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Initial Proposal **Volume 2**

Broadband, Equity, Access and
Deployment Grant Program



Approved June 3, 2024



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Introduction

The Colorado Broadband Office (CBO) is pleased to present the following document to meet the requirements for Volume 2 of the Broadband Equity, Access and Deployment Initial Proposal. The second volume of the Initial Proposal is the CBO’s plan for using the \$826.5 million from BEAD to bridge the digital divide in Colorado.

Requirements for the Initial Proposal are outlined in the BEAD Notice of Funding Opportunity (NOFO) in Appendix A. Volume 2 of the Initial Proposal includes the following requirements:

- Requirement 1: Outline of 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.
- Requirement 2: Identification and outline of steps to support local, Tribal, and regional broadband planning processes and ongoing efforts to deploy broadband.
- Requirement 4: Description and certification of local coordination efforts.
- Requirement 8: Detailed description of deployment subgrantee selection, including:
 - Pre-Application Intake Process, which includes public comment on both a Project Area Map and the BEAD grant program guidelines.
 - Application Intake Process, which includes the rollout of the application portal and how-to webinars.



- Application Review Process, which includes the eligibility, compliance and completeness review, as well as the administrative and scoring review and award recommendations.
- Post Application Review Process, which includes the subgrantee award announcements and the appeals process.
- Requirement 9: Plan for any non-deployment subgrantee selection.
- Requirement 10: Description of initiatives the CBO proposes to implement without making a subgrant.
- Requirement 11: Description of how the CBO will ensure subgrantees, contractors and subcontractors use strong labor standards and protections.
- Requirement 12: Description of how the CBO will ensure an available, diverse and highly skilled workforce.
- Requirement 13: Description of how the CBO will ensure that minority businesses, women-owned business enterprises and labor surplus area firms are recruited, used and retained.
- Requirement 14: Steps the CBO will take to reduce costs and barriers to deployment.
- Requirement 15: Assessment of climate threats within Colorado and proposed mitigation methods.
- Requirement 16: Description of the low-cost broadband service option that must be offered by subgrantees.
- Requirement 20: Description of middle class affordability plan.
- Requirement 17: Description of planned use of 20% of funding allocation, if any.
- Requirement 18: Description of CBO's regulatory approach.



- Requirement 19: Certification of CBO’s intent to comply with all applicable requirements of the program, including the reporting requirements.

The CBO opened a 30-day comment period on this Volume 2 initial proposal, and has considered the comments received as reflected in this revised Volume 2 document.

In summary, the CBO has outlined in this Initial Proposal Volume 2—which leverages \$826.5 million from the Broadband Equity, Access and Deployment (BEAD) program—a plan to bridge the digital divide in Colorado. This proposal addresses a range of requirements, including long-term broadband deployment objectives, support for local and regional planning, diverse workforce and business involvement, subgrantee selection, and strategies to reduce barriers to deployment. After a review and comment process, the CBO hereby submits this Initial Proposal Volume 2.

The CBO secured approval from the National Telecommunications and Information Association (NTIA) on Initial Proposal Volume 1, and has initiated the BEAD Challenge Process, marking a significant step toward addressing digital disparities in Colorado.

2.1 Objectives (Requirement 1)

2.1.1: Outline the long-term objectives for deploying broadband; closing the digital divide; addressing access, affordability, equity, and adoption issues; and enhancing economic growth and job creation.

Eligible Entities may directly copy objectives included in their Five-Year Action Plans.¹

The CBO has developed a list of goals needed for implementation over the next several years to ensure universal high-speed broadband coverage to all Colorado

¹ BEAD Five-Year Action Plan, August 2023

<https://drive.google.com/file/d/17Yyi88KSCI2O-vGxzffyKCgCiAN-90t1/view>



households by 2027. Outlined below are specific goals and long-term objectives identified in the Colorado Broadband Roadmap and the Five-Year Action Plan.

Goal One: By 2027, Colorado has a goal of improving broadband access by building a network for future generations.

Objective for Goal One: Prioritize fiber the fastest, most reliable broadband.

Activities:

- Provide fiber to as many unserved and underserved locations as possible, ordered in priority from lowest to highest cost-to-serve. Provide alternative technology to every other location.
- In areas where there is a negative or alleviating business case for fiber for the unserved and underserved, match requirements for subrecipients need to provide an incentive for investment.
- Require a competitive match for subrecipients where there is a positive business case for investment by the private sector. Match requirements will be part of the grant program application process that will be made available in 2023.
- Design a grant program that encourages brownfield build outs that bring down costs by upgrading existing infrastructure.
- The state will provide a subsidy for at least 15% of capital expenditures by weighing non-financial considerations in the award process and where there is a lack of competition.
- Invest in community anchor institutions (CAI) to ensure reliable high-speed access or identify opportunities in non-traditional CAIs.
- The CBO will monitor the design, engineering, site prep, construction, close-out and performance of last and middle-mile projects to ensure that investments are built on time.



Performance Metrics:

- Increase in broadband access (minimum 25/3) for rural households from 93% to 100% of households served.
- Number of households served with minimum speed standard of reliable 100 Mbps symmetrical upload and download (unless geographically, topography or excessive cost then 100/20 and scalable to 100/100).
- Number of homes on tribal lands being connected to broadband speeds of 100/100 mbps.
- Number of households that receive access to minimum speed standards of reliable 100 Mbps symmetrical upload and download (unless geographically, topography or excessive cost than 100/20 and scalable to 100/100).

Objective for Goal One: Invest in mapping and analytics to assess areas of critical need.

Activities:

- Develop serviceable location data mapping capabilities that reflect real-time speed tests, latency and current technologies.
- Create a funding dashboard that identifies areas of critical need, current and proposed investments.
- Create a broadband projects dashboard to inform stakeholders where investments are occurring in the state.
- Designate high-cost areas in Colorado that consider poverty levels, rural locations, and race and ethnicity to target funding.
- Set a high-cost per location threshold per location for both the unserved and underserved that balances the use of fiber and alternative technologies.



- Incorporate brownfield development cost per location when feasible to reduce costs and deploy additional technologies.

Performance Metrics:

- Number of unserved and underserved locations connected to high-speed internet.
- Number of speed tests confirmed.
- Percent increase in confirmed reported service speeds.

Objective for Goal One: Support the industry by expanding workforce development programs and addressing labor shortages.

Activities:

- Leverage partnerships between the Office of Information Technology (OIT) and the Colorado Department of Labor and Employment (CDLE) to develop a workforce development program and strategies to increase deployment-related roles in Colorado, especially in outdoor and labor-intensive roles (e.g., apprenticeship, technical/vocational training, school partnerships).
- Focus workforce development on increasing the number of laborers, foremen, locators, restoration crews and safety leads defined in the Colorado Broadband Roadmap.²
- Consider a multi-state approach to the workforce program to address gaps in deployment related roles.

² Colorado Broadband Roadmap, August 2022:

<https://drive.google.com/file/d/1dexRO7TJc3xOxTuxbmrRNjI9Do2TNNHJ/view>



Performance Metrics:

- Number of individuals who have successfully participated in an industry focused workforce development program.
- Number of job placements in industry focused positions.

Goal Two: By 2027, Colorado has a goal of improving adoption by expanding digital inclusion and adoption to achieve affordability, access and digital literacy.

Objective for Goal Two: Promote programs that make high-speed internet more affordable.

Activities:

- Develop a statewide Digital Equity Plan in partnership with the Office of Future of Work.
- Increase Affordable Connectivity Program (ACP), or its successor program, uptake through outreach, education, support and incentivize participation among eligible subscribers.
- Prioritize projects that include low-cost high-speed plans by subrecipients.
- Consider competitive dynamics that fund greenfield expansion to reduce the price of the internet through market pressures.
- Consider affordability as a subgrantee criteria and prioritize funding based on monthly rates in targeted areas.

Performance Metrics:

- Number of residents participating in the ACP or its successor program.



Objective for Goal Two: Invest in programs that supply devices and educate residents on how to use them.

Activities:

- In partnership with the Office of Future of Work, develop digital skills training that invests in capacity to ensure effective education and to connect individuals with related resources.
- Fund targeted training programs that upskill individuals through classes and training programs, with a focus on covered populations (e.g. people who are incarcerated, aging and people of color).
- Enhance economic growth and job creation within the broadband sector which benefits small business development and improves people’s ability to access online education.
- Stand-up digital navigator program to deploy navigators in communities (geographic or affiliation) to develop specific understanding of barriers in community and coordinate resources as needed.
- Leverage funding to connect residents with quality devices (e.g., computers, mobile devices, routers).
- Share device funding, distribution responsibilities and negotiate bulk rates and device manufacturers through partner organizations that work with businesses or community organizations.
- Invest in technical support at new or existing centers to service existing devices and/or trouble-shoot underperformance where speed is lower than expected.

Performance Metrics:

- Number of participants in digital literacy programs, navigators and partnerships.



- Number of low cost devices distributed by partners to individuals.

Goal Three: By 2027, Colorado has a goal of closing the digital divide by strengthening resilience across Colorado communities through broadband.

Objective for Goal Three: Foster stakeholder engagement.

Activities:

- Establish community and industry roundtables to collect feedback to inform grant **making**, and report on the status of the Advance Colorado Broadband program. The process for feedback is provided below:
 - Host roundtables every other month.
 - Meetings are scheduled for an hour.
 - Advertise roundtables in the CBO newsletter.
 - Meetings are recorded and posted on the CBO website.
- Conduct annual assessments on the state of broadband, risks and updates on strategies that include communications, industry capabilities and recovery initiatives.
- Conduct one CBO-led listening tour each year to solicit feedback from communities and industry stakeholders.

Performance Metrics:

- Number of community and industry roundtables hosted.
- Number of CBO-led listening tours and attendees.



Objective for Goal Three: Promote and encourage shared broadband networks.

Activities:

- Consider creating open access networks where multiple ISPs can provide services over the same physical infrastructure. This encourages competition and ensures consumer choice.
- Share existing infrastructure like utility poles, conduits or towers to reduce deployment costs. This can be especially beneficial in densely populated areas.
- Develop a wholesale model where a single entity operates the network infrastructure and sells access to multiple ISPs. This can simplify operations and lower costs for smaller ISPs.
- Choose the most appropriate technology for the area's geography and population density. Fiber-optic networks offer high-speed and long-term scalability, while fixed wireless or satellite options may be suitable for remote areas.

Performance Metrics:

- Number of providers operating in an area as a result of leveraged infrastructure.
- Number of middle mile infrastructure networks built that are leveraged by multiple providers.
- Number of wholesale models established as a result of public investment.

Objective for Goal Three: Encourage public-private partnerships.

Activities:

- Identify broadband strategies that support the capabilities to assist first responders, community networks and volunteer engagement.
- Prioritize connectivity at CAIs such as schools, community centers, libraries and recreation centers.



- Improve connectivity to businesses by bolstering economic viability and the livelihood of residents.

Performance Metrics:

- Number of CAIs connected to high-speed internet.

Goal Four: By 2027, Colorado has a goal of enhancing economic growth and job creation by enabling communities to thrive by fostering and supporting a digital economy.

Objective for Goal Four: Foster a culture of innovation and efficiency among government agencies.

Activities:

- Fund recommendations identified in the Digital Government Strategic Plan.³
- Upgrade technology infrastructure, expand back-office functions in OIT to include finance, procurement, and contracts to support the efficiency and effectiveness of deploying broadband, and improve digital government services.
- Include emergency service technologies and communication devices in funding strategies.
- Fund and deploy telehealth applications that support consultations and treatment for residents.
- Avoid imposing unnecessary restrictions on the flow of federal funding to agencies, which are then passed down to subrecipients that result in delays and administrative barriers that increase workloads.

³ Colorado's Digital Government Strategic Plan:  Colorado Digital Government Strategic Plan October, 2022.



- Improve the contracting and procurement process by adding capacity and right sizing contracts for broadband projects.
- Develop a Broadband Community Readiness Certification for local governments to help support efficient permitting processes and prioritize subgrantees who participate in the program.

Performance Metrics:

- Percent of digital government strategic plan implemented.

Objective for Goal Four: Leverage technology and improve government services.

Activities:

- Invest in building and improving digital infrastructure, including high-speed internet access and mobile networks. This enables businesses and individuals to access and participate in the digital economy.
- Implement digital government services to streamline administrative processes and reduce bureaucratic red tape. This can enhance efficiency and improve the ease of doing business.
- Invest in smart city technologies and the Internet of Things (IoT) to improve urban infrastructure, reduce energy consumption, and enhance the quality of life for residents.
- Align broadband funding in areas of the state where there is targeted investment that supports economic development, improving health outcomes, enterprise and opportunity zones, workforce development programs, and K-12 learning.
- Invest in broadband technology that supports remote work arrangements, which can lead to cost savings for businesses and increased job opportunities for individuals in remote areas.



- Invest in and promote the agency's broadband plans, which includes K-12 remote learning, tourism, state parks, telemedicine, state prisons and Tribes.

Performance Metrics:

- Number of service providers that receive upgraded broadband equipment.
- Number of rural service providers that receive upgraded broadband equipment.
- Number of individuals who receive access to a telehealth device.
- Number of jobs created within the broadband industry.

2.2 Local, Tribal & Regional Broadband Planning Coordination (Requirement 2)

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

The CBO works with partners on broadband adoption strategies, as well as supports the strategic plans and initiatives by local, Tribal and regional stakeholders. Included in Table 1 is a description of partnerships that the CBO leverages to increase broadband adoption.



Table 1: CBO Broadband Adoption Partnerships

Partners	Description of Current or Planned Role in Broadband Deployment and Adoption
Colorado Department of Transportation (CDOT)	<p>The CBO hosts regular meetings with CDOT to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> ● Strategies to deploy hundreds of miles of fiber and lease fiber to both private industry partners and local governments for use in middle-mile networks. ● Improve how CDOT operates its own network for its Intelligent Transportation System (ITS) and lease excess fiber to partners. ● Improve coordination of how CDOT leases its Right of Way (ROW) for deployment of new fiber and/or conduit. In some cases, these projects result in public-private partnerships, in which CDOT receives new fiber assets in exchange for access to ROW.
Colorado Department of Labor and Employment (CDLE) - Office of the Future of Work (OFOW)	<p>The CBO hosts regular meetings with CDLE to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> ● The CBO included CDLE and the OFOW on workforce development plans and strategy, paid apprenticeship programs and digital equity projects in the Initial Proposal.



	<ul style="list-style-type: none"> • The CBO included digital literacy and inclusion coordination, research and policy development in the Initial Proposal.
<p>Colorado Department of Local Affairs (DOLA)</p>	<p>The CBO hosts regular meetings with DOLA to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO included DOLA’s broadband program framework to develop the technical assistance and broadband community ready programs in BEAD planning and execution. • The CBO included a new middle mile program proposal that will support BEAD implementation.
<p>Colorado Office of eHealth Innovation (OeHI)</p>	<p>The CBO hosts regular meetings with OeHI to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • In partnership with CBO, OeHI is leading the telehealth broadband grant to support Colorado healthcare providers and the Department of Corrections in expanding their services via telehealth through expanded broadband capacity and web-enabled technology. • OeHI is working with OFOW on developing the Colorado Digital Access Plan.



	<ul style="list-style-type: none"> • Lastly, along with the CBO and the Colorado State Library, OeHI is developing a telehealth access point pilot at rural libraries across the state.
<p>Colorado Office of Economic Development and International Trade (OEDIT)</p>	<p>The CBO hosts regular meetings with OEDIT to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO partners with OEDIT to promote broadband services to support rural economic development efforts and encourage broadband infrastructure investment through enterprise zone and opportunity zone tax incentives. These economic investment incentive areas were included in the Initial Proposal.
<p>Colorado Commission of Indian Affairs (CCIA)</p>	<p>The CBO hosted broadband coordination meetings with the Tribes and CCIA to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO will work with the Tribes on a data sharing agreement to ensure that CAIs are included in BEAD planning and execution. • The CCIA facilitated the Tribal Consult so that the CBO could work with the Tribes to gather information about broadband strategies to include in BEAD planning and execution.



	<ul style="list-style-type: none"> • The CBO works with the CCIA to coordinate broadband plans and funding opportunities with the Tribes.
<p>Colorado Hospital Association (CHA)</p>	<p>The CBO hosts regular meetings with CHA to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CHA provided access and grant funding data regarding Colorado hospitals, including data regarding the FCC’s Rural Healthcare Program to inform the Digital Access Plan and Initial Proposal. • The CBO leveraged the CHA network to communicate about broadband opportunities and seek input from the healthcare community, which informed the data required in the Initial Proposal Vol. 1 as well as increasing access to telehealth services through broadband deployment.
<p>Tribal Nations</p>	<p>The CBO hosted broadband coordination meetings with the Tribes to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> ○ <u>Southern Ute Indian Tribe Broadband Plan</u> ○ <u>Ute Mountain Ute Tribe’s Broadband Roadmap</u>
<p>Colorado State Library (CSL)</p>	<p>The CBO hosted broadband coordination meetings with the CSL to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p>



	<ul style="list-style-type: none"> ● The CBO included broadband deployment strategies to rural libraries and to expand digital equity services to communities in its data and Project Areas in the Initial Proposal. ● The CBO worked to deploy digital navigators in communities and to provide services at certain libraries across the state. ● The CBO, with CSL worked with the OeHi and OFOW, which included workforce training activities in partnership with workforce centers in the CSL system, which are included in the Initial Proposal.
<p>Colorado Department of Corrections (DOC)</p>	<p>The CBO hosted broadband coordination meetings with the DOC to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> ● Identify resources to implement broadband in correctional facilities to support access to emergency services, healthcare and educational opportunities. ● Developed strategies for deploying infrastructure in facilities across Colorado. ● The CBO allocated federal funding to the DOC to assist with infrastructure and healthcare services.
<p>Colorado Tourism Office (CTO)</p>	<p>The CBO hosted broadband coordination meetings with the CTO to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p>



	<ul style="list-style-type: none"> • The CBO will work with the CTO to develop strategies to fund integrated technology platforms in welcome centers and to assist with digital signage. • The CBO will work with the CTO to establish an advisory group to review and rank Welcome Center Technology Platform solutions. • The CBO included the implementation of the CTO strategies in its secondary criteria for the BEAD scoring framework in the Initial Proposal to encourage ISPs to support these strategies related to deployment.
<p>Colorado Department of Natural Resources (DNR)</p>	<p>The CBO hosted broadband coordination meetings with DNR to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO worked with DNR to develop and leverage broadband deployment projects at state parks to provide last mile connections in communities surrounding parks and included these strategies in the secondary scoring criteria.
<p>Education SuperHighway (ESH)</p>	<p>The CBO hosted broadband coordination meetings with ESH to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO partnered with ESH for research and best practices and for assistance with the



	<p>Colorado-branded ACP enrollment campaign and toolkit.</p> <ul style="list-style-type: none"> • The CBO worked with ESH to include support for multi dwelling unit criteria and data gathered to support the Initial Proposal and challenge process.
<p>Internet Service Providers (ISPs)</p>	<p>The CBO hosted broadband coordination meetings with the ISPs to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • Collaborated with industry representatives to gather feedback for use in CPF and BEAD plans, as well as other CBO activities. • The CBO worked with ISPs to develop strategies to remove barriers to deployment which included the state’s new proposed middle mile program approach, which is included in the Initial Proposal. • The CBO worked with ISPs to create workforce strategies outlined in Requirements 12 and 14 of the Initial Proposal.
<p>Councils of Governments (COGs) and Economic Development Districts</p>	<p>The CBO hosted broadband coordination meetings with the COGs to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • These entities work with the CBO to provide training, capacity building, broadband network operations, policy development and grant writers for broadband programs.



	<ul style="list-style-type: none"> • The CBO worked with the COGs to build capacity that resulted in the Broadband Community Ready and Technical Assistance Programs, which is included in Requirement 14.
<p>Digital Equity Working Group - Coordinated by the Office of the Future of Work (OFW)</p>	<p>The CBO hosted broadband coordination meetings with the Digital Equity Working Group (DEWG) to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO worked with the DEWG to create the vision and mission statement for the Digital Access Plan. • The CBO worked with DEWG to help develop the structure of Colorado’s digital equity ecosystem, and are considering strategies for device distribution, which is included in the Initial Proposal and supports affordability and access.
<p>Colorado Department of Regulatory Agencies - Public Utilities Commission (PUC)</p>	<p>The CBO hosted broadband coordination meetings with the PUC to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The strategies implemented using the Broadband Deployment Enterprise Fund by the PUC helped to inform Requirement 8. • The CBO used best practices from existing programs in its approach to defining project areas, high cost thresholds and secondary scoring criteria.



<p>FirstNet</p>	<p>The CBO hosted broadband coordination meetings with FirstNet to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO included hazard mitigation strategies in Requirement 15 to ensure that current investments in emergency communications are protected by climate events.
<p>Construction and Communications Labor Unions</p>	<p>The CBO hosted broadband coordination meetings with unions to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO included workforce preparedness strategies in Requirement 12. • The CBO included safety standards, training, education, apprenticeships, certifications, workforce readiness and retention plans. • The CBO included strategies to increase industry-led sector partnerships to support a locally driven workforce development effort, which is included in Requirement 12.
<p>Colorado Town, City, and County and Municipal Associations</p>	<p>The CBO hosted broadband coordination meetings with local government associations to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO worked with local government associations to remove legislative barriers that negatively



	<p>impacted BEAD implementation outlined in Requirement 14 by removing broadband prohibitions on local government.</p>
<p>Legislative Branch - Joint Technology Committee (JTC)</p>	<p>The CBO hosted broadband coordination meetings with JTC to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO worked with the JTC to include public outreach strategies to help reach out to populations across the state to increase stakeholder engagement. These strategies are included in the outreach plan for the Initial Proposal in Requirements 2 and 4. • The CBO worked with the JTC to remove legislative barriers that negatively impacted BEAD implementation outlined in Requirement 14 by removing broadband prohibitions on local government.
<p>Colorado Department of Education (CDE)</p>	<p>The CBO hosted broadband coordination meetings with CDE to solicit input on the Initial Proposal and that feedback is included. As a result, the following activities were included in the Initial Proposal:</p> <ul style="list-style-type: none"> • The CBO worked with CDE on funding digital equity initiatives in schools across the state. This includes grants for devices, training and hotspots for students who need them.



	<ul style="list-style-type: none"> The CBO collaborates with CDE on promoting the Affordable Connectivity Program to increase enrollment for underserved and marginalized populations. This also included seeking feedback on a long-term strategy for the successor to the ACP, which is outlined in Requirements 8 and 16.
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In addition to leveraging existing partnerships, the CBO worked with local, Tribal and regional partners to develop broadband strategic plans included in Table 2.

Table 2: Broadband Strategic Planning Coordination

Colorado State-Wide Coordinated Broadband Plans
Strategy
Strategy 1.1: Prioritize fiber deployment and target funding in areas where a negative business case for investment for the unserved and underserved exists. Consider greenfield deployment to reduce the costs of investment and increase competition.
Strategy 1.2: Set a high-cost per location threshold that balances funding the use of fiber versus alternative technologies to expand coverage for harder to serve areas.
Strategy 1.3: Utilize location-level mapping and analytics to assess areas of critical need and to target areas that require subsidies.
Strategy 2.1: Conduct a landscape analysis of existing digital equity and affordability programs and develop strategies to address any gaps.



Strategy 2.2: Conduct digital navigator pilots within targeted populations, evaluate strategies that work and leverage public-private partnerships to build skills and confidence in the use of technology.

Strategy 2.3: Lower costs by supporting partnerships that provide low-cost devices.

Strategy 3.1: Grow workforce development programs to prepare and support industry to address labor shortages that are barriers to deployment.

Strategy 3.2: Improve delivery of government services leveraging technology and facilitate a culture of innovation and efficiency among government agencies.

Strategy 3.3: Leverage strategies and programs already in place to improve the digital economy to maximize broadband investment.

Strategy 4.1: Link the operations of infrastructure and public, private and community broadband networks to encourage collaboration and ensure resiliency.

Strategy 4.2: Leverage open access deployment and ensure that connectivity to network infrastructure is available during emergencies.

Individual Agency Broadband Plan Strategies

Strategy

Colorado Rural Communities - Department of Local Affairs (DOLA)



Strategy 1a: Leverage state and federal funding to improve and expand investments in middle and last mile infrastructure in areas with little to no access to broadband, so that communities have access to affordable reliable broadband services.

Strategy 2a: Foster and support successful regional collaborations that facilitate public-public and public-private partnerships in rural communities to improve the business case for investment in broadband.

Strategy 3a: Encourage local governments to address barriers in regulatory and permitting processes to support broadband deployment.

Strategy 4a: Support efforts to provide resources, outreach, partnerships, education and tools to strengthen digital adoption rates in rural communities across Colorado.

Colorado State Library (CSL)

Strategy 1b: CSL recognizes that local libraries serve as anchor institutions for broadband in local communities. As modern life occurs more online, higher speed access becomes increasingly necessary. To meet this growing need, local libraries need the capacity to provide broadband speeds and devices to their patrons.

Strategy 2b: CSL will build the capacity of public libraries to make informed decisions on broadband improvement, technology purchases, and information technology planning and implementation to better serve their communities.

Strategy 3b: CSL will disseminate and support best practices and standards for public libraries to continuously sustain and improve broadband access for all.



Strategy 4b: CSL recognizes rural barriers to healthcare access and supports Colorado’s equitable statewide telehealth access, adoption, and sustainability. By collaborating with the Office of e-Health & Innovation, CSL will assess how public libraries in rural communities can participate in the overall effort.

Colorado State Prisons - Department of Corrections (DOC)

Strategy 1c: Prioritize extension of fiber from the boundary line to and throughout facilities so that the incarcerated may benefit from increased security, emergency services response time, healthcare, video legal council, and much more.

Strategy 2c: Prioritize WiFi availability in correctional facilities to allow telemedicine carts to be remotely connected to inmate patients with specialized medical providers in the community.

Strategy 3c: Increase educational opportunities for the incarcerated population through online educational programming so that illiteracy is improved, career options increase, and balances reentry into society thus reducing recidivism.

Strategy 4c: Prioritize delivery of medical and behavioral health online treatment programs so that inmates can improve overall health that reduces the overall societal burden upon release.

Strategy 5c: Prioritize sufficient connectivity and bandwidth to support all inmates to have a personal tablet to support friends and family video sessions, email messaging, and increased educational opportunities so that inmates can stay connected and gain online experience to prepare for reentry into the community.

Telemedicine - Office of eHealth Innovation (OeHI)



Strategy 1d: Expand strategic partnerships with agencies and community based organizations to increase digital equity and inclusion.

Strategy 2d: Establish baseline measurement of disparities and inequities in telehealth utilization amongst Colorado communities.

Strategy 3d: Support healthcare providers in equitably expanding telehealth services.

Strategy 4d: Increase awareness and knowledge of telehealth in communities with the lowest telehealth utilization rates.

State Parks - Colorado Parks & Wildlife (CPW)

Strategy 1e: Work with local communities and other entities as an anchor institution to improve reliable, high-speed broadband.

Strategy 2e: Provide high-quality broadband internet access to 27 state parks identified by CPW staff through an outreach process across the state.

Strategy 3e: Explore in-house staffing for broadband project management support.

Strategy 4e: Define base optimization for business needs.

Tourism - Colorado Tourism Office (CTO)

Strategy 1f: Research Welcome Center Integrated Technology Platforms that integrate multi-device control of kiosks, mobile devices, microsites, & digital signage.



Strategy 2f: Review Welcome Center Integrated Technology Platform solutions to evaluate visitor experience, efficiency & on-demand services, interactive engagement, destination management, brand management, and wayfinding solutions. The data acquisition platform would ideally be cloud-based for real time information.

Strategy 3f: Create an advisory group of statewide stakeholders to review and rank Welcome Center Integrated Technology Platform solutions.

Strategy 4f: Implement Welcome Center Integrated Technology Platform

K-12 Distance Learning - Colorado Department of Education (CDE)

Strategy 1g: Provide funding opportunities to districts and BOCES to increase access to broadband services for students, educators, and other staff who lack stable, reliable internet access for online learning. The following are activities that the department has already undertaken to support this goal; any additional activities would require the additional appropriation of funds.

Strategy 2g: Monitor districts' and BOCES' plans for offering high-quality online and/or blended learning and for ensuring equitable access to the internet for all of their students. Identify funding sources and other opportunities to increase access to broadband services for students, educators, and other staff who lack stable, reliable internet access for both traditional in-person, online, and blended learning.

Tribes - Colorado Commission on Indian Affairs (CCIA)

- [Southern Ute Indian Tribe Broadband Plan](#)



- [Ute Mountain Ute Tribe’s Broadband Roadmap](#)

2.3 Local Coordination (Requirement 4)

2.3.1: 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.

The CBO collaborates with a wide array of stakeholders, spanning various sectors and levels of expertise, all crucial to the success of broadband initiatives that lead to the development of the state’s Initial Proposal. A complete list of stakeholders can be found in Appendix B. The stakeholder groups include:

- Broadband Consultants
- Broadband Providers
- Community Leaders
- State Government
- Digital Equity Organizations and Experts
- Internet Service Providers
- Labor Unions
- Nonprofit Organizations
- Joint Technology Committee (JTC) of the Colorado State Legislature



Engagement Strategy

To ensure ongoing and effective stakeholder involvement, the CBO employs a multifaceted engagement strategy, utilizing diverse communication channels. This approach helps maintain a steady flow of valuable feedback and insights, making broadband initiatives more relevant and impactful. The key elements of the engagement strategy are as follows:

- **Community Leaders Roundtable:** Since September 2022, the CBO has been organizing bi-monthly Community Leader Roundtables. These gatherings bring together a mix of participants, including community leaders, local governments, school districts, healthcare facilities, public safety officials, multi-use facility owners and others. During the roundtables, updates are shared, and open discussions are facilitated, covering various broadband-related topics. Participants have the opportunity to engage in the dialogue surrounding broadband funding deployment and the CBO gains valuable feedback for use in the development of federal and state broadband programs that informed the Initial Proposal.
- **Industry Leaders Roundtable:** Since September 2022, the CBO has been hosting bi-monthly Industry Roundtables, specifically tailored for all private sector partners. These discussions serve as a platform for industry representatives to actively participate in grant development and funding processes. Their valuable insights contribute to CPF/BEAD planning, and other CBO activities, ensuring that the broadband strategies align with industry perspectives and expertise and are included in the Initial Proposal.
- **Legislative Presentations:** The CBO delivers presentations to the Joint  Technology Committee within the Colorado General Assembly, which oversees the Governor's Office of Information Technology and CBO. During these presentations, the CBO executive director updates the JTC on grant programs, operational changes, upcoming policy developments, outreach and education



opportunities, and performance metric outcomes. The JTC's feedback is included in the Initial Proposal.

- **Annual Broadband Roadshow:** Each summer, the CBO along with partner agencies, facilitate a statewide summer roadshow. Roadshows provide an opportunity to connect with communities in all 14 planning and management regions of Colorado. The focus is on discussing broadband equity, access and deployment. The state utilizes the listening tour to gather input from all planning regions on grant programs offered by the CBO. The roadshows include regional summits with detailed information about grant programs and application processes. Additionally, the digital equity team attends meetings to offer updates on the Digital Access Plan and feedback is included in the Initial Proposal.
- **Workforce Planning Sessions:** The CBO conducted four targeted workforce planning sessions in partnership with the Office of the Future of Work within the Colorado Department of Labor and Employment. These sessions involve representatives from various sectors, community leaders and industry partners. The insights gathered from these sessions will inform the Workforce Development Plan and the Colorado Workforce Council Talent Pipeline report and Initial Proposal.⁴ In addition, all sessions included a focus on the recruitment of women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible entities.
- **Tribal Consultations:** In collaboration with the Colorado Commission on Indian Affairs, the CBO hosted and facilitated a Tribal Consultation in August of 2023.

⁴ Colorado Talent Pipeline Report, December 13, 2022:

<https://cwdc.colorado.gov/resources/colorado-talent-pipeline-report>



This consultation involved both federally-recognized Tribes, the Southern Ute Indian Tribe, and the Ute Mountain Ute Tribe. The CBO team engaged with representatives from both Tribes to discuss their broadband plans and incorporated those plans into the Broadband Roadmap, as well as the Initial Proposal.

- **Local Coordination Event:** On April 19-20, 2023, the CBO partnered with five other entities, including the NTIA, to host the Internet for All Colorado Broadband Summit in Westminster, Colorado. The summit brought together over 250 in-person and over 100 virtual participants to discuss all aspects of broadband. The event featured discussions on connecting unserved and underserved locations using federal BEAD funding. Representatives from the CBO, NTIA, Tribal communities, municipal leaders, industry professionals, and others were present. As a result of a successful event, this is now an annual event, engaging communities, press, political leaders, and the public. Feedback from the event is included in the Initial Proposal.
- **Digital Equity Committee Meetings:** These meetings provide a platform for building relationships with stakeholder organizations. The purpose of the meetings are to update stakeholders on the progress of the Digital Access Plan and seek input and feedback on the plan's components. Committee feedback is included in the Initial Proposal.
- **Monthly Newsletter:** The CBO distributes a monthly newsletter to over 9,500 recipients, offering comprehensive information on all broadband-related matters in Colorado. Interested individuals can sign up for the newsletter, and archived issues are available online.

Regular and Ongoing Meetings and Stakeholder Updates: The CBO maintains an active schedule of meetings and updates to ensure consistent engagement with stakeholders. These opportunities include:



- **Regional Councils of Government and Economic Development Organizations:** The CBO holds weekly meetings to discuss broadband plans and provides updates on ongoing initiatives.
- **Communications Workers of America:** On a monthly basis, the CBO engages in discussions with the Communications Workers of America to address workforce-related issues in the broadband sector, including recruitment of women and other historically marginalized populations for workforce development opportunities.
- **International Brotherhood of Electrical Works:** On a monthly basis, the CBO and the International Brotherhood of Electrical Works share updates and discuss workforce development programs, including recruitment of women and other historically marginalized populations for workforce development opportunities.
- **Colorado State University:** Every other week, the CBO collaborates with Colorado State University to explore rural broadband initiatives and identify potential partnership opportunities.
- **Colorado Communications Utilities Alliance:** The CBO meets monthly with the Colorado Communications Utilities Alliance to foster collaboration and share progress on broadband-related matters.
- **Internal State Government Stakeholder Group:** Monthly presentations are made by the CBO to an internal state government stakeholder group to provide updates and ensure alignment with broader government objectives.
- **Colorado Commission on Indian Affairs Newsletter:** The CBO contributes monthly updates to the Colorado Commission on Indian Affairs newsletter, ensuring tribal communities are informed about ongoing broadband activities.





In addition, as part of our ongoing stakeholder engagement, the CBO, in collaboration with its partners, subgrantees and the CDLE/OFW, promotes equitable workforce development.

Through our stakeholder engagements, we identified that a large challenge facing the industry and preventing the attraction of diverse applicants is the lack of understanding or awareness about the promising career pathways telecommunications holds. To create a viable pipeline of diverse talent from K-12 through mid-career professionals requires a communications campaign such as social media, emailing listservs, outreach events, meeting with relevant stakeholders, media and press releases supported by industry. This approach includes working with industry by addressing the following barriers:

- Focus on outreach efforts on diverse communities or networks that can result in increasing a pool of candidates from underrepresented backgrounds.
- Encourage employers to create inclusive recruitment processes that consider diverse needs or alternative pathways into the workforce.
- Provide support for networking opportunities so that diverse candidates may have access to professional networks and connections, which are often essential for job referrals.
- Promote removing educational barriers and improve access to quality education and training to increase the qualifications of diverse job seekers to support their competitiveness in the job market.
- Remove logistical barriers that can prevent individuals from underrepresented communities from accessing job opportunities.
- Increase exposure and awareness to industry jobs so that underrepresented groups learn about job opportunities and support their interest and industry knowledge.



- Support language requirements that do not disadvantage non-native speakers.

The goal of this effort is to create a new understanding of the sector that supports our modern, digital economy and to build excitement among youth soon to enter the workforce and mid-career professionals looking to transition to new industries.

Lastly, our coordination efforts are designed with the goal of successfully engaging and retaining a diverse workforce in mind. The CBO encourages employers and partners to consider supportive services, including flexible policies that would allow for people with different backgrounds to apply, for example, caretaking obligations, language skills, and experience.

The CBO will continue to coordinate with industry to do outreach that includes a focus on the recruitment of women and other historically marginalized populations by doing the following:

- Continue to work with industry advisory boards that include representatives from local businesses, educational institutions, and community organizations to provide input on workforce development strategies.
- Foster partnerships between local employers and educational institutions to align training and education programs with industry needs.
- Develop and promote apprenticeship programs that provide on-the-job training and work experience in collaboration with local industries.
- Organize skills training workshops for job seekers and employees, addressing specific industry needs and emerging trends.
- Encourage job fairs and career expos to connect job seekers with local businesses and industries, creating opportunities for employment and networking.



- Support certification programs tailored to the needs of specific industries, helping individuals gain relevant qualifications.
- Increase innovation hubs and business incubators that provide resources, mentorship, and support for startups and entrepreneurs in key industries.
- Develop job shadowing program opportunities for students and job seekers to gain firsthand experience in various industries.
- Collaborate with industry to organize tours of local businesses and industries to familiarize participants with work environments and processes.
- Increase internship programs that offer students and job seekers practical experience and the chance to explore career options within specific industries.
- Work with CBO partners to host seminars and conferences focused on workforce development, bringing together industry experts, policymakers, and educators to discuss strategies and best practices.
- Work with state and non-profit training centers that serve as collaborative spaces for industry-specific training, workshops, and education.
- Launch workforce development awareness campaigns to educate the community about the importance of skills development and career opportunities in industry.
- Encourage collaboration between industries, particularly in areas where skills and technologies overlap, to promote interdisciplinary learning and innovation.
- Partner with local industry associations to leverage their expertise, resources, and networks for workforce development initiatives.

In summary, the CBO will work with partners to pilot and evaluate training and job placement programs focused on increasing workforce diversity. With an understanding of the existing programs, there is an opportunity to build new specialized programs to



advance diversity in the industry and to meet specific needs such as those of the Native American communities, low income persons, and formerly incarcerated persons.

To keep the public and media informed, the CBO employs various strategies. The CBO has developed a dedicated webpage called Broadband in the News to document media coverage of Colorado broadband activities, promoting transparency and accessibility. Regular press releases and media alerts are sent to Colorado news sources, highlighting the CBO's efforts and achievements in the broadband space. The CBO has hosted media events, such as a press conference with Lt. Governor Primavera and Education Superhighway, to encourage nonprofit participation and eligible households to enroll in the Affordable Connectivity Plan, which has boosted enrollment.

The CBO has also established an Advance Colorado Broadband email address Advance_CBO@state.co.us to foster an open and continuous feedback loop with stakeholders. This enables stakeholders to ask questions, share feedback and engage with the CBO in an accessible manner.

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

The CBO hosted Tribal Consultations with the SUIT and UMUT in August of 2023, the CBO has included meeting agendas, participation lists and information about the participation of the Tribes in the CBO's consultations and planning meetings in Appendix F.



2.4 Deployment Subgrantee Selection (Requirement 8)

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

The CBO will ensure a fair, open and competitive process through a multi-step process that includes public comment for each major decision-making milestone during the duration of the program. The BEAD challenge process will begin after Initial Proposal Volume 1 is approved, and when the Initial Proposal Volume 2 is submitted.

Subsequently, the process of selecting subgrantees will commence after approval of the Initial Proposal Volume 2, the BEAD challenge process is completed, and a final list of unserved and underserved locations, along with community anchor institutions, and a final Project Area Map (PAM) is published. The process is broken down into the following transparent phases:

Phase One: Pre-Application Intake Process (up to 45 Days)

The Phase One process will begin after the BEAD challenge process has concluded and the Initial Proposal (Vol 1 and 2) has been approved by the NTIA. After both of these processes are finished, Phase One will begin. Phase One of the process goes above and beyond the requirements of the BEAD program and the goal is to include an additional step to allow for public comment. This will ensure that stakeholders have full visibility into the grant process and ensure that the CBO includes feedback on critical aspects of the BEAD program provided by stakeholders.

Project Area Map (PAM) Public Comment

The CBO will develop a Project Area Map (PAM) by defining project areas using Census Blocks as the base geographic unit. As described in Section 2.4.6, the CBO will define project areas as either a single Census Block, or a cluster of adjacent Census Blocks to



account for the geographic and regional variation across the state. The CBO will publish a draft of the proposed PAM for public comment for 30 days. After the conclusion of the public comment process, the CBO will (at the CBO's discretion) incorporate any relevant feedback resulting from the public comment process. The CBO will publish the final PAM and summary of the feedback on the CBO Advance-BEAD website within 15 days after public comment closes.

Once the final PAM is published, applicants may not propose any changes or subdivisions to project areas. The PAM will include defined project areas within which applicants are required to serve every eligible unserved and underserved broadband serviceable location. Multiple project areas may be included in a single application.

BEAD Grant Program Guidelines Public Comment

Similar to the CBO Advance-CPF grant program, the CBO will develop the BEAD grant program guidelines and publish the final guidance for public comment on the Advance-BEAD website. This is a standard for the CBO and the purpose of soliciting public comments is to ensure that stakeholders have an opportunity to review guidance and provide feedback on the process. The guidelines will closely reflect and further define components of the Colorado Broadband Roadmap, the NTIA 5-Year Action Plan and the BEAD Initial Proposal.

Phase Two: Application Intake Process (up to 60 Days)

The purpose of Phase Two is to facilitate a structured application intake process to efficiently and effectively manage the receipt, review and evaluation of incoming applications or submissions. The key objectives of the process are to screen applications to ensure they meet the basic eligibility criteria and requirements outlined in the application guidelines.



Application Portal Rollout

After the conclusion of Phase One, the CBO will announce that the application portal is available. The portal will be available on the Advance-BEAD website. Subgrantees will be notified of the portal and instructions via the listserv, social media and website. Ongoing communication regarding updates on the application process and portal will be made via the listserv, social media and website. The CBO will partner with Salesforce to build the portal, which will be available prior to scheduled program webinars (outlined below) hosted by the CBO staff. The application will be available through an online portal that will streamline the process and make it easier to track and manage each applicant's information while ensuring a fair and standard process. Communication will be built into the portal to provide automatic notifications and communication regarding the status of applications and next steps. The application will be transparent and will serve as the system of record for the Advance-BEAD Grant program.

How to Apply to the Advance-BEAD Grant Program Webinars

After the application portal rollout and announcement is complete, the CBO will host 2 live webinars for potential applicants to attend. The purpose of these webinars is to walk applicants through the portal, review program guidelines and to answer any questions prior to the application window opening. One of the two webinars will be recorded and posted to the CBO Advance-BEAD website for those who cannot attend or need to reference back to the training.

Application Window Opens

The application for the Advance-BEAD Grant Program will officially open the day after the webinars are completed. The application window will be open for 45 days. During this time the CBO will provide guidance, schedule office hours, meet by request, provide technical assistance, and post weekly question and answer documentation on the CBO Advance-BEAD website to support applicants throughout the process. The



CBO will leverage bi-monthly industry and community roundtable discussions to assess how the process is going and make improvements as needed. In addition to this summary of the application window, the CBO will take the following approaches during this process:

- The CBO will accept applications from eligible entities defined in the BEAD NOFO.
- In awarding BEAD grants, the CBO plans to conduct a single solicitation for grant proposals by eligible entities utilizing the entire amount of BEAD funding allocated to the state. The CBO is not considering any additional BEAD grant cycles after the initial process. **The CBO will execute additional rounds of funding to ensure remaining locations are covered.**
- Applicants are encouraged to submit their best and final proposals to the CBO which should include, but is not limited to covering all locations in designated project areas, number of unserved/underserved locations served, affordability, financial sustainability, cost estimates, network designs, diagrams, build-out timelines, local coordination efforts, climate resilience, performance data, technology, and compliance with all regulations, etc.
- Applicants must submit proposed locations being served using a .csv file and additional templates listed in the grant portal.
- To ensure universal coverage, if no applications are received to serve a location or project area that is unserved, underserved, or both, the CBO will **publish these project areas, and** seek estimates from ISPs located near the location to extend internet access. The CBO will work with ISPs on a non-competitive grant agreement.
- The non-competitive agreement (NCA) process will be included in the application process. In order for an ISP to submit a complete application for these locations, the CBO will contact ISPs during the first few weeks of the



Phase Two process and determine if ISPs are within a 1-5 mile radius of a NCA project area utilizing data from the FCC’s National Broadband Map, existing state and federal funding commitments, and/or an application under the BEAD Program.

- Only Application Summary information will be posted publicly - applicant, project area, locations served, grant amount requested, match, etc. Portions of the application that qualify for exemption under CORA C.R.S. 24-72-204(3)(a)((IV) may be marked as confidential or proprietary. Only those portions of the application that qualify for the exemption should be marked as confidential or proprietary.

Application Summary

Within 12 days of the application window closing, the CBO will publish a summary of the applications received. Information will include project areas and locations served. To ensure that project areas do not overlap, the CBO will contact these applicants and work on amendments to their project areas to allow for uncovered areas to be served.

Phase Three: Application Review Process (up to 160 days)

The purpose of Phase Three of the process is to evaluate applications submitted to the CBO for BEAD subgrant funding. The CBO will assess applications against criteria outlined in the BEAD NOFO, Initial Proposal, the scoring rubric, and the CBO BEAD Grant Program Guidelines, and will ensure that proposals are consistent with state and federal regulations. The review process will assess the merit of each application and its alignment with program goals and objectives. The CBO will engage a third party to assist with the review of applications to ensure fairness and impartiality of the program, however, the CBO will make the final determination of sub-awards. Such third party contractors will be subject to a conflict of interest policy to ensure transparency, nondiscrimination, and fairness. To ensure transparency, the CBO will



make available evaluation criteria and scoring methods. Included below are the steps the CBO will take to ensure a fair and transparent review process.

Eligibility, Compliance and Completeness Review

After the application window closes, within 5 days, the CBO along with a third party will begin to review applications for eligibility, compliance and completeness. If an application does not meet the mandatory minimum requirements of the BEAD Program for subgrantees, the application will be deemed ineligible and removed from consideration.

Administrative and Scoring Review

The next step in the process includes a review by an internal committee made up of CBO staff, third party contractors and internal partner agencies. Partner agencies include members of the Governor's Office, Attorney General, Office of Information Technology, Department of Personnel and Administration and other entities as determined by the CBO. The committee will evaluate information submitted by applicants, seek clarification and resolve open issues regarding applications submitted. The committee will conduct a process for overlapping areas.

Overlapping Proposals Review

The CBO's process in selecting subgrantees for last-mile broadband deployment projects must first assess which locations or sets of locations under consideration are subject to one or more proposals that (1) constitute Priority Broadband Projects and (2) satisfy all other requirements set out in the NOFO with respect to subgrantees. In the event there is just one proposed Priority Broadband Project in a location or set of locations, and that proposal does not exceed the Eligible Entity's Extremely High Cost Per Location Threshold, that proposal is the default winner, unless the CBO requests, and the Assistant Secretary grants, a waiver allowing the CBO to select an alternative project. To the extent there are multiple proposals in a location or set of locations that (1) constitute Priority Broadband Projects and (2) satisfy all other requirements



with respect to subgrantees, the CBO shall use its approved competitive process to select a project subject to the selection criteria set forth below:

- **Geographic Coverage:** Evaluate the extent to which overlapping proposals address underserved or unserved areas. Priority will be given to proposals that target areas with the greatest need for improved broadband access.
- **Technical Feasibility:** Assess the technical viability of the proposed broadband infrastructure, including the chosen technology, scalability, reliability, and compatibility with existing infrastructure.
- **Cost-effectiveness:** Consider the cost efficiency of overlapping proposals, including initial deployment costs, ongoing operational expenses, and potential return on investment. Evaluate whether the proposed funding amount aligns with the projected benefits and outcomes.
- **Speed and Capacity:** Examine the proposed broadband speeds and capacity to meet current and future demands for internet connectivity in the target areas. Priority will be given to proposals offering higher speeds and greater capacity.
- **Community Engagement and Support:** Review the level of community involvement and support for each proposal, including feedback from local stakeholders, community organizations, and residents. Projects with strong community backing will be prioritized.
- **Equity and Inclusivity:** Consider how conflicting proposals address digital equity and inclusivity, particularly for marginalized or underserved communities, including low-income households, rural areas, and communities of color.
- **Innovative Solutions:** Assess the extent to which overlapping proposals incorporate innovative technologies, approaches, or partnerships to expand broadband access more effectively and efficiently.



- **Timeliness and Implementation Plan:** Evaluate the proposed timeline for deployment and the effectiveness of the implementation plan, including milestones, project management, and risk mitigation strategies.
- **Sustainability and Long-term Impact:** Consider the long-term sustainability of overlapping proposals, including plans for maintenance, upgrades, and expansion, as well as the potential economic, social, and educational impact on the community.
- **Compliance and Regulatory Requirements:** Ensure that overlapping proposals comply with relevant regulatory requirements, including permitting, licensing, environmental regulations, and any other legal considerations.

At this time the committee will score and rank applications based on information submitted using the scoring rubric described in section 2.4.2 and included in Appendix G.

After the conclusion of the Application Review Process and prior to making award recommendations, the CBO will communicate with applicants with overlapping proposals and make them aware of the review process and final determinations prior to initiating Phase Four: Post Application Review Process.

Award Recommendations

After the review process, the CBO will finalize awards and make a recommendation to the Governor's Office for funding. Once approved, the CBO will notify approved applicants. Applicants that score the highest will receive BEAD funding. While many factors are considered in an award, the lowest price is not the sole or primary consideration in selecting an application. Since the application process favors applicants with the experience and capacity to write strong applications, the CBO will solicit small, minority-owned, women-owned business enterprises, and labor surplus firms to encourage participation in the BEAD Program.



Phase Four: Post Application Review Process (up to 30 days)

Subgrantee Award Announcements

After recommendations are approved for award, the CBO will announce selected applicants on the Advance-BEAD website and post on other communication and media platforms. At the same time, the CBO will notify applicants not selected via email and the grant portal. The CBO, upon request by the applicant, will meet with subgrantees who were not selected to provide feedback on applications that did not move forward.

Table 7: Subgrantee Application Process Timeline

Subgrantee Application Process Timeline (Process begins after the Challenge Process is completed and Vol. 2 approved by NTIA)	
Phases/Steps	Days/Weeks
<i>Phase One: Pre-Application Intake Process (up to 45 Days)</i>	
Project Area Map and Grant Guidelines: Public Comment Period	30 Days
Final Project Area Map and Grant Guidelines Website Publication	15 days after public comment window closes
<i>Phase Two: Application Intake Process (up to 60 Days)</i>	
Application Portal Rollout	1 Day
How to Apply to the Advance-BEAD Grant Program Webinars	2 Days
Application Window Opens	45 Days



Application Summary Posted to Website	12 days after application window closes
Application Project Areas Posted to Website	12 days after application window closes
<i>Phase Three: Application Review Process (up to 160 Days)</i>	
Application Review Process <ul style="list-style-type: none"> • Eligibility, Compliance, and Completeness Review • Administrative and Scoring Review • Overlapping Proposals Review • Award Recommendations 	120 days after the application window closes
<i>Phase Four: Post Application Review Process (up to 30 Days)</i>	
Subgrantee Award Announcements (subject to approval by the NTIA)	160 days after the application window closes

The CBO will establish a competitive subgrantee selection process for last mile broadband deployment projects that is fair, open and equitable. This process will ensure that adequate protections are in place to protect the integrity of the competition, including protections against collusion, bias, subject decisions, conflicts of interest and other factors that may undermine confidence in the process outlined above. Provided below are specific practices the CBO will engage in to achieve these objectives.



Mitigation of collusion, bias, conflicts of interest and arbitrary decisions

Beyond the transparent and competitive public process described above, the CBO is committed to further safeguarding fairness and equity in the Advance-BEAD program. Collusion, bias, conflicts of interest and arbitrary decisions all pose significant concerns that need proactive mitigation. To address these shared concerns, the CBO will implement the measures detailed **below**

Collusion and Mitigation Practices

- Establish transparency in grant guidelines by ensuring that eligibility criteria are clearly defined and accessible to all potential applicants.
- Uphold conflict of interest policies for all individuals involved in the grant process, including reviewers, committee members and staff by requiring participants to disclose any personal or financial relationships with applicants.
- Provide training and ethics education to individuals involved in the grant process.
- Document the process by keeping detailed records of all grant-related activities, including application reviews, committee meetings and applicant communications.
- Establish mechanisms for whistleblowers to report any suspected collusion or unethical behavior. Ensure that those who report misconduct are protected from retaliation.
- The CBO might consider involving an independent auditor to investigate any allegations of collusion or misconduct.
- Develop clear and objective evaluation criteria for assessing grant applications that are applied consistently to all applicants.



- After grant awards are made, **list** the names of the recipients and the amounts awarded to promote transparency and promote accountability.
- Implement post-award monitoring to ensure that funds are used for their intended purposes and that recipients are complying with grant agreements.

Bias Mitigation Practices

- Apply explicit conflict of interest policies that clearly define what constitutes a conflict of interest in the grantmaking process. These policies should cover financial, personal and organizational conflicts.
- Require all individuals involved in the grantmaking process, including staff, **consultants** and decision-makers, to disclose any potential conflicts of interest before participating in the process.
- Ensure that the disclosure of conflicts of interest is transparent and easily accessible to all stakeholders involved in the process.
- Implement clear procedures for handling conflicts of interest when they arise.
- Provide training and education to all individuals involved in the grantmaking process on identifying and managing conflicts of interest.
- Regularly review and update disclosed conflicts of interest throughout the grantmaking process to ensure that potential conflicts are addressed promptly.
- Keep detailed records of all disclosed conflicts of interest and the actions taken to address them, such as recusal or the use of alternate reviewers.
- Require all individuals involved in the grantmaking process to make annual declarations of any potential conflicts of interest.
- The CBO will utilize third-party reviewers to review grant applicants.
- The CBO will make the conflict of interest policies publicly available.



Conflicts of Interest Mitigation Practices

- The CBO has established clear conflict of interest policies that clearly define what constitutes a conflict of interest in the grantmaking process and will apply them to the program.
- The CBO will require all individuals involved in the grantmaking process, including staff, review panelists and decision-makers, to disclose any potential conflicts of interest before participating in the process.
- Ensure that the disclosure of conflicts of interest is transparent and easily accessible to all stakeholders involved in the process.
- Develop clear procedures for handling conflicts of interest when they arise.
- Provide training and education to all individuals involved in the grantmaking process on identifying and managing conflicts of interest.
- Regularly review and update disclosed conflicts of interest throughout the grantmaking process to ensure that potential conflicts are addressed promptly.
- Keep detailed records of all disclosed conflicts of interest and the actions taken to address them, such as recusal or the use of alternate reviewers.
- Require all individuals involved in the grantmaking process to make annual declarations of any potential conflicts of interest, even if they have not changed since the previous declaration.
- The CBO will make the conflict of interest policies publicly available to all stakeholders, including grant applicants, to promote transparency and trust.

Arbitrary Decisions Mitigation Practices

- Establish clear and well-defined criteria for evaluating grant applications.



- Implement a standardized review process that all grant applications must go through.
- Assemble expert panels or committees composed of individuals with relevant expertise in the field or subject matter related to policy development.
- Develop a scoring system that quantifies the evaluation criteria.
- Ensure that all decisions are thoroughly documented.
- Whenever possible, involve multiple reviewers or decision-makers to provide diverse perspectives and reduce the risk of a single individual's biases affecting the outcome.
- Establish feedback mechanisms that allow applicants to understand the rationale behind funding decisions and provide constructive feedback on the process.
- Integrate diversity, equity and inclusion principles into the grantmaking process.
- Continuously educate reviewers and decision-makers on issues related to bias, diversity, equity and inclusion to promote awareness and sensitivity.

Monitoring and project management

The CBO has established Sub-granting Accountability Procedures outlining how subgrantees will adhere to thorough monitoring and project management standards. The CBO developed a Grant Monitoring and Risk Assessment Plan, encompassing the following components:

- Compliance monitoring policy including disbursement policies.
- OIT monitoring plan including timely subgrantee reporting mandates.
- Comprehensive and robust monitoring and on-site visits.



- Risk management strategies.
- Monitoring strategies.
- Monitoring and risk management continuum.
- Philosophy on subgrantee non-compliance.
- Strategies and sanctions for non-compliance including clawback provisions.
- Suspected fraud or whistleblower complaints.

In summary, the CBO will implement robust subgrantee monitoring practices, including conducting periodic comprehensive monitoring of all awarded subgrantees to ensure they are demonstrating strong performance.

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

The CBO has chosen to utilize the following scoring criteria, along with respective weights, in the evaluation of proposals submitted for Priority Broadband Projects as part of the BEAD program. These criteria are in accordance with the project scoring guidelines detailed in the Notice of Funding Opportunity (NOFO). Specific evaluation criteria are provided for each scoring category below.

Selection Criteria for Priority Broadband Projects

A Priority Broadband Project is characterized as one that employs complete fiber-optic infrastructure to deliver services to every **eligible** end-user location within an application service area.⁵ If the application does not provide services to all such

⁵ The BEAD NOFO defines “Priority Broadband Projects” as: “a project that will provision service via end-to-end fiber-optic facilities to each end-user premises. An Eligible Entity may disqualify any



locations using end-to-end fiber-optic facilities, please refer to the "Other Last-Mile Broadband Projects" section for scoring criteria.

Prioritization and Scoring Process

The CBO will implement the following scoring criteria and respective weights when assessing priority broadband project applications submitted by eligible applicants. Each application can earn a maximum of 664 points. The evaluation criteria are categorized into primary and secondary segments, with up to 498 points (75%) allocated to the primary category and 166 points to the secondary category. Each of these categories encompasses several elements to be assessed and rated according to the specified considerations within each area.

Points will be assigned for each category by reviewing the information provided in the application and supporting documentation, adhering to the prescribed scoring and evaluation criteria. To maximize the application's score, the approach is required to be thorough and comprehensive, with clear and complete responses for all requested information. Applications with incomplete or missing elements (e.g., failure to provide complete CAPEX and OPEX spreadsheets), may be deemed ineligible. A full, easy to read, summary of the scoring criteria can be found in Appendix G.

Primary Selection Criteria for Priority Broadband Projects

Table 8: Primary Scoring Criteria for Priority Broadband Projects



Primary Criteria 75% - 498 Maximum Points Available			
Points	Criteria	Description	Scoring Rationale

project that might otherwise qualify as a Priority Broadband Project from Priority Broadband Project status, with the approval of the Assistant Secretary, on the basis that the location surpasses the Eligible Entity's Extremely High Cost Per Location Threshold (as described in Section IV.B.7 in the NOFO), or for other valid reasons subject to approval by the Assistant Secretary." See page 14



<p>200 Points</p>	<p>Minimal BEAD Outlay</p>	<p>The total amount of funding required to complete the project area in the application, accounting for both the total projected cost and the applicant’s proposed match, which must, without a waiver, cover at least 25% of the project cost, with the specific points awarded increasing as the BEAD expenditure decreases for each location serviced in the project area defined in the application.</p>	<p>Based on % of maximum available funds requested for a total project area.</p>
<p>200 Points</p>	<p>Affordability</p>	<p>The prospective subgrantee’s commitment to provide the most affordable total price (based on URS)</p>	<p>The applicant will receive 200 points under this section as outlined in Table 9.</p>



		<p>to the customer for 1Gbps/1Gbps service in the project area for the duration of the federal interest period.</p>	
<p>98  Points</p>	<p>Fair Labor Practices</p>	<p>Applicants must narratively demonstrate a record of and plans to follow federal labor and employment laws.</p> <p>Applicants who do not have a record of compliance with labor and employment laws can make forward looking commitments to strong labor and employment standards and protections with respect to BEAD </p>	<p>The CBO will assess and score narrative responses under this category. Applications that provide all the required information and certify they will comply with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will receive a maximum of 98 points in this category.</p> <p>Applications will receive points based on the information submitted for each element of the fair labor category.</p>



		funded projects.	Applications that provide no response will receive 0 points in this category.
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Primary Criteria for Priority Broadband Projects - 498 Maximum Points

When evaluating applications for priority broadband projects within the BEAD Program, the CBO will take into account the primary criteria and their corresponding maximum points available as outlined in Table 8. These criteria align with those specified in the BEAD NOFO for the purpose of application assessment.

Minimal BEAD Program Outlay for Priority Broadband Projects - 200 Maximum Points

This section pertains to the overall funding needed to complete the project area specified in the application, taking into account both the projected total cost and the applicant's proposed contribution. The applicant's contribution, which must cover a minimum of 25% of the project cost (unless a waiver is granted), will be considered in the evaluation. Furthermore, the scoring system rewards applications where the BEAD expenditure decreases for each location served within the project area.

In this section, applications that demonstrate the most efficient use of funds to provide broadband access to the defined application area will receive the highest points. A portion of the available points will be assigned to applications that, given their relative distance from the most cost-effective projects per location, have a lower average cost per location.

Affordability for Priority Broadband Projects - 200 Maximum Points

This section assesses the applicant's commitment to delivering 1Gbps/1Gbps symmetrical services within the project areas specified in the application, at a price



that is affordable for subscribers. Under this section, applicants will receive points if the cost of the gigabit symmetrical service package is below \$118.24 per month,⁶ per the 2024 FCC Urban Rate Survey (URS)⁷, inclusive of all taxes, fees and charges imposed on the subscriber. The sliding scale is included in Table 9 below. Subgrantees must offer such an affordable rate, adjusted annually, for the duration of the Federal Interest Period.⁸

Table 9: Broadband Affordability Impact Sliding Scale

Cost of Lowest Available Service for 1Gbps/1Gbps Symmetrical Requirements	200 Maximum Points (only max applies)
Urban Rate Survey (URS) Rate or below	10 (\$118.24) ⁹
20% or more below URS	25 (\$94.59)
30% or more below URS	75 (\$82.77)
40% or more below URS	100 (\$70.96)

⁶ This is the 2024 URS rate and is current as of the FCC URS announcement made Dec. 15, 2023. The CBO will adjust and monitor the affordability plans offered by subgrantees annually based on the most recently released URS rate.

⁷ <https://www.fcc.gov/document/annoucement-results-2024-urban-rate-survey>

⁸ See NTIA Policy Notice [here](#). In general the Federal Interest Period continues for 10 years after the year the project is closed out in accordance with 2 CFR 200.344. For example, for all projects closed out in 2027, regardless of the month, the Federal Interest Period will last until December 31, 2037.

⁹ Rates shown are for the 2024 URS. Rates will be adjusted, and monitored, annually based on the annual FCC URS rate, for the Federal Interest Period.



50% or more below URS	150 (\$59.12)
60% or more below URS	175 (\$47.30)
70% or more below URS	200 (\$35.47)

Fair Labor Practices for Priority Broadband Projects - 98 Maximum Points

Applicants are required to provide a written account of their historical adherence to federal labor and employment laws, as well as their intentions to continue adhering to these laws. Ongoing adherence may be enforced via the grant agreement.

Applicants lacking a track record of compliance with labor and employment laws have the option to commit to robust labor and employment standards and protections for BEAD-funded projects in the future.

In this category, the CBO will evaluate and assign scores to the narrative responses provided by applicants. Applications that furnish all necessary information and confirm their intent to comply with the established labor requirements as stipulated in the BEAD Notice of Funding Opportunity (NOFO) may receive up to 98 points in this category. Points will be awarded based on the information provided for each aspect of the fair labor category. Applications that do not provide any response will receive 0 points in this category. The CBO will score fair labor requirements for priority broadband projects based on criteria in Table 10.

Table 10: Criteria for Fair Labor Requirements for Priority Broadband Projects

Criteria for Labor Requirements	Points up to 98
Certification of compliance	20
Compliance with federal employment laws	20



Disclosure of applicant violations	15
Disclosure of contractor and/or subcontractor violations	15
Wage information	15
Workplace safety committees	13

Secondary Selection Criteria for Priority Broadband Projects

The CBO has developed additional secondary criteria to be given weights that align with local priorities in addition to requirements by the NTIA. Secondary requirements are provided in this section, as well as in the scoring criteria.

Table 11: Secondary Scoring Criteria for Priority Broadband Projects

Secondary Criteria 25% - 166 Maximum Points Available			
Points	Criteria	Description	Scoring Rationale
28 Points	Speed to Deployment	All applicants that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each subscriber that desires broadband services within the application project area(s) not later than four years after the date on which the subgrantee receives the	The CBO will score committed speed to deployment applications on a sliding scale system. This scale will be set in such a way to minimize the difference of scores based on committed project timetables, given the uncertainty



		award from the CBO.	surrounding broadband supply chain and workforce development along with the deadlines needed for compliance with federal regulatory requirements under the BEAD program.
25 Points	Speed of Network and Other Technical Capabilities	Applications that propose to use technologies that exhibit greater ease of scalability with lower future investment for priority projects.	<p>The CBO will score capital assets that have longer useful life on a graded scale system.</p> <p>This graded scale will be set with higher weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles for priority projects.</p>
14 Points	Open Access	The BEAD Program encourages Colorado to	Recipients that commit to offering



		<p>adopt selection criteria promoting subgrantees' provision of open access wholesale access to last-mile broadband service providers for the life of the subsidized networks, on fair, equal and neutral terms to all potential retail providers.</p>	<p>wholesale broadband services at reasonable and nondiscriminatory rates and terms for the useful life of the network assets will receive points based on the open access details in the application.</p> <p>Applications will receive points based on the information submitted for each element of the open access category.</p>
<p>10 Points</p>	<p>Local and Tribal Coordination</p>	<p>To address the remaining connectivity gaps with no broadband coverage, this regional and tribal coordination will give tribes, counties, towns and cities an opportunity to be involved in choosing a preferred partner in their area.</p>	<p>Applicants shall consult local and Tribal authorities about their qualifications and plans under the BEAD program to qualify for points within this category.</p>




			<p>Applicants requesting a meeting with local and Tribal governments should not unreasonably refuse the meeting request by the applicant.</p> <p>If the application proves that no such meetings took place after at least three attempts have been made to contact local and/or Tribal government by means of email or other written communications to contact a local authority to discuss qualifications and plans under the BEAD program, then full points will be awarded.</p> <p>The applicants that obtain a letter of</p>
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			<p>support from proposed service area local and Tribal governments will receive full credit. No credit is granted to applicants who do not receive such a support letter, but they may submit proposals within their authority. The CBO encourages local authorities to meet the applicants before granting such support letters to discuss their development plans within the framework of the BEAD Program. Local governments and Tribes may support one or more applicants. Applications will receive points based on the information submitted for each</p>
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			element of the local and Tribal category.
49	Equitable Workforce Development and Job Quality	Applicants must narratively demonstrate their commitment to make appropriate investments to develop a skilled, diverse workforce to fill the necessary jobs to meet the infrastructure buildout timelines submitted in their application.	<p>The CBO will assess and score narrative responses under this category.</p> <p>Applications that provide all the required workforce development information and commit to investing in developing a skilled workforce with a priority for local hires will receive 49 points in this category.</p> <p>Applications will receive 0 points in this category if they fail to submit all the required workforce development information in their application.</p>
40	Community	Applicants are required to	Applicants will be 



	Impact	<p>demonstrate how their projects meet the needs and support the CBO's existing deployment strategies. Applicants need to describe broad community impact, positive economic development outcomes, strategic partnerships and focus on high need areas.</p>	<p>awarded 8 points for each community impact factor incorporated into their project. However, applicants failing to meet this requirement will receive a score of 0 points.</p>
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Speed to Deployment for Priority Broadband Projects – 28 Maximum Points

All recipients of BEAD Program funds designated for network deployment are required to execute the planned broadband network and commence delivering services to all subscribers seeking broadband services within the application project area(s) no later than four years after the subgrantee receives the award from the CBO.

The CBO will assess applications based on their pledged speed of deployment using a sliding scale system. This scale will be designed to minimize score discrepancies related to project timelines, considering the uncertainties associated with the broadband supply chain, workforce development and the necessary deadlines for compliance with federal regulatory requirements within the BEAD Program.

The deployment schedule will be enforced via the grant agreement. If a subgrantee requests an extension that is not consistent with the original proposed deployment schedule, they must provide documentation justifying the request and certify the accuracy of the request. The subgrantee can request up to one extension for no more than up to 3 additional months.



Table 12: Deployment Schedule Commitment Sliding Scale for Priority Broadband Projects - 28 maximum points

Deployment Schedule	Points
<25 months	28
25-35 months	18
36-41 months	10
42-47 Months	6
>48 Months	0

Speed of Network and Other Technical Capabilities for Priority Broadband Projects – 25 Maximum Points

For applications suggesting the adoption of technologies that offer enhanced scalability with reduced future expenditure for priority projects, the CBO will evaluate long-lasting capital assets using a sliding scale system. The CBO will evaluate FTTH technology investment for priority broadband projects in Table 13 related to the Speed of Network criteria.

The graduated scales will give greater consideration to projects proposing technologies that result in scalability, maximum performance, and length of useful life. FTTH is preferred, however, non-FTTH will be given consideration based on the CBO’s Project Area Map (PAM).

Table 13: FTTH Technology Investment for Priority Broadband Projects - 25 Maximum Points

Technology	Speeds	Points
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XGS-PON	Up to 10 Gbps upload and 10 Gbps download or greater	25
XG-PON	Up to 2.5 Gbps upload and 10 Gbps download	20
G-PON	Up to 1 Gbps upload and 2.5 Gbps download	15
E-PON	Up to 1 Gbps upload and download	10

Open Access Network for Priority Broadband Projects - 14 Maximum Points

The BEAD program advocates for the incorporation of selection criteria that encourage Colorado to embrace subgrantees' commitment to providing open access wholesale opportunities to last-mile broadband service providers throughout the duration of the subsidized network's existence. This commitment should extend to ensuring fair, equitable, and unbiased terms for all prospective retail providers.

Applicants pledging to offer wholesale broadband services at reasonable and non-discriminatory rates and conditions for the entire useful life of the network assets will earn points contingent on the open access particulars outlined in their application. Points will be awarded based on the information furnished for each component of the open access category.

Table 14: Open Access for Priority Broadband Projects - 14 Maximum Points

Open Access Details	Points
Details regarding open access policy	5
Description of wholesale services and rates	5
Identification of retail ISP partners and status of contract negotiations (e.g., MOU, signed commitment, etc.)	4



Local and Tribal Coordination for Priority Broadband Projects - 10 Maximum Points

The BEAD program advocates for the adoption of selection criteria that emphasize the applicant's level of support from local and tribal governments with jurisdiction over the areas they intend to serve. This local and tribal coordination aims to address connectivity gaps where broadband coverage is lacking, allowing tribes, counties, towns, and cities to participate in selecting a preferred partner for their region.

Applicants are required to engage in consultations with local and tribal authorities regarding their qualifications and plans within the BEAD program. Points within this category will be awarded based on the extent of collaboration and support demonstrated. Applicants should not unreasonably decline a meeting request from local and tribal governments, nor vice versa. In cases where no meetings occurred, despite at least three attempts to contact local and/or tribal governments through email or written communications, the application should provide evidence of these efforts to discuss qualifications and plans within the BEAD program.

Applicants who secure an endorsement letter from local and tribal governments within the proposed service area will receive complete credit. Applicants who do not obtain such support letters will not receive any credit, but they are still eligible to submit proposals within the local government or Tribal jurisdiction. The CBO strongly encourages local authorities to engage in discussions with applicants about their project plans under the BEAD program before issuing these endorsement letters. Local governments and tribes have the option to support one or more applicants. The scoring within the local and tribal category will depend on the details provided for each aspect of the application.



Table 15: Local Tribal Coordination for Priority Broadband Projects - 10 Maximum Points

Local and Tribal Coordination	Maximum Points
Local and Tribal Coordination Information and Consultation Meeting	5
Local and Tribal Coordination - Letter of Support	5

Equitable Workforce Development and Job Quality for Priority Broadband Projects - 49 Maximum Points

Applicants are required to present a narrative demonstrating their dedication to making appropriate investments in cultivating a skilled and diverse workforce. Workforce is essential to fulfill the job requirements and meet the infrastructure development deadlines outlined in their application. For this criteria, the CBO will evaluate and assign scores based on the narrative responses provided. Applications that supply all of the necessary information pertaining to workforce development and commit to fostering a skilled workforce, with a particular emphasis on hiring locally, will be eligible for 49 points in this category. Conversely, applications that do not include all the requisite workforce development information in their submission will receive 0 points in this category.

Community Impact for Priority Broadband Projects - 40 Maximum Points

Community impact refers to the measurable effects, both positive and sometimes negative, that a project, initiative, or action has on a particular community or group of people. It encompasses a wide range of social, economic, environmental, and cultural changes that can result from an activity or program. On a sliding scale, applicants will be awarded 8 points for each community impact factor incorporated into their project. However, applicants failing to meet a factor will receive a score of 0 points for that factor.



Table 16: Community Impact for Priority Broadband Projects - 40 Maximum Points

Factors	Description	Points
Increase Broadband Adoption and Digital Literacy	Supports a credible plan to increase broadband adoption and improve digital literacy in impacted communities and unincorporated areas, especially among populations that have experienced inequities in access to work, education, and health care or health information that resulted from, was made apparent or was exacerbated by the COVID-19 public health emergency.	8
Major Economic Development	Project would provide services that support at least one major economic development initiative as identified by a regional planning or development council or economic development authority.	8
Broadband Planning Initiative	Project supports recent broadband planning initiatives within the proposed area.	8
Strategic Partnerships	The project has strategic partnerships involved in the proposed project, for example, electric utilities, universities, and federal, state, or local agencies.	8



State Plans	The project supports adopted state plans or priorities not otherwise addressed by other prioritization factors.	8
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Selection Criteria for Other Last-Mile Broadband Deployment Projects

Applications that do not deploy complete end-to-end fiber-optic infrastructure for delivering services to eligible end-user premises within an application service area are categorized as Other Last-Mile Broadband Deployment Projects.¹⁰ The subsequent sections will outline the scoring criteria applied to applications meeting this classification.

Prioritization and Scoring Process

The CBO will implement the following scoring criteria and respective weights when assessing non-priority broadband project applications submitted by eligible applicants. The highest possible score an application can attain is 664 points. The evaluation criteria are categorized into primary and secondary segments, with up to 498 points (75%) allocated to the primary category and 166 points to the secondary category. Each of these categories encompasses several elements to be assessed and rated according to the specified considerations within each area.

Points will be assigned for each category by reviewing the information provided in the application and supporting documentation, adhering to the prescribed scoring and evaluation criteria. To maximize the application's score, the approach is required to be thorough, comprehensive, with clear and complete responses for all requested information. Applications with incomplete or missing elements (e.g., failure to

¹⁰ The BEAD NOFO describes “Other Last-mile Broadband Projects” as “locations or sets of locations for which the Eligible Entity did not receive a proposal to deploy a Priority Broadband Project...” See page 44.



provide complete CAPEX and OPEX spreadsheets), may be deemed ineligible. A summary of the scoring criteria can be found in Appendix G.

Primary Selection Criteria for Other Last-Mile Broadband Deployment Projects

Table 17: Primary Scoring Criteria for Other Last-Mile Broadband Deployment Projects

Primary Criteria 75% - 498 Maximum Points Available			
Points	Criteria	Description	Scoring Rationale
200 Points	Minimal BEAD Outlay	The total amount of funding required to complete the project area in the application, accounting for both the total projected cost and the applicant's proposed match, which must, without a waiver, cover at least 25% of the project cost, with the specific points awarded increasing as the BEAD expenditure decreases for each location serviced in	Based on % of maximum available funds requested for a total project area.



		project area in application.	
200 Points	Affordability	The prospective subgrantee's commitment to provide 100/20 Mbps service within the project areas in application at an affordable price (based on URS) for subscribers for the duration of the federal interest period.	The applicant will receive 200 points under this section as outlined in Table 18.
98 Points	Fair Labor Practices	Applicants must narratively demonstrate a record of and plans to follow federal labor and employment laws. Applicants who do not have a record of compliance with labor and employment laws.	The CBO will assess and score narrative responses under this category. Applications that provide all the required information and certify they will comply with existing labor requirements outlined in the BEAD Notice of Funding Opportunity (NOFO) will



		<p>can make forward looking commitments to strong labor and employment standards and protections with respect to BEAD funded projects.</p>	<p>receive up to 98 points in this category. Applications will receive points based on the information submitted for each element of the fair labor category. Applications that provide no response will receive 0 points in this category.</p>
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Primary Criteria for Other Last-Mile Broadband Deployment Projects - 498

Maximum Points

When evaluating applications for priority broadband projects within the BEAD Program, the CBO will take into account the primary criteria and their corresponding maximum points available as outlined in Table 17. These criteria align with those specified in the BEAD NOFO for the purpose of application assessment.

Minimal BEAD Program Outlay for Other Last-Mile Broadband Deployment Projects - 200 Maximum Points

This section pertains to the overall funding needed to complete the project area specified in the application, taking into account both the projected total cost and the applicant's proposed contribution. The applicant's contribution, which must cover a minimum of 25% of the project cost (unless a waiver is granted), will be considered in the evaluation. Furthermore, the scoring system rewards applications where the BEAD expenditure decreases for each location served within the project area.

In this section, applications that demonstrate the most efficient use of funds to provide broadband access to the defined application area will receive the highest



points. A portion of the available points will be assigned to applications that, given their relative distance from the most cost-effective projects per location, have a lower average cost per location.

Affordability for Other Last-Mile Broadband Deployment Projects - 200 Maximum Points

This section assesses the applicant's commitment to delivering 100 Mbps/20 Mbps services within the project areas specified in the application, at a price that is affordable for subscribers. Under this section, applicants will receive points if the cost of the gigabit symmetrical service package is below \$118.42 per month,¹¹ per the 2024 FCC Urban Rate Survey (URS)¹², inclusive of all taxes, fees and charges imposed on the subscriber. The sliding scale is included in Table 18 below. Subgrantees must offer such affordable rate, adjusted annually, for the duration of the Federal Interest Period.¹³

Table 18: Broadband Affordability Impact Sliding Scale

Cost of Lowest Available Service for 100 Mbps/20 Mbps Requirements	200 Maximum Points (only max applies)
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¹¹ This is the 2024 URS rate and is current as of the FCC URS announcement made Dec. 15, 2023. The CBO will adjust and monitor the affordability plans offered by subgrantees annually based on the most recently released URS rate.

¹² <https://www.fcc.gov/document/announcement-results-2024-urban-rate-survey>

¹³ See NTIA Policy Notice [here](#). In general the Federal Interest Period continues for 10 years after the year the project is closed out in accordance with 2 CFR 200.344. For example, for all projects closed out in 2027, regardless of the month, the Federal Interest Period will last until December 31, 2037.



Urban Rate Survey (URS) Rate or below	10 (\$118.24) ¹⁴
20% or more below URS	25 (\$94.59)
30% or more below URS	75 (\$82.77)
40% or more below URS	100 (\$70.96)
50% or more below URS	150 (\$59.12)
60% or more below URS	175 (\$47.30)
70% or more below URS	200 (\$35.47)

Fair Labor Practices for Other Last-Mile Broadband Deployment Projects - 98

Maximum Points

Applicants are required to provide a written account of their historical adherence to federal labor and employment laws, as well as their intentions to continue adhering to these laws. Applicants lacking a track record of compliance with labor and employment laws have the option to commit to robust labor and employment standards and protections for BEAD-funded projects in the future.

In this category, the CBO will evaluate and assign scores to the narrative responses provided by applicants. Applications that furnish all necessary information and confirm their intent to comply with the established labor requirements as stipulated in the BEAD Notice of Funding Opportunity (NOFO) will receive up to 98 points in this

¹⁴ Rates shown are for the 2024 URS. Rates will be adjusted, and monitored, annually based on the annual FCC URS rate, for the Federal Interest Period.



category. Points will be awarded based on the information provided for each aspect of the fair labor category. Applications that do not provide any response will receive 0 points in this category. The CBO will score fair labor requirements for priority broadband projects based on criteria in Table 19.

Table 19: Criteria for Fair Labor Requirements for Other Last-Mile Broadband Deployment Projects - 98 Maximum Points

Criteria for Labor Requirements	98 Points
Certification of compliance	20
Compliance with federal employment laws	20
Disclosure of applicant violations	15
Disclosure of contractor and/or subcontractor violations	15
Wage information	15
Workplace safety committees	13

Secondary Selection Criteria for Other Last-Mile Broadband Deployment Projects

The CBO has developed additional secondary criteria to be given weights that align with local priorities in addition to requirements by the NTIA. Secondary requirements are provided in this section as well as in the scoring criteria.

Table 20: Secondary Scoring Criteria for Other Last-Mile Broadband Deployment Projects

Secondary Criteria 25% - 166 Maximum Points			
Points	Criteria	Description	Scoring Rationale



28	Speed to Deployment	All applicants that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each subscriber that desires broadband services within the application project area(s) not later than four years after the date on which the subgrantee receives the award from the CBO.	The CBO will score committed speed to deployment applications on a sliding scale system. This scale will be set in such a way to minimize the difference of scores based on committed project timetables, given the uncertainty surrounding broadband supply chain and workforce development along with the deadlines needed for compliance with federal regulatory requirements under the BEAD program.
25	Speed of Network and Other Technical Capabilities	Applications propose to use technologies that exhibit greater ease of scalability with lower future investment for	The CBO will score capital assets that have longer useful life on a graded scale system.



		priority projects.📍	This graded scale will be set with higher weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles for priority projects.
14	Open Access	The BEAD program encourages Colorado to adopt selection criteria promoting subgrantees' provision of open access wholesale access to last-mile broadband service providers for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.	<p>Recipients that commit to offering wholesale broadband services at reasonable and nondiscriminatory rates and terms for the useful life of the network assets will receive points based on the open access details in the application.</p> <p>Applications will receive points based on the information submitted for each</p>



			element of the open access category.
10	Local and Tribal Coordination	To address the remaining connectivity gaps with no broadband coverage, this regional and tribal coordination will give tribes, counties, towns, and cities an opportunity to be involved in choosing a preferred partner in their area.	<p>Applicants shall consult local and tribal authorities about their qualifications and plans under the BEAD program to qualify for points within this category.</p> <p>Applicants requesting a meeting with local and Tribal governments should not unreasonably refuse the meeting request by the applicant.</p> <p>If the application proves that no such meetings took place after at least three attempts have been made to contact local and/or Tribal</p>



			<p>government by means of email or other written communications to contact a local authority to discuss qualifications and plans under the BEAD program, then full points will be awarded.</p> <p>The applicants that obtain a letter of support from proposed service area local and tribal governments will receive full credit. No credit is granted to applicants who do not receive such a support letter, but they may submit proposals within their authority. The CBO encourages local authorities to meet the applicants before</p>
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			<p>granting such support letters to discuss their development plans within the framework of the BEAD program. Local governments and Tribes may support one or more applicants. Applications will receive points based on the information submitted for each element of the local and tribal category.</p>
49	Equitable Workforce Development and Job Quality	Applicants must narratively demonstrate their commitment to make appropriate investments to develop a skilled, diverse workforce to fill the necessary jobs to meet the infrastructure buildout timelines submitted in application.	<p>The CBO will assess and score narrative responses under this category.</p> <p>Applications that provide all the required workforce development information and commit to investing in developing a</p>



			<p>skilled workforce with a priority for local hires will receive 49 points in this category.</p> <p>Applications will receive 0 points in this category if they fail to submit all the required workforce development information in their application.</p>
<p>40</p>	<p>Community Impact</p>	<p>Applicants are required to demonstrate how their projects meet the needs and support the CBO's existing deployment strategies. Applicants need to describe broad community impact, positive economic development outcomes, strategic partnerships, and focus on high need areas.</p>	<p>Applicants will be awarded 8 points for each community impact factor incorporated into their project. However, applicants failing to meet this requirement will receive a score of 0 points.</p>



**Speed to Deployment for Other Last-Mile Broadband Deployment Projects – 28
Maximum Points**

All recipients of BEAD Program funds designated for network deployment are required to execute the planned broadband network and commence delivering services to all subscribers seeking broadband services within the application project area(s) no later than four years after the subgrantee receives the award from the CBO.


The CBO will assess applications based on their pledged speed of deployment using a sliding scale system. This scale will be designed to minimize score discrepancies related to project timelines, considering the uncertainties associated with the broadband supply chain, workforce development and the necessary deadlines for compliance with federal regulatory requirements within the BEAD Program.

The deployment schedule will be enforced via the grant agreement. If a subgrantee requests an extension that is not consistent with the original proposed deployment schedule, they must provide documentation justifying the request and certify the accuracy of the request. The subgrantee can request up to one extension for no more than up to 3 additional months

Table 21: Deployment Schedule Commitment Sliding Scale for Other Last-Mile Broadband Deployment Projects - 28 maximum points

Deployment Schedule	Points
<25 months	28
25-35 months	18
36-41 months	10



42-47 Months	6
 >48 Months	0

Speed of Network and Other Technical Capabilities for Other Last-Mile Broadband Deployment Projects – 25 Maximum Points

For applications suggesting the adoption of technologies that offer enhanced scalability with reduced future expenditure for priority projects, the CBO will evaluate long-lasting capital assets using a sliding scale system. The CBO will evaluate the following categories related to the Speed of Network criteria on a sliding scale:

- Non-FTTH applications that will be scored based on certified speed and latency performance commitments that are enforceable subgrantee conditions and subject to verification after deployment to all eligible BSLs as well as on length of useful life of the proposed infrastructure and future scalability.
- Non-FTTH technologies, the length of useful life and future scalability, as certified by the applicant and subject to technical review and verification by the state, shall receive points.
- Non-FTTH technologies, applications will be evaluated based on the cost per passing for eligible BSLs for new non-FTTH plant proposed. Consideration will be given to factors that make certain areas costly to serve.

Table 22: Non-FTTH Technology Investment for Other Last-Mile Broadband Deployment Projects - 10 Maximum Points

Technology	Points
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Hybrid fiber coaxial (HFC) DOCSIS 4.0	10
Hybrid fiber coaxial (HFC) DOCSIS 3.1	8
Wireless using licensed spectrum	4
Wireless using unlicensed spectrum	2
Low Earth (LEO) satellite	1

Table 23: Non-FTTH Performance Commitments for Other Last-Mile Broadband Deployment Projects - 15 Maximum Points

Minimum Downstream/Upstream Speeds (Mbps)	Maximum Latency (Milliseconds)	Points
100/20	100	5
200/50	100	7
400/100	100	13
1000/250	100	15

The graduated scales will give greater consideration to projects proposing technologies that result in scalability, maximum performance, and length of useful



life. FTTH is preferred, however, non-FTTH will be given consideration based on the CBO’s Project Area Map (PAM).

**Open Access Network for Other Last-Mile Broadband Deployment Projects - 14
Maximum Points**

The BEAD program advocates for the incorporation of selection criteria that encourage Colorado to embrace subgrantees’ commitment to providing open access wholesale opportunities to last mile broadband service providers throughout the duration of the subsidized network’s existence. This commitment should extend to ensuring fair, equitable, and unbiased terms for all prospective retail providers.

Applicants pledging to offer wholesale broadband services at reasonable and non-discriminatory rates and conditions for the entire useful life of the network assets will earn points contingent on the open access particulars outlined in their application. Points will be awarded based on the information furnished for each component of the open access category.

**Table 24: Open Access for Other Last-Mile Broadband Deployment Projects - 14
Maximum Points**

Open Access Details	14 Maximum Points
Details regarding open access policy	5
Description of wholesale services and rates	5
Identification of retail ISP partners and status of contract negotiations (e.g., MOU, signed commitment, etc.)	4



Local and Tribal Coordination for Other Last-Mile Broadband Deployment Projects

- 10 Maximum Points

The BEAD program advocates for the adoption of selection criteria that emphasize the applicant's level of support from local and tribal governments with jurisdiction over the areas they intend to serve. This local and tribal coordination aims to address connectivity gaps where broadband coverage is lacking, allowing tribes, counties, towns, and cities to participate in selecting a preferred partner for their region.

Applicants are required to engage in consultations with local and tribal authorities regarding their qualifications and plans within the BEAD program. Points within this category will be awarded based on the extent of collaboration and support demonstrated. Applicants should not unreasonably decline a meeting request from local and tribal governments, and vice versa. In cases where no meetings occurred, despite at least three attempts to contact local and/or tribal governments through email or written communications, the application should provide evidence of these efforts to discuss qualifications and plans within the BEAD program.

Applicants who secure an endorsement letter from local and tribal governments within the proposed service area will receive complete credit. Applicants who do not obtain such support letters will not receive any credit, but they are still eligible to submit proposals within the local government or Tribal jurisdiction. The CBO strongly encourages local authorities to engage in discussions with applicants about their project plans under the BEAD program before issuing these endorsement letters. Local governments and Tribes have the option to support one or more applicants. The scoring within the local and tribal category will depend on the details provided for each aspect of the application.



Table 25: Local Tribal Coordination for Other Last-Mile Broadband Deployment Projects - 10 Maximum Points

Local and Tribal Coordination	Points
Local and Tribal Coordination Information and Consultation Meeting	5
Local and Tribal Coordination - Letter of Support	5

Equitable Workforce Development and Job Quality for Other Last-Mile Broadband Deployment Projects - 49 Maximum Points

Applicants are required to present a narrative demonstrating their dedication to making appropriate investments in cultivating a skilled and diverse workforce. Workforce is essential to fulfill the job requirements and meet the infrastructure development deadlines outlined in their application. For this criteria, the CBO will evaluate and assign scores based on the narrative responses provided. Applications that supply all the necessary information pertaining to workforce development and commit to fostering a skilled workforce, with a particular emphasis on hiring locally, will be eligible for 49 points in this category. Conversely, applications that do not include all the requisite workforce development information in their submission will receive 0 points in this category.

Community Impact for Other Last-Mile Broadband Deployment Projects - 40 Maximum Points

Community impact refers to the measurable effects, both positive and sometimes negative, that a project, initiative, or action has on a particular community or group of people. It encompasses a wide range of social, economic, environmental, and cultural changes that can result from an activity or program. On a sliding scale,



applicants will be awarded 5 points for each community impact factor incorporated into their project. However, applicants failing to meet a factor will receive a score of 0 points for that factor.

Table 26: Community Impact for Other Last-Mile Broadband Deployment Projects - 40 Maximum Points

Factors	Description	Points
Increase Broadband Adoption and Digital Literacy	Supports a credible plan to increase broadband adoption and improve digital literacy in impacted communities and unincorporated areas, especially among populations that have experienced inequities in access to work, education, and health care or health information that resulted from, was made apparent or was exacerbated by the COVID-19 public health emergency.	8
Major Economic Development	Project would provide services that support at least one major economic development initiative as identified by a regional planning or development council or economic development authority.	8
Broadband Planning Initiative	Project supports recent broadband planning initiatives within the proposed area.	8



Strategic Partnerships	The project has strategic partnerships involved in the proposed project, for example, electric utilities, universities, and federal, state, or local agencies.	8
State Plans	The project supports adopted state plans or priorities not otherwise addressed by other prioritization factors.	8

Waiver of Matching Funds

In evaluating requests for a waiver of the Advance-BEAD Grant Program’s match requirement, CBO will carefully balance the Program’s various objectives. It is CBO’s goal and policy to ensure that Advance-BEAD funds are used to bring affordable broadband to all Coloradans. The CBO will generally seek to minimize the Advance-BEAD funding outlay to extend the Program’s reach, and expects to grant waivers only in special circumstances and contingent upon NTIA approval, when a waiver is necessary to advance objectives that are critical to the Program’s success. In order to be considered for a waiver, an applicant must submit a waiver request that describes the special circumstances underlying the request and explain how a waiver would serve the public interest and advance the goals of the Advance-BEAD Program. The CBO will consider factors that may make certain areas more difficult or costly to serve, such as low density, extensive make-ready costs, topography, geography, or unavoidable underground construction.

The CBO may grant waivers of the minimum matching funds requirement or allow funds not provided by the applicant to serve as match for a proposed project contingent upon NTIA approval. Applicants seeking a waiver must include the request with the application and specifically identify and justify the reasons why it is infeasible for the applicant to provide the match in full or in part. The applicant must



document any efforts made to obtain matching fund commitments for the project from capital funding sources. **Waivers, contingent upon NTIA approval,** may be granted upon a determination that to do so is in the best interest of the state and furthers the program goal of expanding broadband service in Colorado, and that the proposed project would not be feasible or advisable without the requested waiver.

The CBO may request additional information from applicants requesting waivers to assist it in advising the CBO in a determination.¹⁵ The CBO retains the discretion to waive any amount of the match, including up to the full match **requirement, contingent upon NTIA approval.**

Size of Project

There is no **maximum limit on the geographical size of projects, minimum project size is one Project Area, as defined in the PAM. For review and administrative purposes,** the maximum dollar amount that may be requested in a single Advance-BEAD program application is \$20,000,000. However, applicants may submit more than one application. **The CBO will define project areas that can be reasonably served within the maximum dollar amount and will publish the proposed PAM for public comment prior to finalizing the PAM.**

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

The CBO will use the scoring rubric included in Appendix G.

¹⁵ **2 CFR 200.306(b) Federal Uniform Guidance.**



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

The CBO will allocate funding in a manner that ensures the extension of broadband services to all areas in Colorado that lack service (unserved) and, to the extent possible with available funds, to areas with limited service (underserved). The CBO will determine these unserved and underserved locations areas by utilizing data from the FCC National Broadband Map and running an NTIA approved Challenge Process to solicit challenges and deduplicate enforceable funding commitments. Additionally, the CBO will create a Project Area Map outlining regions and census blocks that require providers to serve all identified Broadband Service Location (BSL) sites within specific project areas.

If the CBO is unable to secure proposals from ISPs to serve every location within these areas, providers neighboring these locations will be approached to redefine project areas and the state could negotiate additional state funded incentives. These incentives may involve funding from sources outside the BEAD Program.

All plans and commitments outlined in applications, such as affordability, technology selection, and performance levels, must apply to all current and future eligible locations within the Project Area Map.



To prioritize the provision of service to unserved and underserved areas before funding eligible CAIs (Community Anchor Institutions), the CBO will require all applicants to agree that the state may, prior to final subgrant awards, unilaterally exclude certain locations from a subgrant. This step is taken to ensure compliance



with BEAD's prioritization requirements, which emphasize reaching unserved locations first, followed by underserved locations, and then CAIs.

For instance, if there are insufficient BEAD funds to reach 100% of underserved locations, the state would first exclude CAI locations from all subgrants and then proceed to remove specific underserved locations to align with BEAD requirements. In such cases, the subgrant award amount would be adjusted to account for the removal of these locations, as described further in section 2.4.7. The CBO will prioritize funding deployment activities prior to non-deployment projects or programs.

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

Not applicable.



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

As part of the CBO's application intake process, each subrecipient must be knowledgeable of the requirements of the [National Environmental Policy Act \(NEPA\)](#)¹⁶ and [National Historic Preservation Act \(NHPA\)](#).¹⁷ Additionally, applicants must acknowledge the significance of minimizing the environmental and historic preservation impacts associated with construction in sensitive areas.

To ensure compliance with these Acts, the CBO will communicate the stipulated requirements to all prospective subgrantees before the selection process begins. This will be achieved through outreach efforts, such as webinars and in-person meetings, involving key stakeholders. Additionally, a list of regulations and compliance videos will be made available on the Advance-BEAD website, along with detailed grant application instructions and terms and conditions.

Regarding compliance with BABA, the CBO will emphasize the following key points:

¹⁶ National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.).

¹⁷ National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.).



- All iron, steel, manufactured products (including, but not limited to, fiber-optic communication facilities), and construction materials used in the project or eligible activities must be produced in the United States, unless a waiver is granted.
- Prospective subgrantees must adhere to the definitions outlined in Section 70912 of the Build America, Buy America Act when determining whether a product qualifies as produced in the United States.
- BEAD funding cannot be used to purchase or support covered communications equipment or services, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608).
- The Infrastructure Act explicitly prohibits subgrantees from using BEAD funding to purchase or support fiber-optic cable and optical transmission equipment manufactured in the People's Republic of China unless a waiver is granted by the assistant secretary.

Regarding compliance with NEPA and NHPA, the CBO will emphasize the following key points:

- Prospective subgrantees must describe their plans for complying with relevant environmental and national historical preservation requirements.
- They are responsible for obtaining all necessary federal, Eligible Entity, and local permits and approvals within the project implementation timeline.
- Projects and eligible activities should be designed to minimize potential adverse impacts on the environment.

As part of the application intake process, the CBO will include questions to assess the viability and compliance of proposed applications. Prospective subgrantees will be required to provide plans demonstrating compliance with the Acts mentioned above before being eligible to participate in the subgrant process.



Due to the importance of complying with these prerequisites to participate in the Advance-BEAD program, active engagement with stakeholders is imperative for achieving success. The CBO will actively encourage prospective subgrantees to collaborate with a multitude of federal, state, and local stakeholders. This includes, but is not limited to:

- Federal land and resource management agencies, encompassing entities like the National Park Service (NPS), U.S. Fish and Wildlife Service (USFWS), Bureau of Land Management (BLM), U.S. Army Corps of Engineers (USACE), U.S. Forest Service (USFS), Bureau of Reclamation, U.S. Bureau of Indian Affairs, U.S. Geological Survey (USGS), and others. These partner relationships will assist subgrantees in understanding of restrictions or special conditions that might pertain to infrastructure proposals on federal land or potentially affect federally managed resources like wetlands, endangered species, navigable waterways, and more.
- Coordination with state and local agencies that may have a role in Environmental and Historic Preservation (EHP) requirements. This includes liaising with State or Local Historic Preservation Offices and state or local agencies responsible for issuing permits related to proposed projects.

The CBO is committed to preparedness for compliance and monitoring requirements associated with the Build America, Buy America Act (BABA) Program once further guidance is provided by NTIA and with NEPA and NHPA. In the meantime, the CBO in preparation of future guidance will focus on following steps:

1. Review of available resources and requirements, including a thorough understanding of EHP requirements and additional guidance outlined in the BEAD NOFO. This entails grasping the intricacies of the NEPA review process and NHPA and reviewing pertinent materials from the NEPA, Historic Preservation, and Climate Resilience Webinars and presentations.



2. Sourcing of staff or contractors with expertise in EHP. This involves showcasing the readiness of the broadband team to assess potential environmental impacts. If necessary, additional staff or contractor support will be procured to ensure that the broadband team possesses the requisite capacity and expertise to manage EHP activities. Specific individuals will be designated with clear responsibilities for overseeing EHP activities, and collaboration with subject matter experts (SMEs) will be encouraged.
3. Outlining a comprehensive approach for EHP activities, including steps and actions required to ensure prospective subgrantees comprehend the necessity of complying with NEPA. This approach includes coordination with other state offices experienced in administering federal grants, such as the Colorado Department of Transportation & Development, to identify best practices and effective approaches for managing the NEPA review process. This involves identifying potential subcontractors who can support environmental assessments and sharing best practices for crafting project descriptions that provide adequate detail on potential environmental impacts, facilitating a preliminary determination regarding the level of NEPA review required.

The CBO will document that all requirements are met and conduct periodic evaluations by qualified personnel of compliance with this section. Additional staffing or contractors will be engaged as needed to ensure that there is ample capacity and expertise to effectively review the documentation and offer an impartial perspective on the requirements outlined above.



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

Project areas will use Census Blocks as the base geographic unit. A project area may be a single Census Block or it may be a cluster of adjacent Census Blocks, no larger than a Census Block Group boundary, as decided by the CBO. The CBO may decide to combine adjacent Census Blocks into a cluster based on the following factors: 1) provider interest from past funding programs, 2) investment cost, 3) lack of infrastructure, 4) count and proportion of unserved and underserved BSLs, 5) census block boundary that divides a community or neighborhood, or 6) other factors as determined by CBO analysis. Project areas will not overlap and applicants may not subdivide the project area into smaller units. As described in section 2.4.1, the CBO will publish a draft for the proposed Project Area Map (PAM) for public comment and subsequently publish the final Project Area Map.

An applicant must propose to serve every unserved and underserved location within each project area included in their application. The applicant may select multiple project areas to include in their application and the included project areas are not required to be contiguous. The applicant should indicate the project areas that are necessary to make the project viable, i.e. project areas that contain the core buildout and would compromise the viability of the proposed project if the project area is removed for deconfliction purposes.

If multiple applications are submitted for the same project area, the CBO will de-conflict the proposals by evaluating the applications based on the defined scoring



criteria and awarding the project area to a single applicant based on application score. Part of the evaluation will include designated high-cost locations identified in the Project Area Map. Overlapping applications may receive a partial award, with the overlapping project area removed. Partial awarded areas will be evaluated based on the criteria in this section.

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

The CBO will engage in transparent outreach to existing providers or to other prospective subgrantees willing to expand their existing or proposed service areas. These providers will be identified by analyzing coverage reported in the area on the FCC National Broadband Map, other state and federally funded projects in the vicinity, and previous applications for funding in state and federal programs.

If the CBO does not receive any applications to provide service to unserved, underserved, or a combination of both locations by the application submission deadline, it will identify these excluded areas. Subsequently, the CBO will incorporate the locations in unallocated areas into a clearly defined application area on the PAM. Through a rescoping process of adjacent areas, applicants will be required to specify and serve these locations in their re-scoped applications if they are adjacent to proposals submitted by another applicant.

In cases where no adjacent applications are received to serve these unserved, underserved, or combined locations, the CBO will reach out to ISPs located near these areas to obtain estimates for extending internet access. Additionally, the CBO will



furnish relevant information necessary for applicants to secure funding under the BEAD program for these locations as well as additional incentives using other funding sources.

To facilitate the submission of a comprehensive service application by ISPs for these areas, the CBO will initiate contact with ISPs within 1-5 miles of the locations. This contact will occur during the initial days and weeks of the complete 90-120 calendar day review period. ISPs will be identified based on one of the following criteria:

- Having reported coverage in the area on the FCC's National Broadband Map.
- Being involved in a state or federally funded project aimed at expanding broadband access in the area.
- Having applied to serve locations under the BEAD Program.

Once the CBO and ISP rescope a project area to include 100% coverage of unserved and underserved locations, both parties will execute a non-competitive agreement. The agreement will be developed prior to opening the application window and a template agreement will be included in the application materials.

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

The CBO has actively participated in official tribal consultations with the two federally recognized Tribes in Colorado; the Southern Ute Indian Tribe (SUIT) and Ute Mountain Ute Tribe (UMUT). At time of application, the CBO will require prospective subgrantees intending to construct on Tribal lands and territories to provide a Resolution of Consent or Reciprocity, or an equivalent formal demonstration of consent from the Tribal council or other governing body of each respective Tribal



government whose Tribal lands are impacted by broadband deployment infrastructure.

During the application process, applicants must certify they have communicated with and received consent from the Tribal governments in which their proposed project area impacts. Further, the grant agreement process post-award will require subgrantees to submit written documents proving consent to deploy infrastructure on Tribal lands.

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

To identify the Extremely High Cost Per Location Threshold (EHCPLT), the CBO will perform a detailed analysis of data from previous applications and awards in Colorado from state and federal funding programs, applications received in the Advance-CPF and Advance-BEAD application process and per-location cost model data from CostQuest Associates (CQA). The detailed analysis will be after receiving applications and the CBO will compare the outcomes to the available budget. In the analysis, the CBO will consider applications received in the Advance-BEAD program for Priority Broadband Projects and the remaining funding outlay to connect all unserved and underserved locations in Colorado.

The CBO will also utilize the Eligible Entity Planning Tool to support the identification of the EHCPLT. Due to the extreme difference in geographic features (terrain, ground composition, etc) across the state of Colorado, the CBO may elect to set different EHCPLTs for regions within the state.



The process for identifying EHCPLTs will be fair, open and competitive between regions across the state as this information will be made available to the public. The evaluation criteria will include, but is not limited to the following:

- Identification of Cost Categories: Common categories include labor, materials, overhead, marketing, and administrative costs.
- Cost Analysis: Analyze historical cost data to identify high-cost areas using data from CBO's existing last mile grant programs.
- Cost Drivers: Identify the specific factors that drive high costs in each category. For example, labor costs may be high due to a shortage of skilled workers or excessive overtime.
- Break-Even Analysis: Calculate the break-even point for networks in EHCPLT areas.
- Profitability Analysis: Analyze the profitability of networks proposed in EHCPLT areas. Some areas may be high cost but also high-profit generators, while others may need cost containment.
- Technology Investment: Consider investments in technology that can help reduce costs over the long-term when determining EHCPLTs.
- Risk Assessment: Analyze the risks of long term viability for networks in EHCPLTs areas of the state.



2.4.10: Outline a plan for how the Extremely High Cost Per Location Threshold will be utilized in the subgrantee selection process to maximize the use of the best available technology 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, and C. The process for selecting a proposal that involves a less costly technology and may not meet the definition of Reliable Broadband.

A. The process for declining proposals above the high cost per location threshold where an alternative technology is less expensive.

During the Phase 3 of the application process explained in section 2.4.1, the initial scoring and de-confliction procedures explained in sections 2.4.1, 2.4.2, 2.4.3, and 2.4.6 will be initially carried out in a "provisional" manner until the process is completed. The CBO will initially score, rank, de-conflict applications, and subsequently evaluate the overall outcomes in terms of the BEAD budget expenditure and the extent of coverage for eligible locations. It's important to note that no subgrant applicant will receive any notification regarding this internal-only "provisional" award status.

In the event that gaps persist in the coverage of eligible locations, the CBO will then execute the EHCPLT process as detailed in section 2.4.9. Should the CBO identify an opportunity to enhance coverage by introducing an EHCPLT value at a specific level in



any given case, the provisional award for the particular FTTH proposal in question will be rescinded, and an alternative non-FTTH proposal will be selected instead. This process will continue until the final FTTH provisional award undergoes review, with the final EHCPLT level determined at the lowest applicable level based on the actual FTTH applications assessed. The CBO will assess provisionally selected FTTH applications in descending order of **cost per location**, selecting a declining level of EHCPLT values each time a new opportunity for re-prioritization that would expand coverage is recognized. The provisional selection status of specific proposals will be adjusted as necessary throughout this process.

Upon completion of this process, the final EHCPLT value will be announced, along with all final selections that reflect any adjustments made during this step. Certain FTTH proposals may still be selected even if their cost exceeds the final EHCPLT value. The decision to choose an alternative technology to FTTH will only be made if doing so would result in expanded coverage of at least reliable broadband service. **Due to the diverse geological, topological, and BSL density characteristics of Colorado, multiple EHCPLTs may be established for various regions.**

B. The plan for engaging subgrantees to revise their proposals and ensure locations do not require a subsidy.

Following the determination of the final EHCPLT value through the process outlined, the CBO will conduct a review of any projects that have been provisionally awarded and have an average cost per location exceeding that threshold value. This review will assess the reasonableness of the awarded cost, taking into consideration the per-location cost data for Greenfield NPV and Total Investment provided by NTIA in the Eligible Entity Planning Tool.

The CBO will consider the possibility that certain priority projects with a per-location cost above the EHCPLT may still receive funding, provided they are deemed the most critical projects in the area, and there is sufficient BEAD funding available.



If there is a scenario which the available BEAD budget proves inadequate to cover all unserved locations, meaning that the EHCPLT is applied primarily to reduce funding requirements rather than to assist locations affected by overlapping coverage, provisionally successful FTTH applications that face potential de-selection due to their costs exceeding the selected EHCPLT value will be given the opportunity to adjust their funding requests to fall below the EHCPLT threshold. The key objective is to reduce the necessary funding, thereby addressing the state's requirements.

The CBO intends to utilize the EHCPLT value, if chosen, in the most precise manner possible to ensure the adoption of the best available technology for as many unserved locations as feasible, while still giving preference to priority projects whenever feasible. It's important to understand that even in cases where per-location costs exceed the threshold, some priority projects may still be selected to advance this overarching goal.

C. The process for selecting a proposal that involves a less costly technology and may not meet the definition of Reliable Broadband.

The CBO will impartially evaluate technology options proposed by applicants and determine the most cost-effective technology solutions for each area by conducting research in collaboration with local experts. Specifically, the CBO will explore unlicensed fixed wireless first, then low-earth orbit satellite technologies when no other technology meeting the requirements for reliable broadband service can be deployed at a lower cost than the EHCPLT for a particular location. While these technologies may not align with the BEAD NOFO's definition of Reliable Broadband Service, they will still deliver service with a minimum speed of 100/20 and latency equal to or less than one hundred milliseconds at a reduced cost.

Consideration for various broadband technologies will ensure universal service coverage throughout the state, leaving no location unserved, regardless of its remoteness or cost challenges. In cases where a priority broadband project area



exceeds the EHCPLT, the CBO will solely consider non-priority broadband projects, even if they do not meet the criteria for **Reliable Broadband Service** defined in the **NOFO**.



2.4.11: Describe how the Eligible Entity will ensure prospective subgrantees deploying network facilities meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must: A. Detail how the Eligible Entity will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a Project, that prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that prospective subgrantees will comply with all Program requirements, including service milestones. To the extent the Eligible Entity disburses funding to subgrantees only upon completion of the associated tasks, the Eligible Entity will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the Eligible Entity authorizes additional disbursements, B. Detail how the Eligible Entity plans to establish a model letter of credit substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF), C. Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements and E.



Detail how the Eligible Entity will require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project.

A. Required Qualifications for Financial Obligations

The CBO will require prospective subgrantees to certify that they (1) are financially qualified to meet the obligations associated with a project, (2) will have available funds for all project costs that exceed the amount of the grant, and (3) will comply with all requirements, including service milestones. The CBO will collect this certification information in the initial grant application materials and assess this information during the subgrantee selection process.

The CBO will set forth milestones and tasks in a statement of work in the grant agreement; however, the CBO will disperse funding only on a cost reimbursement basis. Upon such disbursement the subgrantee will certify that it will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the CBO authorizes additional disbursements.

B. Required Model Letter of Credit

In accordance with the Notice of Programmatic Waiver - Bead Letter of Credit Waiver issued by the NTIA on Nov 1, 2023, the CBO proposes alternative requirements to the Letter of Credit in order for Applicants and Grantees to demonstrate that they meet the financial capabilities required by the BEAD NOFO.

- All grants will be implemented on a cost reimbursement basis for actual costs incurred, consistent with Section IV.C.1.b of the NOFO, with reimbursement periods of no more than six (6) months.
- For all grants, an amount equivalent to five percent (5%) of the amount shown to be due on each reimbursement payment request will be



withheld until the project has been completed, and a final closeout review has been performed.

- **Performance Bond**

- During the application process, prospective subgrantees shall submit a letter from a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570 committing to issue a performance bond to the prospective subgrantee. The letter shall at a minimum provide the dollar amount of the performance bond.
- Prior to entering into any subgrantee agreement, each prospective subgrantee obtains a performance bond, acceptable in all respects to the Eligible Entity and in a value of no less than 100 percent of the subaward amount.
- The CBO will reduce the amount of the performance bond below 100% over time, upon a subgrantee meeting deployment milestones specified by the Eligible Entity in the Grant Agreement. (An amount less than 100% of the subaward amount is used because the CBO will implement a cost reimbursement program.)

OPTIONAL: Obtain a Letter of Credit in the amount of 10% of the subaward (an amount lower than 25% is used because the CBO will implement a cost reimbursement program). The Letter of Credit must be substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF). In addition to Weiss B-Weiss or above banks, Grantees may utilize any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B- or better.



During the subgrantee selection process, the CBO will check that the subgrantee has a record of good standing with the Colorado Secretary of State, and is not listed on any federal or state debarment list.

The CBO will hold multiple information webinars on regulations and requirements of the BEAD grant program before and during the grant application process, prior to the grant selection process. Similar to the Advance-CPF Grant Program, the CBO will draft Advance-BEAD Grant Program Guidelines and a model Advance-BEAD Grant Agreement.

Applications that fail to meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO will not be considered to receive BEAD funding.

C. Required Audited Financial Statements

Applicants must provide audited financial statements for the prior two years. If an Applicant does not have audited financial statements, it may provide unaudited financial statements for the prior two years. Applicants should be aware that award of Advance-BEAD funding may require future single audits.¹⁸

D. Required Business and Financial Analysis

The CBO will mandate prospective subgrantees to furnish audited financial statements before executing a grant agreement or by a specified date set by the CBO.

Additionally, prospective subgrantees will be required to provide business plans, budgets (including CAPEX and OPEX), pro forma financials, cash flow statements, and related analyses that establish the sustainability of their proposed project. This information will be initially collected at a high level during Phase Two of the application process and further detailed before the grant agreement execution. Applicants must demonstrate the availability of funds to cover all project costs

¹⁸ [Title 2, Subtitle A, Chapter II, Part 200, Subpart F](#)



exceeding the grant amount, along with the ongoing financial capacity to meet eligible project expenses as confirmed by the pro forma financials.

The evaluation of business plans and related analyses will be conducted by qualified personnel with the requisite capacity and expertise to thoroughly review the documentation and offer an impartial perspective on the prospective subgrantee's financial readiness.

2.4.11.1: 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.

A draft of example Advance-BEAD Pre-Qualification Questions is included in Appendix H.¹⁹

¹⁹ State of Louisiana Initial Proposal Volume 2, Section 2.4.11.1



2.4.12: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for managerial capability as outlined on pages 73 – 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must: A. Detail how the Eligible Entity will require prospective subgrantees to submit resumes for key management personnel and B. Detail how it will require prospective subgrantees to provide a narrative describing their readiness to manage their proposed project and ongoing services provided.

The CBO will enforce managerial capability requirements from the BEAD NOFO for prospective subgrantees deploying network facilities. To apply for a grant, subgrantees must provide the specified managerial capability details. Qualified personnel will collect and review this documentation. If needed, hire additional staff or contractors to ensure thorough evaluation. We'll communicate these requirements through outreach, webinars, meetings, website postings, and grant application instructions.

Applications that fail to meet the minimum qualifications for managerial capability as outlined on pages 73-74 of the BEAD NOFO to the satisfaction of the CBO will not be considered to receive BEAD funding.



A. Resumes for Key Personnel Requirement

The CBO will require prospective subgrantees to submit resumes for key management personnel. The prospective subgrantees must submit narratives that describe the experience and qualifications of its key management personnel, their experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies in Phase Two of the application process in section 2.4.1.

B. Readiness to Manage Proposed Project Requirement

To apply for a grant, prospective subgrantees must provide the following details concerning their managerial capability:

- Provide a project organizational chart, including corporate relationships with parents, subsidiaries, and affiliates.
- Present a narrative demonstrating readiness to manage a broadband services network. This narrative should cover key management qualifications, experience on similar projects, recent organizational changes (such as mergers and acquisitions), and relevant organizational policies.
- Supply a skills matrix aligning lead staff with business plan deliverables.

Qualified personnel will gather and assess the documentation. If needed, additional staff or contractors may be hired for comprehensive review and an impartial managerial capability assessment. The CBO will disseminate these requirements to all prospective subgrantees before the selection process, achieved through outreach activities (webinars, meetings), posting regulations on the Advance-BEAD website, and incorporating the requirements into grant application instructions and grant agreement terms, conditions, and monitoring program requirements.



2.4.13: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must: A. Detail how the Eligible Entity will require prospective subgrantees to certify that they are technically qualified to complete and operate the Project and that they are capable of carrying out the funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce and B. Detail how the Eligible Entity will require prospective subgrantees to submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.

The CBO will ensure that prospective subgrantees deploying network facilities meet the technical qualifications outlined in the BEAD NOFO. The CBO will create specific



application questions to assess viability and compliance. To apply for a grant, subgrantees must provide the following technical capability details. Qualified personnel will review the documentation, and additional staff or contractors may be hired if necessary. The CBO will communicate these requirements to all prospective subgrantees through outreach, website postings, grant application instructions, **BEAD Guidance document**, and agreement terms. The CBO may establish predefined technical capability standards as needed, aligning with industry norms, the BEAD NOFO, and best practices.

A. Technical Qualification for Implementation and Credentialed Workforce

Prospective subgrantees must certify their technical qualifications to complete and operate a project competently, including using a skilled and credentialed workforce (refer to Section IV.C.1.e of the BEAD NOFO). Required documentation includes:

- Proof of current licensing to operate in Colorado.
- Verification of current Colorado licensing for certifying engineers involved in design, diagrams, project costs, etc.
- Demonstrated experience in designing and executing similar projects in terms of size, complexity, and timeline.

Qualified personnel will collect and review this documentation, with additional staff or contractors hired if necessary. The CBO will communicate these requirements to all prospective subgrantees through outreach methods such as webinars, meetings, website postings, grant application instructions, and agreement terms. The CBO may establish predefined technical capability standards in alignment with industry norms, the BEAD NOFO, and best practices. The CBO might seek assistance from the subject matter experts and professional organizations to ensure comprehensive outreach and overview of requirements for prospective subgrantees.



B. Proposed Project Work Plan Requirement

The CBO mandates that all applicants must furnish a certified network design, diagram, project costs, build-out timeline, and milestones for project implementation. Documentation should demonstrate complete build-out and the initiation of service within four years from the contract date. A Professional Engineer (PE) must certify that the proposed network can deliver broadband service meeting obligatory performance requirements for all project locations.

Deployment Subgrantee Required Documentation:

The grant guidelines specify essential supplemental documents required for the application and subsequent review. Applicants will submit these supplements in the provided excel workbook and as individual documents via the application portal. The following list outlines the mandatory documentation:

- **Project Network and Timeline:** The CBO will develop grant guidelines and associated application requirements for the submission of the project's network design, diagram, timeline, and key implementation milestones (e.g., contracting, engineering, pole licensing, make-ready, permitting, construction, connections, etc.). Additionally, a capital investment schedule demonstrating that the applicant will achieve complete build-out and service initiation within four years of grant receipt is required. These timeline and capital investment schedule details will be included in the supplemental documents Excel Workbook.
- **Project Costs:** The CBO will develop grant guidelines and the corresponding application requirements for the project budget that will include of the following budget information:
 - **Total Project Area Costs:** This includes equipment expenses and justifications for any capital costs beyond infrastructure.



- Total Federal Grant Request.
- Total Cash Matching Funds.
- Total In-Kind Matching Funds.
- Total Matching Funds (Cash + In-Kind).
- Total Matching Funds (Cash + In-Kind) as a Percentage of Total Project Area Costs.

The project budget will be submitted in the Supplemental Documents Excel Workbook.

Should the CBO find that the submitted documents fail to demonstrate an applicant's technical capacity for the proposed project, BEAD funds for network facility deployment or upgrade will not be approved. The CBO will ensure that applicants are well-informed about these regulations before and during the selection process. This will be achieved through information on the regulations, posting a list of regulations and grant application requirements on the Advance-BEAD website, webinars, workshops, as well as within the grant agreement terms and subrecipient grant monitoring programs. Applicants not meeting the minimum technical competence outlined on page 74 of the BEAD NOFO will not be considered.



2.4.14: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must: A. Detail how the Eligible Entity will require prospective subgrantees to demonstrate that they are capable of carrying out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws and B. Detail how the Eligible Entity will require prospective subgrantees to permit workers to create worker-led health and safety committees that management will meet with upon reasonable request.

The CBO will evaluate prospective subgrantees for network facility deployment, ensuring compliance with the BEAD NOFO's minimum legal requirements. Specific intake questions will be used for assessment. To apply, subgrantees must provide compliance details. The CBO will integrate federal and state procurement practices, review regulations and policies, identify requirements, and foster partnerships. Qualified personnel will review documentation. If needed, the CBO will hire additional staff. The CBO will communicate requirements through outreach, website postings and grant instructions.



A. Compliance with Federal, State and Local Laws

The CBO will assess prospective subgrantees for network facility deployment to ensure they meet the minimum qualifications for compliance with relevant laws as outlined in the BEAD NOFO. The CBO will create specific intake questions for evaluating both the viability and compliance of proposed applications. Prospective subgrantees must provide the following details related to compliance with applicable laws when submitting a grant application:

- A comprehensive history of compliance with all relevant Federal, State of Colorado, and local laws for previous broadband projects funded by federal and state programs.
- Provide any disclosures of defaults on federal or state obligations associated with broadband deployment grants.
- Provide previous funding obligations such as RDOF, Enhanced-ACAM, ReConnect, or similar BEAD-de-duplicated programs in their application.

The penalty for breaching this commitment will involve reimbursing the state an amount equal to the total investment cost of all defaulted and duplicated locations, as determined by the Eligible Entity tool provided by the NTIA.

The CBO will ensure that the subgrant program encompasses crucial elements related to federal and state procurement practices. This will involve a review of binding regulations and agency-specific policies to establish a competitive selection process for prospective subgrantees. Additionally, the CBO will identify existing federal, state, and local requirements, document relevant procedures, and develop new policies if necessary.

Furthermore, the CBO will review and implement guidance from the NTIA's Subgrantee Selection Primer as needed. Documentation concerning these requirements will be collected and reviewed by qualified personnel, with the



possibility of hiring additional staff or contractors if needed to ensure the correct implementation methods. The CBO will communicate these requirements to all prospective subgrantees before the selection process through outreach efforts, including webinars, in-person meetings, and more.

B. Worker-led Health and Safety Committees

The CBO will develop specific intake questions to assess both the feasibility and adherence to regulations in proposed applications. For grant application submission, prospective subgrantees must provide the following details regarding compliance with applicable laws:

- Policies and procedures for ensuring compliance with occupational safety and health requirements, including the establishment of worker-led health and safety committees that management will engage with upon reasonable request. (The CBO may refer to the NTIA's Workforce Planning Guide for specific requirements for prospective subgrantees).

The CBO will incorporate critical elements concerning federal and state procurement practices into the subgrant program. This includes a comprehensive review of legally binding regulations and agency-specific policies to foster a competitive selection process for prospective subgrantees. The CBO will identify existing federal, state, and local requirements, document relevant procedures, and develop new policies as needed. Coordinating with state and federal partners will ensure thorough engagement.

The CBO will review and apply guidance from the NTIA's Subgrantee Selection Primer as required.²⁰ Documentation pertaining to these requirements will be collected and scrutinized by qualified personnel. If necessary, the CBO will expand our team with

²⁰ NTIA Subgrantee Selection Primer:

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://broadbandusa.ntia.doc.gov/sites/default/files/2023-02/Subgrantee_Selection_Primer_A_Guide_for_Eligible_Entities.pdf



additional staff or contractors to ensure the correct implementation methods are in place.

To keep all prospective subgrantees well-informed of these requirements before the selection process, the CBO will conduct outreach efforts, including webinars, in-person meetings, and more. Additionally, the requirements will be made available on the Advance-BEAD website and will be integrated into grant application instructions, grant agreement terms, conditions, and monitoring program requirements.



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

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.

A. Required Operational Qualifications

Prospective subgrantees must furnish specific operational details as part of their grant application, including but not limited to:

- Number of years providing internet service.
- Current subscriber count (households, businesses, and community anchor institutions).
- Details of federally funded deployment projects, including funding sources and completion or non-completion timelines.
- Any penalties paid by the prospective subgrantee, its subsidiary, or affiliate, or the holding company concerning deployment projects.
- Instances of the prospective subgrantee being a defendant in Colorado state criminal proceedings or relevant civil litigation related to broadband infrastructure deployment qualifications.



- Disclosure of any defaults on federal or state obligations to deploy broadband infrastructure, accompanied by a summary.

Documentation related to these requirements will be collected and subject to review by qualified personnel. If necessary, the CBO will augment its staff or enlist contractor support to ensure sufficient capacity and expertise for accurate implementation methods.

The CBO will disseminate these requirements to all prospective subgrantees prior to the selection process through various outreach methods, such as webinars, in-person meetings, etc. Additionally, the CBO will make the requirements available on the Advance-BEAD website and incorporate them into grant application instructions, grant agreement terms, conditions, and monitoring program requirements.

B. Required Number of Years in Operation

Prospective subgrantees must provide the following operational details when submitting a grant application:

- If a prospective subgrantee or its parent company has offered voice, broadband, and/or electric transmission or distribution services continuously for a minimum of two years preceding the application date, they must submit a certification confirming these facts and specifying the duration of operation.
- The NOFO requires at least 2 years of consecutive operation.

Documentation pertaining to these requirements will be collected and subject to evaluation by qualified personnel. If necessary, the CBO may enlist additional staff or engage contractors to ensure sufficient capacity and expertise for accurate implementation.

The CBO will communicate these requirements to all prospective subgrantees ahead of the selection process through a variety of outreach methods, including webinars, in-person meetings, and more. The CBO will make the requirements readily available



on the Advance-BEAD website and incorporate them into grant application instructions, grant agreement terms, conditions, and monitoring program requirements.

C. Required Compliance with FCC 477, Rules, and Regulations

If the applicant has offered both voice and broadband services, they must, as needed, confirm that they have timely submitted Commission forms 477s and, if applicable, adhered to the Broadband Data Act, as per their compliance with the Commission's rules and regulations. Additionally, the applicant must declare whether they have not adhered to the FCC Commission's rules or regulations regarding any ongoing or concluded enforcement action, criminal proceedings, or any other case where they have been accused of non-compliance.

D. Required Operating and Financial Reports for Electric Transmission or Distribution Services

To submit a grant application, prospective subgrantees must provide the following operational capability details:

- If the prospective subgrantee has exclusively operated an electric transmission or distribution service, it must provide qualified operating or financial reports that it has previously submitted to the relevant financial institution during the applicable timeframe. Additionally, a certification confirming that the submission represents accurate and unaltered copies of the reports provided to the relevant financial institution is required.

Documentation associated with these requirements will be compiled and assessed by qualified personnel. If necessary, the CBO may augment its workforce or seek contractor assistance to ensure adequate capacity and expertise for proper implementation.



The CBO will communicate these requirements to all prospective subgrantees ahead of the selection process through various outreach channels, including webinars, in-person meetings, and other means. The CBO will make these requirements accessible on the Advance-BEAD website and integrate them into grant application instructions, grant agreement terms, conditions, and monitoring program requirements.

E. Required Operational Capabilities for New Entrants

Prospective subgrantee will be required to provide the details listed below related to operational capability:

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

Documentation related to the requirements above will be collected and reviewed by qualified personnel. If necessary, the CBO will hire additional staff or source contractor support to ensure there is appropriate capacity and expertise to adequately ensure correct methods of implementation.

The CBO will communicate requirements stipulated above to all prospective subgrantees prior to the selection process. This will be completed by conducting outreach efforts to participating stakeholders webinars, in-person meetings, etc., posting a list of regulations on the Advance-BEAD website and including the requirements in grant application instructions and grant agreement terms, conditions and monitoring program requirements.



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

As part of the reporting and contracting process, the CBO grant agreement will require subgrantees to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).²¹

Documentation pertaining to the specified requirements will undergo a thorough examination by qualified individuals. If deemed necessary, the CBO will enlist additional personnel or seek contractor assistance to ensure there is adequate capacity and expertise for the proper implementation methods.

The CBO will proactively communicate the requirements to all subgrantees before the selection process takes place. This will be accomplished through various outreach initiatives to engage stakeholders, such as webinars and in-person meetings. Furthermore, the CBO will make these regulations readily available on the Advance-BEAD website and incorporate them into the instructions for grant

²¹ [Ownership disclosure requirements for applications: 47 C.F.R. § 1.2112\(a\)\(1\)-\(7\).](#)



applications, as well as the terms, conditions, and monitoring program requirements outlined in the grant agreements.

The terms and conditions will be clearly defined, ensuring they are specific, measurable in terms of achievement, bound by a specific timeframe, and clearly attribute responsibilities to the reviewing party.

A. Required Supporting Ownership Information

The Code of Federal Regulations regarding ownership information requires the following:

1. List the real party or parties in interest in the prospective subgrantee 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 prospective subgrantee;
2. List the name, address, and citizenship of any party holding 10 percent or more of stock in the prospective subgrantee, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held;
3. List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the prospective subgrantee is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses);
4. List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation in the partnership;
5. List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the prospective subgrantee is 10 percent or greater;



6. List all parties holding indirect ownership interests in the prospective subgrantee 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 prospective subgrantee, 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; and
7. List any FCC-regulated entity or prospective subgrantee for an FCC license, in which the prospective subgrantee or any of the parties identified in paragraphs:
 - a. (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 prospective subgrantee (e.g., Company A owns 10 percent of Company B (the prospective subgrantee) 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 prospective subgrantee).
 - b. Designated entity status. In addition to the information required under paragraph (a) of this section, each prospective subgrantee claiming eligibility for small business provisions, or a rural service provider bidding credit shall disclose the following:
 - i. On its application to participate in competitive bidding (i.e., short-form application (see 47 CFR 1.2105)):
 - i. List the names, addresses and citizenship of all officers, directors, affiliates and other controlling interests of the prospective subgrantee, as described in § 1.2110, and, if a



consortium of small businesses or consortium of very small businesses, the members of the conglomerate organization;

- ii. List any FCC-regulated entity or prospective subgrantee for an FCC license, in which any controlling interest of the prospective subgrantee owns a 10% or greater interest or a total of 10% or more of any class of stock, warrants, options or debt securities. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the prospective subgrantee;
- iii. List all parties with which the prospective subgrantee has entered into agreements or arrangements for the use of any of the spectrum capacity of any of the prospective subgrantee's spectrum;
- iv. List separately and in the aggregate the gross revenues, computed in accordance with §1.2110, for each of the following: The prospective subgrantee, its affiliates, its controlling interests, and the affiliates of its controlling interests; and if a consortium of small businesses, the members comprising the consortium; iv. If claiming eligibility for a rural service provider bidding credit, provide all information to demonstrate that the prospective subgrantee meets the criteria for such credit as set forth in §1.2110(f)(4); and
- v. If applying as a consortium of designated entities, provide the information in paragraphs (b)(1)(i) through (v) of this section separately for each member of the consortium.



- c. As an exhibit to its application for a license, authorization, assignment, or transfer of control:
- i. List the names, addresses, and citizenship of all officers, directors, and other controlling interests of the prospective subgrantee, as described in §1.2110;
 - ii. List any FCC-regulated entity or prospective subgrantee for an FCC license, in which any controlling interest of the prospective subgrantee owns a 10 percent or greater interest or a total of 10 percent or more of any class of stock, warrants, options or debt securities. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the prospective subgrantee;
 - iii. List and summarize all agreements or instruments (with appropriate references to specific provisions in the text of such agreements and instruments) that support the prospective subgrantee's eligibility as a small business under the applicable designated entity provisions, including the establishment of de facto or de jure control. Such agreements and instruments include articles of incorporation and by-laws, partnership agreements, shareholder agreements, voting or other trust agreements, management agreements, franchise agreements, spectrum leasing arrangements, spectrum resale (including wholesale) arrangements, and any other relevant agreements (including initial applications), oral or written;
 - iv. List and summarize any investor protection agreements, including rights of first refusal, supermajority clauses, options, veto rights and rights to hire and fire employees and to appoint members to boards of directors or management committees;



- v. List separately and in the aggregate the gross revenues, computed in accordance with §1.2110, for each of the following: the prospective subgrantee, its affiliates, its controlling interests, and affiliates of its controlling interests; and if a consortium of small businesses, the members comprising the consortium;
- vi. List and summarize, if seeking the exemption for rural telephone cooperatives pursuant to §1.2110, all documentation to establish eligibility pursuant to the factors listed under §1.2110(b)(4)(iii)(A).
- vii. List and summarize any agreements in which the prospective subgrantee has entered into arrangements for the use of any of the spectrum capacity of the license that is the subject of the application; and
- viii. If claiming eligibility for a rural service provider bidding credit, provide all information to demonstrate that the prospective subgrantee meets the criteria for such credit as set forth in §1.2110(f)(4).

Documentation related to the requirements above will be collected and reviewed by qualified personnel. If necessary, the CBO will hire additional staff or source contractor support to ensure there is appropriate capacity and expertise to adequately ensure correct methods of implementation.

The CBO will communicate requirements stipulated above to all prospective subgrantees prior to the selection process. This will be completed by conducting outreach efforts to participating stakeholders webinars, in-person meetings, etc., posting a list of regulations on the Advance-BEAD website and including the requirements in grant application instructions and grant agreement terms, conditions and monitoring program requirements.



2.4.17: Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined on pages 75 – 76 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section. The response must: A. Detail how it will require prospective subgrantees to disclose for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds and B. At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of: (a) the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules), (b) the geographic area to be covered, (c) the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage), (d) the amount of public funding to be used, (e) the cost of service to the consumer, and (f) the matching commitment, if any, provided by the subgrantee or its affiliates.



The CBO will conduct a thorough evaluation of subgrantees who intend to deploy network facilities to ensure they meet the minimum operational qualifications stipulated in the BEAD NOFO. As part of the application, the CBO will create specific intake questions to assess the feasibility and compliance of proposed applications. To submit a grant application, subgrantees will be required to provide the following details regarding their operational capability.

The requirements below will be collected and reviewed by qualified personnel. If necessary, the CBO will either hire additional staff or secure contractor support to ensure there is sufficient capacity and expertise to guarantee the correct methods of implementation.

The CBO will communicate the specified requirements to all prospective subgrantees before the selection process. This will be achieved through outreach efforts to engage participating stakeholders, including webinars and in-person meetings. Additionally, the CBO will publish a list of regulations on the Advance-BEAD website and incorporate these requirements into the grant application instructions, as well as the terms, conditions, and monitoring program requirements outlined in the grant agreements.

A. Disclosure of Existing or Future Publicly-Funded Projects

To submit a grant application, subgrantees will need to provide the following information regarding public funding:

The CBO will require that each subgrantee, as well as its affiliates, must disclose any application they have already submitted or plan to submit. Additionally, they must divulge all broadband deployment projects they are currently undertaking or have committed to undertake at the time of the application, using public funds. This includes funds from sources such as:

- [Families First Coronavirus Response Act](#) (Public Law 116-127; 134 Stat. 178)



- [CARES Act](#) (Public Law 116-136; 134 Stat. 281)
- [Consolidated Appropriations Act, 2021](#) (Public Law 116-260; 134 Stat. 1182)
- [American Rescue Plan of 2021](#) (Public Law 117-2; 135 Stat. 4)
- [Federal Universal Service Fund high-cost program \(e.g., RDOF, CAF\)](#)
- Any eligible entity or local universal service or broadband deployment funding program.

Subgrantees will be required to report any changes or adjustments to the details mentioned above after the submission of their application.

Documentation associated with these requirements will be collected and evaluated by qualified personnel. If deemed necessary, the CBO will consider hiring additional staff or enlisting contractor support to ensure there is sufficient capacity and expertise to correctly implement these methods.

The CBO will communicate all requirements to subgrantees before the selection process begins. This will involve outreach efforts to engage participating stakeholders through methods such as webinars and in-person meetings. Additionally, the CBO will make regulations accessible on the Advance-BEAD website and incorporate these requirements into the instructions for grant applications, as well as the terms, conditions, and monitoring program requirements specified in the grant agreements.

B. Detailed Information for Existing or Future Publicly-Funded Projects

To submit a grant application, prospective subgrantees will be obligated to furnish the following information regarding public funding:

The CBO will required the disclosure of the following details for each broadband deployment project:



- The speed and latency of the broadband service to be provided, as measured and/or reported according to applicable rules.
- The geographic area intended to be covered.
- The number of unserved and underserved locations committed to being served. If the commitment involves serving a percentage of locations within the specified geographic area, the relevant percentage should be provided.
- The amount of public funding designated for the project.
- The cost of service to the consumer.
- Any matching commitment, if applicable, provided by the prospective subgrantee or its affiliates.

Documentation related to these requirements will be collected and evaluated by qualified personnel. If deemed necessary, the CBO will consider hiring additional staff or enlisting contractor support to ensure there is sufficient capacity and expertise to correctly implement these methods.

The CBO will communicate all requirements to subgrantees before the selection process begins. This will involve outreach efforts to engage participating stakeholders through methods such as webinars and in-person meetings. Additionally, the CBO will make regulations accessible on the Advance-BEAD website and incorporate these requirements into the instructions for grant applications, as well as the terms, conditions, and monitoring program requirements specified in the grant agreements.



2.5 Non-deployment Subgrantee Selection

(Requirement 9)

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

Following Colorado's assessment of the projected expenses associated with extending broadband service to all unserved and underserved areas, including Community Anchor Institutions (CAIs), the CBO has determined not to allocate grants for non-deployment activities. While the CBO expects to exhaust all funding on deployment activities, the state will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

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

A. How the Eligible Entity will employ preferences in selecting the type of non-deployment initiatives it intends to support using BEAD Program funds;

While the CBO expects to exhaust all funding on deployment activities, the state will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility. ^{xx} If the CBO has the ability and funding to consider non-deployment activities, subject to approvals, it will prioritize implementing the following priorities:



Priority 1 (20% of available funds for non-deployment) - Subject to approvals, the CBO will create a telecommunication workforce program in partnership with CDLE that will execute the program areas:

- **Raise awareness of telecommunications and broadband pathways:** A large challenge facing the industry is the lack of understanding or awareness about the promising career pathways telecommunications holds. To create a viable pipeline of talent from K-12 through mid-career professionals requires a communications campaign supported by industry.
- **Evaluate and scale promising training and job placement programs in telecommunications and construction industries:** There are numerous existing training programs for roles in the telecommunications and construction industries. To prevent the expected workforce gaps we must understand how effectively these existing programs build the skills industry needs, and their capacity to sustainably scale over the next five years as demand increases. This includes existing registered apprenticeship programs from the Wireless Infrastructure Association, International Brotherhood of Electrical Workers, Communications Workers of America, the Laborers International Union of North America, and construction programs through area technical colleges, higher education institutions, and registered apprenticeship programs through the following activities:
 - **Pilot and evaluate training and job placement programs:** With an understanding of the existing programs, there is an opportunity to build new programs that address gaps in the telecommunications and construction industry pipeline and to organize training programs underneath the “broadband workforce” umbrella with engagement from those funded from the broadband office. We plan to include specialized programs to advance diversity in the industry and to meet specific needs



such as those of the Native American communities, low income persons, and formerly incarcerated persons through the following activities:

- Embed telecommunications into workforce infrastructure:**
 DONColorado has an established, high quality workforce development and educational infrastructure. However, broadband is not well understood or embedded within it. This is partially due to the fact that a few of the occupations closely associated with broadband development, deployment and maintenance are tied to other industry groups. Colorado’s broadband efforts will benefit from the recognition of telecommunications/broadband as a critical industry in need of workforce, so that the workforce and educational systems can deploy their resources to support these efforts. Then, as the broadband deployment projects end, the workforce system can support the transition of the workforce to telecommunications/broadband maintenance and support roles, complementary roles across other infrastructure projects or other fields.

Priority 2 (80% of funds available for non-deployment) - Subject to approvals and funding, the CBO will use a portion of available funding on the following activities to implement the Broadband Workforce Programming 5-Year Action Plan 2024-2027:

Table 30: Broadband Workforce Programming Summary

Program	Description	Proposed Budget
Staff	1 FTE Administrator	\$528,252
Sector Partnership Collaboration	Grants to Colorado Workforce Development Council and trade associations to support statewide	\$1,200,000



	and regional workforce investments.	
Training and Education	Grants to provide incentives for training and expand apprenticeships with workforce development partners.	\$3,500,000
Train the Trainer	Funding partnership with the Fiber Broadband Association and Wireless Infrastructure Association and Wireless Infrastructure Association to build capacity for trainers and facilities to support existing line worker and telecommunications training.	\$100,000
Communications	Invest in the Ready to Rise Campaign to prompt workforce programs through media outlets, participate in job fairs, and work with K-12 pipeline initiatives.	\$1,000,000
Total: \$6,328,252 (over 5-years)		

The timeline for proposed activities, if funding is available, and approved, will occur over the a 5 year period and include the following:

- Year one: Staffing, state advisory stakeholder group, sector partnership, training pilot.



- Year two: Training program rollout, apprenticeship program, awareness campaign, monitor program effectiveness.
- Year three: Transition from broadband deployment to Colorado workforce system, monitor effectiveness.
- Year four-five: Monitor program effectiveness.

Subject to the identification and approval of future funding, the CBO will evaluate non-deployment initiatives based on the following criteria:

- Impact on the state and its residents: Initiative promises a lasting impact on the state's residents, addressing the digital divide in a sustainable and permanent manner.
- Bridges the digital divide component: Initiative focuses on a digital divide aspect beyond broadband infrastructure access, and implements strategies in the Colorado Digital Access Plan.
- Innovation: Initiative bridges the digital divide and introduces innovative measures that leverage existing solutions.
- Organizational capacity and experience: Prospective subgrantee possess the requisite experience and organizational capacity to effectively administer a significant program.

B. How the non-deployment initiatives will address the needs of residents within the jurisdiction;

While the CBO expects to exhaust all funding on deployment activities, the state will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility. If funding becomes available in the future, the CBO aims to enhance residents' access to healthcare, education, employment, and essential services by addressing digital skills gaps by increasing



workforce capacity for broadband deployment. Approximately 44% of residents lack necessary digital skills, hindering their ability to leverage technology. Bridging this gap is crucial for fostering a connected and inclusive community in Colorado, utilizing resources like digital navigators through the Colorado Department of Labor and Employment (CDLE), PC's for People and telehealth adoption initiatives.

Colorado remains committed to offering reliable, high-speed broadband crucial for modern living, spanning education, business, communication, and access to information. The CBO pledges ongoing investment in existing funding through the Broadband Deployment Fund to support deployment and non-deployment programs. These initiatives expand broadband infrastructure across Colorado, enabling residents to enjoy improved internet connectivity, access resources, engage in online education, avail telehealth services, and connect with others more effectively.

C. The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities;

While the CBO expects to exhaust all funding on deployment activities, the state will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility. If funding becomes available in the future, the CBO will leverage existing workforce development committees established in the Workforce Development Plan to engage in non-deployment initiatives. Provided below is a list of stakeholders that the CBO engages with and their purpose:

- Colorado Workforce Development Council (CWDC): Colorado's state workforce board, a Governor-appointed, public-private partnership with the purpose to advise, oversee and integrate the work of the Colorado talent development network. The CWDC facilitates collaboration among state agencies and private sector partners to ensure effective and efficient leveraging of resources and



reduction of redundancies, including managing the support needed to ensure the success of this collaboration of partners and agencies.

- **Employment and Training (E&T):** Provides a wide range of services for businesses and job seekers. These services are delivered by state and county-run local workforce areas that support strong regional economies. Programs are funded by federal grants, and state general and cash funds. The division consists of two distinct program areas - Workforce Development Programs and the Colorado Rural Workforce Consortium.
- **Division of Vocational Rehabilitation (DVR):** Provides a range of individualized vocational rehabilitation services to help applicants and eligible individuals with disabilities prepare for, obtain, maintain, regain or advance in competitive integrated employment that is consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice. Services include education, vocational training, physical or mental restoration, rehabilitation technology, job placement and on-the-job support. DVR also provides pre-employment transition services to students with disabilities in order to prepare them to enter the world of work as they begin their transition from secondary education. The services DVR provides directly to Coloradans with disabilities are supplemented by a statewide employer outreach program focused on developing relationships with businesses to increase employment opportunities for the people DVR serves.
- **Office of the Future of Work (OFW):** Created by an Executive Order from Governor Jared Polis, works to understand, raise awareness and develop policy and programmatic solutions to support Coloradans in today and tomorrow's economy. OFW oversees Colorado's State Apprenticeship Agency (Apprenticeship Colorado with apprenticeship programs that could directly support BEAD projects), which regulates and promotes registered apprenticeship programs as a talent development solution and the state's



Digital Equity, Literacy and Inclusion initiatives to close the digital adoption gap.

- **Office of New Americans (ONA):** In recognition of New Americans' significant economic, cultural and civic contributions to Colorado, on June 25, 2021, Governor Jared Polis signed HB 21-1150, creating ONA in CDLE. The bill requires that the office implement a statewide strategy to facilitate economic stability and promote successful economic, social, linguistic and cultural integration by investing in the success of immigrants in Colorado.
- **Office of Just Transition (OJT):** Develops, coordinates and manages programs to assist workers facing dislocation and communities facing economic disruption resulting from Colorado's transition away from coal as a fuel for generating electricity and the subsequent closure of power plants, coal mines and related businesses. OJT accomplishes its tasks primarily by working directly with local communities and individual workers to support community and worker-driven transition strategies, and by coordinating and collaborating with other state agencies responsible for economic and community development, workforce training and development, and related programs.

CDLE and the CWDC work with the following agencies to support statewide and regional workforce development efforts:

- **Office of Economic Development and International Trade (OEDIT):** Creates a positive business climate that encourages dynamic economic development and sustainable job growth. OEDIT advances the state's economy through financial and technical programs under the leadership of the governor and executive director. OEDIT consists of 14 divisions and offices that support various industries, regions and sectors. OEDIT also houses Colorado's Recovery Officers, which oversee the state's efforts to recover from the economic impact of COVID-19 and implementation of the American Rescue Plan Act (ARPA). In



particular, the Rural Opportunity Office supports the workforce development and economic development efforts in local areas.

- **Colorado Department of Education (CDE):** CDE provides leadership, resources, support and accountability to the state’s 178 school districts, 1,927 schools, over 55,000 teachers and over 4,100 administrators to help them build capacity to meet the needs of the state’s approximately 886,517 public school students. CDE also provides services and support to boards of cooperative educational services (BOCES), early learning centers, state correctional schools, facility schools, the state’s libraries, adult/family literacy centers and General Education Development (GED) testing centers reaching learners of all ages. CDE operates the Colorado Talking Book Library, which provides supports for people who have vision, print and reading disabilities
- **Colorado Department of Higher Education (CDHE):** CDHE, under its own authority, and through the Colorado Commission on Higher Education, oversees and coordinates policy for 31 public institutions of higher education (including community colleges, independent local district colleges and local area technical colleges) and authorizes and regulates private colleges, universities and occupational schools.
- **Area Technical Colleges (ATC):** Colorado has three public area technical colleges: Emily Griffith Technical College, Pickens Technical College and Technical College of the Rockies. Technical colleges provide career and technical education to students in the K-12 system and to adults in a variety of industries including construction.
- **Colorado Community College System (CCCS):** CCCS is made up of 13 unique colleges with 35 locations across the state, educating over 114,000 students every year.



- **Colorado State University System:** The CSU System is extensive throughout Colorado and includes Colorado State University in Fort Collins, CSU-Pueblo (a minority serving institution in Pueblo), CSU Global (an online education institution with management offices in Denver), the new SPUR campus (located at the National Western Center in northeast Denver), the CSU System Office (located in downtown Denver), several branch/smaller campuses (located in Castle Rock, Colorado Springs, and Walsenberg), sixty CSU Extension Offices in Colorado's sixty-four counties, eight Agricultural Experiment Stations, and over a dozen Forest Service Offices throughout the State.
- **Colorado Department of Human Services (CDHS):** CDHS connects people with assistance, resources and support for living independently in our state. Colorado has a state-supervised and county-administered human services system. Under this system, county departments are the main provider of direct services to Colorado's families, children and adults. Most workforce development activities are housed in CDHS's Office of Economic Security, and its Division of Economic and Workforce Support, which administers workforce programs such as Colorado Works, Colorado Employment First, the Colorado Refugee Services Program, the Colorado Works Subsidized Training and Employment Program (CW STEP), ReHire Colorado, Old Age Pension and Aid to the Needy Disabled.
- **Department of Local Affairs (DOLA):** DOLA works in partnership with local governments and communities statewide to provide funding for projects and disaster recovery relief. DOLA provides state and federal funding to private housing developers, housing authorities and local governments to increase the inventory of affordable housing, and work diligently to help one of our state's most vulnerable populations, the unhoused. DOLA also provides expertise through robust technical assistance programs to help with community planning, property taxation and tax appeals. In particular for workforce development,



DOLA's Colorado Resiliency Office and Division of Local Governments play a key role.

The stakeholders listed above could inform the CBO's selection process for non-deployment activities by including groups in-person and virtual meetings, tribal consultations, online and paper input forms, and focus groups, to ensure broad participation. Recordings of meetings will be shared through email lists, social media, and newsletters. This input will shape strategies, addressing issues like broadband affordability and non-deployment activities. The CBO values resident feedback, actively incorporating it to enhance its initiatives.

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.

While the CBO expects to exhaust all funding on deployment activities, the state will revisit non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility. If funding becomes available and approved, Colorado will use state funding generated through existing programs such as the Broadband Deployment Fund within the CBO to address the priorities in the BEAD program to achieve equity, access, and deployment goals.

Through legislation in 2024 - 2025, the CBO is proposing to expand the use of state dollars to supplement BEAD and fund broadband infrastructure that cannot be funded using federal dollars. State dollars are more flexible, less expensive, and are quicker to deploy funding for non-deployment related broadband projects that are necessary to achieve universal access support digital equity and workforce development programs.



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

While the CBO expects to exhaust all funding on deployment activities, the state will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility.

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

While the CBO expects to exhaust all funding on deployment activities, the state will revisit the non-deployment activities pending availability of funds after prioritizing unserved, underserved, and CAIs to allow flexibility. If non-deployment activities are funded under this section 2.5, the State will ensure prospective subgrantees:

- Are capable of carrying out activities funded by the subgrant in a competent manner in compliance with all applicable federal, state 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 CBO.
- Have the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

The CBO will enforce the requirements listed in the BEAD NOFO for prospective subgrantees deploying non-deployment activities. The CBO will formulate specific questions to evaluate the viability and compliance of a proposed application. To



submit a grant application, prospective subgrantees will be required to provide the details related to the items defined above. Documentation related to the requirements for each grant application will be collected and reviewed by qualified personnel. If necessary, the CBO will hire additional staff or source contractor support to ensure there is appropriate capacity and expertise to adequately review the documentation and provide a third-party perspective of the capabilities documented above of the prospective subgrantee.

The CBO will require prospective subgrantees to submit resumes for key management personnel. The prospective subgrantees must submit narratives that describe the experience and qualifications of its key management personnel, their experience undertaking projects of similar size and scope, recent and upcoming organizational changes, and relevant organizational policies.

Non-deployment applicants must also submit descriptions and documentation supporting the applicant's financial capabilities (including, but not limited to, completion of CBO's financial risk questionnaire and audited or reviewed financials) and programmatic experience (including, but not limited to, a narrative describing the applicant's history in performing work substantively similar to the proposed project).

The CBO will communicate requirements to all prospective subgrantees prior to the selection process in the Advance-BEAD Guidance document. The CBO will also conduct outreach efforts to participating stakeholders (webinars, in-person meetings, etc.), post a list of regulations on the CBO website and include the requirements in grant application instructions and grant agreement terms, conditions, and monitoring program requirements.

Applications that fail to meet the minimum qualifications listed above to the satisfaction of the CBO will not be considered to receive BEAD funding.



2.6 Eligible Entity Implementation Activities

(Requirement 10)

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

The CBO plans to perform the following initiatives, presented in Table 30 without making a subgrant.

Table 30: Implementation Activities

Activity	Justification for Use of Funds
Administrative activities to manage the grants to subgrantees	The CBO manages and administers all types of grants with highly skilled subject matter experts. The CBO will utilize personnel from the Capital Projects Fund (CPF) and BEAD to ensure these programs are effectively managed and staffed to administer support to subgrantees. This also includes technical assistance provided through the CBO’s Broadband Community Ready Program.
Implementation of the Challenge Process	The CBO will utilize BEAD funding for the development, support, and implementation of the Challenge Process, encompassing tasks such as mapping activities, software development, and stakeholder engagement. These activities have been effectively carried out within the framework of the CPF program.



<p>Workforce development related to the deployment of broadband</p>	<p>The CBO collaborates with the Colorado Department of Labor and Employment (CDLE), the Office of Future of Work (OFOW), as well as several labor unions, higher education institutions, and trade associations to advance workforce development initiatives. The CBO intends to leverage BEAD funding to execute the strategies outlined in the Workforce Development Plan, with a particular emphasis on technical training, certifications, apprenticeships, and other skills relevant to broadband deployment.</p>
<p>Mapping and data collection</p>	<p>The CBO will leverage BEAD, CPF, and SLFRF funding to oversee the operations of the CBO's Mapping Hub and Geographic Information Systems (GIS) programs. Additionally, this funding provides support for conducting feasibility and needs assessments.</p>
<p>Implementation of the subgrantee selection process</p>	<p>The CBO will enlist consultants to aid in the subgrantee selection process and conduct technical and financial reviews of applications. BEAD funding will be allocated to develop a robust grant platform that both subgrantees and the CBO will utilize to effectively administer the BEAD program.</p>



2.7 Labor Standards and Protections (Requirement 11)



2.7.1: Describe the specific information that prospective subgrantees will be required to provide in their applications and how the Eligible Entity will weigh that information in its competitive subgrantee selection processes. Information from prospective subgrantees must demonstrate the following and must include information about contractors and subcontractors: A. Prospective subgrantees' record of past compliance with federal labor and employment laws, which: i. Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years; ii. Should include a certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal labor and employment laws by the subgrantee, as well as all contractors and subcontractors; and iii. Should include written confirmation that the prospective subgrantee discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years. B. Prospective subgrantees' plans for ensuring compliance with federal labor and employment laws, which must address the following: i. How the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including: 1. Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and 2. How the subgrantee will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.



The CBO will require that applicants for subgrants provide details about their adherence to federal labor laws and employment regulations. This requirement extends to records of all third parties participating in the project, such as contractors and subcontractors. The provided information must, at a minimum, cover compliance with federal labor and employment laws by these entities concerning broadband deployment projects over the past three years. To ensure that prospective subgrantees maintain labor standards and prioritize workplace safety, applicants will be expected to include narrative responses for the information outlined below in their application.

A. Past Compliance with Federal Labor and Employment Laws

During Phase Two: Application Intake Process, prospective subgrantees will be required to include their record of past compliance with federal labor and employment laws. Specifically prospective subgrantees must include in the application:

- **Disclosure of violations:** Disclosure of any pending litigation related to alleged violations of state or federal labor and employment laws.
- **Compliance with federal labor and employment laws:** Provided narrative and information about their compliance (or noncompliance) with federal labor and employment laws on broadband deployment projects in the last three years.
 - Provide 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.
- **Disclosure of contractor or subcontractor violations:** Provided written confirmation that the prospective subgrantee will disclose 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. Ensuring Compliance with Federal Labor and Employment Laws

During Phase Three: Application Review Process, prospective subgrantees must include in the application plans for ensuring compliance with federal labor and employment laws addressing how the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:

- Certification of compliance: Applicants must provide 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.
- Wage information: Provide narrative 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.
- Workplace safety committees: Provide narrative on 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.

During On-site Monitoring: On-site compliance monitors will evaluate job sites for health and safety concerns and will address those concerns through monitoring reports and enforcement of safety standards.

C. Applicant's Scoring Compliance with Federal Fair Labor Practices and Employment Laws

The CBO will weigh the subgrantees' record of compliance with federal labor and employment laws in the subgrantee selection process as set forth in the Fair Labor



Practices grant application scoring rubric (part of the primary criteria comprising 75% of scoring). The CBO will give priority to subgrantees that demonstrate both a record of being in compliance with federal labor and employment laws and plans to continue to do so.

Applications that include the above information and have no record of past noncompliance with federal labor and employment laws will receive full credit under the Fair Labor Practices scoring criteria. Applications that include the above information and have some record of past noncompliance with federal or state labor and employment laws, will receive less than full credit, and will be assessed along the factors identified in the BEAD NOFO Section IV.C.1.e (Appendix A). Applications that do not include all of the above information will be considered incomplete and not eligible for funding.



2.7.2: Describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) any of the following and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes: a. Using a directly employed workforce, as opposed to a subcontracted workforce; b. Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls; c. Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project); d. Use of local hire provisions; e. Commitments to union neutrality; f. Use of labor peace agreements; g. Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded); h. Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and i. Taking steps to prevent the misclassification of workers.

Colorado is a modified right-to-work state with a progressive labor law. The CBO does not plan to incorporate any of the items proposed in question 2.7.2 into legally



binding commitments for subgrantees (including contractors and subcontractors) outside of what is explicitly required in the BEAD NOFO and is in alignment with the [Colorado Labor Peace Act](#) (C.R.S. 8.3.101).

All projects are required to do the following:

- Subgrantees will be required to certify compliance with the Davis-Bacon Act, corollary State provisions (“baby Davis Bacon Acts”), or provide a project employment and local impact report.
- Subgrantees may provide certification that a project includes a project labor agreement.
- Subgrantees shall specify whether the project prioritizes local hires.
- Subgrantees shall specify whether the project has a Community Benefit Agreement, with a description of any such agreement.

2.8 Workforce Readiness (Requirement 12)

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

Colorado has a robust workforce development system that provides services to both job seekers and businesses. The Colorado Department of Labor and Employment, Office of the Future of Work (CDLE/OFW) is the cabinet-level agency that is responsible for workforce development. CDLE brings together a comprehensive menu of job training, education and employment services through a network of public



workforce centers, vocational rehabilitation offices, as well as state and local partners.

When discussing workforce readiness it is important to note two key realities. First, Colorado is a local-control state with initiatives of all kinds driven by and delivered at the local level. As such, local engagement and buy-in is critical for any workforce development initiative. Second, workforce development and broadband access are cross-cutting issues that impact every state agency; therefore, alignment and engagement of state agency partners is critical.

The CBO, in collaboration with its partners and subgrantees, is dedicated to promoting equitable workforce development and enhancing job quality as part of the BEAD Program. The program will incorporate the following strategies and a range of training initiatives.

A. Describe 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;

The CBO/OFOW will incorporate telecommunications and broadband specific focus into the existing workforce development system in order to build a skilled, diverse and resilient workforce.

The CBO/OFOW has developed a landscape analysis of existing training programs and workforce development efforts and their capacity. With the plethora of programs, training curriculum, and organizations positioned to develop the skilled workforce necessary to successfully deploy broadband, the analysis does identify that there are gaps that require additional resources and a systematic all-inclusive approach to address them. The gap includes nearly 4,000 jobs that are needed by 2026 in the telecommunications and construction industries.



To address these gaps and ensure that subgrantees (including contractors and subcontractors) support the development and use of a highly skilled workforce, the CBO in partnership with the CDLE/OFOW will coordinate efforts with a Core Working Group, established in the CBO Workforce Plan included in Appendix I, to outline and execute a program that achieves these objectives and promotes subgrantee engagement and support.

The Core Working Group will consist of members from the telecommunications industry, education, worker organizations, unions, and workforce groups. This group will continue to analyze the capacity of Colorado's existing contractor base to build fiber optic networks, identify barriers, identify solutions and provide additional capacity to successfully build the workforce needed.

A key priority over the next year is to identify funding that will support investments in existing, effective programs so that they can scale to meet the need, as well as to fund new programs that address gaps in the broadband workforce development system. With funding, staff and the Core Working Group, Colorado can build the workforce it needs to deploy and maintain effective broadband across the state. Examples of existing and new programs being considered are below:

- **Colorado Workforce Development Council Sector Partnerships²²**
 - Sector Partnerships
 - CWDC Grants to staff sector partnerships
 - Trade Associations
 - CWDC Grants for Trade Associations

²² Colorado Workforce Development Council:

<https://cwdc.colorado.gov/stimulus-policy/grant-recipients>



- **Work-Based Learning Incentive Programs (WBLI) for broadband deployment occupations²³**
 - **WBLI Incentive Program**
 - **Scale Up Grants²⁴**
 - **USDOL Apprenticeship Expansion Grant**
 - **Registered apprenticeship program**
 - **Accelerate Apprenticeship Grants**
 - **USDOL Apprenticeship Expansion Grant**
- **Train the Trainer with Fiber Broadband Association and Wireless Infrastructure Association**
 - **Train the Trainer with FBA & Building Capacity of existing Line Worker/Telecommunications Training**
 - **Invest in the training facilities/satellite facilities for others or investments in transportation/lodging for trainees.**

Cultivating a highly skilled workforce capable of executing tasks safely and efficiently supports broadband deployment and the economy. As such, the CBO will require subgrantees to include training and certification standards in their applications. This includes, but is not limited to, customized training programs, tailored to the specific roles of workers using OSHA training or some combination of relevant standards, and will be developed in alignment with industry best practices and the latest

²³ Work-Based Learning Incentive Programs (WBLI)

<https://sites.google.com/state.co.us/employment-and-training-grants/wbli>

²⁴ Office of Future of Work Apprenticeship Program:

<https://apprenticeship.colorado.gov/resources/apprenticeship-funding-opportunities>



technological advancements. The CBO will benchmark progress by tracking metrics identified in the Workforce Development Plan along with reporting annually in adherence with the CBO's workforce development goals in section 2.1.1

Subgrantees will be required to collaborate with industry experts, educational institutions, and professional organizations to create comprehensive training curricula that equips workers with the requisite skills to excel in the broadband sector.

Additionally, subgrantees are required to formulate a plan for a highly qualified staff, which includes the following components:

- Documentation of the necessary skills, experience levels, and certifications for full-time staff, including job titles and workforce size (encompassing full-time employment positions, contractors, and subcontractors) required for each aspect of the workforce.
 - For each essential job title required to fulfill the proposed work (including contractors and subcontractors), a description of safety training, certification, and/or licensure prerequisites (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other relevant training depending on the job title and tasks).
 - This should include information on whether there is an extensive in-house training program with established requirements linked to certifications and job titles.
 - Details about professional certifications and/or in-house training processes in place to ensure that deployments meet high standards.
- How the applicant will ensure the deployment of a suitably skilled workforce, potentially through registered apprenticeships or other joint labor-management training programs that benefit all workers.



- Steps the applicant will take to guarantee that all members of the project workforce possess suitable credentials, such as appropriate occupational training, certification, and licensure, and whether the hiring process requires such credentials or if support will be provided to employees to attain them.
- Require a comprehensive written plan for workforce readiness, retention, and the creation of a high-quality work environment.
- Require information about whether the applicant's workforce is unionized.
- Description of whether the applicant's workforce will consist of direct employees or if subcontracted labor will be involved in the work.
- Identification of entities the applicant intends to contract and subcontract with to carry out the proposed work, along with their capabilities.
- Require applicants to participate in local job fairs for recruiting local talent.
- Framework for customer service training program and the mechanisms in place for ensuring the delivery of quality customer service.

Requiring subgrantees to provide detailed information will ensure that the CBO can ensure that workforce development and management in the broadband sector are of the highest quality and follow a comprehensive approach and align with best industry standards.



B. Describe 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:

The CBO 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 to meet local workforce needs and increase high-quality job opportunities. By following the core strategies identified in the Colorado WIOA State Plan in Appendix J, the CBO can develop industry-led sector partnerships and support locally driven workforce development efforts. In addition to sector partnerships identified in the WIOA State Plan, the CBO will work with partners that it has already identified to implement strategies.

The Colorado WIOA State Plan addresses the needs of industry by anticipating the needs of current and future workforce requirements. The plan facilitates coordination between educational institutions, training providers, and employers to ensure that programs offered in the state are aligned with the skills and qualifications that industry demands. The plan supports workforce development strategies that support apprenticeships, internships and creates clear career pathways to advance opportunities within the industry. The plan encourages investments in innovation and technology so that industry can adapt and achieve economic competitiveness.

The CBO will promote the following workforce development wrap around services to support its goals and strategies:



- **Education and Training:** Provide access to educational opportunities, including high school equivalency programs, adult education, and vocational or technical training, to improve individuals' skills and qualifications.
- **Job Placement and Career Counseling:** Provide assistance with job searching, resume writing, interview skills, and career guidance to help individuals find suitable employment opportunities.
- **Employment Support:** Provide support in securing and retaining a job, including assistance with transportation, work attire, and childcare services.
- **Mentoring and Coaching:** Pairing individuals with mentors or coaches who can provide guidance and advice throughout their career development.
- **Financial Counseling:** Offering financial literacy and budgeting education to help individuals manage their finances effectively.
- **Legal Services:** Provide legal assistance for individuals dealing with issues that may affect their employability, such as criminal records or immigration status.
- **Healthcare Services:** Provide access to healthcare and wellness programs to ensure that individuals are physically healthy and able to work.
- **Language and Communication Skills:** Providing language classes or resources to improve communication skills, especially for non-native speakers of the dominant language in the job market.
- **Support Groups:** Creating support networks and peer groups where individuals can share experiences and receive emotional support.
- **Community Resources:** Connecting individuals with local community resources, such as food assistance programs, housing assistance, and social services.

The goals and strategies outlined in the WIOA plan emphasize the importance of collaboration between a myriad of programs in order to transform our workforce.



These partnerships are highly effective when they are operated in a regional labor market, led by business, focused on industry identified priorities, supported by public partners from multiple organizations, organized for long term success, and designed to achieve meaningful and measurable results.

The CBO is supporting and implementing the WIOA plan by including the goals identified in the plan in the state's broadband plans. The CBO will align state policies and flexible resources to ensure all Coloradans have equitable access to opportunities for quality, life-long education connected to the future of work. The CBO will increase the awareness of the TalentFOUND network so more individuals and businesses utilize the available resources. The CBO will promote career nimbleness and agility for all Coloradans. The CBO will strengthen partnerships to address job quality as well as individual and community level issues impacting economic mobility.

In addition, the CBO works with ISPs and industry with existing registered apprenticeship programs from the Wireless Infrastructure Association, International Brotherhood of Electrical Workers, Communications Workers of America, the Laborers International Union of North America, and construction programs through area technical and community colleges, higher education institutions, K-12, non-profit and registered apprenticeship programs. The CBO collaborates to cross promote apprenticeship programs and benchmarks enrollment to ensure successful outcomes. Working with CDLE, the CBO's goals are to increase apprenticeship enrollment and participation from ISPs. Refer to COTrainingProviders.org for Colorado training partners and the CDLE Workforce Partner Resources for apprenticeship partners.



C. Describe 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:

Equitable workforce development ensures employers have the skilled and diverse workforce they need to build infrastructure projects, and workers, especially those who have been historically marginalized, have a fair chance at entering the industry. Job equity means all workers are able to find quality jobs that offer sustaining wages, safe and inclusive environments, robust benefits, predictable scheduling, professional development and opportunities to advance. The CBO will engage in the following activities to maintain job quality outlined in the Colorado Job Quality Framework:²⁵

- Elevate leaders by creating opportunities for growth by establishing trust and inclusive work environments that support employees in developing new skills, advancing career pathways, and feeling connected to one another and the broader goals of the organization.
- Collaborate with companies to create good jobs that meet the basic needs and offer conditions that promote equity, inclusiveness, and opportunities for career and economic mobility.
- Coordinate policies and incentives that promote the creation and growth of good jobs by working with local stakeholders in economic and workforce development, education, and community-based organizations to attract high quality employment opportunities.

An equitable workforce also reflects the diversity of the local community, including people of color, women, and other historically marginalized populations. Additionally, policies and practices that reduce worker exploitation through safer work, collective

²⁵ Colorado Job Quality Framework: <https://cwdc.colorado.gov/job-quality#Framework>.



bargaining, proper job classification, compliance with federal and state laws, and worker empowerment are essential to ensuring equitable on-ramps into the broadband industry.

The CBO will collaborate with organizations that focus on equitable workforce development and remove barriers to employment through the public workforce system, community-based organizations, area technical colleges, community colleges, career and technical education program providers, and registered apprenticeship program sponsors. The CBO will build and maintain equitable on-ramps into broadband jobs through the following strategies:

- Support programs that offer scholarships or financial aid to individuals from underprivileged backgrounds, making it possible for them to access education and training programs without financial barriers.
- Support programs that establish training centers in underserved communities to bring workforce development opportunities closer to residents, reducing transportation and geographical barriers.
- Support programs that develop targeted apprenticeship programs for historically marginalized groups, such as women, minorities, and individuals with disabilities, to offer practical skills training and employment opportunities.
- Support programs that offer language and literacy classes for non-native English speakers or individuals with low literacy levels, ensuring that language barriers do not impede access to workforce development programs.
- Support programs that pair individuals from underrepresented backgrounds with mentors who can provide support, guidance, and networking opportunities, helping them navigate the workforce development process.



- Support programs that conduct digital literacy programs to bridge the digital divide and ensure that all individuals, including those with limited access to technology, can participate in online learning and job searches.
- Encourage employers to adopt equitable hiring practices, including diverse candidate pools and inclusive job descriptions, to create more opportunities for underrepresented groups.
- Conduct outreach efforts in underserved communities to raise awareness about available workforce development programs and the benefits of skill-building and career advancement.
- Support programs that provide training and resources to workforce development staff and educators to ensure they are culturally competent and able to cater to the unique needs of diverse populations.
- Support programs that implement reentry programs to support individuals with criminal records in gaining workforce skills and accessing employment opportunities, reducing recidivism rates.
- Support programs that develop short-term, focused training programs and microcredentials that allow individuals to quickly gain new skills and enter the workforce without long-term commitments.
- Support programs that provide wrap-around services like mental health counseling, legal assistance, and financial counseling to address the multifaceted barriers that individuals may face.
- Establish clear career pathways and opportunities for advancement within workforce development programs to encourage continued growth.
- Foster collaboration between community organizations, educational institutions, employers, and workforce development agencies to create a more seamless and supportive ecosystem for individuals seeking skill development.



In order to prioritize equitable onramps, the CBO's focus will be directed towards specific underrepresented populations, including individuals residing in underserved households, aging individuals, those who have been incarcerated but are not currently in correctional facilities, people with disabilities, veterans, non-native English speakers, members of racial or ethnic minority groups, and residents in rural areas.

The CBO further plans to remove barriers to entry in the broadband industry by also working with Colorado Career & Technical Education (CTE). The CTE recently developed a strategic plan focused on aligning state policies and flexible resources to ensure all Coloradans have equitable access to opportunities for quality, life-long education connected to the future of work. This focus will allow the CBO to work with CTE to expand and create apprenticeship opportunities that include telecommunications specific jobs. Ultimately, this partnership will help the CBO align with industry demand and will lead to high wage, high demand and high skilled employment.

To ensure worker representation, the CBO and OFOW continually engage with labor and community-based organizations. In March 2023, the CBO and OFOW held four stakeholder meetings with education and training partners, labor partners, associations and industry partners. Each session included an overview of the CBO and OFOW's approach to workforce development, and guided discussions to understand the pain points each group was facing. The feedback from these sessions led to the strategies outlined in detail in the Colorado BEAD Workforce Plan. In addition, as part of the Internet for All: Colorado Broadband Summit in April 2023, the OFW led a panel on workforce planning that included representatives from the Wireless Infrastructure Association, CWDC, Communication Workers of America and the Fiber Broadband Association.²⁶ Moving forward, in order to implement the workforce plan, the CBO and

²⁶ Internet for All: Colorado Broadband Summit program agenda:

chrome-extension://efaidnbmnribpcajpcglclefindmkaj/https://broadbandusa.ntia.doc.gov/sites/default/files/2023-04/IFA_CO_Broadband_Summit_Agenda.pdf



OFOW will establish a core working group made up of key stakeholders from labor, business, community-based organizations, the workforce system, education providers, and industry associations.

D. Describe how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers.

A large challenge facing the industry in attracting diverse applicants is the lack of understanding or awareness about the promising career pathways telecommunications holds. To create a viable pipeline of talent from K-12 through mid-career professionals requires a communications campaign such as social media, emailing listservs, outreach events, meeting with relevant stakeholders, media and press releases supported by industry. This approach includes working with industry by addressing the following barriers:

- Focus on outreach efforts that focus on diverse communities or networks that can result in increasing a pool of candidates from underrepresented backgrounds.
- Encourage employers to create inclusive recruitment processes that consider diverse needs or alternative pathways into the workforce.
- Provide support for networking opportunities so that diverse candidates may have access to professional networks and connections, which are often essential for job referrals.
- Promote removing educational barriers and improve access to quality education and training to increase the qualifications of diverse job seekers to support their competitiveness in the job market.
- Remove logistical barriers that can prevent individuals from underrepresented communities from accessing job opportunities.



- Increase exposure and awareness to industry jobs so that underrepresented groups learn about job opportunities and support their interest and industry knowledge.
- Support language requirements that do not disadvantage non-native speakers.

The goal of this effort is to create a new understanding of the sector that supports our modern, digital economy and to build excitement among youth soon to enter the workforce and mid-career professionals looking to transition to new industries. The approach also considers supporting wrap around services identified in this section. Overcoming these barriers to diversity in recruitment involves implementing proactive measures, such as creating inclusive job descriptions, diversifying recruitment channels, addressing unconscious bias, and fostering an organizational culture of inclusion and equality.

To successfully engage and retain a diverse workforce, employers and partners will also need to consider partnering with relevant stakeholders identified in this section for recruitment and outreach, develop apprenticeship and other training for a broader range of occupations in addition to outdoor construction, and consider supportive services, including flexible policies that would allow for people with different backgrounds to participate, for example, caretaking obligations, language skills, and experience. The CBO will encourage these activities by working with industry to do the following:

- Continue to work with industry advisory boards that include representatives from local businesses, educational institutions, and community organizations to provide input on workforce development strategies.
- Foster partnerships between local employers and educational institutions to align training and education programs with industry needs.
- Develop and promote apprenticeship programs that provide on-the-job training and work experience in collaboration with local industries.



- Organize skills training workshops for job seekers and employees, addressing specific industry needs and emerging trends.
- Encourage job fairs and career expos to connect job seekers with local businesses and industries, creating opportunities for employment and networking.
- Support certification programs tailored to the needs of specific industries, helping individuals gain relevant qualifications.
- Increase innovation hubs and business incubators that provide resources, mentorship, and support for startups and entrepreneurs in key industries.
- Develop job shadowing program opportunities for students and job seekers to gain firsthand experience in various industries.
- Collaborate with industry to organize tours of local businesses and industries to familiarize participants with work environments and processes.
- Increase internship programs that offer students and job seekers practical experience and the chance to explore career options within specific industries.
- Work with CBO partners to host seminars and conferences focused on workforce development, bringing together industry experts, policymakers, and educators to discuss strategies and best practices.
- Work with state and non-profit training centers that serve as collaborative spaces for industry-specific training, workshops, and education.
- Launch workforce development awareness campaigns to educate the community about the importance of skills development and career opportunities in industry.
- Encourage collaboration between industries, particularly in areas where skills and technologies overlap, to promote interdisciplinary learning and innovation.



- Partner with local industry associations to leverage their expertise, resources, and networks for workforce development initiatives.

In summary, the CBO will work with partners to pilot and evaluate training and job placement programs focused on increasing workforce diversity. With an understanding of the existing programs, there is an opportunity to build new specialized programs to advance diversity in the industry and to meet specific needs such as those of the Native American communities, low income persons, and formerly incarcerated persons.

2.8.2 : Describe the information that will be required of prospective subgrantees to demonstrate a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce.

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:

Applicants will be required to delineate the approaches they intend to use to demonstrate the deployment of a proficient workforce. This may encompass collaborations with Registered Apprenticeship programs or other joint labor-management training endeavors designed to benefit all workers. The application should include information regarding specific training programs, partnerships, or initiatives that will be implemented to guarantee a skilled workforce. The plan should indicate how these strategies align with the project's requirements and industry norms.



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:

Applicants will be required to elaborate on the measures they will implement to guarantee that all members of the project workforce hold the requisite qualifications. This may encompass existing occupational training, certifications, and licenses that are pertinent to the project. If the project mandates particular certifications or licenses, the plan should delineate how support will be provided to workers in obtaining these credentials. Any collaborations with training providers or institutions offering relevant certifications should be emphasized.

C. Whether the workforce is unionized:

While the CBO does not require applicants to provide a unionized workforce, if the project workforce or any subgrantees, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce the following:

- 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.
- For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles.



- Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

D. Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce:

The applicant must include whether the workforce will be directly employed or whether the work will be performed by a subcontracted workforce.

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

The applicant must state in the application the names and business license information of the entities or any contractors and/or subcontractors performing the work.

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

The CBO does not require applicants to have a unionized workforce, however subgrantees are required to provide a non-unionized workforce plan in their application.

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:

The CBO will require the applicant to provide information about job titles and sizes of the workforce (including contractors and subcontractors) required to carry out the project work. This can include full-time equivalent (FTE) positions and the employing entity for 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:

The CBO will require that each applicant presents a safety plan. This plan should provide comprehensive information on the safety training, certification, and/or licensure prerequisites for every job title essential to the project. These prerequisites may encompass certifications such as OSHA 10, OSHA 30, confined space, traffic control, or other pertinent training. Furthermore, the plan should explicitly state whether there are in-house training programs with well-defined criteria in operation.

ii. Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

For each job title, the applicant should outline details concerning professional certifications and internal training programs aimed at upholding top-tier deployment standards. This guarantees that workers not only meet industry benchmarks but also align with project requisites. By incorporating these aspects into their plan, applicants will demonstrate their dedication to forging a proficient, credentialed, and secure project workforce while providing a clear roadmap for the execution of their workforce strategies.

The CBO will ensure that applicants are well-informed about these regulations both before and during the selection process. This will be accomplished through the facilitation of regulatory webinars, the publication of a set of regulations pertaining to grant applications and guidelines on the Advance-BEAD website, as well as the grant agreement terms, conditions, and subrecipient grant monitoring program details.



BEAD funding will not be granted to applications that fail to meet the minimum requirements essential to establish a skilled, diverse and accredited workforce.

2.9 Minority Business Enterprises (MBEs)/ Women's Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion (Requirement 13)

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

The significant investment in high-speed internet infrastructure and adoption under the BEAD program presents an excellent opportunity to actively recruit and retain historically underrepresented groups in the telecommunications workforce. By eliminating entry barriers, unnecessary degree requirements, and promoting pre-apprenticeship programs, a pathway to telecommunications jobs can be established. Given that telecommunications is a key driver of economic and employment growth, it is crucial for the CBO to build strong relationships with underrepresented businesses whenever possible.

The CBO will cultivate an environment within the broadband deployment initiative that ensures minority-owned business enterprises (MBE), women-owned business enterprises (WBE), and firms located in labor surplus areas (LSA) have equal opportunities to pursue contracted work. This commitment will align with federal



guidelines, including 2 C.F.R. § 200.321, and the State of Colorado labor regulations.²⁷

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During Phase Three: Application Review Process the CBO will include as application evaluation criteria whether the applicant is a minority business, women-owned business enterprise (WBEs), and labor surplus area firm (small businesses).

Additionally, the CBO will request, a narrative in the grant application detailing an action plan for subgrantees to address the following six affirmative steps when contracting:

1. Placing qualified small and minority-owned businesses and women-owned business enterprises on solicitation lists.
2. Assuring that small and minority-owned businesses, and women-owned business enterprises are solicited whenever they are potential sources.
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority-owned businesses, and women-owned business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority-own businesses, and women-owned business enterprises.

²⁷ 2 C.F.R § 200.321 “Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms,
<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.321>.

²⁸ Colorado Department of Labor and Employment: State of Colorado Labor Regulations,
<https://cdle.colorado.gov/dlss-home-page/laws-regulations-guidance>



5. 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.
6. Requiring prime contractors, if subcontracts are to be let, to take these affirmative steps.

The CBO will create a monitoring system for key indicators related to the involvement of marginalized businesses in the procurement procedure. These metrics include aspects like job creation, usage, and longevity. Simultaneously, steps will be taken to guarantee equitable treatment for MBEs, WBEs, and labor service area firms when they seek contracts. The procedures and methods for tracking data will ensure the recruitment, utilization, and longevity of MBEs, WBEs, and LSA firms play a pivotal role in advancing diversity and inclusion in contracting. This entire process will be organized based on the following framework:

1. Outreach and Recruitment

- The CBO will work with the Colorado Minority Business Office and Office of Economic Development and International Trade (OEDIT) to perform education, outreach and tracking databases to identify and promote subcontracting opportunities.²⁹
- **Outreach Activities:** The CBO will conduct targeted outreach efforts aimed at informing businesses about available opportunities and the advantages of collaborating on the project. The following organizations will be included in outreach efforts:
 - a. Small Business Administration (SBA) Colorado Offices

²⁹ Colorado Office of Economic Development and International Trade Business Directory: <https://oedit.colorado.gov/minority-business-directory>



- b. Workforce Development Centers
 - c. Minority Business Development Agency (MBDA)
 - d. Women-Owned Small Business Federal Contract Center
 - e. Colorado Office of Economic Development and International Trade (OEDIT)
 - f. Mountain Plains Minority Supplier Development Council
 - g. Minority Business Development Agency
 - h. The Latino Chamber of Commerce
 - i. Aurora-South Metro Small Business Development Center
 - j. Colorado Small Business Development Center Network
 - k. Minority Business Office of Colorado
- **Networking Opportunities:** Participation in events, workshops, and business forums centered on diversity and inclusion facilitates connections with potential partners.

2. Prequalification and Selection:

- Interested businesses will be invited to submit proposals and will be evaluated on experience, capabilities and project alignment. In its assessment, the CBO will evaluate proposals fairly and prioritize contributions to diversity and inclusion goals and outcomes.

3. Contacting and Utilization:

- Diverse subcontractors, including selected MBEs, WBEs, and LSA firms, are awarded contracts for specific project components, accompanied by well-defined goals and participation targets. These objectives can be specified



as a percentage of the overall contract value or within specific work categories. Furthermore, contract terms establish the roles, responsibilities, and expectations of subcontractors in relation to project delivery, ensuring quality, and adhering to project timelines.

4. Monitoring and Tracking:

- The CBO will implement a comprehensive data collection system to effectively gather and monitor information pertaining to the involvement of MBEs, WBEs, and LSA firms. This system will encompass details about awarded contracts, subcontracting values, and completed work. Additionally, routine reporting mechanisms will be put in place, generating regular updates to keep stakeholders informed about the progress made towards achieving diversity and inclusion goals. These reports play a crucial role in maintaining accountability within the project team and ensuring transparency throughout the process.

5. Support and Development:

- The CBO is committed to fostering the success of businesses by offering robust support through capacity-building programs, technical assistance, and mentorship. This comprehensive approach aims to empower businesses for success on the project. Additionally, to further facilitate their engagement, MBEs, WBEs, and LSA will have access to their own asynchronous Q&A period and will be granted early access to application materials. Furthermore, a feedback loop will be established, encouraging subcontractors to provide regular input to pinpoint areas in need of improvement and to facilitate necessary strategy adjustments. This collaborative process ensures continuous enhancement and adaptability within the project.

During post-award, the CBO will consult with the Small Business Administration (SBA) for more information on contracting assistance programs including the Small Disadvantaged Business program and with the Minority Business Development Agency



(MBDA) and state-based business centers for more information on contracting assistance programs including the Women-Owned Small Business Federal Contract program. The CBO will develop technical assistance to assist subgrantees in outreach to small businesses. Post-award reporting will include subgrantee reporting requirements for anticipated use and actual use of small business interests and methods of outreach anticipated and used.³⁰

By implementing this approach, the CBO can efficiently engage MBEs, WBEs, and LSA firms, fostering diversity and inclusivity in contracting. To keep applicants informed, the CBO will host webinars, publish regulations on the Advance-BEAD website, and provide information on grant applications, guidelines, grant agreements, and monitoring program requirements.

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

- YES, The CBO 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.

2.10 Cost and Barrier Reduction (Requirement 14)

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

The CBO has made significant progress to identify major cost and barrier reductions to support broadband deployment. Many of the strategies are ongoing but the CBO is

³⁰ See the Small Business Administration for federal programs: <https://www.sba.gov/>



committed in the short and long-term to address barriers to achieve universal coverage.

A. Promoting the use of existing infrastructure;

The CBO is focused on reducing costs and barriers to deployment. Recognizing the importance of cross-agency coordination, the CBO has established an internal interagency Broadband Advisory Group. This group is dedicated to supporting data collection efforts, policy development, and conducting inventories of various initiatives and assets across agencies, all of which are related to infrastructure and digital equity. By fostering collaboration and centralizing information, the CBO aims to enhance the effectiveness of broadband initiatives across the state and reduce barriers to deployment.

B. Promoting and adopting dig-once policies;

The CBO will consider taking the following steps to reduce costs and barriers to deployment:

- Work with CDOT and local governments to promote and to adopt dig-once policies.
- Identify and leverage existing infrastructure, such as fiber-optic networks, utility poles or government-owned facilities to reduce deployment costs and speed up the deployment process.
- Collaborating with other states to share resources we have in common, such as a backbone network, to reduce costs, take advantage of open access networks to reuse existing infrastructure.
- Work with various agency partners, for example the National Forest Service and CDOT, to prepare for the onslaught of permitting requests.



- Encourage the use of apprenticeship programs, which allow companies to hire employees who are ready to go from day one. This allows companies to reduce training costs.
- The CBO is looking at enhancing the Middle-Mile program funded by and managed by the state.
- Pursue joint projects that incorporate Tribal and non-Tribal lands to reuse existing infrastructure and utilize various funding sources. Support joint projects to help reduce workforce resources, permitting costs and timelines and reduce or eliminate any environmental and cultural study requirements.
- The state is pursuing funding for matching grants to help keep costs down for subgrantees who request match assistance.
- Extend existing easements (electrical) to communication (broadband) infrastructure.

C. Streamlining permitting processes:

To help local communities understand their role and ways they can plan to reduce barriers to deployment, the CBO developed the Broadband Ready Community Program (BRCC), which includes a set of tangible tasks that will help local communities and their partners successfully plan and execute broadband projects.³¹ There are currently 16 communities who have completed the program and became certified through the CBO. Completing the BRCC is voluntary for communities but the program encourages unserved and underserved communities to develop plans for federal funding and work to eliminate potential roadblocks or barriers before projects begin.

³¹ CBO Broadband Community Ready website:

<https://broadband.colorado.gov/funding/advance-colorado-broadband-grant-program/broadband-ready-community-program>



Communities that complete the tasks listed in the BRCC are eligible to be designated by the CBO as a Broadband Ready Certified Community. While the designation does not guarantee state and federal broadband funding, it will identify the community as a willing partner that has minimized barriers to broadband infrastructure deployment. To develop the BRCC, the CBO conducted extensive community engagement with local communities, counties, special districts, broadband internet service providers, utilities, community members and other state agencies.

D. Streamlining cost-effective access to poles, conduits, easements:

The CBO used the annual summer roadshow to gather input from all 14 planning regions specifically around potential permitting concerns. One idea that came from these meetings is allowing local governments and COGs to waive permit fees as an in-kind contribution and instead, use money slated for permitting towards the BEAD match requirement. Other suggestions were worked into the BRCC checklist including understanding and preparing for permitting processes, for example assigning one central contact for permits. The BRCC program also requests communities identify aerial easement owners and request requirements for attachment in advance.

The CBO also supports improvements in the quality of permit and make ready requests submitted by broadband providers and third-party consultants by recommending:

- Establish a process and a framework for expedited resolution.
- Work closely with utility pole owners in unserved and unserved areas, including municipalities and electric cooperatives, to identify the quickest broadband deployment strategies.
- Employ technology tools that allow better asset tracking for existing pole conditions and attachments, minimizing the need for physical inspection.
- Streamline permitting processes.
- Streamline cost-effective access to poles, conduits and easements.



- Streamline rights of way permitting, including the imposition of reasonable access requirements.
- Develop engineering and make ready cost estimates earlier to avoid project budget overruns.
- Establish a way to timely develop fair, predictable and transparent charges for make ready.
- Implement one touch make ready policies that will reduce cost for and benefit all parties.
- Establish a pole replacement fund that will cover the costs associated with utility pole replacements in specific circumstances, in particular for projects in hard to reach areas.
- Establish a fair, transparent and predictable cost-sharing methodology for pole replacements.

The CBO plays a crucial role in facilitating easement repurposing. By collaborating with stakeholders to optimize the easement, subgrantees can proactively secure rights of way for fiber installations. Furthermore, in cases where a deed or easement is designated solely for utility power, the CBO can ensure that subgrantees expand their scope to include telecommunications usage, thereby transforming it into a valuable resource for commercial applications rather than limiting it to private use only.

E. Streamlining rights of way, including the imposition of reasonable access requirements:

Securing rights of way presents a formidable obstacle to broadband deployment. The CBO is committed to ensuring the availability of essential resources, including permit specialists, contracting firms, engineering expertise, and funding, to effectively manage the considerable workload associated with the substantial influx of private,



local, state, and federal investments in broadband infrastructure. To illustrate, the CBO is actively engaged in collaborative efforts with entities such as CDOT, right of way owners (e.g., the National Forest Service), Councils of Government (COG), and local governments to mitigate potential permitting challenges. An illustrative instance of these early coordination endeavors, resulting in opportunities for improvement, involves the National Forest Service and partnering with the State Historical Preservation Office to expedite approvals by embracing "desktop reviews" for recent studies conducted.

The CBO is dedicated to promoting uniformity in permit application procedures and criteria among state and local permitting authorities by taking a proactive approach to resolve these challenges. The CBO will guide permit applicants to obtain necessary permitting information in advance, thereby eliminating delays caused by repeated requests and expediting the processing time.

The CBO plans to track permit applications by utilizing its grants management platform and identify delays or any other issues for escalation through compliance reporting and project reports. The CBO will not issue notices to proceed until approval of the right of way is confirmed. This information is required as part of reporting required from subrecipients.

During the application process the expectation is that subgrantees will not be out of compliance. The application process requires all permits be identified in the application and submitted prior to award. Should any issues arise, the CBO will work with potential subgrantees to make sure any compliance issues are remedied by the time a notice to proceed is provided.

F. Cost of deployment:

To help reduce costs for unserved and underserved counties in Colorado the CBO developed the technical assistance program. The CBO recognizes that many communities may lack resources and knowledge of how to pursue broadband grant



opportunities and encourage broadband investment in their communities. The technical assistance program creates a more equitable opportunity, allowing all Colorado communities to participate in upcoming federal grant programs. Through the program, eligible entities qualify for the support and services they will need to pursue once in a generation grant opportunities, including but not limited to developing a broadband strategic plan, broadband feasibility study, broadband network design and engineering, grant preparation and permitting consulting.

Staff costs are one of the biggest elements of the implementation budget and thus another barrier to deployment. Additionally, there are shortages of many fiber skills, which can delay the rate at which rollouts are completed. Operators, therefore, need to look at deskilling installations where possible, while increasing productivity and ensuring reliability. Using pre-connectorized fiber is central to this, it doesn't require splicing and is proven to reduce the skill levels needed within implementations. Some municipal deployments in the U.S. have been completed by electricians, for example, supported by city construction teams.

G. Regulatory environment:

The CBO has also addressed a regulatory barrier concerning the ability of municipalities

and other government entities to undertake broadband projects. In 2005, the Colorado General Assembly approved a state law, SB 05-152, which prohibited municipalities from pursuing broadband projects unless they opted out of the prohibition through a voter referendum. Since then, Colorado communities have opted out of the law on 123 occasions. In the 2023 legislative session, the CBO collaborated with legislative staff to pursue repealing the voter referendum requirement. As a result, SB23-183 was signed by Governor Jared Polis on May 1, 2023, enabling Colorado's local governments to provide or partner with broadband internet services without having to pass voter referendums.



H. Interagency collaboration:

Ongoing collaboration with the Colorado Department of Transportation (CDOT) regarding middle mile public-private partnerships represents a significant need for the successful deployment of last mile services in the BEAD Program. The CBO is working with CDOT in order to mitigate the challenges that could lead to delays and obstacles that impede the CBO's mission of connecting underserved and unserved communities.

The areas of ongoing work involve adopting a comprehensive approach to regulatory reform to streamline the P3 process and improve the agency's handling of unsolicited proposals. The current case-by-case review and approval process has the potential to delay the implementation of BEAD projects. Having a streamlined payment system that addresses the public costs of using the public right-of-way while also accelerating the approval of uses of the State right of way will enhance our ability to implement BEAD projects. Discussions around fee structures and procedures are ongoing.

To address these issues effectively, it is imperative that CDOT and the CBO continue to collaborate closely to develop a comprehensive solution that encompasses regulatory adjustments, fee structures, and procedural enhancements. The involvement of stakeholders is integral to this process. Being able to properly incentivize the use of State right of way will help ensure universal coverage in Colorado and to meet the Governor's objectives.³²

³² Executive Order D 2022 009 Accelerating Broadband Deployment in Colorado [EO D 2022 023.pdf](#)



2.11 Climate Assessment (Requirement 15)

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

The state of Colorado takes climate very seriously. In 2023, the Colorado legislature approved SB 23-016, which strengthens Colorado’s commitment to cutting statewide



climate pollution and achieving net-zero greenhouse emissions by 2050.³³ Colorado is the first state in the nation to put climate targets in place at regular intervals every five years.³⁴

Due to the state's varied topography ranging from flat plains to towering mountains and deep canyons, Colorado's climate is varied. Colorado has 58 mountain peaks higher than 14,000 feet and it has the highest average elevation of any U.S. state, at 6,800 feet.³⁵

While Colorado is known for its crisp clean air, sunny days, cool temperatures and mild climate, there are severe climate conditions to consider when designing and deploying a broadband network. Wildfires, drought, hail, freezing temperatures, severe heat, floods, tornados, avalanches and landslides are ever present and increasing across the state. These climate conditions are technology agnostic, even the best planned buried fiber cable is susceptible to failure under extreme circumstances.

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:

The CBO has recognized five significant climate and weather-related hazards: wildfires, floods, drought, hail and extreme cold conditions. The tables and maps presented in this section illustrate the regions within the state that face the greatest

³³ Greenhouse Gas Emission Reduction Measures Concerning measures to promote reductions in greenhouse gas emissions in Colorado, and, in connection therewith, making an appropriation: <https://leg.colorado.gov/bills/sb23-016>.

³⁴ Colorado Legislature Passes Bill Strengthening State's Climate Targets, Environmental Defense Fund, <https://www.edf.org/media/colorado-legislature-passes-bill-strengthening-states-climate-targets>.

³⁵ NOAA National Centers for Environmental Information, State Climate Summaries 2022 150-CO <https://statesummaries.ncics.org/downloads/Colorado-StateClimateSummary2022.pdf>.



susceptibility to each of these three hazards. Given Colorado’s diverse geography, the majority of counties are at a higher risk for one particular type of hazard rather than the others. Nevertheless, there are specific counties below that exhibit a high vulnerability to these risk categories.

Table 34: 2003 - 2017 Disaster Declarations by County³⁶

This table outlines disaster declarations by county 2003-2017 for affected counties. The most frequent disaster declarations include drought, freezing temperatures, hail, and fire.

³⁶ [2018-2023 Colorado Hazard Mitigation Plan](#).



Year	Type	Declaration Number	Affected Counties
2003	Drought	S1797	Baca, Bent, Elbert, Kiowa, Lincoln, Prowers
2003	Drought, Insects	S1843	Alamosa, Archuleta, Chaffee, Conejos, Costilla, Crowley, Custer, Dolores, Fremont, Garfield, Hinsdale, Huerfano, La Plata, Lake, Las Animas, Mesa, Mineral, Moffat, Montezuma, Otero, Pueblo, Rio Blanco, Rio Grande, Routt, Saguache
2003	Drought	S1890	Cheyenne, Phillips
2004	Drought, Freeze, Hail	S1947	Baca, Chaffee, Cheyenne, Custer, Eagle, Fremont, Garfield, Grand, Jackson, Kiowa, Kit Carson, Lake, Lincoln, Phillips, Pitkin, Prowers, Pueblo, Routt, Summit, Yuma
2004	Drought	S2009	Moffat
2005	Drought	S2031	Huerfano, Las Animas, Rio Blanco
2005	Drought, Freezing Temperatures	S2160	Delta, Kit Carson
2005	Drought, Wind, Heavy Rain, Hail	S2188	Crowley, El Paso, Lincoln, Otero, Park, Phillips, Pueblo, Teller, Washington, Yuma
2005	Drought, Crop Diseases, Insect Infestation	S2217	Logan
2005/6	Drought, Crop Diseases, Insect Infestation	S2287	Huerfano, Kiowa, Las Animas, Sedgwick
2005/6	Drought, Fire, High Winds, Heat	S2327	Adams, Alamosa, Baca, Broomfield, Chaffee, Cheyenne, Conejos, Costilla, Custer, Denver, Dolores, Douglas, Elbert, Fremont, Hinsdale, Huerfano, Kit Carson, Lake, Las Animas, Mineral, Montezuma, Morgan, Prowers, Pueblo, Rio Grande, Saguache, San Miguel, Weld
2006	Heat, High Winds, Insect Pests, Late Freeze, Drought	S2329	Arapahoe, Archuleta, Bent, Boulder, Crowley, Delta, El Paso, Gunnison, Jefferson, Kiowa, La Plata, Montrose, Ouray, Park, Phillips, Teller, Washington
2006	Heat, High Winds, Drought	S2351	Eagle, Garfield, Larimer, Logan, Otero, Pitkin, Rio Blanco, Yuma
2006	Drought	S2382	Jackson, Lincoln, Mesa, Moffat
2006	Drought	S2480	Sedgwick



Year	Type	Declaration Number	Affected Counties
2008	Drought	S2750	Adams, Arapahoe, Baca, Bent, Cheyenne, Crowley, Douglas, El Paso, Elbert, Huerfano, Kiowa, Kit Carson, Las Animas, Lincoln, Logan, Otero, Park, Prowers, Pueblo, Teller, Washington, Weld
2008	Drought	S2802	Fremont
2009	Drought	S2970	Dolores, Mesa, Montezuma, Montrose, San Miguel
2010	Drought	S2987	Yuma, Fremont, Otero, Montrose, Mesa, Dolores, Montezuma, San Miguel
2011	Drought	S3113	Bent, El Paso, Kiowa, Las Animas, Lincoln, Prowers, Pueblo
2012	Drought	S3229	Arapahoe, Cheyenne, Crowley, Elbert, El Paso, Kiowa, Kit Carson, Lincoln, Pueblo, Washington
2012	Drought, Excessive Heat, High Winds	S3260	Statewide
2012	Drought	S3267, S3269, S3276, S3281, S3282, S3284, S3289, S3290, S3315, S3319, S3347	Statewide
2012	Freezing Conditions	S3307	Delta, Garfield, Gunnison, Mesa, Montrose, Ouray, Pitkin, San Miguel
2013	Drought	S3455, S3456, S3459, S3461, S3463, S3466	Statewide
2013	Drought	S3505, S3508, S3518, S3539	Statewide
2013	Drought	S3545	Archuleta, Conejos, Hinsdale, La Plata, Mineral, Rio Grande, Saguache
2013	Drought	S3548	Adams, Alamosa, Arapahoe, Archuleta, Boulder, Broomfield, Chaffee, Clear Creek, Conejos, Costilla, Custer, Delta, Denver, Douglas, Eagle, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, Larimer, Mesa, Mineral, Moffat, Montrose, Ouray, Park, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Miguel, Teller
2013	Drought	S3550	Moffat
2013	Freeze	S3573	Baca, Prowers
2013	Drought	S3575	Eagle, Garfield, Grand, Lake, Pitkin, Routt, Summit



Year	Type	Declaration Number	Affected Counties
2013	Frost, Freezes	S3583	Delta, Garfield, Gunnison, Mesa, Montrose, Ouray, Pitkin, San Miguel
2013	Drought	S3641	Baca, Cheyenne, Kiowa, Kit Carson, Prowers, Yuma
2014	Drought	S3627	Arapahoe, Baca, Bent, Cheyenne, Costilla, Crowley, Custer, Douglas, Elbert, El Paso, Fremont, Huerfano, Kiowa, Kit Carson, Las Animas, Lincoln, Logan, Otero, Phillips, Prowers, Pueblo, Sedgwick, Teller, Washington, Yuma
2014	Drought	S3629	Baca, Cheyenne, Kiowa, Kit Carson, Prowers, Yuma
2014	Drought	S3630	Baca, Costilla, Las Animas
2014	Drought	S3632	Baca
2014	Drought	S3634	Dolores, Mesa, Montezuma, Montrose, San Miguel
2014	Drought	S3645	Archuleta, Conejos, Costilla
2014	Drought	S3651	Montezuma
2014	Drought	S3653	Archuleta, La Plata, Montezuma
2014	Drought	S3669	Phillips, Sedgwick, Yuma
2014	Drought	S3698	Yuma
2014	Drought	S3703	Sedgwick
2014	Drought	S3714	Garfield, Moffat, Rio Blanco
2014	Drought	S3715	Archuleta, Conejos, Dolores, Hinsdale, La Plata, Mineral, Montezuma, Rio Grande, San Juan, San Miguel
2014	Excessive Rain, High Winds, and Hail	S3733	Kit Carson, Yuma
2014	Freeze	S3760	Delta, Garfield, Gunnison, Mesa, Montrose, Ouray, Pitkin, San Miguel
2014	Hail	S3764	Bent, Crowley, Kiowa, Las Animas, Otero, Pueblo
2015	Drought	S3783	Montezuma
2015	Drought	S3785	Arapahoe, Baca, Bent, Cheyenne, Costilla, Crowley, Elbert, El Paso, Huerfano, Kiowa, Kit Carson, Las Animas, Lincoln, Otero, Prowers, Pueblo, Washington
2015	Drought	S3787	Baca, Cheyenne, Kiowa, Kit Carson, Prowers, Yuma
2015	Drought	S3788	Archuleta, Baca, Costilla, La Plata, Las Animas, Montezuma



Year	Type	Declaration Number	Affected Counties
2015	Drought	S3790	Baca
2015	Drought	S3792	Dolores, Mesa, Montezuma, Montrose, San Miguel
2015	Drought	S3802	Archuleta, Conejos
2015	Drought	S3826	Garfield, Moffat, Rio Blanco
2015	Severe Freeze	S3925	Delta, Gunnison, Mesa, Montrose
2016	Hail	S4087	Weld, Larimer
2017	Drought	S4145	Adams, Boulder, Broomfield, Weld, Arapahoe, Baca, Bent, Cheyenne, Crowley, Douglas, Elbert, El Paso, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Prowers, Pueblo, Washington
2017	Drought	S4148	Baca, Prowers
2017	Drought	S4152	Baca
2017	High Winds, Hail, Excessive Rain, and Flash Flooding	S4208	Kit Carson
2017	Freeze	S4249	Delta, Gunnison, Mesa, Montrose
2017	Hail	S4250	Bent, Crowley, Kiowa, Las Animas, Otero, Pueblo
2017	Hail Storms and Hard Rain	S4251	Dolores, La Plata, Montezuma, Montrose, Ouray, San Juan, San Miguel

Source: USDA Farm Service Agency, 2017

The CBO has included graphical representations for the areas for which the hazards identified will be screened for current and projected future weather and climate related risks. The timeline for performing screenings over the course of 20-years will be every 5 years or when Colorado’s Hazard Mitigation Plan is updated.

Table 35: Wildfires by Geographic Area

This table profiles counties with local fire mitigations plans and illustrates historical wildfires between 1980-2017.

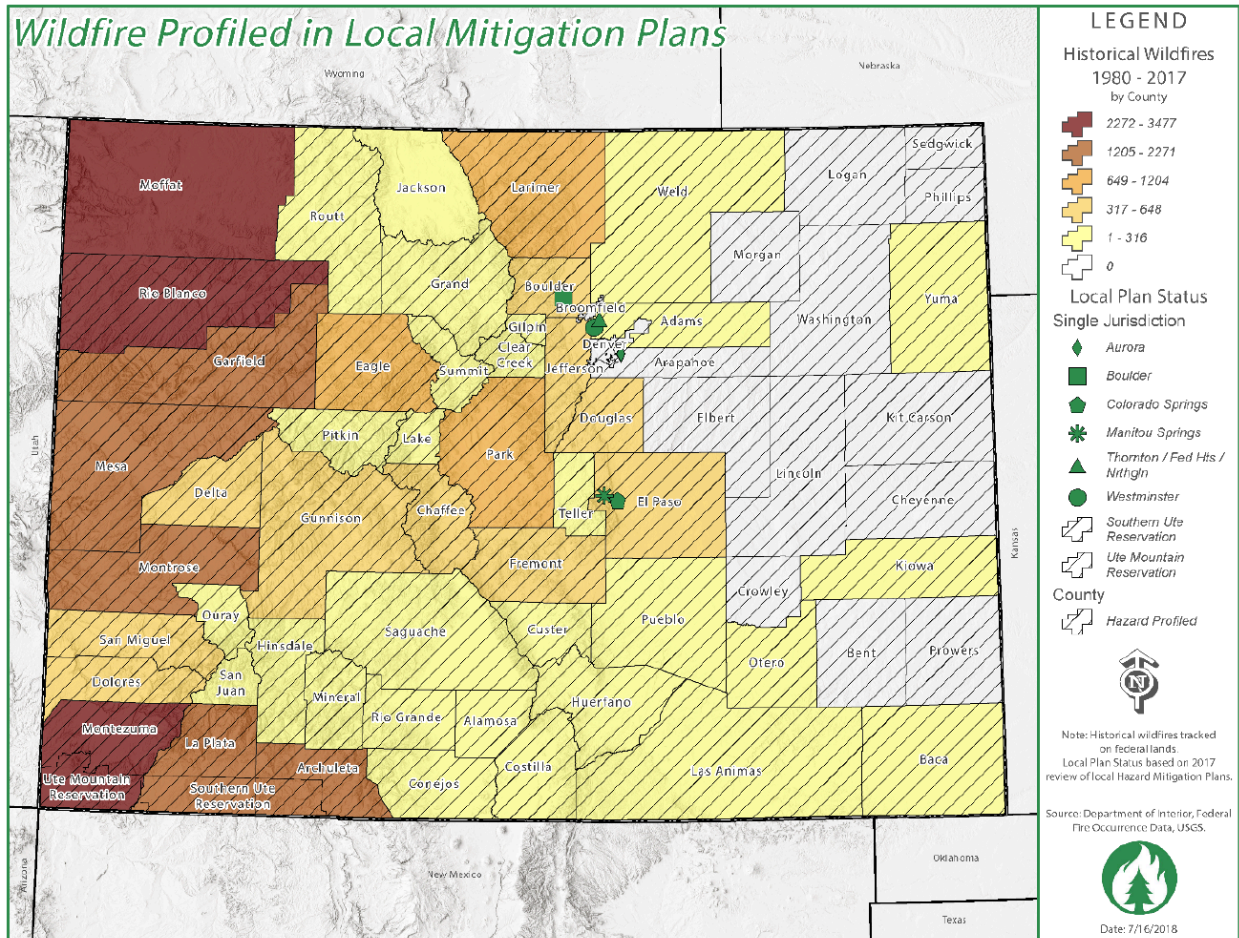


Table 36: Hail by Geographic Area

This table illustrates counties that are exposed to hail and the levels of severity by county. The most severe hail damage occurs along the Front Range corridor that includes Weld, Larimar, Adams, Broomfield, Jefferson, Douglas and El Paso counties.

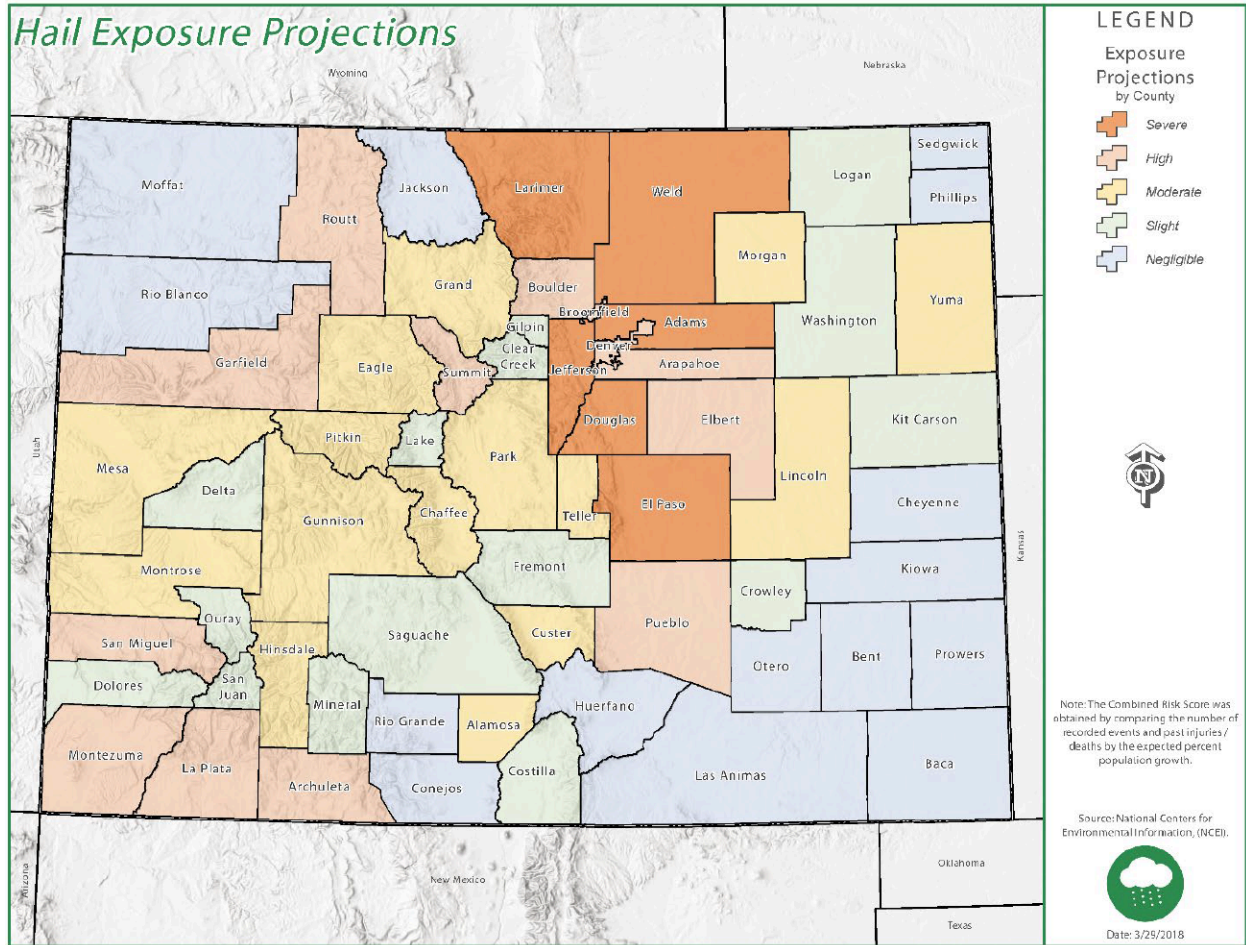


Table 37: Floods by Geographic Area

This table illustrates the counties that experience extreme flooding events. El Paso and Arapahoe counties experience the most extreme flooding in Colorado.

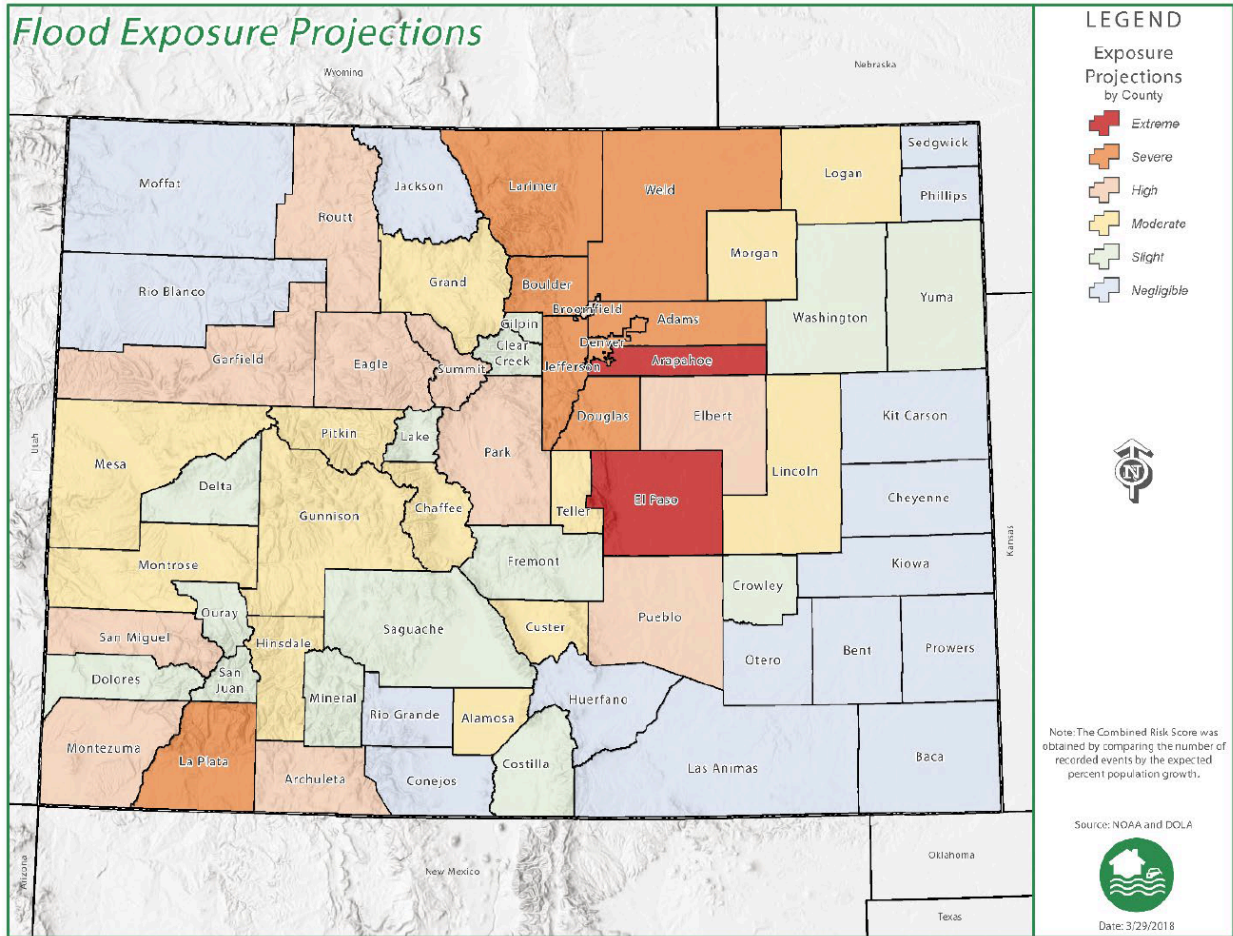




Table 38: Snowstorms and Blizzards by Geographic Area

This table illustrates counties that experience extreme snowstorms and blizzard events. The most severe weather occurs in the mountains west of Denver.

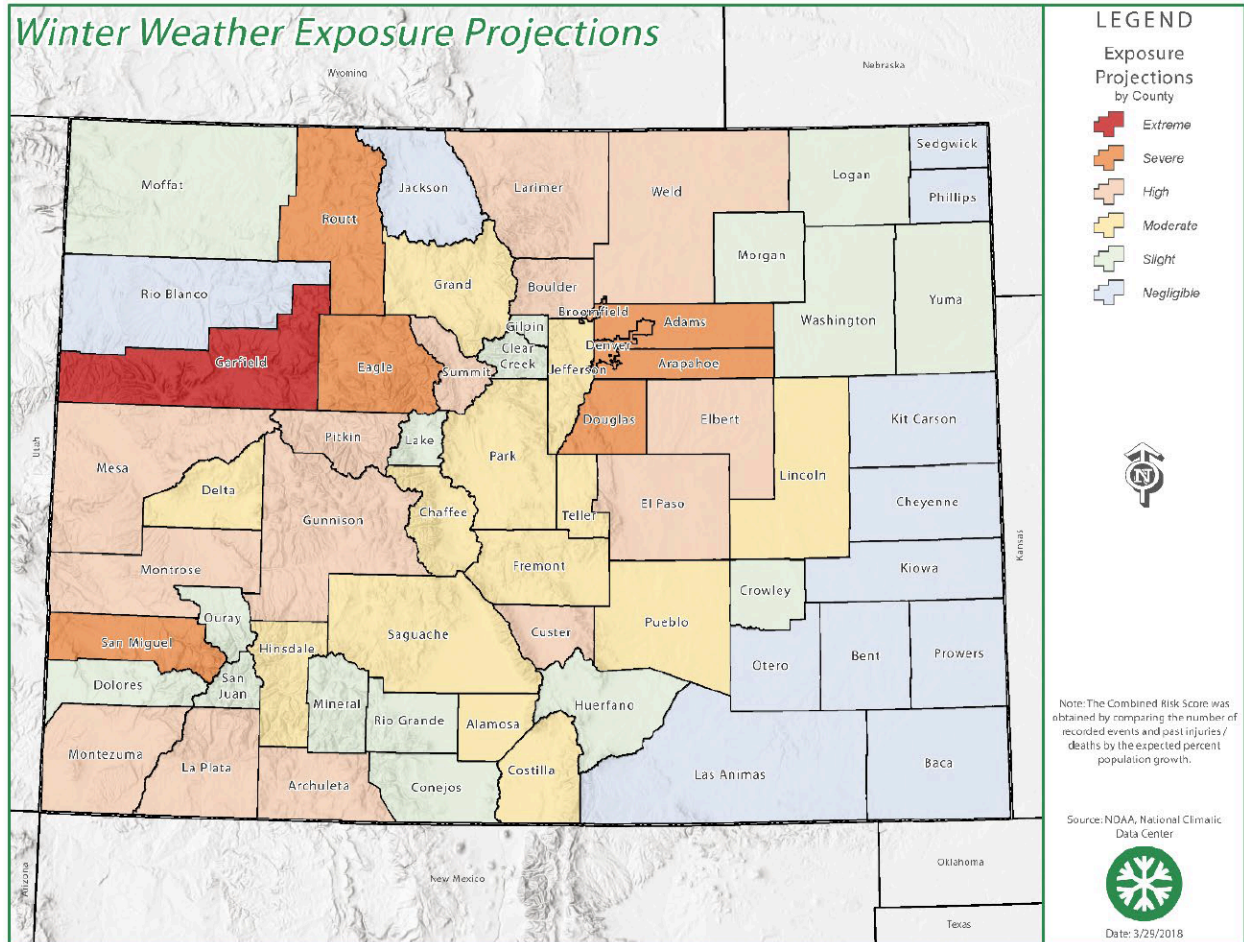


Table 39: Avalanches by Geographic Area

This table illustrates the most extreme avalanche exposure by county from 2010-2030. The most extreme avalanche exposure occurs in the central and southwest mountain areas in Colorado.

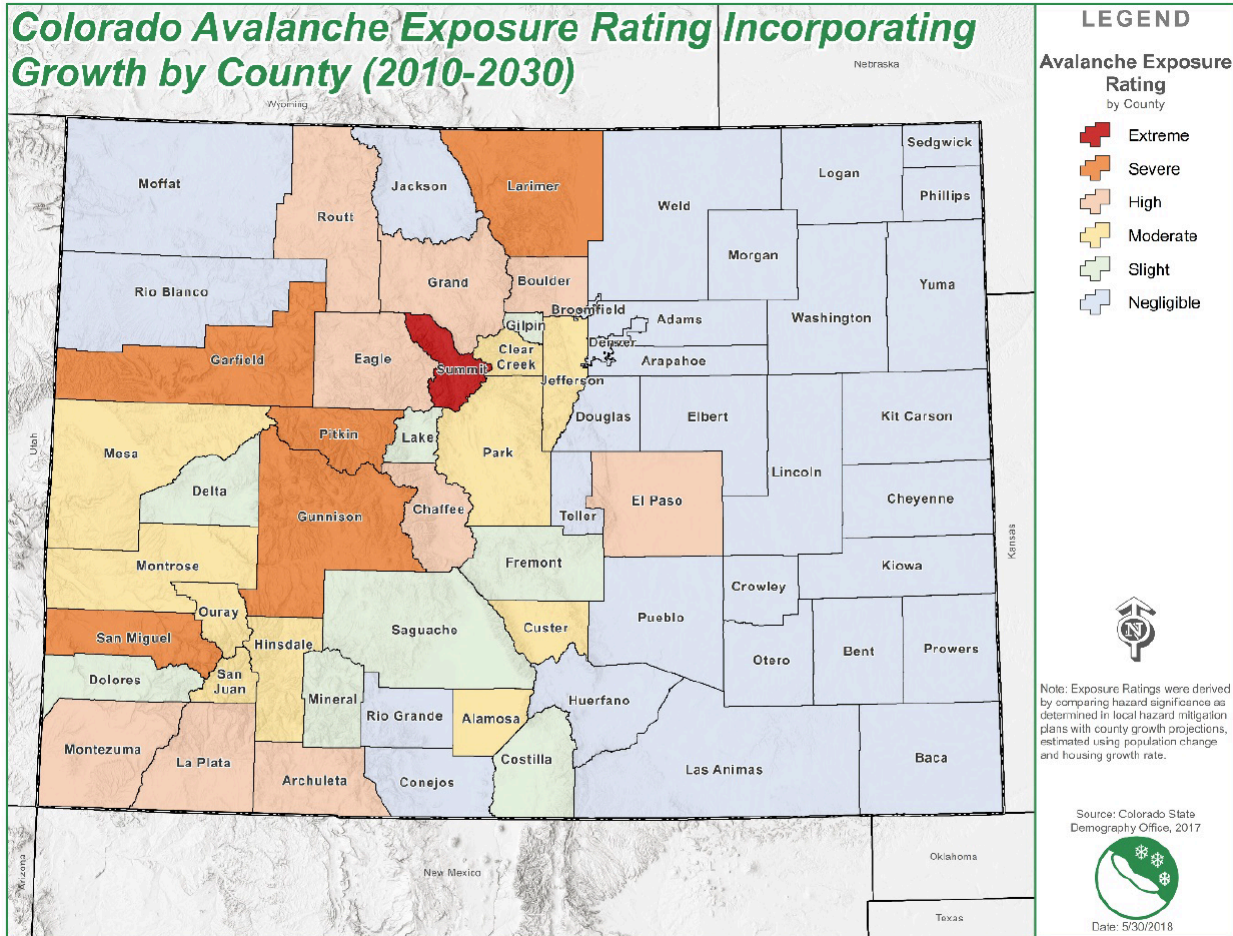


Table 40: High Winds by Geographic Area

This table illustrates severe wind exposure by county. Counties that experience severe wind include Weld, Larimar, Arapahoe and El Paso counties.

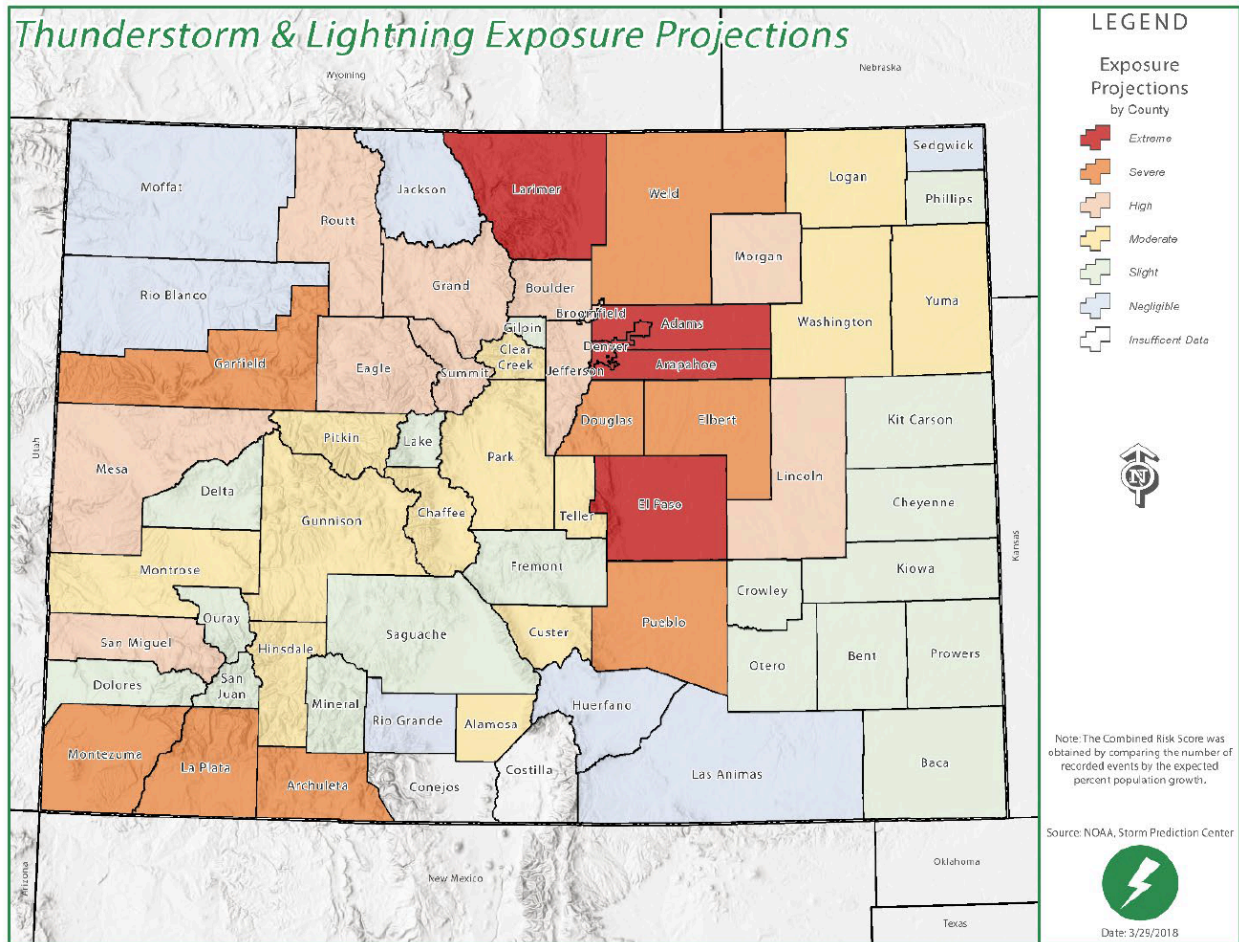


Table 42: Landslides and Mudslides by Geographic Area

This table illustrates landslides and mudslide exposure in Colorado. Counties that have high ratings for landslides, mud/debris flows are located in the central, northern and southwestern mountain areas.

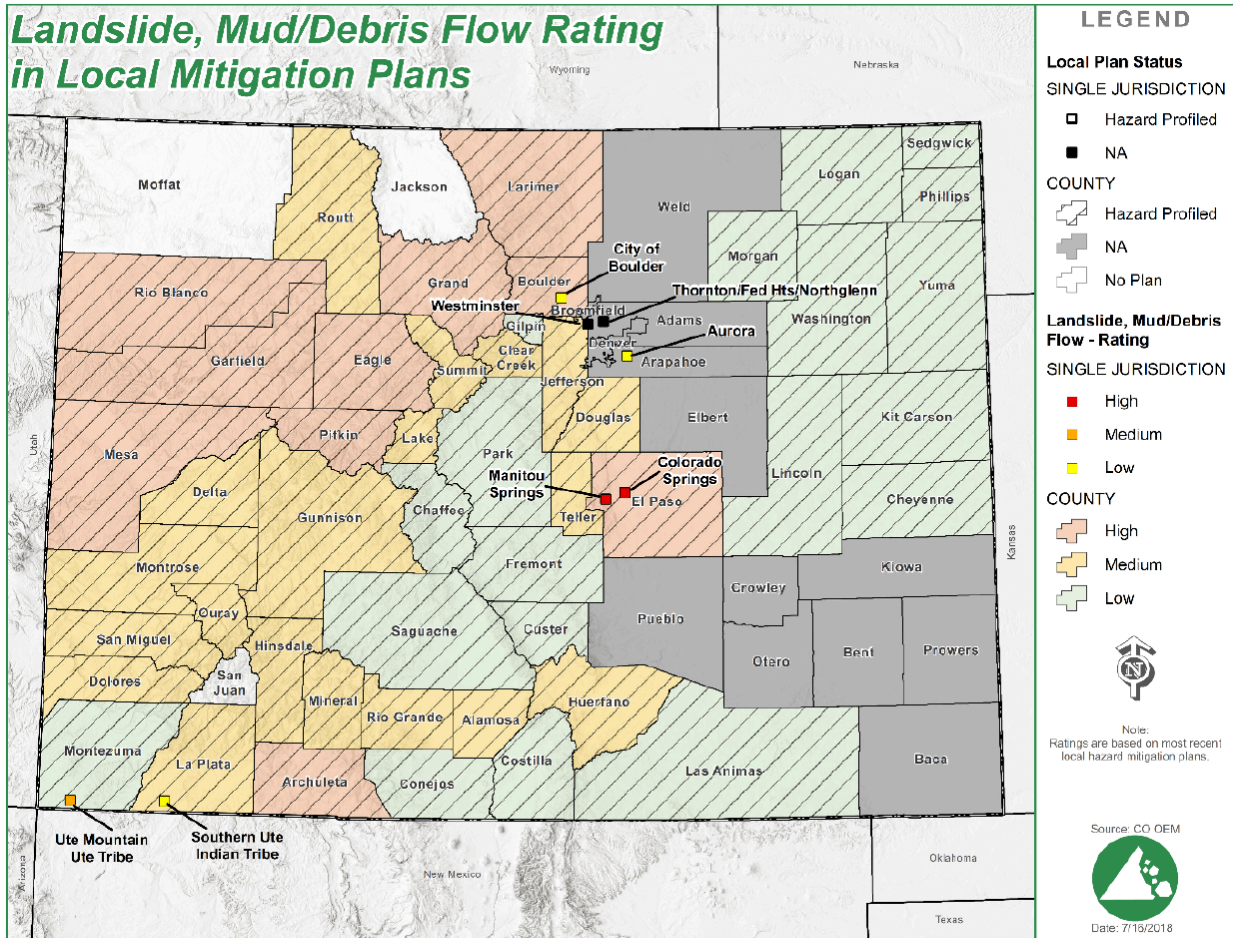


Table 43: Drought by Geographic Area

This table illustrates drought rating and local mitigation plans by county. Areas with the highest ratings include the eastern, southern, and western regions of Colorado.

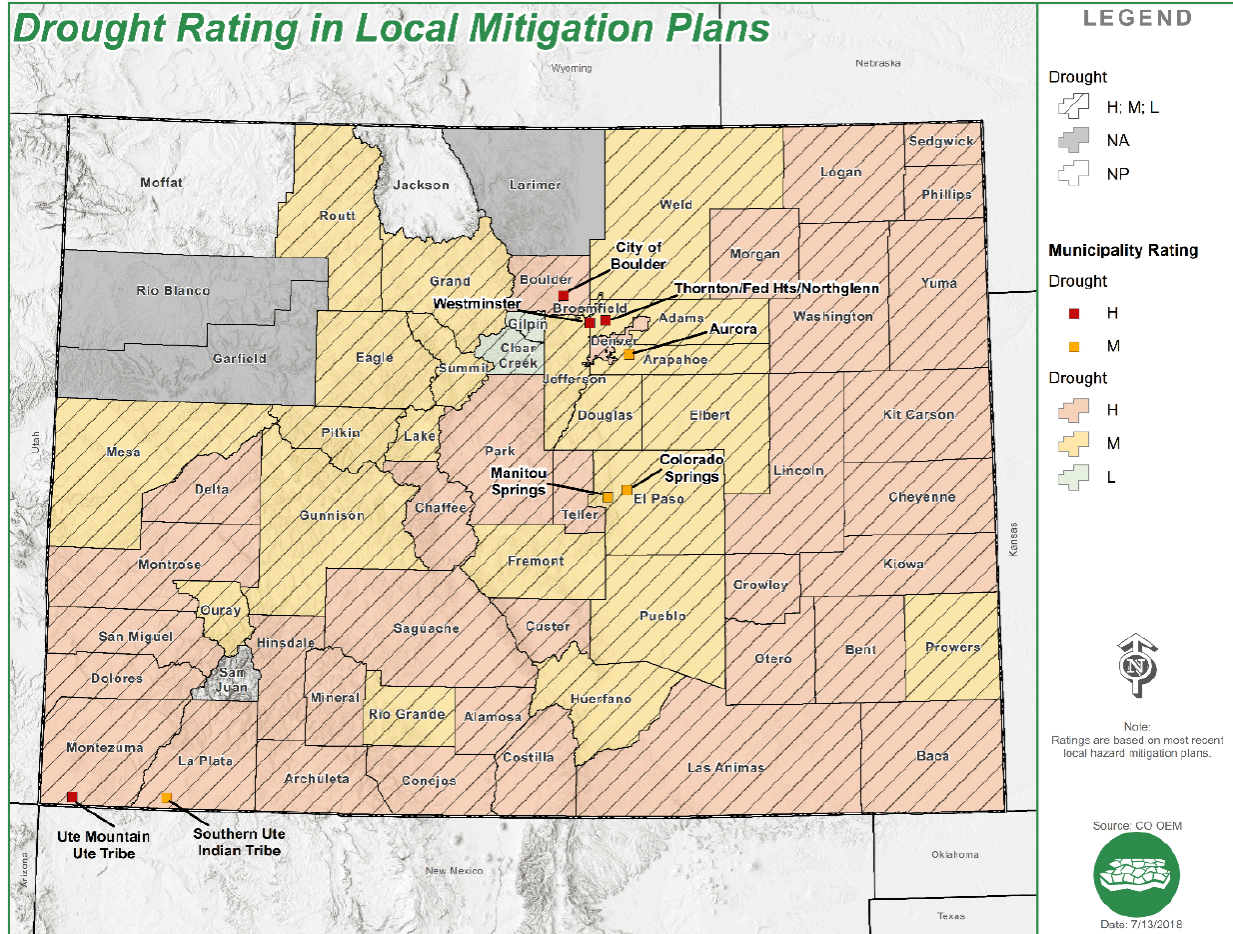
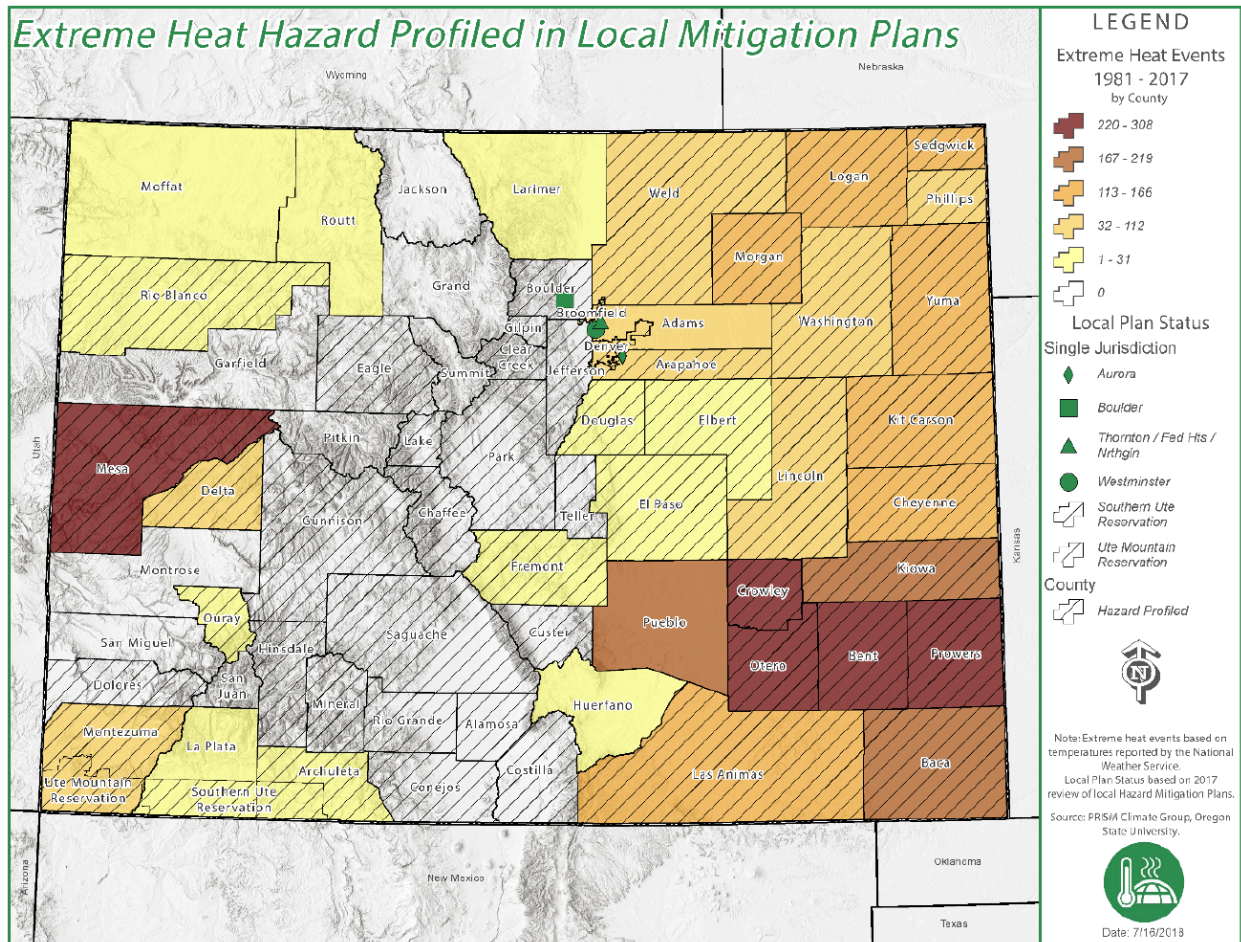


Table 44: Extreme Heat by Geographic Area

This table illustrates extreme heat by county. The most severe exposure occurs in the eastern, western and southern areas of Colorado.



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:

Colorado experiences a range of weather and climate hazards due to its diverse geography and elevation. Some of the most common weather and climate hazards in Colorado include:

- **Wildfires:** Colorado is susceptible to wildfires, especially in the mountainous and forested regions. Drought conditions, high temperatures and strong winds can contribute to the spread of wildfires.



- **Floods:** Flooding can occur in Colorado due to heavy rainfall, snowmelt or a combination of both. Flash floods are a particular concern in areas with steep terrain.
- **Severe Thunderstorms:** Colorado experiences severe thunderstorms with hail, damaging winds, and tornadoes, particularly on the eastern plains. These storms can cause property damage and pose a threat to public safety.
- **Snowstorms and Blizzards:** Winter storms, heavy snowfall, and blizzards are common in Colorado, especially in the mountainous regions. These events can lead to transportation disruptions and power outages.
- **Avalanches:** The mountainous terrain of Colorado is prone to avalanches, especially during and after heavy snowfall. Avalanche danger can impact backcountry travel and ski areas.
- **Extreme Heat and Drought:** Parts of Colorado, especially the eastern plains, can experience extreme heat during the summer months. Drought conditions can also develop, affecting water resources and agriculture.
- **Landslides and Mudslides:** In areas with steep slopes, heavy rainfall can trigger landslides and mudslides, posing risks to homes and infrastructure.
- **Tornadoes:** While less common than in some other states, Colorado can experience tornadoes, primarily in the eastern plains.
- **Hailstorms:** Hailstorms can occur, particularly during severe thunderstorms, causing damage to crops, vehicles and buildings.
- **High Winds:** Strong winds, especially in the foothills and mountain passes, can create hazardous driving conditions and may contribute to wildfire spread.

It's important to note that the specific hazards and their severity can vary from year to year based on weather patterns and climate conditions. Preparedness and



awareness are key to mitigating the impacts of these hazards. Local authorities and the National Weather Service provide information and warnings to help residents stay safe during extreme weather events.

C. Characterize any weather and climate risks to new infrastructure deployed using BEAD Program funds for the 20 years following deployment.

Weather and climate risks can pose significant challenges to new telecommunication infrastructure construction in Colorado. These risks are influenced by the state's diverse geography, which includes mountains, plains and high desert areas. Some of the key weather and climate risks for telecommunications infrastructure in Colorado are as follows:

- **Wildfires:** Colorado's mountainous and forested regions are prone to wildfires, especially during dry and windy conditions. Wildfires can damage or destroy telecommunications infrastructure, including cell towers, fiber optic lines, and equipment shelters. Mitigation efforts include creating defensible spaces around infrastructure, using fire-resistant materials and monitoring fire risk closely.
- **Floods:** Heavy rainfall, snowmelt or a combination of both can lead to flooding in various parts of Colorado. Floods can damage underground cables, equipment vaults and utility poles. Elevating critical infrastructure, reinforcing cable conduits and implementing flood monitoring systems are mitigation strategies.
- **Snowstorms and Blizzards:** Winter storms and heavy snowfall can disrupt telecommunications services by causing damage to aerial cables, power outages and transportation issues. Telecommunications infrastructure must be designed to withstand heavy snow loads, and regular maintenance and snow removal efforts are necessary.



- **Avalanches:** In the mountainous areas, avalanches can bury telecommunications infrastructure, including buried fiber optic cables and equipment shelters. Mitigation measures may involve avalanche control efforts, avalanche barriers or locating critical infrastructure away from avalanche-prone zones.
- **High Winds:** Strong winds in Colorado, especially in mountain passes and foothill areas, can lead to physical damage to telecommunications towers, antennas and power lines. Engineering infrastructure to withstand high winds and performing regular inspections are essential for mitigation.
- **Lightning:** Colorado experiences frequent lightning strikes, which can damage electronic equipment, including communication systems. Installing lightning protection systems and surge suppressors can help mitigate this risk.
- **Landslides and Mudslides:** Heavy rainfall can trigger landslides and mudslides in areas with steep slopes, potentially damaging infrastructure. Assessing geological risks, stabilizing slopes and relocating infrastructure when necessary are mitigation strategies.
- **Drought and Extreme Heat:** Drought conditions and extreme heat can affect the reliability of telecommunication equipment, especially in remote areas. Implementing climate-controlled equipment shelters and backup power sources can help mitigate the impact.

According to Climate Mapping for Resilience and Adaptation (CMRA) – a high level screening tool for exposure to climate-related hazards – the weather and climate risks will only increase in the next 20 years.³⁷ Extreme heat, drought, wildfire and flooding will all continue to be risks in the state of Colorado. Even in the scenario

³⁷ CMRA is part of an interagency partnership and was funded by the Department of the Interior and National Oceanic and Atmospheric Administration. <https://resilience.climate.gov/>.



where humans drastically reduce carbon emissions, these same risks will continue to be a threat to deployed infrastructure if not accounted for.

D. Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified:

To mitigate the weather and climate risks, telecommunication companies, infrastructure providers, and government agencies in Colorado will adopt the following strategies:

- Conduct thorough risk assessments and site evaluations before construction.
- Implement engineering standards that account for local weather and climate conditions.
- Regularly inspect and maintain infrastructure to identify and address vulnerabilities.
- Utilizing redundancy in the network to minimize service disruptions.
- Collaborate with emergency response agencies to develop disaster response plans.
- Employ climate-resilient technologies and materials in infrastructure design.
- Stay informed about weather forecasts and warnings to take timely preventive actions.

Overall, managing weather and climate risks is essential to ensure the reliability and resilience of telecommunication infrastructure in Colorado, where extreme weather events are a recurrent challenge.

When reviewing application network designs, the CBO will look for Network Equipment-Building Practice, which is multiple levels of certification and environmental tolerance, for example waterproof, fire rated, etc. NEBS-compliant



components, along with deployment techniques and redundancy routes to ensure a higher probability that network traffic will survive any one of the events, when they happen are required.

To further help prepare for severe weather events, the CBO will prioritize infrastructure assets that are constructed to address the physical impacts of climate change and make climate resilience a continual process throughout the life of the asset.

The defining characteristic of climate-resilient infrastructure is that it is planned, designed, built, and operated in a way that anticipates, prepares for, and adapts to changing climate conditions. It can also withstand, respond to and recover rapidly from disruptions caused by these climate conditions. Designing climate-resilient infrastructure includes:

- Consideration of aerial and buried infrastructure.
- Eliminating single points of failure throughout the network.
- Designing self-healing network topologies.
- Designing architectures that provide optical redundancy.

Preparing for climate change at the outset can avoid the need for costly retrofitting and reduce the risk of an asset becoming prematurely obsolete.\

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:

As climate patterns undergo changes, so too do the associated risks and hazards. To maintain an up-to-date understanding and effective management of these evolving challenges, the CBO will routinely assess its screening process throughout the



program's duration. The CBO will utilize the latest available tools and information sources to ensure the continued effectiveness of its climate resilience plan.

For instance, following each season, new data emerges regarding the hazards that occurred that year. Additionally, the Colorado Department of Homeland Security and Emergency Management is actively involved in ongoing projects to support hazard mitigation efforts across the state and will revise plans as needed. These revisions will be reflected in updated maps, as well as any necessary updates regarding damage or repairs required for BEAD-funded infrastructure.

The state of Colorado has a Resiliency Office (CRO) in the Department of Local Affairs (DOLA). The goal of this office is to build resilient systems to withstand climate hazards. As part of that work, the office created the Colorado Resiliency Framework, which serves as the state's roadmap to reducing risks associated with both the changing climate and climate-related hazards along with addressing social inequities and pursuing economic diversity and vibrancy.³⁸ The CRO has made substantial progress in identifying weather and climate-related risks and is committed to ongoing climate assessment and mitigation efforts.

The CBO is committed to mitigating the impact of weather-related risks on both infrastructure and the well-being of the population, as well as economic activity. This involves identifying vulnerable areas, hazards, and risks, and implementing appropriate mitigation measures. To ensure readiness for evolving severe weather events, the CBO will regularly revisit the screening process and update the plan every 5 years. The CBO will engage with partners in the following processes to update mitigation plans:

- Form a multidisciplinary planning team that includes representatives from relevant government agencies, emergency management, public safety and other stakeholders.

³⁸Colorado Resiliency Framework: [Framework_Electronic.pdf](#)



- Decide when the plan needs to be updated based on regulatory requirements or changes in local hazards and vulnerabilities.
- Identify and involve all relevant stakeholders, including community members, local officials, non-profit organizations, businesses and other partners.
- Hold meetings to inform stakeholders about the plan update and its objectives.
- Review the existing hazard mitigation plan to identify areas that need revision, updates to hazard data, and changes in the community's risk profile.
- Conduct a comprehensive hazard analysis to identify all potential natural and human-made hazards that may affect the community.
- Evaluate the vulnerabilities and risks associated with each hazard, considering factors such as population, infrastructure, and critical facilities.
- Evaluate and update the existing mitigation goals and objectives to reflect current conditions and priorities.
- Work with the planning team and stakeholders to identify and develop mitigation actions that address the identified hazards and vulnerabilities.
- Prioritize the identified mitigation actions based on factors such as feasibility, cost-effectiveness, and potential impact reduction.
- Revise the mitigation strategy section of the plan to incorporate the updated goals, objectives and actions.
- Prepare the updated hazard mitigation plan document, including all the revised sections and the new mitigation strategy.
- Make the draft plan available to the public, stakeholders and local officials for review and feedback.



- Obtain necessary approvals and make the final document available to the public.
- Regularly assess the implementation of mitigation actions and measure their effectiveness.

2.11.1.1: 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 CBO will submit the 2018-2023 Colorado Enhanced State Hazard Mitigation Plan (Appendix K). The current plan has not been updated yet but the CBO will track any revisions to the existing plan and make them available to the public.



2.12 Low-Cost Broadband Service Option (Requirement 16)

2.12.1: Describe the low-cost broadband service option(s) that must be offered by subgrantees as selected by the Eligible Entity, including why the outlined option(s) best services the needs of residents within the Eligible Entity's jurisdiction. At a minimum, this response must include a definition of low-cost broadband service option that clearly addresses the following, as outlined on page 67 of the BEAD NOFO: a. All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs); b. The plan's basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices); c. Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate; and d. Any provisions regarding the subscriber's ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.

A. All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs);

All recipients of BEAD funds for broadband infrastructure deployment projects are obligated to offer a low-cost broadband service to all ACP-eligible customers throughout the BEAD-funded network's lifespan adjusted for inflation. If the ACP program is no longer offered by the federal government, the same ACP qualification criteria will be used to determine eligible low-cost plan customers of BEAD recipients. The CBO will require providers to provide the low-cost broadband service rate not to exceed \$50, if the ACP subsidy is no longer offered by the federal government. Applicants are required to ensure that customers are well-informed about this option and face no excessive difficulties in choosing it. Applicants are required to outline



their marketing approach for this option in their proposals, which the CBO will evaluate and provide feedback.

Economic hardship in communities is a reality across Colorado and can disrupt various aspects of everyday life, including the ability to engage fully in contemporary society. To effectively respond to the needs of its low-income residents, the CBO will use the same ACP qualification criteria to determine eligible low-cost plan customers of BEAD recipients.

B. The plan's basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices);

The CBO will adopt the low-cost broadband service option outlined in the BEAD NOFO on p. 67 for ACP-eligible customers and outlined below:

- Costs \$30 per month or less, inclusive of all taxes, fees, and charges if the subscriber does not reside on Tribal Lands, or \$75 per month or less, inclusive of all taxes, fees, and charges if the subscriber resides on Tribal Lands, with no additional non-recurring costs or fees to the consumer.
- If there are providers who offer a monthly plan that is lower than \$30 per month, they are required to offer the lower cost plan.
- Allow the end user to automatically apply the Affordable Connectivity Program benefit subsidy to the service price.
- 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.



- Provides typical latency measurements of no more than 100 milliseconds.
- Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
- In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.

C. Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate.

The CBO requires that applicants enable eligible ACP consumers to apply the current ACP or a successor program amount as a credit toward an alternative service plan. The CBO will make adjustments to the low-cost broadband service rate if the ACP subsidy is no longer offered by the federal government.

D. Any provisions regarding the subscriber's ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.

The CBO requires that applicants assist subscribers to transition to a more affordable plan offered by the same provider without incurring extra fees.

Applicants seeking to raise the low-cost amount to \$50 per month must apply for a waiver from the CBO. Each waiver request will be individually evaluated, and the CBO retains the authority to decline any waiver that does not clearly demonstrate the necessity of increasing the service cost from \$30 to \$50. The criteria for approval is:

- **Justification for the Waiver** - Clearly articulate the specific reasons for requesting a waiver and explain the necessity or benefit of granting the waiver.



- **Legal and Regulatory Compliance** - Ensure that the request aligns with applicable laws, regulations and policies.
- **Demonstrated Need** - Provide evidence of a genuine need for the waiver, such as data, research, or assessments that support the request.
- **Public Interest and Benefit** - Describe the public interest or community benefit that will result from granting the waiver. Explain how the waiver aligns with broader policy goals or societal needs.
- **Cost-Benefit Analysis** - Conduct a cost-benefit analysis to demonstrate that the benefits of granting the waiver outweigh any potential drawbacks.

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

- Yes, all 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.

2.13 Middle Class Affordability (Requirement 20)

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

The CBO prioritizes enhancing the affordability of broadband services provided by BEAD-funded networks for middle-class households. Colorado’s primary approach to improving middle-class affordability is the implementation of a highly competitive



subgrant program. This program will make available the opportunity for providers to access the BEAD funding allocation to deploy new, high-quality networks that support reasonable pricing.

Simultaneously, this approach aims to enhance the competitive landscape of the broadband market in the state. Promoting a competitive market composed of financially robust operators with high-quality broadband infrastructure is the most effective way to advance affordability. The CBO will include the following policy elements and design features intended to further this overarching objective:

- Promote structural competition such as eliminating barriers to entry, opening access to multi-dwelling units, promoting open access middle mile networks, or promoting alternative technologies.
- Promoting consumer pricing benchmarks that provide consumers an objective criterion to use in determining whether the rate offerings of broadband service providers are reasonable and to encourage providers to adopt affordable pricing.
- Establishing a regime of continued monitoring and public reporting to ensure that high-speed internet connections are affordable for middle-class households in their territory.

Affordability is a central element of the scoring criteria to assess proposals for providing reliable broadband service under the BEAD program. These criteria ensure that commitments to lower prices receive higher scores. At the same time, they provide flexibility for prospective subgrantees to make business decisions that balance trade-offs between BEAD funds requested, pricing commitments and the quality of the networks deployed.



2.14 Use of 20 Percent of Funding (Requirement 17)

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

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.

Not applicable, Colorado will request 100% of the BEAD allocation totaling \$821,522,652.98.



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.

Not applicable, Colorado will request 100% of the BEAD allocation totaling \$821,522,652.98.

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.

Colorado is committed to seeking the full award of \$821,522,652.98 in BEAD funding. The CBO benefits from strong engagement from stakeholders such as service providers, state and local government, and community partners that helped inform the BEAD funding program and will ensure that it is successfully executed. As a result, the CBO will provide essential infrastructure for providing broadband access to all unserved and underserved communities in Colorado. The goal is to achieve this expansion within four years from the date of the subgrantee's award from the CBO through the following categories:

- **Activities required as part of the Initial Proposal:** These funds will support the subgrantee selection and challenge process execution.
- **Administrative Costs not subject to the 2% Cap:** These funds will cover administrative expenses other than the grant's administration.



- **Administrative Costs subject to the 2% Cap:** These funds will be allocated for expenses directly or indirectly related to the grant's administration.
- **Deployment Activities:** These funds will be dedicated to broadband deployment, encompassing infrastructure construction, acquisition, and workforce preparation and training.
- **Non-Deployment Activities:** If there is a surplus in BEAD funds, these funds will be utilized to bolster the BEAD program's objectives, such as training, digital literacy and equity initiatives, and workforce development.

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

The CBO is requesting 100% of funding for its Initial Proposal Request of \$821,522,652.98.

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

- Yes, the CBO hereby certifies that it will adhere to BEAD Program requirements regarding Initial Proposal funds usage.



2.15 Eligible Entity Regulatory Approach (Requirement 18)

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

Repeal of Ban on Local Governments Providing Broadband Services

With strong support from the Colorado Broadband Office, the Colorado General Assembly recently repealed a regulation that required local governments to obtain voter approval to provide broadband to their communities. The new law allows local governments to provide broadband services, including middle mile infrastructure. This substantially improves the viability for local governments to apply for BEAD grants. The law went into effect on May 1, 2023. As a result, all eligible entities as defined by the BEAD program can participate in the program as a potential subgrantee.

Constitutional Limits on Government Entities Obtaining a Letter of Credit

Article XI Section 1 of the Colorado Constitution arguably prohibits government entities from obtaining the required Letter of Credit (see NOFO page 72).³⁹ The Constitution reads as follows: “Neither the state, nor any county, city, town, township or school district shall lend or pledge the credit or faith thereof, directly or indirectly, in any manner to, or in aid of, any person, company or corporation, public or private, for any amount, or for any purpose whatever; or become responsible for any debt,

³⁹ Constitutional Limits on Government Entities Obtaining a Letter of Credit Article XI Section 1: <https://law.justia.com/constitution/colorado/cnart11.html>.



contract or liability of any person, company or corporation, public or private, in or out of the state.” (emphasis added)

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.

The State cannot waive the Constitutional prohibition on government entities obtaining a Letter of Credit. However, as provided in the NTIA programmatic waiver of the letter of credit,⁴⁰ government entities, and all subgrantees, may obtain a performance bond in the full amount of the grant subaward.

Other than the State constitutional provision noted above, no other laws or regulations preclude public sector providers from participating in the subgrant competition in Colorado. The CBO will continue to monitor all broadband-related state and federal regulation activity, and address any issues to maximize the facilitation of affordable, reliable, broadband deployment.

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.

The NTIA Template for Eligible Entity Regulatory Approach listing the Constitutional prohibition on government entities obtaining a Letter of Credit that cannot be waived is available in Appendix L.

⁴⁰ <https://broadbandusa.ntia.doc.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>



2.16 Certification of Compliance with BEAD Requirements

(Requirement 19)

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

- Yes, the CBO certifies that it intends to comply with all applicable requirements of the program, including the reporting requirements.

2.16.2: Describe subgrantee accountability procedures, including how the Eligible Entity will, at a minimum, employ the following practices outlined on page 51 of the BEAD NOFO: a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize); b. The inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee; c. Timely subgrantee reporting mandates; and d. Robust subgrantee monitoring practices.

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);

The CBO's grant agreement contains clauses that include accountability procedures including, but not limited to:

- 1) Distribution of funding to subgrantees only on a cost reimbursement basis for pre-authorized phases of the project. The CBO will authorize spending on phases of a project as sufficient progress is made to authorize additional work



as evidenced by progress reporting and on-site monitoring. Only cost-based expenses for pre-authorized phases will be reimbursed, which allows the state to reserve funds in the event of non-performance by a subgrantee.

B. The inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;

CBO's grant agreement template includes clawback provisions including, but not limited to the following list of remedies:

- 2) Termination for Breach, including withholding and/or recapture of project funds,
- 3) Suspension of Performance,
- 4) Withholding of Payment,
- 5) Denial of Payment,
- 6) and, explicitly, Recoupment of Grant Funds

C. Timely subgrantee reporting mandates.

The CBO's grant agreement includes a requirement of quarterly financial and progress reporting. As a key subgrantee requirement, adhering to quarterly financial and progress reporting is essential. Subgrantees must submit these reports regularly, following the CBO's schedule, with noncompliance impacting requests processing.

Quarterly financial reports should detail project finances, including transactions and budget status, ensuring financial transparency and compliance. Progress reports must track project milestones, challenges and objectives. Integrating this requirement into the grant agreement enforces diligence in reporting, fostering transparency and accountability for successful project outcomes.



D. Robust subgrantee monitoring practices.

The CBO's grant agreement includes requirements to allow for subgrantee monitoring, including on-site visits. To ensure effective oversight and project execution, the CBO's grant agreement incorporates robust provisions for subgrantee monitoring, which encompasses the possibility of on-site visits.

Subgrantee monitoring is a critical aspect of the agreement, permitting the CBO to assess project progress, compliance with regulatory standards, and the appropriate utilization of grant funds. The CBO will conduct on-site visits, giving them firsthand insights into the project's status, challenges and overall performance.

These measures promote transparency, accountability and the delivery of high-quality services to the community. Subgrantees should be prepared to facilitate these visits, as they are essential to maintaining program integrity and ensuring the successful implementation of their projects. The CBO will conduct the following compliance activities:

- **On-Site Inspections:** To validate and document project advancement, the CBO will perform regular on-site inspections on a quarterly basis.
- **Remote Assessments:** The CBO will undertake remote evaluations of the project during the alternating quarters.
- **Internal Compliance Audits:** The CBO will carry out internal compliance audits to confirm subgrantee adherence to 2 CFR (Code of Federal Regulations) 200 standards, internal controls, proper fiscal management procedures and the ongoing project management plan.⁴¹

⁴¹ 2 CFR (Code of Federal Regulations) 200 standard:

<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>



- **Concluding Financial Review:** After the project's conclusion, the CBO will execute a final financial review to ensure that the project's finances are in order.

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

- Yes, the CBO will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

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

- Yes, the CBO certifies that it will ensure subgrantee compliance with the following cybersecurity and supply chain risk management requirements are met.

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 will provide a subgrantee's plan to NTIA upon NTIA's request.



2.17 Volume II Public Comment

2.17.1: Describe the public comment period and provide a high-level summary of the comments received during the Volume II public comment period and how they were addressed by the Eligible Entity. The response must demonstrate: a. The public comment period was no less than 30 days; and b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

The CBO provided a public comment period of thirty (30) days on the Initial Proposal Volume 2. The CBO also conducted webinars to encourage feedback on the Initial Proposal Volume 2. In addition, the CBO also discussed the Initial Proposal Volume 2 with the Advance Colorado Consult Group and at the Industry and Community Roundtables during regularly scheduled meetings. Lastly, the CBO made constituents aware of the public comment period via social media, the CBO newsletter and the CBO website.

Public comments were submitted to the following contacts:

Website: [Advance Colorado Broadband-BEAD](#)

Email: Advance_CBO@state.co.us

Phone: 303.764.7700

The Colorado Broadband Office works remotely and prefers that applicants and stakeholders use electronic and virtual communication platforms to submit public comments or ask questions.

Based on the public comments, the CBO revised the draft Initial Proposal Vol 2. Some of the revisions included the following:



- Base the assessment of low cost broadband plans on the FCC Urban Rate Survey (URS), which accounts for inflation, cost of services, etc. This also raised the rate thresholds in the scoring, as requested by several commenters.
- Clarify the low cost broadband plans must be offered only for the Federal Interest Period.
- Updated the Letter of Credit section to allow for alternative methods of assuring performance and availability of funds. Updates adopted recent [NTIA Guidance](#) for such alternative methods.
- Added specific metrics on quality broadband job creation in the workforce.
- For transparency, the CBO will disclose the names of grant subrecipients and amounts awarded.
- Clarified how points are awarded for tribal and local consultation.
- Corrections to the scoring rubric matrix for speed to deployment timelines (and associated spreadsheet).
- The CBO will publish a list of project areas (PAMs) that received no applications.
- Clarify intent around \$20M application limit (e.g., it is for review and administrative purposes), and the option for applicants to make multiple applications.
- Simplified the scoring matrix in Requirement 8.

Additional information will be provided in the Advance-BEAD Guidance document, FAQs, seminars, and other educational outreach efforts.



2.17.2: 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 appendix supplemental materials submitted here are for reference only.

Appendices

Appendix A: [BEAD Notice of Funding Opportunity \(NOFO\)](#)

Appendix B: [List of Stakeholders](#)

Appendix C: [Local Coordination Tracker Tool](#)

Appendix D: [Colorado Broadband Roadmap](#)

Appendix E: [CBO BEAD Five-Year Action Plan](#)

Appendix F: CBO Tribal Consultation Documentation

- [Southern Ute Indian Tribe Consultation Invite](#)
- [Southern Ute Indian Tribe Agenda](#)
- [Southern Ute Indian Tribe Consultation Summary](#)
- [Ute Mountain Ute Tribe Consultation Invite](#)
- [Ute Mountain Ute Tribe Agenda](#)
- [Ute Mountain Ute Tribe Consultation Summary](#)

Appendix G: [NTIA/CBO Scoring Rubric Matrix Summary](#)

Appendix H: [Example Advance-BEAD Pre-Qualification Questions](#)



Appendix I: [CBO Workforce Plan](#)

Appendix J: [Colorado WIOA State Plan](#)

Appendix K: [2018-2023 Colorado Enhanced State Hazard Mitigation Plan](#)

Appendix L: [NTIA Template for Eligible Entity Regulatory Approach](#)