Completing Access to Broadband (CAB) Program
FAQs for Prequalified Providers

1. **How do we determine if a county prioritized any areas? When we use the N.C. CAB Planning Tool to see the areas of prioritization for the county, we only see the eligible unserved and underserved locations within the county. Does this mean that the county didn't prioritize any locations?**

   Some counties chose to prioritize locations and some did not. Within the N.C. CAB Planning Tool, prioritized hexbins within a county will display once an individual county is selected in the Eligible Locations tab. These priority hexbins are outlined in teal as reflected in the legend (CAB County Prioritization Areas). See Buncombe or Granville counties for examples. Specific locations prioritized by a county can be identified through downloading the N.C. CAB Eligible Locations Table. In this data, the 'county_priority_rank' field will contain the county priority rank for each eligible Broadband Serviceable Location (BSL), with 1 being the highest priority locations, 2 being the next highest priority, and so on. Locations not prioritized by the county will be blank. If a county chose not to prioritize any eligible BSLs, this field would also be blank. The help document in the N.C. CAB Planning Tool outlines this process in more detail.

   In addition to the N.C. CAB Planning Tool, you can determine if a county is prioritizing areas by referring to Section 4 (CAB Project Areas and Eligible Locations) and Section 7 (Evaluation of Responses) of the posted Scope of Work. Section 7, paragraph III.C will state if the county is prioritizing areas.

2. **Will the ongoing County-Level protest impact the CAB Eligible Location data provided on the NC OneMap while a Scope of Work is out for bid? How do we make sure we have the most accurate and up-to-date location information?**

   Our office is working to resolve any protest we receive during the 10-day period and update the eligible locations as quickly as possible. Notifications regarding updated mapping will be posted on the website next to the corresponding Scope of Work. Please check back a few days after the protest deadline for notifications and updates. Once all protests have been resolved and the CAB Eligible location data is final on the NC OneMap, the web page at ncbroadband.gov/active-cab-proposals will state: "Protests complete. Final locations published on [date]."

3. **When the 10-day protest period closes for each County, when will participating internet service providers be notified of the final, eligible locations on the NC OneMap?**

   Our mapping team is working quickly to update the NC OneMap after the 10-day protest period. When an updated map is published as a result of a protest, notification will be placed on the ncbroadband.gov/active-cab-proposals page.

4. **Why are the protest/response deadlines for Beaufort, Caldwell, and Chatham the same as the protest/response deadlines for Haywood, McDowell, Pitt, Union, and Wake, when they were posted a day later?**

The deadline fell on the weekend, so the date was rolled into a weekday deadline.

5. **Where can I find documents 1-9 from Section 8 of the Scope of Work?**

The documents listed in Section 8 of the Scope of Work is located at ncbroadband.gov/cab-prequalified-providers. The items are listed at the bottom, under the section "Scope of Work Instructions for Prequalified Vendors."

6. **Can you provide further clarity on the eligible expenditures paragraph in Section 5 (Project Budget and Eligible Expenditures)**

"Eligible expenditures for materials incurred since March 15, 2021, may be reimbursed, subject to the respondent's submission to NCDIT of documentation sufficient to support such request for reimbursement and NCDIT's approval of such request."

Reimbursement requests are not made in the application but only if a project is awarded. The application should include a project budget as indicated in the Scope of Work. If the project is selected and work begins, reimbursement requests for eligible expenditures, within the budget indicated in proposal, may be made at that time. Materials purchased prior to the date of award, dating back to March 15, 2021, may be eligible for reimbursement. NCDIT will evaluate expenditures based on a variety of factors, including but not limited to whether they are reasonable, allowable, allocable to the specific project, sufficiently documented and validated, etc.

7. **If we purchased equipment for capital expenditures that are classified in the Scope of Work as eligible under the program and subsequently get awarded, would they be eligible for reimbursement?**

Eligible expenditures for **materials** incurred since March 15, 2021, may be reimbursed, subject to the respondent's submission to NCDIT of documentation sufficient to support such request for reimbursement and NCDIT's approval of such request. NCDIT will evaluate expenditures based on a variety of factors, including but not limited to whether they are reasonable, allowable, allocable to the specific project, sufficiently documented and validated, etc. NCDIT cannot speculate on specific expenditures at this stage in the process, nor can we provide advice on a provider's individual project. Providers must determine project budgets on their own.

8. **The CAB Project Response Form provides boxes for narrative entries for each question. Are we limited to this space, or can we upload responses in an attachment?**

Please use additional space as needed. The Enterprise Business Services (EBS) portal will allow additional uploads as well.

9. **The Key Personnel List form that's required for CAB proposals asks for an "Application #." What should we put in this location?**

Please use the Scope of Work Number listed in the top right corner of the Signature Page of the Scope of Work.

10. **Where can I find the Scope of Work ID number to use toward identifying the project I want to apply for in the Enterprise Business Services (EBS) portal?**

The Scope of Work ID number is in the first row on the signature page of the Scope of Work document. The Scope of Work Number is formatted as CABSOW****01. The asterisks represent the name of the county, e.g. CABSOWWAKE01.

11. Do total project costs include reimbursable expenses for tower construction/ installation/engineering, CPEs and installation for *eligible* and *non-eligible* Broadband Serviceable Locations (BSLs)?

Total project costs may not include costs to build to ineligible BSLs. Project costs should only include expenses related to eligible locations included within the scope of the project. Proposals may only include eligible BSLs but do not have to reach every eligible BSL in the county.

12. Section 3 (Project Cost and Match Calculations) of the Scope of Work lists a maximum total project cost. If the total project cost maximum is $2 million for a county receiving over $8 million in ARPA funds, the maximum project cost would include a maximum of $700,000 from the county, $700,000 from the state, and $600,000 from the provider. If we had a preliminary budget of $2.5 million for our proposal, our portion of the project cost would be $600,000 plus the $500,000 overrun. Is that right?

No. In a Scope of Work where the total maximum project cost is $2 million, no proposal may exceed $2 million. A proposal of $2.5 million would be ineligible because it would exceed the statutorily required percentages set out in the CAB statute. See NCGS 143b-1373.1. Under the statute, in counties that received more than $8 million in ARPA funds, a provider may not fund more than 30% of the project. With the county funding limited to $700,000, the largest project possible is $2 million. If you propose $500,000 in addition to the $600,000 provider maximum, your proposal will violate the statute.

13. Can DIT share a target timeline for awards and execution of contracts?

NCDIT is working to award as many CAB projects as possible before the end of this fiscal year (June 30).

14. When the CAB program states it will treat internet service providers as contractors per Treasury Guidance re ARPA/Part 200 ("Uniform Guidance"), does this mean that the internet service provider is exempt from cost principles and procurement practices?

Yes, pursuant to the State and Local Fiscal Recovery Funds (SLFRF) and Capital Project Funds (CPF) Supplementary Broadband Guidance, internet service providers treated as contractors are exempt from cost principles and procurement practices of the Uniform Guidance.

15. Does NCDIT intend to apply Admin Rule 3M.0201 to the CAB program like it did for the GREAT grant program?

Pursuant to 09 NCAC 03M .0101(4), the provisions in the Uniform Administration of State Awards of Financial Assistance do not apply to contractors, so 09 NCAC 03M .0201 will not apply to CAB.

16. **In EBS, do we use "Create New Application" under the Broadband Section? How do we "apply" for the CAB program? Under "Create New Application," it asks to search for the program to get the correct application form, but I can't locate CAB within the list.**

   To submit a bid, click on Broadband, select Application, create new application and search for the available programs. Select the program using the CAB Scope of Work Number listed on top right of the Scope of Work Signature page.

17. **Attachment A, paragraph 9 of the Scope of Work states that a respondent must have either the full amount of the matching funds in a separate account or have a performance bond equal to 100% of the match costs. Does this need to be in place at the signing of the RFP, at the time of submission, or if awarded and begin contracting with the county? When are these funds required to be made available?**

   Section 7 (Evaluation of Responses), paragraph I.2. allows the awarded provider 15 days from being notified of an award to deposit the full amount of the match in a separate account and provide NCDIT with a copy of a bank statement for that account or otherwise comply paragraph 9 of the Terms and Conditions. In lieu of a separate account, paragraph 9 allows for a performance bond for the amount of the CAB funds awarded, along with distinct budgeting delineation for the project. These requirements only apply if you are selected for a project and not upon submittal of a proposal.

18. **Are there other alternatives options available in addition to the separate bank account or performance bond?**

   Not at this time.

19. **Can any information be provided to let us know if a county is interested in pursuing only one provider for the project, or are they willing to split it up?**

   NCDIT and the County are unable to provide updates, information, or guidance on any posted Scope of Work.

20. **Are Rural Digital Opportunity Fund (RDOF) areas omitted from consideration?**

   Yes. RDOF areas are considered funded/protected and therefore not listed as eligible locations.

21. **If we have customers within the CAB eligible project areas who request service tiers that provide speeds of less than 100/100 Mbps symmetric, are the infrastructure costs still eligible for reimbursement under CAB?**

   The project must make broadband service **available** to agreed-upon eligible locations at the speeds required by the program. Broadband access is considered available if the broadband provider can provide broadband service to a location immediately or within 10 business days upon request and without cost to the customer other than standard connection fees.

22. **Is there a page limit for documents included in a CAB Scope of Work response?**

   There is no page limit for documents you include with your response.

23. With regards to Affordable Connectivity Program (ACP) participation requirement, since ACP stopped accepting applications, will participation to Lifeline Program, also offered by the Federal Communications Commission, be a suitable alternative?

The Affordable Connectivity Program is no longer accepting applications and is currently winding down. U.S. Treasury has not published additional guidance on next steps or suitable alternatives at this time.

Because certain benefits from ACP accrue to consumers in May 2024 and beyond (such as the 90-day prohibition on ending service for failure to pay), NCDIT is currently maintaining the requirement in our GREAT grant contracts and CAB Scopes of Work that providers participate in ACP or a commensurate affordability program for low-income consumers. At this time, because the Lifeline program allows for a lesser dollar amount than ACP and has stricter income requirements, it is not a commensurate program. However, NCDIT will revisit all options and communicate updated information or guidance as soon as we are able.

24. Are the documents submitted in response to a Scope of Work public record?

While all information submitted remains confidential during the selection process, after an award is made, documents in the proposals not marked confidential may become public record. If you have formed a good faith opinion that any portion of your proposal is confidential or proprietary, please mark such portions as "CONFIDENTIAL." Such marking should appear at the top and bottom of the relevant pages in boldface type. Automatically marking every page of your proposal is not sufficient. Prices presented in response to a solicitation are NOT confidential; therefore, your total project cost and average cost per location cannot be kept confidential by NCDIT. (09 NCAC 06B .1001). For more information regarding confidentiality, see Broadband Expansion and Access RFP NCDIT Terms and Conditions No. 18 on pp. 32-33.