

NJ BEAD Program Conditions

*NJ BEAD applicants must provide a **signature** at the bottom of this form as part of the application requirement. For additional details, refer to New Jersey's Initial Proposal, Volume 2.*

UPDATE: NTIA has informed all states that it plans to adopt “a more technology-neutral approach, cut unnecessary red tape, and streamline deployment” in its [Notice of Programmatic Waiver](#) published on April 22, 2025, prompting a 90-day extension to account for potential impacts on timelines. New Jersey’s Final Proposal is now due on November 21, 2025. OBC will make any necessary adjustments to program requirements or deadlines to maintain compliance with NTIA guidance, as more information is received. Applicants should ensure they are aware of all the requirements of the program, including any requirements impacted by the updated guidance; this information will be on OBC website within a brief timeframe of the state’s review and posting.

1. The applicant will serve all unserved and underserved BSLs, as well as all CAIs (including, if requested, wiring or special construction required to connect a CAI within 10 business days of its request) within all PABBs included in the proposed Project Area. The applicant understands that in the event that there are insufficient funds to connect all unserved locations, CAIs and then underserved locations may be removed from final grant awards.
2. The applicant agrees to modify the proposed Project Area, if required, during the review process, which may include the additional of up to 10% or the removal of up to 20% of all unserved and underserved locations within the proposed Project Area. Such modifications will be implemented only as a “last resort” to maximize coverage in alignment with BEAD program guidelines. OBC will make every effort to avoid “force separating” proposed Project Areas and will primarily utilize the “separable designation” methodology to conduct the deconfliction process.
3. Following the pre-qualification phase, OBC will launch Phase 1 of the subgrant application window. Applicants can submit multiple applications, and in doing so must be prepared to accept any application OBC provisionally awards (i.e., applicants may not withdraw applicants once fully submitted to OBC).
4. The applicant will offer the same price commitment it made to OBC as the applicant’s “most affordable total price” to all locations included in the awarded Project Area. Additionally, the applicant understands that the prices for this service may only be adjusted annually during

the 10 year federal interest period with OBC's approval, and only at the rate of change of the Consumer Price Index (CPI).

5. The applicant will offer a low-cost broadband service option for the 10 year federal interest period to all locations included in the awarded Project Area and that such service option will meet the requirements described in Section 2.12 of NJ IP Vol II, will be priced at \$30 a month, and that the price may be only be adjusted annually at the rate of change of the Consumer Price Index (CPI).
6. The applicant will participate in any program that is designated as a successor to the Affordable Connectivity Program that provides subsidies or discounts for broadband services for low-income qualified participants.
7. The applicant certifies that it is financially qualified to meet the obligations associated with the project, has available funds for all projects costs that exceed the amount of the grant, and will comply with all program requirements, including service milestones.
8. The applicant will adhere to all OBC-mandated quarterly progress reporting requirements.
9. The applicant will comply with all applicable nondiscrimination requirements set forth in the following legal authorities, and acknowledges that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed: Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, The Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, The Age Discrimination Act of 1975, and any other applicable non-discrimination law(s).
10. The applicant will comply with the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.72(b) et seq.) and pay prevailing wages and benefits to workers as applicable.
11. The applicant and their contractors or subcontractors will remain neutral in union organizing and operations.
12. The applicant will maintain an apprenticeship program, directly or through subcontractors.
13. The applicant understands that awards are contingent on the availability of federal funding from the NTIA.
14. Within 14 days after being selected for a provisional award, the applicant will
 - a. provide a comprehensive project plan, certified by a licensed Professional Engineer, which includes specific project milestones for the capital investment schedule and a detailed project description, including a network design, diagrams, project budget,

permitting requirements, and timeline and plans for completion of build-out and initiation of service within four years of subgrant award date.

- b. provide a business plan and analyses upon being provisionally awarded, which include proposed project expenditures, general and low-cost option public awareness campaign proposals, customer service plans to ensure timely installation and repair, network redundancy efforts, cashflow and balance sheet projections, and proof of at least 3 years of operating cashflow post project completion.
- c. provide letters of acknowledgement from local governments or evidence of the applicant's request for such letters. (Applicants that provided Letters of Support in the application process may refer to those here rather than submitting copies.)
- d. provide a Climate Mitigation Plan upon being provisionally awarded, which includes 5 components: plant mix proposal, infrastructure hardening practices, description of network facility redundancies, history of natural hazards and best practices, and ongoing maintenance.
- e. provide a Letter of Commitment from a qualified financial institution, credit union, or surety, on the financial institution's letterhead. The letter must confirm that the financial institution, credit union, or surety understands the requirements and commits to issuing an irrevocable standby letter of credit or a performance bond, as applicable, if the project is selected for funding. If the subgrantee chooses to use a credit union, the credit union must be insured by the National Credit Union Administration and have a Weiss safety rating of B- or better. The letter must specify the necessary financial commitment, including the dollar amount of the letter of credit or performance bond, in accordance with the requirements of the BEAD program.
- f. provide evidence of financial resources to cover 6 months of project activity between reimbursement periods. Examples of evidence include, but are not limited to the following, the following, cash flow statement for the current year, pro forma financial forecast for a five-year period, or five-year annual earnings before income and tax (EBIT) projection. Audited financial statements or performance bonds may also suffice.
- g. provide evidence of an existing internship, preapprenticeship, apprenticeship, or on-the-job training program or plans to partner with one, focusing on students and graduates of

relevant programs within New Jersey's career and technical education programs, known as Career Clusters and Career Pathway programs.

- h. explain the steps they are taking to prevent the misclassification of workers.
- i. specify what strategies they will employ to prioritize, and potentially meet a minimum threshold for hiring a local workforce, including transportation, childcare, and related support wraparound support to enable New Jersey workers from one part of the state to support projects in another part of the state when it is not possible to hire employees or contractors closer to where the construction is taking place.
- j. provide ownership information consistent with the requirements set forth in the Code of Federal Regulations Title 47 § 1.2112(a)(1)–(7).
- k. provide evidence of a financial management system that can provide for financial reporting, accounting records, internal control, budget control, allowable cost, source documentation, and cash management.
- l. provide a cybersecurity risk management plan that reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) 106 and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented. Applicant further commits to submit to OBC any substantive changes to the plan within 30 days and to obtain attestations from any third party network provider that applicant will rely on for BEAD compliance with respect to that provider's cybersecurity risk management practices.
- m. provide a supply chain risk management plan that 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 supply chain risk management 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. Applicant further commits to submit any substantive changes to the plan within 30 days and to obtain attestations from any third-party network provider that applicant will rely on for BEAD compliance with respect to that provider's supply chain risk management practices.
- n. provide additional certification and documentation as required by OBC.

15. The applicant confirms by signature that they have fully reviewed New Jersey's Initial Proposal, Volume 2, New Jersey's BEAD NOFA and all follow-on guidance published by OBC and understand the obligations of an applicant.

Applicant UEI Name: _____

Print name – Official Contact: _____

Role – Official Contact: _____

Signature – Official Contact: _____

Date: _____