatka Technical Assistance	Virtual	Provided technical and grant assistance to local leaders with the City of Palatka	Local	Putnam	1
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	25
Cities of Archer and Greenville Technical Assistance	Virtual	Provided technical and grant assistance to local leaders with the Cities of Archer and Greenville	Local	Alachua, Madison	2
Seminole Tribe of Florida Meeting	Virtual	Met with Seminole Tribe IT department leader	Local	Seminole Tribal Lands	1
FL Department of Agriculture and Consumer Services	Virtual	Meeting with interagency partners at Florida Department of Agriculture and Consumer Services	Statewide Engagement	All counties	*

City of Oldsmar Technical Assistance	Virtual	Assisted with technical and grant application questions with City of Oldsmar officials	Local	Pinellas	*
Florida's Adult and Family Literacy Resource Center Meeting	Virtual	Meeting with organization representing English language learners and individuals with low levels of literacy	Statewide Engagement	All counties	1
The Learning Alliance Meeting	Virtual	Meeting with for- profit entity training individuals for careers in fiber and wireless installation	Statewide Engagement	All counties	2
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	25
Education SuperHighway ACP and Apartment WiFi Call	Virtual	Meeting with non- profit group regarding ACP enrollment and other Digital Adoption and Use issues	Statewide Engagement	All counties	*
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	25
Dr. Mark Jamison/Public Utility Research Center Meeting	Tallahassee, FL	University of Florida Public Utility/Infrastructure Researcher	Statewide Engagement	All counties	1
FL Agency for Healthcare Administration Meeting	Virtual	FL Agency for Healthcare Administration Leaders	Statewide Engagement	All counties	*
Alachua County Local Technology Planning Team Technical Assistance	Virtual	Alachua County Local Technology Planning Team Leaders	Local	Alachua	*
Communications Workers of America Meeting	Virtual	Communications Workers of America Labor Leaders	Statewide Engagement	All counties	2

Liberty County Local Technology Planning Team Assistance	Virtual	Liberty County Local Technology Planning Team	Local	Liberty	2
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	*
Alachua County Local Technology Planning Team	Virtual	Alachua County Local Technology Planning Team	Local	Alachua	*
Monthly Local Technology Planning Team Leader Call	Virtual	Local Technology Planning Team Leaders	Statewide Engagement	All counties	*
Leon County Local Technology Planning Team Assistance	Tallahassee, FL	Leon County Local Technology Planning Team	Local	Leon	2
Town of Micanopy technical assistance meeting	Virtual	Town of Micanopy	Local	Alachua	*
Highlands County Local Technology Planning Team	Virtual	Highlands County Local Technology Planning Team	Local	Highlands	*
Duval County Local Technology Planning Team	Virtual	Duval County Local Technology Planning Team	Local	Duval	*
Broward County Local Technology Planning Team	Virtual	Broward County Local Technology Planning Team	Local	Broward	*
REACH Office Meeting	Tallahassee, FL	FL Reach Office workforce personnel	Statewide Engagement	All counties	1
St. Lucie County Local Technology Planning Team Assistance Meeting	Virtual	St. Lucie County Local Technology Planning Team	Local	St. Lucie	2
Franklin County Local Technology Planning Team	Virtual	Franklin County Local Technology Planning Team	Local	Franklin	*
Liberty County Local Technology Planning Team	Bristol, FL	Liberty County Local Technology Planning Team	Local	Liberty	9
Lake County Local Technology Planning Team	Virtual	Lake County Local Technology Planning Team	Local	Lake	*

FL Digital Services Meeting	Virtual	FL state agency cybersecurity personnel	Statewide Engagement	All counties	3
AmeriCorps Meeting	Virtual	AmeriCorps / Lead for America Volunteers	Statewide Engagement	All counties	3
Hillsborough County Local Technology Planning Team	Virtual	Hillsborough County Local Technology Planning Team	Local	Hillsborough	Requested attendance sheet
Bradford County Local Technology Planning Team	Virtual	Bradford County Local Technology Planning Team	Local	Bradford	*
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	25
St. Lucie County Commission meeting	Tallahassee, FL	St. Lucie County leadership	Local	St. Lucie	*
Monthly Local Technology Planning Teams Leader Call	Virtual	Local Technology Planning Team Leaders	Statewide Engagement	All counties	*
Marion County Local Technology Planning Team	Virtual	Marion County Local Technology Planning Team	Local	Marion	*
Town of Micanopy technical assistance meeting	Virtual	Town of Micanopy	Local	Alachua	*
Putnam County Local Technology Planning Team	Palatka, FL	Putnam County Local Technology Planning Team	Local	Putnam	Approximately 10
Gulf County Local Technology Planning Team	Virtual	Gulf County Local Technology Planning Team	Local	Gulf	17
Bradford County Local Technology Planning Team	Starke, FL	Bradford County Local Technology Planning Team	Local	Bradford	16
Alachua, Gilchrist, and Union County Local Technology Planning Teams	Newberry, FL	Alachua, Gilchrist, and Union County Local Technology Planning Team	Local	Alachua, Gilchrist, and Union Counties	19
Lake County Local Technology Planning Team	Virtual	Lake County Local Technology Planning Team	Local	Lake	20

Hardee County Local Technology Planning Team	Wauchula, FL	Hardee County Local Technology Planning Team	Local	Hardee	6
Jackson County Local Technology Planning Team	Marianna, FL	Jackson County Local Technology Planning Team	Local	Jackson	10
Volusia County Local Technology Planning Team	Virtual	Volusia County Local Technology Planning Team	Local	Volusia	19
Marion County Local Technology Planning Team	Ocala, FL	Marion County Local Technology Planning Team	Local	Marion	8
Santa Rosa County Local Technology Planning Team	Milton, FL	Santa Rosa County Local Technology Planning Team	Local	Santa Rosa	21
Seminole County Local Technology Planning Team	Virtual	Seminole County Local Technology Planning Team	Local	Seminole	50
Dixie County Local Technology Planning Team	Cross City, FL	Dixie County Local Technology Planning Team	Local	Dixie	6
Monthly LTPT Call	Virtual	Florida Local Technology Planning Team Leaders	Statewide Engagement	All counties	*
Gadsden County Local Technology Planning Team	Quincy, FL	Gadsden County Local Technology Planning Team	Local	Gadsden	4
Communications Services for the Deaf	Virtual	Deaf digital service providers	Statewide Engagement	All counties	2
Flagler County Local Technology Planning Team	Bunnell, FL	Flagler County Local Technology Planning Team	Local	Flagler	1
Clay County Local Technology Planning Team	Virtual	Clay County Local Technology Planning Team	Local	Clay	31
National Skills Coalition	Virtual	Digital Skills Coalition	Statewide Engagement	All counties	2
Martin County Local Technology Planning Team	Stuart, Florida	Martin County Local Technology Planning Team	Local	Martin	10
Lead for America	Virtual	Lead for America/ Americorps volunteers	Statewide Engagement	All counties	2

FL Agency for Healthcare Administration	Virtual	FL Healthcare Agency staff	Statewide Engagement	All counties	3
Miami Dade County Local Technology Planning Team	Virtual	Miami Dade County Local Technology Planning Team	Local	Miami Dade County	35
Hernando County Local Technology Planning Team	Brooksville, FL	Hernando County Local Technology Planning Team	Local	Hernando	12
Florida Hispanic Federation	Virtual	Hispanic Community Leaders	Statewide Engagement	All counties	3
Escambia County Local Technology Planning Team	Virtual	Escambia County Local Technology Planning Team	Local	Escambia	11
Lee County Local Technology Planning Team	Fort Myers, FL	Lee County Local Technology Planning Team	Local	Lee	14
Digitunity Call	Virtual	Device policy leaders	Statewide Engagement	All counties	2
Monthly Local Technology Planning Team Call	Virtual	Local Technology Planning Team Leaders	Statewide Engagement	All counties	*
Polk County Local Technology Planning Team	Virtual	Polk County Local Technology Planning Team	Local	Polk	18
South Florida Regional Planning Council	Virtual	Eralda Agolli, South Florida Regional Planning Council	Regional	South Florida	1
St. Lucie County Local Technology Planning Team	Fort Pierce, FL	St. Lucie Local Technology Planning Team	Local	St. Lucie	30
DeSoto County Local Technology Planning Team	Virtual	DeSoto County Local Technology Planning Team	Local	DeSoto	16
Calhoun County Local Technology Planning Team	Blountstown, FL	Calhoun County Local Technology Planning Team	Local	Calhoun	12
Monroe County Local Technology Planning Team Lead	Virtual	Alan MacEachern, Monroe County Local Technology Planning Team Lead	Local	Monroe	1

Agency for Healthcare Administration	Virtual	Agency for Healthcare Administration leaders regarding Community Anchor Institution definitions	Statewide Engagement	All counties	3
Franklin County Local Technology Planning Team Lead	Virtual	Cortni Bankston, Franklin County Local Technology Planning Team Lead	Local	Franklin	1
Highlands County Local Technology Planning Team	Avon Park, FL	Highlands County Local Technology Planning Team	Local	Highlands	
Escambia County Local Technology Planning Team	Pensacola, FL	Escambia County Local Technology Planning Team	Local	Escambia	12
City of Lady Lake	Virtual	John Pearl, City of Lady Lake	Local	Lake	2
St. Lucie County Local Technology Planning Team	Virtual	St. Lucie Local Technology Planning Team	Local	St. Lucie	30
Duval County Local Technology Planning Team	Virtual	Duval County Local Technology Planning Team	Local	Duval	35
ByteBack	Virtual	ByteBack Digital Navigator Program managers	Local	Miami Dade	3
Citrus County Local Technology Planning Team	Virtual	Citrus County Local Technology Planning Team	Local	Citrus	18
Gadsden County Local Technology Planning Team Technical Assistance	Virtual	Gadsden County Local Technology Planning Team Technical Assistance	Local	Gadsden	1
Broadband/DoE Questionnaire	Virtual	FL Department of Education Leaders to discuss data gathering methods for school districts regarding Digital Adoption and Use efforts	Statewide Engagement	All counties	2

Monthly Broadband Multi-Agency Coordination Call	Virtual	State agency leaders meeting to coordinate broadband efforts across state government	Statewide Engagement	All counties	30
Orange County Local Technology Planning Team	Orlando	Orange County Local Technology Planning Team	Local	Orange	33
University of South Florida, Cyber Florida	Virtual	University of South Florida and Cyber Florida Digital Literacy Training Program Meeting	Statewide Engagement	All counties	3
Miami-Dade Local Technology Planning Team	Hialeah Gardens	Miami-Dade Local Technology Planning Team Meeting	Local	Miami Dade	36
Collier County Local Technology Planning Team	Naples	Collier County Local Technology Planning Team	Local	Collier	4
Miccosukee Tribe	Virtual	Miccosukee Tribal Leaders	Local	Broward	3
Project Up Digital Adoption and Use Forum	Tallahassee	Digital Adoption and Use forum hosted by Comcast and attended by local Leon County school district leaders	Local	Leon	60
Deborah Thompson Interview	Virtual	Deborah Thompson, NAACP Jacksonville board member	Local	Duval	1
Jacksonville Digital Adoption and Use Workshop	Jacksonville	Jacksonville local leaders, service providers, non-profits, and concerned citizens, broadcasted on The Florida Channel	Local	Duval	25
FAC Annual Conference	Orlando	Office of Broadband Director Katie Smith gave presentation to county level leaders about future broadband funding opportunities	Statewide Engagement	All counties	60

Bradenton Digital Adoption and Use Workshop	Bradenton	Bradenton/Manatee County Local leaders, service providers, non-profits and concerned citizens	Local	Manatee	25
Town of Eatonville Technical Assistance Call	Virtual	Town of Eatonville local leaders discussing future funding opportunities	Local	Orange	2
Sondra Guffey Interview	Virtual	Interview with Sondra Guffey, DeSoto county Local Technology Planning Team lead regarding DeSoto County Digital Adoption and Use issues	Local	DeSoto	1
AARP Interview	Virtual	Interview with local AARP leaders regarding Digital access issues affecting seniors throughout the state	Statewide Engagement	All counties	3
Seniors on a Mission Meeting	Virtual	Discussion with Jacksonville non-profit to discuss innovative digital navigator program	Local	Duval	1
Florida League of Cities Call	Virtual	Discussion with Chris Holley and staff regarding League of City broadband policies	Statewide Engagement	All counties	2
FL Department of Education Interview, Dr. Paul Burns	Virtual	Interview with Dr. Paul Burns, k-12 Chancellor at the FL Department of Education regarding broadband and Digital Adoption and Use issues in K-12 education	Statewide Engagement	All counties	1
Lake County Local Technology Planning Team	Virtual	Lake County Local Technology Planning Team	Local	Lake	15

Taylor County Broadband Workshop	Perry, FL	Discussion with Taylor County elected officials, non-profits, device providers, and concerned citizens regarding Digital Adoption and Use issues	Local	Taylor	25
Cyber Florida, University of South Florida	Virtual	Discussion of digital navigator pilot program with Cyber Florida	Statewide Engagement	All counties	3
Seminole Tribe Meeting	*	*	*	*	
United Way of Florida Interview	Virtual	Digital Adoption and Use discussion with United Way of Florida	Statewide Engagement	All counties	1
NextEra Energy Interview	Virtual	Digital Adoption and Use and infrastructure discussion with NextEra Energy	Statewide Engagement	All counties	4
FL Division of Library Services	Virtual	Digital Adoption and Use Discussion with FL Division of Library Services	Statewide Engagement	All counties	1
Miccosukee Tribe Meeting	*	*	*	*	
Florida Chamber of Commerce Interview	Virtual	Digital Adoption and Use Discussion with Florida Chamber of Commerce	Statewide Engagement	All counties	4
Escambia County Local Technology Planning Team	Virtual	Escambia County Local Technology Planning Team	Local	Escambia	11
Virtual Public Workshop #1	Virtual	Virtual Workshop regarding Digital Adoption & Use and BEAD 5-year action plan with opportunities for public comment	Statewide Engagement	All counties	85
Communications Workers of America Interview	Virtual	Digital Adoption and Use Interview with Communications Workers of America	Statewide Engagement	All counties	2

Hispanic Federation Interview	Virtual	Digital Adoption and Use Interview with Hispanic Federation	Statewide Engagement	All counties	5
Polk County Technical Assistance Meeting	Virtual	Technical/Grant Administration meeting with Polk County leaders	Local	All counties	2
Marion County Local Technology Planning Team	Virtual	Marion County Local Technology Planning Team	Local	Marion	8
Nassau County Local Technology Planning Team	Yulee, Florida	Nassau County Local Technology Planning Team	Local	Nassau	15
Wireless Infrastructure Association Interview	Virtual	Digital Adoption and Use Interview with Wireless Infrastructure Association	Statewide Engagement	All counties	1
Florida League of Cities Call	Virtual	Call with Florida League of Cities regarding broadband report for League of Cities members	Statewide Engagement	All counties	4
Monthly Broadband Multi-Agency Coordination Call	Virtual	State agency leaders meeting to coordinate broadband efforts across state government	Statewide Engagement	All counties	30
Florida Internet and Television Interview	Virtual	Digital Adoption and Use Discussion with statewide service provider trade association	Statewide Engagement	All counties	2
OIC of South Florida Interview	Virtual	Digital Adoption and Use Discussion with OIC of South Florida, a workforce/job training organization	Statewide Engagement	All counties	3
Monthly Local Technology Planning Team Leaders Call	Virtual	Florida Local Technology Planning Team Leaders	Statewide Engagement	All counties	60

Florida Telecommunications Relay Interview	Virtual	Digital Adoption and Use Discussion with Florida Telecommunications Relay, a company providing devices to deaf and hard of hearing persons in Florida	Statewide Engagement	All counties	1
Digital Inclusion St. Pete Technical Assistance Call	Virtual	Technical. Grant Assistance call with Digital Inclusion St. Pete, a local digital access organization	Local	Pinellas	2
Virtual Public Workshop #2	Virtual	Virtual Workshop regarding Digital Adoption & Use and BEAD 5-year action plan with opportunities for public comment	Statewide Engagement	All counties	89
Capital Projects Fund - Multi-Purpose Community Facilities Technical Assistance Webinar	Virtual	Technical Assistance Webinar regarding Multi-Purpose Community Facilities Grant	Statewide Engagement	All counties	*
Florida Division of Emergency Management Interview	Virtual	Digital Adoption and Use Discussion with Florida Division of Emergency Management	Statewide Engagement	All counties	2
Monthly Broadband Multi-Agency Coordination Call	Virtual	State agency leaders meeting to coordinate broadband efforts across state government	Statewide Engagement	All counties	30
Florida League of Cities Call	Virtual	Call with Florida League of Cities regarding broadband report for League of Cities members	Statewide Engagement	All counties	3
Union County Local Technology Planning Team	Lake Butler, Florida	Union County Local Technology Planning Team	Local	Union	17

Virtual Public Workshop #3	Virtual	Virtual Workshop regarding Digital Adoption & Use and BEAD 5-year action plan with opportunities for public comment	Statewide Engagement	All counties	64
Glades County Local Technology Planning Team	Moore Haven, FL	Glades County Local Technology Planning Team	Local	Glades	11
Cyber Florida, University of South Florida	Virtual	Digital Navigator planning meeting	Statewide Engagement	All counties	8
Miccosukee Tribe Meeting	Virtual	Grant Technical Assistance with Miccosukee Tribe	Local	Miccosukee Tribe	7
FL Board of Governors Interview	Virtual	Digital Adoption and Use Conversation with Board of Governors of State University System	Statewide Engagement	All counties	2
Levy County Local Technology Planning Team	Virtual	Levy County Local Technology Planning Team	Local	Levy	15
Florida League of Cities Call	Virtual	Call with Florida League of Cities regarding broadband report for League of Cities members	Statewide Engagement	All counties	4
Central Florida Internet Authority Technical Assistance	Virtual	Technical Assistance call with Central Florida Internet authority, prospective local provider	Local	Lake	1
The Patterson Foundation Interview	Virtual	Digital Adoption and Use Conversation with The Patterson Foundation	Local	Sarasota	1
Miami-Dade Local Technology Planning Team	Virtual	Miami-Dade Local Technology Planning Team Meeting	Local	Dade	35
FL Department of Transportation Interview	Virtual	Digital Adoption and Use Conversation with FL Department of Transportation	Statewide Engagement	All counties	2

Escambia County Local Technology Planning Team	Virtual	Escambia County Local Technology Planning Team	Local	Escambia	10
Santa Rosa County Local Technology Planning Team Leader Interview	Virtual	Digital Adoption and Use Conversation with Santa Rosa County	Local	Santa Rosa	1
FL Developmental Disabilities Council Interview	Virtual	Digital Adoption and Use Conversation with FL Developmental Disabilities Council	Statewide Engagement	All counties	1
DeSoto County Local Technology Planning Team	Arcadia, FL	DeSoto County Local Technology Planning Team	Local	DeSoto	10
Monthly Broadband Multi-Agency Coordination Call	Virtual	State agency leaders meeting to coordinate broadband efforts across state government	Statewide Engagement	All counties	30
FL Library Association Interview	Virtual	Digital Adoption and Use Conversation with FL Library Association	Statewide Engagement	All counties	1
FL Municipal Electric Association Interview	Virtual	Digital Adoption and Use Conversation with FL Municipal Electric Association	Statewide Engagement	All counties	3
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	5
Polk County Local Technology Planning Team	Winter Haven, FL	Polk County Local Technology Planning Team	Local	Polk	13
Monthly Local Technology Planning Team Leaders Call	Virtual	Florida Local Technology Planning Team Leaders	Statewide Engagement	All counties	60
Aeras Foundation Interview	Virtual	Digital Adoption and Use Conversation with the Aeras Foundation	Local	Orange	2

Polk County Local Technology Planning Team Leader Interview	Virtual	Digital Adoption and Use Conversation with Polk County Local Technology Planning Team Lead	Local	Polk	1
Florida Ready to Work Meeting	Virtual	Workforce and Digital Literacy Conversation with Florida Ready to Work	Statewide Engagement	All counties	1
Marion County Local Technology Planning Team	Virtual	Marion County Local Technology Planning Team	Local	Marion	15
Marion County Local Technology Planning Team Leader Interview	Virtual	Digital Adoption and Use Conversation with Marion County Local Technology Planning Team Leader	Local	Marion	1
Dense Networks Interview	Virtual	Digital Adoption and Use Conversation with Dense Networks	Local	Orange, Levy, Lake	1
Palm Beach County Mapping Technical Assistance	Virtual	Mapping Technical Assistance Call with Palm Beach County IT Leadership	Local	Palm Beach	2
FloridaCares Interview	Virtual	Digital Adoption and Use Conversation with FloridaCares	Statewide Engagement	All counties	1
Comcast Interview	Virtual	Digital Adoption and Use Conversation with Comcast	Statewide Engagement	All counties	4
AT&T Interview	Virtual	Digital Adoption and Use Conversation with AT&T	Statewide Engagement	All counties	1
FL Coalition for Black Civic Participation Meeting	Virtual	Meeting and Introduction with Leaders from the Coalition for Black Civic Participation	Statewide Engagement	All counties	4
Conexon Interview	Virtual	Digital Adoption and Use Conversation with Conexon	Statewide Engagement	All counties	2
Lake County Local Technology Planning Team	Virtual	Lake County Local Technology Planning Team	Local	Lake	17

Charter Communications Interview	Virtual	Digital Adoption and Use conversation with Charter Communications	Statewide Engagement	All counties	6
Polk County Local Technology Planning Team	Auburndale, FL	Polk County Local Technology Planning Team	Local	Polk	22
Osceola County Local Technology Planning Team	Virtual	Osceola County Local Technology Planning Team	Local	Osceola	12
Okaloosa County Local Technology Planning Team	Shalimar, FL	Okaloosa County Local Technology Planning Team	Local	Okaloosa	2
Florida Broadband Summit	Orlando, FL	Statewide summit hosted by the Office of Broadband featuring leaders from the telecommunications industry as well as state and local government partners	Statewide Engagement	All counties	300
Dixie County Local Technology Planning Team	Virtual	Dixie County Local Technology Planning Team	Local	Dixie	4
Union County Local Technology Planning Team	Virtual	Union County Local Technology Planning Team	Local	Union	9
Florida Sheriff's Association Interview	Virtual	Digital Adoption and Use Conversation with Florida Sheriff's Association	Statewide Engagement	All counties	1
Levy County Local Technology Planning Team	Bronson, Florida	Levy County Local Technology Planning Team	Local	Levy	15
Florida Coalition on Black Civic Participation Technical Assistance Call	Virtual	Answered questions about grants and general Office function with members of Florida Coalition on Black Civic Participation	Statewide Engagement	All counties	3

Broadband Workforce Roundtable	Miami, FL	Workforce Roundtable discussion with industry and local leaders in Miami	Statewide Engagement	All counties	10
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2. Florida Federally Recognized Tribes
1. [Seminole Tribe of Florida Meeting Agenda](#)
2. [Seminole Tribal of Florida Engagement Presentation](#)
3. [Seminole Tribe of Florida Questionnaire](#)
4. [Miccosukee Tribe of Indians of Florida Meeting Agenda](#)
5. [Miccosukee Tribe of Indians of Florida Engagement Presentation](#)
6. [Miccosukee Tribe of Indians of Florida Questionnaire](#)

BEAD Budget Overview

In 2023, the State of Florida was allocated more than \$1.16 billion (\$1,169,947,392.70) through the federal Broadband Equity, Access, and Deployment (BEAD) program to facilitate the expansion of broadband Internet infrastructure and service access across the state, as well as funds for broadband planning, mapping, and non-deployment activities relating to workforce development and adoption.

The following “State of Florida BEAD Cost Allocation Table” provides a high-level overview of the proposed budget to support these priorities.

Following approval of the state’s Initial Proposal, which is estimated to occur in late 2024, the state will enter into a grant agreement with NTIA. Once the grant agreement is secured, the state will have approximately six years to expend the funds. The year-by-year timeline provided below is subject to change dependent on final NTIA approvals.

STATE OF FLORIDA BEAD COST ALLOCATION TABLE

Programmatic Costs	Total	2024	2025	2026	2027	2028	2029	Part of 2% Administration Cap (Yes/No)
DEPLOYMENT ACTIVITIES								
Deployment to Low-Income Locations (Census Data Low-Income) <i>Note: May begin following completion of the challenge process</i>	\$103,886,932	\$10,388,693	\$10,388,693	\$24,240,284	\$24,240,284	\$24,240,284	\$10,388,694	No
Deployment to Unserved /Underserved Locations (NTIA requirement) <i>Note: Broadband deployment activities including service unserved/underserved locations, line extensions, high-cost locations, multi-dwelling units</i>	667,695,999	\$66,769,600	\$66,769,600	\$155,795,733	\$155,795,733	\$155,795,733	\$66,769,600	No
Deployment on Tribal Lands <i>Note: State of Florida is prioritizing</i>	\$200,000,000	\$20,000,000	\$20,000,000	\$46,666,667	\$46,666,667	\$46,666,666	\$20,000,000	No

<i>deployment of broadband internet infrastructure in coordination with federally recognized tribes; the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida.</i>								
Deployment Activities Total = \$971,582,931								
NON-DEPLOYMENT ACTIVITIES								
Workforce Development <i>Note: Workforce development is mission critical to supporting deployment of broadband internet infrastructure. The Office will provide competitive grant opportunities to state colleges, local workforce development boards, and local community organizations to help facilitate curriculums, training, and apprenticeships.</i>	\$110,000,000	\$20,000,000	\$50,000,000	\$40,000,000				No

Cybersecurity and Digital Literacy Grants <i>Note: Will help ensure community based organizations may competitively apply for funds supporting cybersecurity and digital literacy efforts at a local level as deployment activities are underway.</i>	\$30,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	NO
Contractors for subrecipient assistance <i>Note: Includes intake, review and scoring of applications. Contractor to perform monitoring and compliance of program and subrecipients, and the challenge process.</i>	\$40,180,000	\$6,696,666	\$6,696,667	\$6,696,667	\$6,696,666	\$6,696,667	\$6,696,667	NO
Non-Deployment Activities Total = \$180,180,000								
ADMINISTRATION COSTS								
Personnel <i>Note: Salaries and benefits for office staff to administer the</i>	\$6,936,737	\$935,857	\$981,399	\$1,030,295	\$1,081,814	\$1,852,330	\$1,055,042	Yes

<i>grant program 11 FTE and 5 OPS.</i>								
Office support <i>Note: Office supplies and travel to NTIA sponsored workshops twice annually and for monitoring site visits for high-risk subrecipients.</i>	\$214,576	\$12,796	\$40,358	\$40,358	\$40,358	\$40,358	\$40,348	Yes
Office Contractual Support <i>Note: Contractors to assist the Office with legal, communications, community outreach, grant management, software licensing and support.</i>	\$6,373,487	\$1,633,607	\$1,483,508	\$983,508	\$983,508	\$833,508	\$455,848	Yes
Indirect Cost	\$3,159,684	\$428,234	\$448,962	\$471,248	\$494,716	\$845,686	\$470,838	No
Total Administration: \$16,684,484								
Grand Total	\$1,168,447,415	\$130,198,786	\$130,142,520	\$259,258,094	\$259,333,079	\$260,304,565	\$129,210,371	
State of Florida BEAD Allocation <i>Note: The total allocation includes an initial planning award received by the Office of Broadband in the amount of</i>	\$1,169,947,392							

<i>\$4,999,977. To date, the Office has spent \$1,499,977 on BEAD planning efforts.</i>								
Funds Expended	(\$1,499,977)							
BEAD Balance Available: \$1,168,447,415								

Summary of BEAD Initial Proposal Public Comments - Volumes I and II

On November 15, 2023, the Office opened the public comment period for its BEAD Initial Proposal, Volume I. The comment period for Volume II of the Initial Proposal opened a week later on November 22. Both comment periods ran for 30 days. As of December 22, 2023, at 11:59 p.m., the Office received a total of 69 public comments. Of the comments, 14 covered Volume I, 45 covered Volume II, and 8 covered both Volumes. The comments outlined below could touch upon more than one topic area. Many areas of the plan were addressed, including Challenge Process, Community Anchor Institutions, technology preferences, subgrantee selection process, low- cost pricing thresholds, and many more. There were a variety of different commenters, including internet service providers, labor unions, non-profit organizations, concerned citizens, academics, industry trade groups, and local governments. The Office hosted a webinar on December 7, to provide assistance to the public on how to leave a public comment on either Volume of the Initial Proposal. The Office also provided technical assistance to any commenter who needed it. Public comments were accepted via mail and email, though all of the comments were sent via email.

Public Comments Regarding Labor Requirements

The Office received four public comments that addressed labor standards and practices in Florida's BEAD Initial Proposal, Volume II. One comment suggested a higher score percentage allocated to labor practice history, and another suggested a higher allocation for the fair labor category in general. Additionally, a comment suggested scoring be shifted away from retroactive labor history, and toward prospective labor practices in the future. A comment also requested more specific and granular scoring criteria for fair labor standards. The Office also received a comment asking for clarification on the definition of locally-hired and ongoing operational workforce. Another commenter suggested applicants be required to disclose information about their workforce plans and practices, and that these plans be considered legally enforceable. One comment suggested a prohibition on out-of-state workers, and another suggested prioritization of a directly-hired workforce.

Office Response:

With regards to scoring, the NTIA has mandated 75 percent of the score be allocated toward the following three categories: private leverage, affordability, fair labor practices. The Office's scoring matrix for fair labor practices adheres with these guidelines. The Office will require subgrantees to adhere to all fair labor practices in compliance with the BEAD grant award.

Public Comments Regarding Community Anchor Institutions, Multi-Dwelling Units

The Office received ten public comments that addressed Community Anchor Institutions and Multi-Dwelling Units (MDUs). One commenter suggested updating the definition of Community Anchor Institution to include HUD-assisted housing organizations, and another suggested including affordable housing and low-income community housing in the definition, as well as publicly-funded or non-profit-funded affordable MDU housing. It was also recommended that the

definition emphasize technology neutrality. Considering Community Anchor Institutions in the definition of unserved and underserved was recommended by a commenter as well. Another commenter suggested excluding currently served Community Anchor Institutions from BEAD eligibility altogether. Another commenter sought clarification on the Office's definition of Community Anchor Institution, as well as clarification on the methodology the Office will use to determine the connectivity needs of Community Anchor Institutions. It was also recommended that individual units within an MDU each be considered as separate Broadband Serviceable Locations, and that if three units, or 10 percent of units, within an MDU are unserved, then the whole MDU should be considered unserved. It was also expressed that the Office should require subgrantees demonstrate how they will serve all of the individual residents of an MDU, and that the Office should encourage proposals to include a price per customer breakdown of their proposals to serve MDUs. It was also suggested that any MDU served exclusively by Digital Subscriber Line (DSL) automatically be considered unserved, and that the Office should give higher scores to applicants that lead to property owners rewiring their MDU properties. Several commenters put forth the idea of using a bulk managed WiFi system for deploying broadband to MDUs.

Office Response:

The definition of a Community Anchor Institution will reflect 47 USC 1702(a)(2)E. The Office has opted to incorporate the NTIA modifications for both Multi-Dwelling Units and DSL. This means that any location served exclusively by DSL, MDU or otherwise, will be considered underserved and thus eligible for BEAD funding. Further, any MDU with either three unserved units or 10 percent unserved units will be considered unserved as well. Any MDU connectivity solutions will be determined by the applicant for project areas containing MDUs. With respect to Community Anchor Institution connectivity, the Office will evaluate the individual needs of each community before committing to serve Anchor Institutions as a whole. The Office proposes to dedicate portion of BEAD funds to training and workforce in lieu of deployment to CAIs, contingent on there being reliable and ongoing service to CAIs.

Public Comments Regarding Non-Deployment Activities, affordability, Affordable Connectivity Program, marketing, workforce, non-profit partnerships, community outreach

The Office received twenty comments that deal with the categories listed above. Several similar comments expressed a desire for the Office to allocate funding for local non-profits to participate in non-deployment activities and workforce programs. This was reiterated by another commenter, who encouraged the Office to engage in robust community outreach efforts and include community organizations in workforce development and training programs. A commenter suggested the Office commit to funding workforce initiatives only after all locations have been served. Another comment suggested using non-deployment funding for adoption activities targeted at affordable housing residents. Multiple commenters also encouraged the Office to reallocate more points to affordability measures in scoring. It was also recommended that points in the affordability category be shifted to the customer cost category. Another commenter gave suggestions about broadband adoption and marketing efforts. It was also suggested for the state to provide funding for Affordable Connectivity Fund recipients in the event that Congress does not reauthorize the funds, and that the Office should require

applicants to commit to ACP adoption strategies. A comment sought clarification on the Office's use of public WiFi as a potential use of secondary funds.

Office Response:

The workforce development portion of the BEAD program will include stakeholder input and community outreach as the plans are designed and implemented. The Office has already engaged in many different outreach activities throughout the state, including statewide listening sessions, the State Broadband Summit, Local Technology Planning Team meetings, Miami Dade College Workforce Summit, interviews with various stakeholders, and many other efforts. Community engagement has been and will remain critical to the Office's efforts. Workforce development is a top priority for the Office in its BEAD plans. The Office anticipates that the state college system will play a major role in these activities, as many apprenticeship programs are already in place throughout the state. The state college system has existing relationships with many non-profit organizations, workforce development boards, and community organizations.

Public Comments Regarding Low-Cost Pricing

The Office received thirteen comments about low-cost pricing. Many of these comments commended the Office for electing not to set a specific price for an applicant's affordable, low-cost option. One commenter expressed concern about the requirement for providers to maintain their low-cost pricing program for the entire duration of the BEAD program. It was also suggested that applicants be required to have consistent pricing in both BEAD-funded and nonsubsidized areas. Another commenter suggested the opposite, asking the Office to require subgrantees to maintain their low-cost plan through the useful life of the assets used to provide service. A comment suggested defining an 8-year term for useful life of network assets. Several comments also expressed a desire for providers to be able to raise their low-cost option to keep up with inflation. It was also suggested that the low-cost option be tied to the 100/20 speed tier, as opposed to the 1G symmetrical speed tier. Another commenter suggested that the Office could reward applicants with a scoring bonus if they committed to setting lower prices for their low-cost option. One commenter disagreed with the Office's scoring methodology for low-cost pricing. It was also recommended that affordable scoring criteria should only consider statewide pricing when considering nationwide providers.

Office response:

The Office is following the requirements laid out in the Infrastructure Investment and Jobs Act (IIJA) with respect to rate regulation. The low-cost option is a requirement of the BEAD program, and providers will need to offer a low-cost option for the duration of the program in order to stay in compliance. The Office will not set a price for the low-cost service option across the state. Prospective subgrantees may submit their proposed pricing structure with their application. However, the Office will require subgrantees to maintain the price-point for their current low-cost option through the duration of the BEAD Program.

Public Comments Regarding Challenge Process

The Office received eleven comments addressing the Office's proposed Challenge Process. One comment encouraged the Office to roll out its challenge process in distinct phases, as opposed to concurrent phases. A commenter requested 45 days each for challenge

submissions and rebuttals on a consecutive, rather than rolling basis. Another comment encouraged the Office to delay the beginning of the challenge process for a year, and encourages challenges be triggered at the census block rather than census group level. Several commenters encouraged the Office to use the fully allotted 120 days for the challenge process. Another commenter expressed the Office should utilize a streamlined process. One commenter sought clarification on which entities are eligible challengers. Another commenter suggested Multi-Dwelling Units be excluded from the challenge process. It was also suggested that the Office incorporate a pre-screening process for local governments and non-profits issuing challenges. Another comment encouraged the Office to offer training and technical assistance to local governments seeking to engage in the challenge process.

Many challenge process comments suggested modifications to the evidentiary requirements for challenges and rebuttals. Multiple commenters suggested evidence for challenges be limited to the last 6 months. It was also suggested that providers not be required to disclose customers' bills as evidence for challenge rebuttals. Another commenter encouraged the Office to allow additionally types of evidence for challenge rebuttals. A comment suggested a clarification on the types of evidence the Office would accept during the challenge process. It was also suggested that construction contracts and pole attachment licenses be added as evidence of service deployment. Another commenter recommended the Office use the newest version of the National Broadband Map for the challenge process. A comment suggested not accepting speed tests except for locations served exclusively by licensed fixed wireless. That comment also encouraged the Office to require speed test challenges to include information about the speed tier to which the customer is subscribed, and also suggested the Office screen challenges from local governments and non-profits to ensure their speed tests are reliable. It was also suggested that the Office establish a pre-challenge window for service providers to submit evidence of existing enforceable commitments, as well as a post-challenge process for the same purpose.

Office Response:

The Office's challenge process will employ specific periods for each phase rather than a rolling challenge process. The Office plans to allow for a 30-day challenge window on a consecutive basis rather than a rolling basis. The Office is willing to consider increasing the challenge window to 45 days, while noting that it will add two weeks to the overall challenge process (135 days instead of 120). The timeframe of the challenge process is determined by the approval of the initial proposal. The Office plans to conduct multiple regional challenge process training sessions to ensure eligible challengers have the tools necessary to review and submit challenges appropriately. With the mapping data available, there's no reason to delay the challenge process, and thus the deployment of broadband. The Office will utilize the latest FCC Broadband map available at the time of the challenge process in conjunction with the most current BSL Fabric. The Office will clarify the evidence necessary to challenge a location.

Public Comments Regarding overlapping areas, service areas, Rural Digital Opportunity Fund

The Office received eleven comments addressing the above categories. One comment commended the Office for designing service areas in advance, as opposed to allowing providers to design their own service areas. This commenter also encouraged the Office to establish rules disallowing providers from redefining service areas to exclude high-cost areas. Several other

comments disagreed, suggesting providers be allowed to design their own service areas. It was also recommended the Office utilize a cautious approach to designing service areas to encourage provider participation. Another commenter recommended a transparent process for deconflicting overlapping awards.

One comment suggested the Office commit to serving Rural Digital Opportunity Fund (RDOF) areas, while a number of comments expressed concern about the scoring criteria for RDOF commitments. Another commenter suggested prioritizing RDOF winners who apply around their awarded RDOF areas. It was also suggested to allow RDOF areas that had experienced population growth to be considered BEAD eligible. A commenter suggested reserving a portion of BEAD funds for anticipated RDOF defaults and encouraged the Office to include defaulted RDOF areas in their proposed project areas.

Office Response:

The Office has chosen to design its own service areas for the BEAD program in order to discourage providers from cherry picking low-cost areas, while leaving the high-cost areas without reliable service. The Office is committed to bundling low-cost and high-cost locations into each proposed service area, allowing for more cost-efficient buildout while emphasizing serving the state's most rural and unserved residents. Establishing service areas in advance also allows the Office to reduce the possibility of overlapping locations and decrease the likelihood of duplication. With respect to RDOF, under existing guidance the state cannot serve locations with an existing service commitment, including RDOF. The state's RDOF scoring criteria is meant to encourage RDOF awardees to begin their projects sooner rather than later, and hopefully avoid default. BEAD funding cannot be used to supplement a committed RDOF area, which would be in violation of the rules of the RDOF program.

Public Comments Unserved definition, Digital Subscriber Lines, technology preference, extremely high-cost threshold, mobile broadband, speed criteria

The Office received twelve comments related to the categories listed above. Referring to Digital Subscriber Lines (DSL), the Office received comments that expressed dislike for underserved status for DSL and wanted DSL to be considered unserved. With regards to technology preference, comments were divided. Some expressed a desire for fiber to be prioritized and for this preference to be reflected in the scoring of applications. Others expressed appreciation for the Office for remaining technology neutral and recommended that the definition of CAIs be adjusted to emphasize technology neutrality. One commenter recommended using fixed wireless for extremely high-cost areas and wanted more discussion on fixed wireless in the plan. Another commenter gave suggestions that wireless towers be multi-use and carrier-grade, and gave specifications for certain tower elements, such as tower height, structural integrity, power requirements, and others. This commenter also wanted fixed wireless to be considered underserved. For the extremely high-cost threshold (EHCT), one commenter provided caution against the EHCT being too low, and another against the EHCT being too high. For mobile broadband, the Office received one comment which expressed desire for recognition of mobile broadband. Lastly, for speed criteria, some commenters recommended that the criteria be reformatted to emphasize speed of deployment. There has also been desire from three commenters for the Office to align with a 100/100 Mbps symmetrical speed standard.

Office Response:

The Office will treat locations that the National Broadband Map indicates have available qualifying broadband service (i.e., a location that is “served”) that is delivered via digital subscriber line (DSL) as “underserved.” This modification will better reflect the locations eligible for BEAD funding because it will facilitate the phase-out of legacy copper facilities and ensure the delivery of “future-proof” broadband service. This designation cannot be challenged or rebutted by the provider.

The Office wants to provide all Floridians with access to broadband services. To do so, Florida will continue to be technology neutral and consider solutions such as fixed wireless and satellite, provided they adhere to minimum standards required in the Infrastructure Act. Volume II will separately address the remainder of the 20 requirements, including a description of the BEAD application process, non-deployment activities and workforce initiatives.

To set the EHCT, the Office will collect information from four sources: project costs from previous broadband grant programs in Florida, Eligible Entity Planning Toolkit, BEAD deployment subgrantee applications, and Line Extensions and Alternate Technologies.

The principal focus for the BEAD Program is to deploy broadband service to unserved locations (those without broadband service or service offering speeds less than 25 megabits per second (Mbps) download and 3 Mbps upload), and underserved locations (those without broadband service offering speeds of 100 Mbps download and 20 Mbps upload).

Public Comments Regarding Subgrantee selection process, scoring process, network resiliency, environmental impact, letter of credit, scalability.

The Office received seventeen comments that addressed the above areas. Multiple comments recommend the Office include a pre-qualification process for prospective subgrantees. One comment specifically requested the process include the following categories be included: experience with technology, risk level, and letter of credit. Another comment echoed this sentiment, encouraging the Office to consider subgrantees who have proven experience meeting community needs, including serving businesses, residences, Community Anchor Institutions, and hiring within the community. It was also suggested the Office utilize measurement of known benchmarks to prevent predatory lowball bids. Another commenter requested an application curing process. Another comment expressed a desire for an alternative financial requirement to the letter of credit. It was also recommended that the letter of credit requirement be under 25 percent of the proposed project amount. One comment requested the Office remove the requirement that an applicant disclose their intent to file other applications. It was suggested that the Office spread points across the top three scoring criteria more evenly, taking points from the private leverage category. Another comment encouraged emphasizing a scoring criteria which rewards speed to deployment. This was echoed by another commenter, who recommended prioritization of awards poised for immediate buildout. Another comment requested clarification on the speed to deployment criteria. A further comment suggested reallocating points away from this category. Multiple commenters also recommended the elimination of the open access scoring criteria. It was also suggested that the Office require fiber builds to include access points allowing for interconnection over time. Another commenter

requested the establishment of a Critical Resiliency Need scoring criteria, and a similar resilience category was suggested by a different comment. It was suggested further that this scoring criteria should emphasize mobile builds in areas lacking 3G mobile service. Network management, including technical support, was also suggested as a potential category for scoring. It was also expressed that the Office should address the need for a robust and resilient back-up timing signal source for broadband deployment and suggested collaborating with the Department of Defense on its NITRO (Nationwide Integration of Time Resiliency for Operations) initiative. There was also a comment suggesting scoring incentives for women/minority owned businesses. Several comments suggested a preference for fiber be reinforced in the scoring criteria. A commenter also suggested an overall cap on the amount a single entity can win.

Office Response:

The Office intends to conduct a pre-eligibility registration period during which time an applicant's eligibility will be assessed. Qualifying documentation to show an applicant's management, deployment, and financial capability will be required during the application cycle. The Office has utilized this process during both the Broadband Opportunity Program and the Capital Projects Fund. It is possible for the Office to adjust scoring criteria, but the 75 percent scoring allocation required by NTIA limits the Office's options for scoring criteria. With such a large amount allocated to the top three scoring categories, the impact of changes to scoring criteria will be comparatively minimal. NTIA has made some concessions regarding the Letter of Credit requirement. Awardees may now select a performance bond in lieu of the Letter of Credit and if accepting a reimbursement agreement may lower the amount of the bond when reaching agreed-upon milestones. With that said, Letter of Credit and performance bond requirements are established through guidance by the NTIA and the Office will comply with those requirements.

Public Comments Regarding Post-application process, monitoring/compliance

The Office received five comments regarding the post-application process and monitoring/compliance. These comments suggested that the post-application process should be verified via comprehensive monitoring to ensure that program guidelines are being upheld. The monitoring procedures recommended include site visits, disclosure of workforce plans, and considering workforce plans legally binding. There is also an expressed desire for the general timeline for the challenge process to be expanded and for submitted evidence to be more limited in scope. Another commenter emphasized a desire for the Office to play an active role in working with local governments to help solve permitting issues that may arise once buildout of infrastructure beings. It was suggested by multiple commenters to use BEAD funds to provide financial assistance to local governments to help expedite the permitting process, and for the Office to allow above ground builds where right of way fees may be prohibitive to providers. A commenter asked the Office to prohibit local governments from placing excessive extra requirements on providers. It was also expressed that the Office should be aware of issues that may arise with utility poles and potential non-competitive behavior from pole owners. It was also suggested that the Office require semi-annual reporting for subgrantees, and multiple comments requested the Office provide reasonable notice to providers for any compliance and monitoring activities.

Office Response:

The Office believes in a fully compliant BEAD program. As such, the Office intends to use a robust set of procedures for compliance and monitoring to fully abide by program guidelines, many of which the Office has successfully integrated through its Broadband Opportunity and Capital Projects Fund Programs. In accordance with 2 C.F.R. Part 200, including 2 C.F.R. Parts 200.300-309 and 2 C.F.R. Parts 200.328-330, and other regulations applicable to the BEAD Program, as well as sections 112.311 and 218.33, Florida Statutes, the Office will monitor its subgrantees throughout the project lifecycle for adherence to administrative, civil rights, financial management, and auditing requirements.