

Arkansas BEAD Program

Tranche-2 Frequently Asked Questions



Application Portal Questions	3
Tranche-2 Questions	3
Preliminary Selectee Questions	
Reference Price Questions	
EHCPLT Questions	
Milestone Reimbursement Questions	12



Arkansas BEAD Program Tranche-2 Frequently Asked Questions

Application Portal Questions

- If an application currently has an "In Review" status in the portal, does that mean it was successfully submitted? Yes. If applicants did not receive an email notification after an application was submitted and would like confirmation, please email <u>ARgrants@mbakerintl.com</u>
- 2. What do I do if I am experiencing issues downloading a PDF of my application? The solution for PDF exports is still in progress. If an applicant is experiencing this issue, email <u>broadband@arkansas.gov</u> with the name(s) of the application(s), and ARConnect will generate and send the PDF.
- 3. What email address will portal notifications come from? Emails from the portal will come from an ARConnect email address: noreply@broadband.arkansas.gov

Tranche-2 Questions

- If a bid has a requested subsidy over 200% of the reference price, will it be Carried Forward or Closed?
 Bids asking for more than two times the reference price will automatically be Carried Forward unless it overlaps with a Buy It Now bid.
- 5. Can an applicant submit a bid for a CBG in Tranche-2 that was included in a Tranche-1 bid that did not win Buy It Now? In Tranche-1, if a bid does not meet Buy It Now (BIN) criteria, the bid will either be Carried Forward to Tranche-2 or Closed due to an overlap with a BIN bid. New Tranche-2 bids **may not** contain CBGs included in a Carried Forward bid's project area. However, new Tranche-2 bids may contain CBGs included in a Closed bid's project area if they were not preliminarily selected as part of a BIN bid.
- 6. What modifications can be made to Tranche-1 Carried Forward bids? Applicants may modify their Tranche-1 Carried Forward bid in two ways:
 - 1. Reduce the requested subsidy; and/or
 - 2. Increase the project area size by adding contiguous Competitive CBGs and/or any non-contiguous Zero Bid CBGs
 - Note: applicants may increase the requested subsidy **if and only if** they add CBGs to the project area

Applicants are not required to modify their Tranche-1 Carried Forward bids.



- 7. What will happen to CBGs that are not covered after Tranche-2? All uncovered CBGs after Tranche-2 will move to the negotiations stage.
- 8. What determines if an application is competitive? An application is considered competitive when it overlaps with another application in at least one CBG.
- 9. What Tranche-1 results can ARConnect share? To ensure a fair and competitive process, ARConnect will not be able to answer specific data requests at this time. However, we can share that:
 - 98% of eligible locations received at least one bid
 - 96% of applications were competitive
 - 82% of eligible locations received bids from 2 or more competing ISPs
- 10. When will applicants be notified of the Tranche-1 results? Applicants will be notified of the Tranche-1 results prior to Tranche-2 opening.
- 11. Will the score for a Tranche-1 carried forward bid increase if the reference price for CBGs in the bid increase?

Prior to opening Tranche-2, ARConnect may increase reference prices for Zero Bid CBGs. Tranche-2 bids will be scored against the updated reference prices.

12. Will applicants be informed of their Tranche-1 scores prior to the opening of Tranche-2?

No. Applicants will not be provided with the scores of their Tranche-1 applications ahead of Tranche-2. Applicants will be provided with the results of their Tranche-1 applications (e.g., preliminarily selected, carried forward, or closed), as well as a map of CBG availability.

13. How and when will Tranche-1 results be announced?

Once adjudication is complete, ARConnect will publicly release the aggregated results of Tranche-1. Additionally, prior to the opening of Tranche-2, applicants will be notified by ARConnect via email when their bid results are available in the portal.

Please note, all bid results reflect the application of the Arkansas BEAD Program's Tranche-1 rules of adjudication, as well as federal requirements. These results are pending the conclusion of the subgrantee selection process and NTIA approval of results. Additionally, all results are confidential and may not be shared publicly or with other applicants.

14. How should an applicant interpret a CBG that has a zero-dollar reference price? CBGs with a zero-dollar reference price do not have any BEAD eligible locations.



15. Will residual CBGs from a bid that was closed by a Buy It Now bid be considered Zero Bid CBGs?

Yes. If a bid overlaps with a Tranche-1 Buy It Now bid and is closed, then the residual CBGs that were not selected as part of the Buy It Now bid will be classified as Zero Bid.

- 16. Can a Tranche-1 Carried Forward bid be modified to include a CBG that is part of a separate Tranche-1 Carried Forward bid?
 No. Applicants may not include a CBG that is included in any of their Carried Forward bids' project areas in either a separate Carried Forward bid or a new bid in Tranche-2.
- 17. How are the bids that are not carried forward to Tranche-2 classified? Bids that were not carried forward to Tranche-2 were either preliminarily selected or closed.
- 18. Will there be a communication blackout period during Tranche-2? Yes. During the Tranche-2 application window, ARConnect will not answer questions related to the BEAD application process.
- 19. If a bid is closed, can applicants see which CBGs were selected in the closed bid's project area?Yes. Applicants can see this information on the BEAD Claims Map.

20. Can the number of locations for each CBG be shown on the BEAD Claims Map? The number of BEAD eligible locations in each CBG is available on the application

- submission map. ARConnect will look into adding that information to the BEAD Claims Map.
- 21. How long will the Tranche-2 application be open? The Tranche-2 application window will open at noon CT on February 25 and will be open until 6:00 PM CT on March 11.
- 22. What kind of technology is considered "non-priority"? Any non-fiber technology that is classified as "Reliable Broadband Service" by NTIA and capable of delivering not less than 100/20 Mbps is considered "non-priority." The following technologies are classified as <u>"Reliable Broadband Service" by NTIA</u>:
 - Fiber-optic technology (Priority)
 - Cable modem/Hybrid fiber-coaxial (HFC) technology
 - Digital subscriber line (DSL) technology
 - Terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum

Non-priority bids will be eligible for preliminary selection in Tranche-2.



- 23. When will fixed wireless technology be eligible for selection in the BEAD process? Applications including licensed fixed wireless technology, or any other reliable broadband service technology, will be eligible for selection in Tranche-2. Applications including unlicensed fixed wireless technology, or any other alternative technology (e.g., low-earth orbit satellite), will not be eligible for selection until the negotiations stage.
- 24. Can a CBG included in a Carried Forward bid be classified as Zero Bid? Yes. If a bid did not overlap with any other bids and was carried forward to Tranche-2, the CBGs included in that bid will be classified as a Zero Bid CBG.
- 25. Can applicants bid on available CBGs that were included in one of their closed Tranche-1 bids?

Yes. An applicant can bid on any CBGs included a closed Tranche-1 bid that are still available and not included in a separate Carried Forward bid.

- 26. Can an applicant include ineligible CBGs to create a contiguous project area? Yes.
- 27. How can an applicant modify the project area of a Carried Forward bid in Tranche-2?

Applicants may add contiguous, available CBGs and/or any available Zero Bid CBGs to their Carried Forward bid(s).

Applicants **may not** add any CBGs that are included in a separate Carried Forward bid.

28. If an applicant has a Carried Forward bid that includes Zero Bid CBGs, will the bid earn the extra points for including Zero Bid CBGs? Yes. All Carried Forward bids will be re-submitted and re-scored at the end of the Tranche-2 application window regardless of whether the applicant makes any modifications. Therefore, the applicant will automatically earn additional points for any Zero Bid CBGs that are part of the Carried Forward bid's project area.

Please note, applicants may not include a CBG that is included in any of their Carried Forward bids' project areas in either a separate Carried Forward bid or a new bid in Tranche-2.

29. Were reference prices increased for CBGs that received multiple bids from only one ISP?

Reference prices for Zero Bid CBGs were increased incrementally based on the number of bids received.

30. Where can applicants find a list of the remaining available BSLs?



ARConnect posted an updated reference price file to the <u>Arkansas BEAD Webpage</u> that contains all CBGs with the number of BSLs still available for bidding.

- 31. Are applicants able to see the scores for their Carried Forward bids? No.
- 32. Can applicants change aspects of a Carried Forward bid such as the deployment timeline or letters of support?
 No. Applicants may only modify a Carried Forward bid by adding CBGs or decreasing the requested subsidy. Applicants may also increase the requested subsidy if and only if they add CBGs to the Carried Forward bid's project area.
- 33. For Zero Bid CBGs that received multiple bids in Tranche-1, is it possible that more than one of the bids counted may have been from the same applicant? Yes.
- 34. If an applicant submitted fiber bids in Tranche-1, can they submit non-priority bids in Tranche-2?
 If applicants submitted fiber bids in Tranche-1, they may also submit non-priority bids for new Tranche-2 bids. However, applicants may not change the technology type in any bids that were Carried Forward from Tranche-1.
- 35. What is the difference between non-priority and alternative technology? Non-priority is any non-fiber technology classified as Reliable Broadband Service by NTIA (e.g., licensed fixed wireless, hybrid fiber-coaxial, etc.) that is capable of delivering not less than 100/20 Mbps. Bids containing non-priority technology are eligible for selection in Tranche-2.

Alternative technology includes unlicensed fixed wireless and low-earth orbit (LEO) satellite. Bids containing alternative technology will not be eligible for selection until the negotiations stage.

36. Is there a way to review the updated cumulative reference price for a Carried Forward bid?

Yes. Updated reference prices will be available in the applicant portal when the Tranche-2 application window opens on February 25 at 12 PM CT. If applicants would like to review the updated CBG reference prices before Tranche-2 opens, they are encouraged to review the updated reference price file available on the Arkansas BEAD Webpage.

37. Will priority bids that request more than two times the reference price be considered for selection in the negotiations stage if the CBGs are not selected in Tranche-2?



CBGs not claimed via preliminary selection in Tranche-2 will be available during the negotiations stage. ARConnect will release specific guidance on the negotiation phase at a later date.

38. Can an applicant add a Zero Bid CBG to both a Carried Forward bid and a new Tranche-2 bid?

Yes. An applicant may add a Zero Bid CBG in both Carried Forward bids and new Tranche-2 bids. However, a CBG can be included in a maximum of 3 bids per *applicant*.

- 39. Can two applicants trade project areas? No.
- 40. Can ARConnect provide information on how much the reference prices changed for each CBG in Tranche-2?

The updated reference price file on the <u>Arkansas BEAD Webpage</u> includes a column indicating whether the reference price was increased for Tranche-2. The original Tranche-1 reference prices are also still available on the Arkansas BEAD Webpage.

41. How is the Minimization of BEAD Outlay scored?

Minimization of BEAD Outlay is assessed based on how high or low an applicant's requested subsidy is relative to ARConnect's reference price for the CBGs within the applicant's project area. Scores are based on a linear scale, with zero points being granted for bids that are 100% higher than the reference price and forty points being granted for bids that request no BEAD subsidy. One point corresponds to a 5% variation from the reference price. Consider the following examples:

- The cumulative reference price for a bid's project area is **\$50K**, and the applicant requests **\$95K**. The application would receive **2 points** for Minimization of BEAD Outlay
- The cumulative reference price for a bid's project area is **\$50K**, and the applicant requests **\$50K**. The application would receive **20 points** for Minimization of BEAD Outlay
- The cumulative reference price for a bid's project area is **\$50K**, and the applicant requests **\$5K**. The application would receive **38 points** for Minimization of BEAD Outlay
- 42. What factors were considered when increasing the reference prices for Zero Bid CBGs?

For Tranche-2, ARConnect increased the Reference Prices of Zero Bid CBGs relative to the level of interest and competition they received in Tranche-1, regardless of whether they were submitted by the same applicant or multiple applicants. The original reference prices were based on the Cost Quest build cost estimates for a fiber build.



Please note, applicants that request less than twice the reference price are eligible for preliminary selection in Tranche-2.

43. How will overlapping priority and non-priority bids be deconflicted in Tranche-2? In Tranche-2, the highest scoring bid of the highest technology class across the project area will be selected. Please note, applications that request a subsidy at or above two times the reference price or include alternative technology will not be eligible for selection.

Priority bids will be adjudicated first. Non-priority bids will not be preliminarily selected if they overlap with a priority bid.

In the event that a non-priority bid overlaps with a priority bid which requests more than twice the reference price, CBGs in the overlapping project areas will be available during the negotiations phase.

- 44. Will an EHCPLT be necessary in Arkansas? ARConnect will determine the need for an EHCPLT after Tranche-2.
- 45. Can an applicant submit a new bid in Tranche-2 that includes CBGs from their Closed bid(s) and their Carried Forward bid(s)? Applicants may bid on any CBGs included in a closed Tranche-1 bid that are still available **except** for CBGs included in a separate Carried Forward bid.

Applicants **may not** submit a new bid that includes CBGs from any of their Carried Forward bids even if the new bid is for a different technology class than the Carried Forward bids.

46. How is technology type scored for Tranche-2?

Technology types are scored as follows:

- XGS-PON fiber 2 points
- Non-XGS-PON fiber 1.5 points
- Non-fiber (1000/500 Mbps) 1 point
- Non-fiber (400/200 Mbps) 0.5 points
- Other Reliable 0 points
- Other Alternative 0 points and not eligible for selection in Tranche-2
- 47. Will preliminary selectees with wireless network projects be required to submit a RAN engineer's stamp as well as heat maps similar to the engineering stamp required for fiber deployments?

Yes, the requirements for wireless projects will be similar to those for fiber projects. ARConnect will release more information on this at a later date.



- 48. Could a priority bid that is below two times the reference price be selected over an overlapping non-priority bid that offers a lower price? Yes. Non-priority bids will not be preliminarily selected if they overlap with a priority bid.
- 49. What technology types are included in priority versus non-priority bids? How will priority and non-priority bids be adjudicated in Tranche-2?

All bids are categorized as either priority or non-priority based on the technology type(s) included in the bid.

Priority bids include the following technology types, as listed in the applicant portal:

- XGS-PON fiber
- Non-XGS-PON fiber
- Hybrid XGS-PON fiber and Non-XGS-PON fiber

Non-priority bids include the following technology types, as listed in the applicant portal:

- Non-fiber (1000/500 Mbps)
- Non-fiber (400/200 Mbps)
- Other Reliable
- Note: Hybrid technology bids that include any of the above non-fiber technologies will be classified as "non-priority", even if XGS-PON or Non-XGS-PON fiber are also included

Alternative technology bids include the following technology types, as listed in the applicant portal:

• Other Alternative (e.g., *unlicensed* fixed wireless, low-earth orbit satellite)

For adjudication, all priority bids are evaluated against each other, and all nonpriority bids are evaluated against each other. Priority bids are adjudicated first. Non-priority bids will not be preliminarily selected if they overlap with a priority bid.

In the event that a non-priority bid overlaps with a priority bid which requests more than twice the reference price, CBGs in the overlapping project areas will be available during the negotiations phase.

Please note, applications that include *any* alternative technology are not eligible for preliminary selection in Tranche-2.

50. Can an applicant add letters of support to a Carried Forward bid? No. Applicants may only modify a Carried Forward bid by adding CBGs or decreasing the requested subsidy. Applicants may also increase the requested subsidy **if and only if** they add CBGs to the Carried Forward bid's project area.



- 51. If an applicant requests exactly two times the reference price, is that bid eligible for preliminary selection in Tranche-2? No. The subsidy request must be **below** two times the reference price to be eligible for preliminary selection in Tranche-2.
- 52. For available CBGs that received multiple bids in Tranche-1, is it possible that more than one of the bids counted may have been from the same applicant? Yes.
- 53. If there is a Zero Bid CBG that engulfs another CBG, do applicants still need to bid on both (i.e., the donut rule)?
 Yes. In the case where one CBG is engulfed by another, applicants must bid on both regardless of whether they are classified as Available or Available Zero Bid.

A list of CBGs that engulf or are engulfed by another CBG can be found on the ARConnect webpage.

- 54. Can applicants change their commitment to 85% share of buried fiber in a Carried Forward bid if it means they can lower their requested subsidy by using aerial fiber? No. An applicant may not modify their Carried Forward bid except for adding CBGs or decreasing the requested subsidy. Applicants may also increase the requested subsidy **if and only if** they add CBGs to the Carried Forward bid's project area.
- 55. How will the negotiations phase work? ARConnect will release more guidance on the negotiations phase at a later date.

Preliminary Selectee Questions

- 56. How long will preliminary selectees have to submit required documents such as network designs and project budgets? Preliminary selectees will be provided with specific timelines for submitting supplemental documents outlined by ARConnect, on a rolling basis. ARConnect will release more information on these timelines at a later date.
- 57. Will network designs with a PE stamp be required before the subgrant agreement is signed?

Yes. ARConnect must receive network designs with a PE stamp, as well as a project budget and commitment letter from a qualified financial institution or performance bond issuer, before the subgrant agreement is signed. Applicants are encouraged to prepare for this requirement as soon as possible.

58. Can the network designs be submitted in phases as the project goes on? No. The full network designs with a PE stamp must be submitted by the deadline.



59. How does the confidentiality requirement for Tranche-1 results relate to communication between ISPs and contractors when preparing supplemental documents required from preliminary selectees? Preliminary selectees may communicate with any contractors or subcontractors they will be working with on the project for the purpose of preparing the supplemental documents required by ARConnect. However, applicants may not share Tranche-1 results publicly, with other applicants, or with any other entity that will not be directly involved in the project.

Reference Price Questions

- 60. Is the reference price in the portal the anticipated full cost of delivering services to those BSLs or only 75% of the cost?
 Reference prices are based on the full CostQuest build cost estimate for a fiber build.
- 61. How many reference prices will be updated for Tranche-2? ARConnect **may** update the reference prices for Zero Bid CBGs prior to Tranche-2.

EHCPLT Questions

- 62. How will the EHCPLT process work after Tranche-2? ARConnect will assess the need for an EHCPLT based on the final results from Tranche-2 and whether any locations still need to be covered. However, an EHCPLT is not required for the BEAD Program.
- 63. If the state does not have enough money based on Tranche-1 and 2 to cover the whole states, will low-earth orbit satellite service be considered for those high-cost bids?

Alternative technology (e.g, low-earth orbit satellite, unlicensed fixed wireless, etc.) will only be considered if the cost to serve certain locations with fiber or non-fiber technology is too high. Applications that include alternative technology are not eligible to be preliminarily selected in Tranche-1 or Tranche-2.

Milestone Reimbursement Questions

64. When is the first allowable invoice date for reimbursements? ARConnect will provide more guidance on this at a later date.