

Texas Broadband Equity, Access and Deployment Program

Application and Resource Guide

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Texas Comptroller

of Public Accounts

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Glossary

Item	Abbrev- iation	Definition
Alternative Technology Projects	-	Projects that use broadband access technology that terminates at the end user's location or premises and does not qualify as Reliable Broadband Service but meets the BEAD Program's minimum technical requirements of speeds of not less than 100 Mbps for downloads and 20 Mbps for uploads and latency less than or equal to 100 milliseconds. This may include, but is not limited to, unlicensed fixed wireless (ULFW) and low earth orbit (LEO) satellite service.
Application challenge period	-	A period of at least thirty days beginning on the first day after an application is posted on the office's website as required under 34 TAC §16.36(d).
Broadband Development Office	BDO or Office	The Broadband Development Office created under Texas Government Code, §490I.0102.
Broadband service	-	Internet service that delivers transmission speeds capable of providing a minimum download of 100 Mbps or faster; and an upload speed of 20 Mbps or faster as established under Texas Government Code, §490I.0101.
Broadband Equity, Access, and Deployment Program	BEAD	The Broadband Equity, Access, and Deployment Program, authorized by the Infrastructure Investment and Jobs Act of 2021, Division F, Title I, Section 60102, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (Infrastructure Act or Act), also known as the Bipartisan Infrastructure Law.
BEAD Notice of Funding Opportunity	BEAD NOFO	Notice of Funding Opportunity for the Broadband Equity, Access, and Deployment (BEAD) Program posted by the National Telecommunications and Information Administration (NTIA) in May 2022 to describe the requirements for the program.
Broadband Serviceable Location	BSL or Location	A business or residential location in the project area at which mass-market fixed broadband Internet access service is, or can be, installed. Residential BSLs include all residential structures, including structures that are (or contain) housing units or group quarters (as those terms are defined by the United States Census Bureau). Business BSLs include all non-residential (business, government, non-profit, etc.) structures

		that are on property without residential locations and that would be expected to demand mass-market, non-enterprisegrade Internet access service. Each BSL is assigned a unique FCC-issued Location ID.
Commercial Broadband Provider	-	A broadband service provider engaged in business intended for profit, a telephone cooperative, an electric cooperative or an electric utility that offers broadband service or middle-mile broadband service for a fare, fee, rate, charge or other consideration.
Community Anchor Institution	CAI	An entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization that facilitates greater use of broadband service by the general public.
Eligible Entity	-	Any State of the United States, the District of Columbia, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands or, in the case of an application failure, a political subdivision or consortium of political subdivisions that is serving as a Substitute Entity. BDO serves as the Eligible Entity for the administration of the Texas BEAD Program.
Eligible subscriber	-	See section I.C.j of the <u>BEAD NOFO</u> for details.
Extremely High Cost Per Location Threshold	EHCPLT	BEAD subsidy cost per location above which the BDO may decline to select a reliable technology project and select a proposal using an alternative technology that meets BEAD's technical requirements and is less expensive. The EHCPLT will be decided after all applications have been received and reviewed, thus the EHCPLT will not be disclosed until award decisions are made. A separate threshold may be determined for each economic region to take into account the unique barriers that impact infrastructure builds in each region.
High-cost area	-	Unserved area determined 'high-cost' by the NTIA. Additional details can be found on the NTIA website .
Texas BEAD Notice of Funding Availability	NOFA	The document released by the Texas BDO to solicit competitive applications from qualified applicants for the Texas BEAD program.

Priority Broadband Project	-	A project that will provision service via end-to-end fiber-optic facilities to each end-user premise.
Project	-	An undertaking by a Subgrantee to construct and deploy infrastructure for the provision of broadband service. A "project" may constitute a single unserved or underserved BSL, or a grouping of BSLs in which not less than 80 percent of BSLs served by the project are unserved locations or underserved locations.
Provisional subgrantee	-	An Applicant who has provisionally been awarded grant funds under this NOFA. NTIA must approve provisional subgrantees before they are awarded to become "Subgrantees".
Reliable Broadband Service	-	Fiber, cable, DSL, licensed or hybrid fixed wireless technologies.
Request for Information	RFI	A Request for Information is a formal document used to collect additional information about specifications of a service
Subgrantee	-	An Applicant who has been awarded grant funds under this NOFA and has subsequently entered into a grant agreement with the office.
Texas IPV1		Texas' Initial Proposal Volume I which outlines the BDO's existing broadband funding, provides lists of unserved and underserved locations and CAIs, and describes the design of the challenge process, amended in September 2024.
Texas IPV2	-	Texas' Initial Proposal Volume II which outlines the BDO's plans, goals and requirements for the Texas BEAD Program, as of November 19, 2024.
Unserved BSL	-	A BSL that the Broadband DATA Maps show as (a) having no access to broadband service, or (b) lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 25 Mbps for downloads; and (ii) a speed of not less than 3 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.
Underserved BSL	-	A BSL that is (a) not an unserved location, and (b) that the Broadband DATA Maps show as lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.

Unserved Project Area	-	Project area where at least 80 percent of BSLs to be served by the project are defined as "unserved." To ensure compliance with the BEAD NOFO, these areas are prioritized through the deconfliction process.
Underserved Project Area	-	Project area where at least 80 percent of the BSLs to be served by the project are defined as "unserved" or "underserved". To ensure compliance with the BEAD NOFO, these areas will be prioritized once the BDO certifies that it will ensure coverage of all unserved BSLs within the state.

Introduction

The purpose of this document is to provide applicants with full guidance for the materials required as part of the grant application for the Texas Broadband, Equity, Access, and Deployment (BEAD) program. This guide is intended to assist users in preparing a compliant application that meets all Federal and State requirements and is supplementary to the questions being asked of applicants on the application portal.

For further details on the Texas BEAD program, please refer to the <u>Notice of Funding</u> <u>Opportunity (NOFO)</u> associated with the National Telecommunications and Information Administration's (NTIA) BEAD grant program and the <u>Texas BEAD Initial Proposal, Volume II</u> (IPV2).

Questions related to the policy or procedural items should be directed to broadband@cpa.texas.gov. Questions related to technical assistance issues should be directed to TXhelpdesk@ready.net.

Additional information and resources can be found on the Texas Broadband Development Office (BDO) <u>website</u>.

Program Overview

The NTIA allocated Texas \$3.31 billion to connect all unserved (those without any broadband service at all or with broadband service offering speeds below 25 megabits per second (Mbps) download/3 Mbps upload) and underserved (those without broadband service offering speeds of 100 Mbps download/20 Mbps upload) locations to broadband over the next 5 years as part of the BEAD program under the Infrastructure Investment and Jobs Act (IIJA). The program seeks to support infrastructure deployment, mapping, and adoption, including planning and capacity building.

Texas' BEAD Program has three primary goals:

1. Achieve universal broadband access and quality of service, providing all Texans the opportunity to participate in the digital economy.

- Augment deployment projects by increasing broadband subscribership through affordability and adoption strategies, especially within covered populations and historically marginalized communities, that help enhance business model viability.
- 3. Design, build and run an efficient, compliant and competitive grant program.

The Texas BDO is facilitating a selection process to award broadband deployment funding to subgrantees in support of these goals.

Subgrantee Selection Process Overview

As outlined in the <u>IPV2</u> Section 2.4.1, the BDO will conduct the subgrantee selection process across the following phases:

Pre-registration

From **Mar. 17 to May 14**, prospective applicants may submit qualification and certification materials (Application Forms 1 and 2) via the <u>Texas BEAD application portal</u> and may receive one round of feedback and curing from the BDO if submitted by **Apr. 4**.

NOFA release and PAU finalization

The BDO will release the official Notice of Funding Availability (NOFA) for the Texas BEAD Program. The BDO has also released a <u>Request for Information</u> (RFI), where prospective applicants can submit input regarding Project Area Units (PAUs). The BDO will release the final list of PAUs on the <u>Texas BDO website</u> before the subgrantee application opens.

Round One

In Round One, applicants are required to complete and submit Forms 1, 2 and 3 via the <u>Texas</u> <u>BEAD application portal</u>. As part of their application, applicants will be invited to apply for any combination of contiguous PAUs as well as complete and submit a severability matrix.

Round Two

Round Two applications must meet the same gating criteria in Round One and include locations not covered in Round One, either as an extension of a Round One project or a new project.

Deconfliction

Deconfliction determines which applications will be awarded funding when there are two or more applications with overlapping project areas.

Projects will be divided into four candidate pools as outlined in the IPV2. Deconfliction occurs in three steps for each candidate pool, starting with the first candidate pool. Applications in successive candidate pools will be considered and awarded. For all remaining applications, the BDO plans to calculate the Minimal BEAD Outlay per Location score and the Unique PAU bonus to determine the updated rubric score. See Section 2.4 of the IPV2 for details on the four candidate pools.

The BDO plans to repeat this deconfliction process for each successive candidate pool until there are no more applications remaining.

Non-Proposed Locations

If, after both rounds, there are BEAD eligible Broadband Serviceable Locations (BSLs) with no applications, the BDO may initiate the special process for identifying any non-proposed BSLs, prioritizing unserved BSLs.

Application Overview

Overview of Application Components

The subgrantee application is comprised of three primary sections, or forms:

- Form 1 (Applicant Registration Information) primarily covers administrative details (e.g., entity IDs, contact information).
- Form 2 (Applicant Qualifications and Certifications) includes information to validate each applicant's financial, operational, and managerial capabilities, as well as certifications for meeting requirements for legal compliance, other public funding, and ownership. Applicants must also meet additional Texas state and <u>BEAD NOFO</u> requirements. This form is the gating criteria to ensure applicants fulfill all eligibility requirements.
- Form 3 (Project-Specific Information) requires details on each project, including a project narrative, budget details, project milestones, intended service area, and funding requested.

Forms 1 and 2 are completed once per applicant (including an entity applying on behalf of a consortium) and are available for pre-registration from Mar. 17 – Apr. 4 to receive curing or feedback from the BDO. Form 3 must be submitted for each project – i.e., an applicant may submit multiple Form 3s for one submission of Forms 1 and 2.

This document includes application guidance for Forms 1 and 2. Application guidance for Form 3 will be made available prior to the NOFA release.

Program Eligibility

Applicants must demonstrate they have the financial, managerial, and operational capability to complete the project, as well as certifying they will meet requirements regarding ownership, legal compliance, and other public funding.

Consortiums

Two or more entities may choose to apply for a BEAD-funded project as part of a consortium. As part of the application process, applicants will be required to submit the underlying consortium agreement between the parties and details on the organizational structure, roles and obligations within the consortium. If an entity applies for Texas BEAD funding as part of a consortium, the same entity may not apply for funding as an individual entity simultaneously for the same project area or any of the same locations in order to maintain fair and open

competition. Only one entity within the consortium should submit an application on behalf of the entire consortium.

Application Portal

The <u>Texas BEAD application portal</u> will facilitate the submission, intake and initial processing of all applications. Login credentials are required and are the same as credentials used in the challenge process, if applicable. Applicants who did not participate in the challenge process must register for portal access.

If you encounter issues in accessing the portal or logging in, please reach out to TXhelpdesk@ready.net.

Confidentiality

The BDO will work with applicants and awardees to protect proprietary information; many questions within the Application Portal will provide the applicant the option to mark the information as "proprietary and confidential." Responses marked as confidential will be reviewed for protection consistent with applicable state and federal law, including but not limited to Texas Government Code Chapter 552 as well as guidelines set forth in the BEAD NOFO. Applicants can refer to Texas Government Code Chapter 552 for additional details on the definition of public information.

Scoring Criteria

Applicants will be scored across key criteria that rewards Minimal BEAD Outlay per location, best-of-class affordability plans and long-term financial viability of proposed projects. See details on scoring criteria in Section 2.4.2.1 of the Texas IPV2 and the Scoring Rubric.

Application Form Guide

The following section contains a guide to the application forms, including the list of questions and additional context for select questions.

Form 1: Applicant Information

This form collects administrative details and will be completed once per applicant (applicant may include an entity applying on behalf of a consortium).

0. Applicant ID

Answer format: no action required

Additional guidance: The ID is generated once applicant is assigned a login, and prepopulated; ID format BEAD-TX-4 digits.

1. Applicant name (registered name associated with the applicant's Unique Entity Identifier (UEI) record in SAM.gov)

Answer format: short answer

Additional guidance: State the legal name of the entity submitting the application as it appears on the organization's Unique Entity Identifier and all company documents, including any fillings with the FCC or the IRS. If the organization is applying on behalf of a consortium, state the name of the entity that is applying.

2. Applicant Doing Business As (DBA) name

Answer format: short answer – optional

Additional guidance: If your organization operates under a different name than its legal name, please provide the Doing Business As (DBA) name here. The DBA name is the name that your organization is commonly known by in the community, and it may be used for marketing, branding, or operational purposes. If your organization does not have a DBA name, please leave this field blank.

3. Applicant Website

Answer format: short answer - optional

Additional guidance: If your organization has a website, state the URL to the relevant website. If your organization does not have a website, leave blank.

4. Type of Entity

Answer format: single select option

Answer options: (a) Private/For-Profit Company or Organization (b) Public or Private Utility (c) Cooperative (d) Local Government (e) Non-Profit Organization (f) Tribal Organization (g) Other (please state)

Additional guidance: For organizations not applying as part of the consortium, indicate your organization type.

5. Applicant's Address Line 1

Answer format: short answer

Additional guidance: State your organization's mailing address (street number and name).

6. Applicant's Address Line 2

Answer format: short answer

Additional guidance: State your organization's mailing address (apartment or unit and its

number).

7. City

Answer format: short answer

Additional guidance: State the city of your organization's mailing address.

8. State

Answer format: single select option

Additional guidance: State the state of your organization's mailing address.

9. ZIP Code

Answer format: numerical (5 digits; ZIP code format)

Additional guidance: State the zip code of your organization's mailing address.

FCC Provider ID (Applicant's assigned FCC ID used for the Broadband Data Collection (BDC))

Answer format: single select option (FCC list; filter by state)

Additional guidance: If the organization is a provider, state the FCC Provider ID that applies to the applicant. First, select the State in which the entity is registered, then select the Provider ID. If the organization is not a provider, then select not applicable.

A Provider ID is an identifier assigned by the FCC to every service provider that completes a <u>biannual BDC filing</u>. Provider IDs for entities that are new to the BDC will be available on the Provider List when their data are first published on the National Broadband Map, and not before. The Provider List—available on the <u>Data Downloads tab</u> of the National Broadband Map or through the <u>BDC Help Center</u>—includes the Provider ID and FRN for each filing entity.

11. FCC Registration Number (FRN)

Answer format: numerical (10 digits)

Additional guidance: State your organization's 10-digit FCC Registration Number (FRN). View or recover your FRN by logging into the FCC's Commission Registration System (CORES) on the FCC website.

12. IRS Employee Identification Number (EIN)

Answer format: numerical (9 digits)

Additional guidance: State your organization's 9-digit IRS Employee Identification Number (EIN) in the format XX-XXXXXXX. Locate your EIN by checking your IRS confirmation letter, previous tax returns, or by contacting the IRS directly.

13. Unique Entity Identifier (UEI) (Applicant's assigned SAM.gov legal identifier)

Answer format: short answer

Additional guidance: State your organization's 12-digit Unique Entity Identifier (UEI). Retrieve your UEI by logging into the System for Award Management (SAM) website.

Entities doing business with the federal government must have an active registration in <u>SAM.gov</u>. Please note that your application will not be accepted unless you have an active SAM.gov registration and, if awarded, no funding can be reimbursed in the future unless the SAM.gov registration is active. If your company does not already have a UEI, please obtain one by visiting <u>SAM.gov</u> and registering.

14. UEI Expiration Date (SAM.gov registration expiration date)

Answer format: date

Additional guidance: Provide the expiration date of your organization's Unique Entity Identifier (UEI) in the format MM/DD/YYYY. A SAM.gov registration is valid for 1 year after the registration submission date. You can view your entity's registration activation and expiration dates through the <u>SAM.gov website</u>. Applicants are required to have an active SAM.gov registration and UEI registration may need to be renewed throughout the application process.

15. Federal Taxpayer Identification Number (TIN)

Answer format: numerical (9 digits)

Additional guidance: Provide your organization's Taxpayer Identification Number (TIN). This number is used by the Internal Revenue Service (IRS) for tax reporting and identification purposes.

16. Texas Identification Number (Texas Comptroller's Taxpayer Number)

Answer format: numerical (11 digits)

Additional guidance: Provide your organization's 11-digit Texas Identification Number (TxIN). This number is issued by the Texas CPA and is used for tax and business identification purposes.

If your organization does not have a Texas Identification number, you must submit a completed <u>Application for Texas Identification Number</u> along with the name of your organization to the BDO vie email to <u>broadband@cpa.texas.gov</u>.

17. Texas Centralized Master Bidders List (CMBL) ID

Answer format: numerical (13 digits) – optional

Additional guidance: State your organization's 13-digit Centralized Master Bidders List ID (CMBL). Find your Centralized Master Bidders List (CMBL) registration information by logging into the Texas Comptroller of Public Accounts website and accessing your vendor profile. If your organization does not currently have a CMBL, you can either apply for a CMBL or obtain a CMBL prior to entering a grant agreement with the Texas BDO. Leave this field blank if your organization does not currently have a CMBL.

More information on obtaining a CMBL can be found on the CPA's website.

18. Primary Contact Name

Answer format: short answer

Additional guidance: Input the first and last name of the person primarily responsible for completing the application. Confirmation of receipt of this form, as well as any subsequent communication from the BDO, will be sent to the primary contact identified in this form.

19. Primary Contact Email

Answer format: short answer

Additional guidance: The BDO will primarily communicate via email. Please ensure that the contact information is reachable. For the email address, please ensure that any email from the @cpa.texas.gov domain does not automatically move to spam in your inbox.

20. Primary Contact Number

Answer format: numerical (9 digits)

Additional guidance: Provide the phone number at which the BDO can most readily reach the primary contact. Please use the form (###) ###-####.

21. Primary Contact Title

Answer format: short answer

Additional guidance: State the official position/title/role of the primary contact within the entity. If applying as part of a collective or consortium, then state (1) the role of the primary contact within the entity and (2) the role of the primary contact within the collective or consortium.

22. Secondary Contact Name

Answer format: short answer

Additional guidance: Input the first and last name of a secondary contact from your organization. Communication from the BDO will be sent to the secondary contact only if the primary contact cannot be contacted.

23. Secondary Contact Email

Answer format: short answer

Additional guidance: Please ensure that the contact information is reachable. For the email address, please ensure that any email from the @cpa.texas.gov domain does not automatically move to spam in your inbox.

24. Secondary Contact Number

Answer format: numerical (9 digits)

Additional guidance: Provide the phone number at which the BDO can most readily reach

the secondary contact. Please use the form (###) ###-####.

25. Secondary Contact Title

Answer format: short answer

Additional guidance: State the official position/title/role of the secondary contact within the entity. If applying as part of a collective or consortium, then state (1) the role of the secondary contact within the entity and (2) the role of the secondary contact within the collective or consortium.

Form 2: Applicant Registration Information

This form collects information to validate each organization's financial, operational and managerial capabilities, as well as certifications for meeting requirements for legal compliance, other public funding and ownership.

This form must be completed once per organization (applicant may include an entity applying on behalf of a consortium). This information will not be scored or evaluated by the BDO but will be used as gating criteria to ensure that applicants fulfill eligibility requirements outlined in the Texas IPV2, Texas State Law and the BEAD NOFO.

Responses marked as confidential below will be reviewed for protection consistent with applicable state and federal law, including but not limited to Texas Government Code, Chapter 552 as well as guidelines set forth in the BEAD NOFO.

A: Administrative details

0. Applicant ID

Answer format: no action required

Additional guidance: The ID is generated once applicant is assigned a login, and prepopulated; ID format BEAD-TX-4 digits.

1. Consortium or partnership: Is your organization applying as the lead for a consortium or partnership?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: If you are applying as part of a consortium or partnership, please select Yes. Two or more entities may choose to apply for a BEAD-funded project as part of a

collective. A collective may include a consortium, a public/private partnership, or other collective). Only one entity (lead of the collective) within the collective should submit an application on behalf of the entire collective.

Note that if you answer yes to this question, all responses provided as part of this application will be understood to reflect responses from the consortium or partnership. Only the lead organization of the consortium or partnership should submit the application form.

1a. Consortium or partnership name: State the legal name of the consortium or partnership.

Answer format: short answer

Additional guidance: State the legal name of the consortium or partnership applying as it appears on all company documents, including any fillings with the FCC or the IRS.

1b. Consortium or partnership members: List all participants, partners or members and indicate the entity type for each organization listed

Answer format: short answer, with drop down

Answer options: (a) Private/For-Profit Company or Organization (b) Public or Private Utility (c) Cooperative (d) Local Government (e) Non-Profit Organization (f) Tribal Organization (g) Other (please state)

Additional guidance: If answered Yes to question 1, list all entities involved in the consortium or partnership. List the entity name, then select the corresponding entity type. For organizations applying as the lead entity for a collective, indicate entity types, Legal Entity Names, DBA, and EIN of all members of the collective. Within the answer field start a new line for each unique entity. Ensure that each entity's type is selected from one of the options below:

- a) Private/For-Profit Company or Organization
- b) Public or Private Utility
- c) Cooperative
- d) Local Government
- e) Non-Profit Organization
- f) Tribal Organization
- g) Other (please state)
- **1c. Consortium or partnership structure:** Describe the organizational structure of the consortium or partnership, including roles and responsibilities of each member entity.

Answer format: narrative (character limit: 6,000)

Additional guidance: If answered yes to question 1, include information on the consortium or partnership, describing its structure and arrangement. Ensure the description clearly indicates the relationships and structure within the consortium, including reporting structures, authority, roles and responsibilities of each entity within the collective.

2. Ownership information: Provide ownership information for the organization consistent with the requirements set forth in 47 CFR part 1.2112(a)(1)-(7) that mandates the full disclosure of direct and indirect ownership interests, including details of any parties with a 10% or

more stake, the nature of the interest, and the inter-relationships with any FCC-regulated entities. If you are applying as a consortium or partnership, provide information for each organization.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: If you are a consortium, please upload a narrative that includes details for each participant in the consortium. Requirements set forth in 47 CFR § 1.2112(a)(1)-(7):

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

B: Managerial capability

3. Identification of key personnel: Identify all key personnel for the proposed team and detail their experience. You must include the resumes of all management, supervisory and key personnel that will be involved in performing the services and completing the proposed

project. Ensure the provided résumés demonstrate relevant experience with broadband projects. Please upload up to five (5) one-page résumés.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: Key personnel résumés should include one or more individuals who are expected to be key points of contact during the construction phase, with visibility to the general progress of project activities (e.g., chief technology officer, lead engineer, chief financial officer). Each resume should demonstrate relevant experience with broadband projects and highlight the individual's experience, skills, and qualifications pertinent to the project.

4. Organizational chart: Upload an up-to-date organizational chart detailing the position, reporting structures and authority of the key personnel whose résumés are provided.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: Ensure the chart clearly shows the relationships and structure within the organization for all positions relevant to this project, including reporting structures and authority of the key personnel whose résumés are provided. Names and titles should be clearly identified for all positions.

5. Evidence of managerial capacity: Describe the organization's qualifications to manage the proposed project through the initial deployment phase and the subsequent four years of operation, as required by the program, including: readiness to manage a broadband services network; experience undertaking projects of similar size and scope; recent and upcoming organizational changes, including mergers and acquisitions.

Answer format: narrative (character limit: 10,000)

Additional guidance: Provide a narrative of managerial readiness to manage a broadband services network including broadband infrastructure or network management experience. The BDO will only award applicants who have sufficiently demonstrated that they have the managerial and operational qualifications to complete the proposed project within the proposed timeline, up to a maximum of four years.

6. Managerially qualified: I certify that my organization has the managerial capability to successfully complete and operate all proposed BEAD-funded project my organization applies for.

Answer format: checkbox

Additional guidance: The BDO requires evidence of managerial capability to award applicants. Please check the box to certify your organization meets the required managerial capability, which is further described in the IPV2. The BDO will consider responses to the preceding questions as evidence of managerial readiness.

C: Operational capability

7. Minimum of 2 years in business: I certify that my organization has provided voice, broadband internet access service or electric transmission or distribution service for at least two (2) consecutive years prior to the date of this application or is a wholly owned subsidiary of such an entity.

Answer format: single select option

Answer options: (a) Yes (b) No

7a. Total number of years in business: State the number of years that your organization has provided voice, broadband internet access service or electric transmission or distribution service.

Answer format: numerical

Additional guidance: If answered yes to question 7, please state the total number of years in business. The BDO will consider the number of years in business providing broadband service in combination with the number of network infrastructure projects completed in and outside Texas to determine whether the applicant has demonstrated adequate operational capacity to carry out the proposed plans.

8. Number of Texas subscribers served in preceding five years: State the average total number of annual subscribers within Texas your organization provided broadband internet access of at least 25/3 Mbps in the preceding five years.

Answer format: numerical

Additional guidance: Calculate the average total number of annual subscribers as the sum of annual subscribers within Texas for each year (2020 through 2024) divided by five. The BDO will consider the number of annual subscribers served by the applicant (among other evidence) to determine whether the applicant has demonstrated adequate operational capacity to carry out the proposed plans.

9. Number of non-Texas subscribers served in preceding five years: State the average total number of annual subscribers outside Texas your organization provided broadband internet access of at least 25/3 Mbps in the preceding five years.

Answer format: numerical

Additional guidance: Calculate the average total number of annual subscribers as the sum of annual subscribers outside Texas for each year (2020 through 2024) divided by five (5). The BDO will consider the number of annual subscribers served by the applicant (among other evidence) to determine whether the applicant has demonstrated adequate operational capacity to carry out the proposed plans.

10. Certification on reporting capacity: I certify that my organization has the processes and resources to regularly report progress to the Texas BDO in alignment with the monitoring requirements detailed in the drafted subgrantee agreement.

Answer format: checkbox

Additional guidance: The BDO requires prospective subgrantees to demonstrate their ability to comply with reporting requirements. See Section 2.16 of Texas IPV2 for details.

D: Financial capability

11. Sufficient funding: In the event disbursements of awarded funds await authorization, I certify that my organization has and will continue to have sufficient financial capacity and resources to cover all required, eligible costs for the project until the Texas BDO authorizes additional disbursements.

Answer format: checkbox

Additional guidance: If your organization is confirmed to be financially qualified, the BDO may cross-check the self-certifications of the applicant to confirm that the organization has available funds needed for the private capital match, along with some reasonable buffer to cover the project's working capital needs in advance of reimbursement. The BDO plans to disburse BEAD grant funds to subgrantees on a fixed amount subaward basis, using milestone-based payments (see Section IV.C.1.b of the BEAD NOFO regarding BEAD reimbursement procedures). Further details will be made available as part of the Texas BEAD NOFA.

12. Certification of LOC compliance: I certify that my organization will comply with the Letter of Credit (LOC) requirements as specified in Texas' approved IPV2 for each awarded project, which includes an option to use credit unions, an option to use performance bonds and an option for alternative initial LOC or performance bond percentage.

Answer format: checkbox

Additional guidance: As required by NTIA guidance, the BDO requires applicants to certify that they will provide an LOC. The BDO will adopt the model letter of credit referenced in the <u>BEAD NOFO</u>, Section IV.D.2.a.ii. Letters of credit must be provided in the required form, acceptable in all respects to the BDO, in a value of no less than 25 percent of the subaward amount, and consistent with all federal requirements (unless a waiver has been granted). In addition, a subgrantee must provide the BDO an opinion letter from legal counsel stating that in a proceeding under the Bankruptcy Code the bankruptcy court would not treat the letter of credit as property of the winning subgrantee's bankruptcy estate, as required by federal guidance.

The BDO will accept exceptions to the LOC requirement in accordance with the <u>NTIA Letter</u> of <u>Credit Waiver</u>.

The BDO will make use of a conditional programmatic waiver of the letter of credit obligation in the interests of mitigating the administrative and financial burden of participation in the BEAD Program by broadband providers, while at the same time still securing financial protection of grant funds against risks of default.

Please reference Section 2.4.11 of the IPV2 for further details on LOC waiver options.

13. CPA Tax reporting: Do you certify that your organization and all materially participating partners are current on all tax and reporting requirements with the State of Texas?

Answer format: single select option

Answer options: (a) Yes (b) No

Additional guidance: The BDO requires prospective subgrantees to certify that they and all materially participating partners are current on all tax and reporting requirements with the Texas CPA. Verify your compliance status by checking your records with the CPA's office or using the CPA's online services to ensure all filings and payments are up to date.

13a. CPA Tax reporting delinquencies: Please explain and describe the delinquencies and any plans to address them.

Answer format: narrative (5000 characters)

Additional guidance: If answered No to 13, provide information on any CPA Tax reporting delinquencies, including details such as date of occurrence. Describe your plan to address them and avoid any in the future.

14. Audited financial statements: Does your organization have audited financial statements available for the prior fiscal year that have been certified by an independent certified public accountant?

Answer format: single select option Answer options: (a) Yes (b) No

Answer guidance: If your organization has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, you must submit unaudited financial statements from the previous fiscal year and certify that you will provide financial statements from prior fiscal year that are audited by an independent certified public accountant upon award. Unaudited financial statements should at least include a balance sheet, income statement, statement of changes in equity, cash flow statements, etc.

If applying as a consortium, upload audited financial statements that have been certified by an independent certified public accountant for the prior fiscal year for each participant in the consortium. If any participant in the consortium has not been audited during the ordinary course of business, the participant must submit unaudited financial statements from the prior fiscal year and certify that applicant will provide financial statements from prior fiscal year that are audited by an independent certified public accountant upon award.

14a. Audited financial statements upload: Please provide your organization's audited financial statements for the prior fiscal year that have been certified by an independent certified public accountant.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: If answered Yes for question 14, upload audited financial statements that have been certified by an independent certified public accountant for the prior fiscal year.

14b. Audit history certification: Do you certify that your organization has not been audited during the ordinary course of business, and you understand that your organization must submit unaudited financial statements from the prior fiscal year that you certify to be true and correct with this application?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: If answered No for question 14, please certify your organization has not been audited and you understand you must submit unaudited financial statements.

14c. Audited financial statements certification: Do you certify that your organization will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant as soon as it is made available and no later than 60 days from a provisional notice of award, if selected for a grant award?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: If answered No for question 14, please certify your organization will provide audited financial statements from the prior fiscal year within the given time frame.

14d. Unaudited financial statements: Please provide your organization's unaudited financial statements for the prior fiscal year.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: If answered No for question 14, upload unaudited financial statements for the prior fiscal year.

15. History of bankruptcy: Has your organization (subsidiary, affiliate, holding company, etc.) or any of its partners ever filed a voluntary or involuntary petition for bankruptcy?

Answer format: single select option

Answer options: (a) Yes (b) No

Additional guidance: Select the appropriate response for your organization. Note that in instances where the LOC is not waived, the BDO plans to require subgrantees to provide an additional opinion letter from legal counsel stating that in a proceeding under Section 541 of the Bankruptcy Code, the bankruptcy court would not treat the LOC or its proceeds as property of the winning subgrantee's bankruptcy estate.

15a. Details of bankruptcy: Has the bankruptcy been closed or discharged?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: If answered yes to question 15, provide details on whether the bankruptcy has been closed or discharged.

15b. Details of bankruptcy: What date was the bankruptcy closed or discharged?

Answer format: date (MM/DD/YYYY)

Additional guidance: If answered yes to question 15, provide the date on which the bankruptcy was closed or discharged.

15c. Details of bankruptcy: Upload documentation of the final order indicating that the bankruptcy has been closed or discharged.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: If answered yes to question 15, upload documentation of the final order indicating that the bankruptcy has been closed or discharged.

E: Compliance with laws

16. Litigation and penalties history: Has your organization been the subject of a federal or state administrative investigation or a defendant in any federal or state criminal or civil litigation, or been subject to financial or other penalties, related to federal or state grant programs of any nature, within the 10 years prior to the date of the application?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: Please select the appropriate response for your organization.

16a. Details on litigation: Provide a list and the status of all pending or ongoing investigation, enforcement or litigation actions where your organization (subsidiary, affiliate, holding company, etc.) is a defendant or the subject of the action that may pose a material risk of your organization's ability to conduct the proposed work. If applicable, include within this description any pending or completed enforcement action, civil litigation or other matter in which your organization failed to comply or was alleged to have failed to comply with Broadband Data Act rules or regulations.

Answer format: narrative (character limit: 5,000)

Additional guidance: If answered Yes to question 16, include information on all types of litigation risks such as:

- Civil Litigation: Lawsuits involving private parties, including breach of contract, personal injury, or property disputes.
- Criminal Litigation: Cases where the applicant or its affiliates are accused of violating criminal laws.
- Regulatory Enforcement Actions: Actions taken by regulatory bodies for noncompliance with laws and regulations.
- Financial Penalties: Any financial penalties imposed due to non-compliance or legal disputes.
- **16b. Details on penalties:** Specify the number of times which your organization (subsidiary, affiliate, holding company, etc.) has been penalized, the types of penalties and the total amount paid for each penalty.

Answer format: narrative (character limit: 5,000)

Additional guidance: If answered yes to question 16, provide detail on the past penalties incurred.

17. Prior federal debarment: Has your organization ever been federally debarred, such that you were excluded from obtaining new federal contracts or certain subcontracts, discretionary assistance and certain funded lower-tiered transactions, leases, loans and loan guarantees or other benefits?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: <u>BEAD NOFO</u> Section V.D requires that entities receiving BEAD funds comply with the provisions of 2 C.F.R. Part 1326 (Non-procurement Debarment and Suspension), which generally prohibit entities that have been debarred, suspended, or voluntarily excluded from participating in Federal non-procurement transactions either through primary or lower tier covered transactions.

17a. Reasons for prior federal debarment: Describe the circumstances of the debarment, including the duration, the reasons for the debarment and the circumstances for the cessation of the debarment.

Answer format: narrative (character limit: 5,000)

Additional guidance: If answered yes to question 17, please provide detail on the history of federal debarment. Be sure to include the start and end dates of the debarment, a clear explanation of why the entity was debarred, a description of how the debarment ended, any corrective actions, and whether the entity if now in good standing. If available, include official documentation that confirms the resolution of any debarments.

18. Prior state debarment: Has your organization ever been debarred by the State of Texas, such that they were excluded from obtaining new state contracts and certain subcontracts, discretionary assistance and certain funded lower-tiered transactions, leases, loans and loan guarantees or other benefits?

Answer format: single select option

Answer options: (a) Yes (b) No (c) Other – Please specify

Additional guidance: An organization is not eligible to participate in the program if any of the following apply:

- Organization is on the Texas Comptroller of Public Accounts Debarred Vendors List
- Organization is "excluded" on the System of Award Management website
- Organization owes a debt to Texas or is on warrant or vendor hold
- Organization is on any of the Texas <u>Comptroller of Public Accounts Divestment Statute</u>
 Lists
- Organization has a grade below C with the <u>Texas Smart Buy Vendor Performance</u> <u>Tracking System</u>

18a. Reasons for prior state debarment: Describe the circumstances of the debarment, including the duration, the reasons for the debarment and the circumstances for the cessation of the debarment.

Answer format: narrative (character limit: 5,000)

Additional guidance: If answered yes to question 18, please provide detail on the history of state debarment. Be sure to include the start and end dates of the debarment, a clear explanation of why the entity was debarred, a description of how the debarment ended, any corrective actions, and whether the entity is now in good standing. If available, include official documentation that confirms the resolution of any debarments.

19. Certify use of skilled workforce: I certify that my organization will use an appropriately skilled and credentialed workforce as defined in Texas' approved IPV2.

Answer format: checkbox

Additional guidance: Prospective subgrantees must address steps taken to ensure the project workforce has both appropriate skills and appropriate credentials. Failure to address both may lead to disqualification per BEAD requirements.

19a. Plan for use of skilled workforce: Describe your organization's plans to use an appropriately skilled and credentialed workforce, including details on the credentials required and/or trainings to be provided.

Answer format: narrative (character limit: 20,000)

Additional guidance: Provide detail on plans to use an appropriately skilled and credentialed workforce. Steps to ensure an appropriately skilled workforce may include Registered Apprenticeships or other joint labor-management training programs that serve all workers. Steps to ensure a workforce with appropriate credentials may include relevant pre-existing occupational training, certification, and licensure.

20. Certification of compliance with Build America, Buy America (BABA) Act: I certify that my organization will comply with all Build America Buy America (BABA) Act rules and regulations, unless a waiver is granted, if selected for a Texas BEAD subgrant.

Answer format: checkbox

Additional guidance: Per the Infrastructure Act, all funds made available through the BEAD Program for broadband infrastructure must comply with the BABA Act. Please refer to Section 2.4.5 of Texas IPV2 for details on requirements of the BABA Act. Additional information on the BABA requirements and waivers can be found in the BABA section of the NTIA website: NTIA BABA Compliance and Self Certification.

21. Broadband DATA Act certification: I certify that during the previous 3 years, my organization has timely filed Federal Communication Commission's (FCC) Broadband DATA Act submissions and has otherwise complied with the FCC's rules and regulations.

Answer format: single select option

Answer options: (a) Yes (b) No (c) N/A

Additional guidance: The <u>BEAD NOFO</u> requires organizations that have provided a voice and/or broadband service to have complied with the FCC's rules and regulations, including timely Broadband DATA ACT submissions. Please select the appropriate response for your organization.

21a. Broadband DATA Act submission: Provide evidence that during the previous 3 years, your organization has timely filed Broadband DATA Act submissions and has otherwise complied with the FCC's rules and regulations.

Answer format: file upload (PDF/PNG/JPEG)

Additional guidance: In accordance with <u>BEAD NOFO</u> Section IV.C.1.e, if the prospective subgrantee has provided a voice and/or broadband service it must 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. Please upload relevant documentation as evidence of timely filing.

21b. Broadband DATA Act submission: Explain any pending or completed enforcement action, civil litigation, or other matters in which your organization failed to comply or was alleged to have failed to comply with Commission rules or regulations.

Answer format: narrative (character limit: 5,000)

Additional guidance: In accordance with <u>BEAD NOFO</u> Section IV.C.1.e, if the prospective subgrantee cannot certify timely filing of Commission Form 477s and the Broadband DATA Act submission, it should explain the requested information. Please share the relevant context for each circumstance.

F: Other BEAD NOFO requirements

22. Compliance with EHP requirements: I certify that my organization is aware of all BEAD requirements pertaining to Environmental and Historical Preservation and permitting and currently has, or will develop, a plan to meet every BEAD EHP requirement.

Answer format: checkbox

Additional guidance: Please refer to the NTIA website for materials on EHP compliance: NTIA NEPA-EHP Compliance.

23. Environmental and Historical Preservation (EHP) plans: Describe how your organization plans to comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) and incorporate the NTIA Permitting and Environmental Information Application and Permitting Needs Assessments into the planning, design and operation of its proposed BEAD funded projects. Please also discuss plans for ensuring compliance by your organization's subcontractors working on BEAD funded projects.

Answer format: narrative (character limit: 30,000)

Additional guidance: Describe how you have consulted the <u>NTIA Permitting and</u>
<u>Environmental Information Application</u> and conducted the <u>Permitting Needs Assessment</u> to

determine which permits will be needed to carry out your proposed projects. The BEAD program requires all projects containing construction and/or ground-disturbing activities to submit all required environmental documentation to NTIA prior to final selection.

24. Explanation of prior environmental violations: Describe any prior, pending or ongoing investigation, enforcement or litigation actions where your organization (subsidiary, affiliate, holding company, etc.) is a defendant or the subject of the action related to federal or state environmental or historic preservation laws and regulations. Please include any finding of violations of such rules and related financial or other types of fines and penalties or restitution ordered.

Answer format: narrative (character limit: 10,000)

Additional guidance: Disclose any prior or current violations against Environmental and Historic Preservation (EHP) requirements, including but not limited to unauthorized alterations to historic properties, failure to conduct required environmental assessments, or non-compliance with preservation laws. Please provide detail on all instances of EHP violations, including the nature of the violation, the parties involved, and the resolution of the issue.

25. Public awareness campaigns: Describe your organization's plan to conduct public awareness campaigns aimed at increasing broadband adoption across the BEAD-funded network. Campaigns must include details on the low-cost service option, federal subsidies for low-income households and be conducted in an equitable and non-discriminatory manner.

Answer format: narrative (character limit: 10,000)

Additional guidance: Campaigns must include details on the LCSO, federal subsidies for low-income households, and be conducted in an impartial and non-discriminatory manner. Please explain how you intend to notify relevant populations of the new or newly upgraded offerings available in each area. The plans should be designed in a manner that reflects any unique needs of the specific demographics, topography, and other specific details of the area at issue.

26. Certification on middle mile interconnection: I certify that my organization's middle mile Infrastructure networks funded by BEAD are designed to allow interconnection with other service providers at just, reasonable and nondiscriminatory rates.

Answer format: checkbox

Additional guidance: See Section I.2.C.o of the <u>BEAD NOFO</u> for details on "middle mile infrastructure."

27. SCRM plan: I certify that my organization either has an operational supply chain risk management (SCRM) plan that complies with the requirements outlined in the BEAD NOFO
Section IV.C.2.c.vi or will have a compliant SCRM plan ready to be operationalized upon providing service, if not yet providing service at the time of grant award.

Answer format: checkbox

Additional guidance: Prospective subgrantees are required to have a SCRM plan that is either operational or ready to be operationalized and must be submitted prior to the allocation of funds. Find more information in Section 2.16.4 of Texas IPV2.

28. Cybersecurity risk management plan: I certify that my organization either has an operational cybersecurity risk management plan that complies with the requirements outlined in the BEAD NOFO Section IV.C.2.c.vi, or will have a compliant cybersecurity risk management plan ready to be operationalized upon providing service, if the applicant is not yet providing service at the time of grant award.

Answer format: checkbox

Additional guidance: Prospective subgrantees are required to have a cybersecurity risk management plan that is either operational or ready to be operationalized and must be submitted prior to the allocation of funds. Find more information in Section 2.16.4 of Texas IPV2.

29. Civil Rights and Nondiscrimination Law Compliance: I certify that my organization complies with Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, the ADA of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and all other non-discrimination laws.

Answer format: checkbox

Additional guidance: In accordance with the BEAD NOFO, subgrantees must agree to abide by the non-discrimination requirements set forth in the listed legal authorities. See section Section IV.C.g of the <u>BEAD NOFO</u> for more information.

30. Plan for preventing waste, fraud and abuse: Describe your organization's plans for minimizing waste, fraud and abuse of Texas BEAD funds. If your organization plans to use subcontractors, describe plans to ensure that subcontractors prevent waste, fraud and abuse of Texas BEAD funds, including plans for subcontractor reporting. This description should include funds through the Texas Match Assistance Program, if applicable.

Answer format: narrative (character limit: 10,000)

Additional guidance: Please refer to NTIA FAQ for Waste, Fraud and Abuse for detail on NTIA's guidance as well as Section 2.16.2 of Texas IPV2.

G: Additional Texas state requirements

31. Customer installation timelines: Describe your organization's plan to establish reasonable, feasible timelines and procedures for customer installations, ensuring that these processes are not overly complicated, unnecessarily delayed or discriminatory based on economic or demographic factors.

Answer format: narrative (character limit: 10,000)

Additional guidance: In accordance with Section 2.F of the Texas NOFA, proposed projects must be completed no later than four years from the day that the grant agreement is fully

executed. Provide a detailed plan for customer installations, including clear and reasonable timelines to avoid unnecessary delays. Ensure that installation procedures are fair and equitable, without discrimination based on economic or demographic factors. Provide clear communication to customers regarding installation timelines and procedures to ensure transparency and customer satisfaction.

32. Plan for billing practices and customer protection: Describe your organization's plan to implement clear and transparent billing practices and customer agreements, including a responsive customer service department to provide effective complaint resolution as well as how your organization complies or will comply with relevant data protection laws and regulations and implement security measures to protect consumer data from unauthorized access or breaches.

Answer format: narrative (character limit: 10,000)

Additional guidance: The prospective subgrantee's commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area. Include details on how the applicant will ensure transparency in billing practices and protect customer rights.

33. Opt-in to receive contact for further network expansion: After each round of the application process, there may be locations without application proposals. To ensure maximum coverage, the BDO may contact organizations interested in further network expansions and invite them to apply for non-proposed locations. Please confirm that your organization is interested in the potential opportunity and willing to be contacted in the case that the BDO is looking for coverage of non-proposed areas.

Answer format: single select option

Answer options: (1) Confirmed: your organization is willing to be contacted (2) Not confirmed: your organization is not willing to be contacted -- Please explain why

Additional guidance: Please mark 'confirmed' if willing to be contacted for further network expansion opportunities.

H: Statement of agreement

34. Adherence to BEAD federal and state program requirements: Please read the following statement carefully and check the box to confirm your agreement: I certify that, if selected to win a Texas BEAD subgrant, the organization will adhere to all applicable BEAD federal and state Program requirements, including all subgrantee obligations.

Answer format: checkbox

Additional guidance: Please read the statement and confirm your understanding and agreement by checking the box.

35. Adherence to data reporting requirements: Please read the following statement carefully and check the box to confirm your agreement: I certify that, if selected to win a Texas BEAD

subgrant, the organization will adhere to all data reporting requirements as required by the Texas BDO and / or NTIA.

Answer format: checkbox

Additional guidance: Please read the statement and confirm your understanding and agreement by checking the box.

36. Statement of truthfulness: Please read the following statement carefully and check the box to confirm your agreement: I certify that all information provided in this application is true and accurate to the best of my knowledge.

Answer format: checkbox

Additional guidance: Please read the statement and confirm your understanding and agreement by checking the box.