



New Hampshire Department of Business and  
Economic Affairs (BEA)

Office of Broadband Initiatives

Broadband Equity, Access, and Deployment  
Program (BEAD)

Pre-Qualification Certification Template



## Instructions

To complete the certification requirement for the BEAD pre-qualification phase, please ensure that an authorized signer (at the officer or director level, e.g., president, Chief Executive Officer (CEO), Chief Financial Officer (CFO), treasurer, or equivalent) initials next to each individual certification and signs the final page. Once completed, upload the document and the other required pre-qualification documentation.

The authorized representative of the prospective applicant certifies that:

## Certifications

Pre-Qualification Certifications	Initials
<b>Financial Capability</b>	
<p>The prospective applicant is financially qualified to meet the obligations associated with a project, will have available funds for all project costs that exceed the amount of the grant, and will comply with all program requirements, including service milestones, as stated in New Hampshire’s Initial Proposal Volume II, section 2.4.11.</p>	
<p>The prospective applicant understands and will comply with the letter of credit or performance bond obligations and processes for the program and has the qualifications and resources to obtain the required letter of commitment and letter of credit or performance bond.</p> <p>See BEAD Letter of Credit Waiver (11/01/23, National Telecommunications and Information Administration (NTIA) Notice of Programmatic Waiver, <a href="https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver">https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver</a>).</p>	
<p>The prospective applicant acknowledges that minimal BEAD outlay includes a twenty-five (25) percent match from prospective applicants.</p>	
<b>Managerial Capability</b>	
<p>The prospective applicants’ key directors and managers have at least three years of experience operating a network.</p> <p><b>Note:</b> If the prospective applicant is a new entrant and cannot certify this, they must provide additional documentation, including resumes of key personnel, descriptions of ongoing or completed broadband projects, and narratives from contractors, subcontractors, or other partners demonstrating sufficient operational and managerial capability. These requirements are further detailed in the Pre-Qualification Guidance.</p>	



<b>Technical Capability</b>	
The prospective applicant is technically qualified to complete and operate a broadband network and can carry out BEAD funded activities in a competent manner.	
The prospective applicant has training programs, hiring and retention processes, and employee resources in place to ensure proper certifications and will employ an appropriately skilled and credentialed workforce necessary to successfully complete a BEAD funded program.	
If the prospective applicant chooses to contract resources, all contracted resources will have the relevant and necessary skills.	
<b>Compliance with Applicable Laws</b>	
The prospective applicant will have a process in place to monitor and support compliance with specific State and federal safety regulations applicable to work on BEAD program projects, including federal Occupational Safety and Health Act and related State and federal regulations.	
The prospective applicant will not engage in prohibited communications as defined in 47 C.F.R. 1.2105 starting from the date of submission of prequalification documentation until final award.	
<b>Operational Capacity</b>	
The prospective applicant is fully and properly licensed in New Hampshire to conduct funded activities and comply with all post-award activities under all applicable laws, including but not limited to registration with the Secretary of State.	
The prospective applicant has met all prerequisites and regulations established by the Federal Communications Commission (FCC), including the timely submission of FCC Form 477, adherence to Broadband Data Collection (BDC) filing requirements, and compliance with the Broadband DATA Act. Documentation of BDC compliance should include proof of timely submission to the FCC by the September 1, 2024, deadline. Acceptable evidence may include an official FCC filing confirmation or similar records verifying compliance.	



<p>The prospective applicant possesses the operational expertise, capabilities, and resources to successfully complete and operate a BEAD funded project.</p> <p>To certify, the prospective applicant must possess at least three years of experience providing broadband transmission to end users or be a wholly owned subsidiary of a parent entity that has three years of operational experience in the communications industry.</p> <p><b>Note:</b> If the prospective applicant is a new entrant and cannot certify this, they must provide additional documentation, including resumes of key personnel, descriptions of ongoing or completed broadband projects, and narratives from contractors, subcontractors, or other partners demonstrating sufficient operational and managerial capability. These requirements are further detailed in the Pre-Qualification Guidance.</p>	
<b>Fair Labor Practices</b>	
<p>The prospective applicant and any contractors and subcontractors have consistently complied with labor and employment laws over the preceding three years.</p> <p><b>Note:</b> If the prospective applicant is a new entrant without a record of labor and employment law compliance, they must be permitted to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.</p>	
<p>The prospective applicant will disclose any violations of laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or other relevant labor and employment laws by your organization or any contractors/subcontractors over the preceding three years.</p> <p><b>Note:</b> If the prospective applicant’s organization has been in existence for less than three years this certification confirms that there have been no violations of such laws committed by the organization.</p>	
<p>The prospective applicant will permit workers to create worker-led health and safety committees that management will meet with upon reasonable request and shall recertify this annually for the BEAD implementation period.</p> <p>Also, that the prospective applicant understands that every successful prospective applicant will be required to ensure that it and any subcontractors on BEAD deployment projects shall be contractually obligated to allow for the creation of worker-led health and safety committees that management shall meet with upon reasonable request.</p>	
<p>The prospective applicant and any contractors or subcontractors have existing labor and employment practices in place and commit to annual recertification for the duration of BEAD implementation.</p>	



<b>Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Areas Firms</b>	
<p>The prospective applicant is aware and will make use of New Hampshire’s resources for Minority Business Enterprises (MBEs), Women’s Business Enterprise (WBEs), and labor surplus area firms, which includes promoting the recruitment of women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible activities.</p> <p>Please see the Division of Small Business’s Office of Supplier Diversity database: (<a href="https://mm.nh.gov/files/uploads/dot/remote-docs/dbe-directory.pdf">https://mm.nh.gov/files/uploads/dot/remote-docs/dbe-directory.pdf</a>).</p>	
<b>Environmental and National Historic Preservation</b>	
<p>The prospective applicant will comply with the National Environmental Policy Act (NEPA) (42 U.S.C. part 4321 et seq.) and the National Historic Preservation Act (NHPA) (54 U.S.C. part 300101 et seq.) and will provide sufficient information to allow for NEPA analysis, such as a detailed project description, including applicable supporting documentation.</p>	
<p>The prospective applicant understands that they are responsible for identifying and obtaining applicable federal, state, and local permits (such as easements) required to complete any BEAD projects.</p>	
<p>The prospective applicant will cooperate with NTIA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed projects or other eligible activities.</p>	
<p>The prospective applicant has no history of failure to comply with environmental and historic preservation requirements.</p>	
<b>Build America, Buy America Act (BABA)</b>	
<p>The prospective applicant understands and will comply with the Build America, Buy America Act (BABA) requirements as outlined in the Department of Commerce Final Waiver dated February 2024 (<a href="#">BABA Waiver Signed.pdf</a>) and the BEAD Notice of Funding Opportunity (NOFO), including Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608)..</p> <p>(See the regularly updated “List of Equipment and Services Covered by Section 2 of The Secure Networks Act,” FCC, <a href="https://www.fcc.gov/supplychain/coveredlist">https://www.fcc.gov/supplychain/coveredlist</a>).</p>	



## Signature

I, the undersigned, am an authorized officer, director, or equivalent with the authority to obligate my organization and enter into agreements on its behalf. I hereby acknowledge that:

- The certifications and assurances I have initialed do not guarantee funding.
- A subaward agreement, which will contain terms and conditions, must be executed before project funds are awarded.
- If the information provided by my organization to BEA in the pre-qualification submission is materially false or cannot be verified, no grant funds will be awarded under this program.

I further certify that, to the best of my knowledge, information, and belief, all information in this pre-qualification form—including all certifications, assurances, information entered in the pre-qualification form, and uploaded documentation—is accurate and truthful.

Signature of Authorized Representative: \_\_\_\_\_

Printed Name of Authorized Representative: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Title of Authorized Representative: \_\_\_\_\_

Name of Organization/Entity: \_\_\_\_\_

Contact Information (email / phone): \_\_\_\_\_