

Exhibit D

The NTIA requires Eligible Entities like ORS to establish interim buildout milestones, enforceable as conditions of the subgrant, sufficient to ensure that subgrantees are making reasonable progress toward meeting the four-year deployment deadline of the BEAD program. Details are provided in the sections that follow.

Project Milestones and Payment Schedule

I. Milestone 1: Engineering & Permitting Completion

Subgrantee is eligible to receive Subgrantee's Eligible Expenses related to pre-award costs and completion of detailed engineering design, certified by a professional engineer, and obtainment of all necessary rights-of-way, easements, permits, and regulatory approvals (e.g., NEPA, NHPA). The maximum Milestone 1 payment Subgrantee is eligible to receive is [Amount inserted here will be 20% of the first amount listed in Section V.A. of the Grant Agreement], regardless of amount of Eligible Expenses incurred.

To be eligible to receive Milestone 1 payment, Subgrantee must complete detailed engineering design, certified by a professional engineer, and obtain all necessary rights-of-way, easements, permits, and regulatory approvals (e.g., NEPA, NHPA) and submit the following to the satisfaction of ORS:

- a. Finalized network design plans, including schematics and specifications;
- b. Copies of all acquired rights-of-way, easements, permits, and regulatory approvals;
- c. NEPA/NHPA record(s) of decision or equivalent; and
- d. The items listed in Section V. E. 1) of the Grant Agreement.

II. Milestone 2: 50% Construction Completion

Subgrantee is eligible to receive its Eligible Expenses upon completion of 50% of the physical network construction within the Project Area, as defined in Exhibit A. The maximum Milestone 2 payment Subgrantee is eligible to receive is [Amount inserted here will be 50% of the first amount listed in Section V.A. of the Grant Agreement] less the amount of any Milestone 1 payment Subgrantee received, regardless of the amount of Eligible Expenses incurred.

To be eligible to receive Milestone 2 payment, Subgrantee must complete 50% of the physical network construction within the Project Area, as defined in Exhibit A, have successfully completed a Project inspection by ORS, and submitted the following to the satisfaction of ORS:

- a. Progress reports detailing the extent of construction completed (e.g., footage of fiber/cable laid, number of structures installed);
- b. Construction permits and inspection;
- c. Geotagged photographic evidence of construction progress; and
- d. The items listed in Section V. E. 1) of the Grant Agreement.

III. Milestone 3: Project Completion & Service Availability

Upon completion of the Project in accordance with the terms and conditions of this Agreement, including but not limited to 100% of the network infrastructure deployment within the Project Area and service availability to all BSLs in the Project Area at the required service thresholds, Subgrantee

is eligible to receive the remaining Grant amount described in Section V. A. of this Agreement not paid to Subgrantee in accordance with Milestones 1 and 2.

To be eligible to receive Milestone 3 payment, Subgrantee must have successfully completed a Project inspection by ORS, and submitted the following to the satisfaction of ORS:

- a. Final project report;
- b. Documentation verifying service availability to all BSLs in the Project Area described in Exhibit A, including network performance test results in accordance with NTIA guidance;
- c. Final construction report, demonstrating compliance with all Grant Agreement terms; and
- d. The items listed in Section V. E. 1) of the Grant Agreement.

All payments are subject to the terms and conditions of the Grant Agreement. Furthermore, at the time of the execution of the Grant Agreement, it is understood by the Parties that reporting and grant disbursement requirements related to the BEAD program may not be fully known or established. Subgrantee acknowledges it will comply with all existing and future reporting and disbursement requirements, guidelines, and associated guidance established by the U.S. Department of Commerce, NTIA, any other authorized federal agency, ORS, or the State for the BEAD program. Subgrantee agrees to cooperate with ORS to fully meet any required reporting associated with the BEAD program. No payments beyond the initial 50% construction completion payment (Milestone 2) will be made until final project completion and service availability (Milestone 3).

Disbursement & Reporting Illustrative Examples

APPLICATION FOR DISBURSEMENT
MILESTONE NUMBER 1 PAYMENT

Grantee Name:

State Vendor Number:

Date:

Project ID	Total Project Cost	Total Funds Awarded	Total Pre-Award Cost (Not to exceed \$100k)	Total Permitting Cost	Total Engineering Cost	Amount of Disbursement Requested for Milestone Payment 1: <i>(Please see the Project Milestones and Payment Schedule for the maximum amount that can be requested)</i>	
			Total				

By submitting this Application for Disbursement, Subgrantee certifies that, 1) it has completed all pre-award, permitting, and engineering designs and all other requirements for a Milestone 1 payment; and 2) Subgrantee is eligible to receive pursuant to the terms and conditions of the Grant Agreement, including the Project Milestones and Payment Schedule set forth in Exhibit D, the Milestone 1 disbursement of funds awarded from the South Carolina 2025 IIJA BEAD Grant Program it has requested. All invoices must include a signed statement by a Principal Officer of Subgrantee or other representative acceptable to ORS in its sole discretion certifying that all amounts set forth herein are true and accurate and in accordance with the Grant Agreement.

**AFFIDAVIT OF COMPLETION AND ELIGIBLE EXPENSES
MILESTONE 1 PAYMENT**

STATE OF _____)

)

AFFIDAVIT

COUNTY OF _____)

Personally appeared before me the undersigned, _____, who being duly sworn, deposes and states as follows:

1. [SUBGRANTEE NAME], a [INSERT ENTITY’S LEGAL TYPE (E.G. CORPORATION, LIMITED LIABILITY COMPANY, ETC.)] organized under the laws of the state of _____, entered into a Grant Agreement (“Agreement”) with the South Carolina Office of Regulatory Staff (“ORS”).

2. I am employed by Subgrantee as the _____. I am duly authorized by Subgrantee to make the statements contained in this Affidavit.

3. The Agreement was entered into pursuant to and in accordance with 2025 Act No. 69 (South Carolina Appropriations Bill for Fiscal Year 2025-2026), Part 1.B Proviso Section 73.8, which authorizes ORS to award grants from the federal Infrastructure Investment and Jobs Act (“IIJA”) Broadband Equity Access and Deployment Program (“BEAD”) to broadband service providers and other entities for authorized projects that achieve the purpose of expanding broadband infrastructure to households, businesses, and community anchor institutions in the State of South Carolina that are unserved or underserved by broadband services.

4. The Agreement requires the Subgrantee to complete the Project as defined by and pursuant to the terms and conditions of the Agreement, including its Exhibits and attachments.

5. The requirements for receiving a Milestone 1 payment and maximum Milestone 1 payment amount are set forth in the Agreement, including the Project Milestones and Payment Schedule in Exhibit D to the Agreement. Furthermore, the maximum amount of pre-award costs and associated expenses that may be eligible for reimbursement is \$100,000.

6. I hereby attest that Subgrantee complied with the Agreement and all applicable provisions set forth in the IIJA; guidelines; guidance; supplemental guidance; policy notices;

executive orders; state, federal, and local laws and regulations; and permits throughout the duration of the Project.

7. I hereby affirm that the Pre-Award, Permitting, and Engineering requirements for [PROJECT AREA IDENTIFIER] are complete in accordance with the terms and conditions of the Agreement and all requirements for receiving a Milestone 1 payment have been met, and that Subgrantee therefore is entitled to the disbursement of a Milestone 1 payment in the amount of \$_____ pursuant to the terms of the Agreement.

Name

Title [Principal Officer or other representative
acceptable to ORS]

SWORN to before me, this ____ day of 20____

Notary Public of _____

My Commission expires: _____

EXHIBIT D

Disbursement & Reporting Illustrative Examples

APPLICATION FOR DISBURSEMENT MILESTONE NUMBER 2 PAYMENT

Grantee Name:

State Vendor Number:

Date:

Project ID	Total Project Cost	Milestone Payment 1 amount	Funds Awarded	Date of Completion	Total Linear Miles of Fiber or Cable Installed	Number of BSLs to be Served as Listed in Exhibit A	Total Number of BSLs with Service Available	Percent of BSLs with Service Available	Amount of Disbursement Requested (<i>Please see the Project Milestones and Payment Schedule for the maximum amount that can be requested</i>)
				Total					

By submitting this Application for Disbursement, Subgrantee certifies that 1) it has completed 50% the physical network construction within the Project Area, as defined in Exhibit A, and satisfied all other requirements for a Milestone 2 payment; 2) to the extent any portion of the Project is providing service, the service provided meets the requirements of the Grant Agreement; and 3) Subgrantee is eligible to receive pursuant to the terms and conditions of the Grant Agreement, including the Project Milestones and Payment Schedule set forth in Exhibit D, the Milestone 2 disbursement requested from funds awarded from the South Carolina 2025 IIJA BEAD Grant Program. All invoices must include a signed statement by a Principal Officer of Subgrantee or other representative acceptable to ORS in its sole discretion certifying that all amounts set forth herein are true and accurate

and in accordance with the Grant Agreement.

DRAFT

**AFFIDAVIT OF COMPLETION AND ELIGIBLE EXPENSES
MILESTONE 2 PAYMENT**

STATE OF _____)

)

AFFIDAVIT

COUNTY OF _____)

Personally appeared before me the undersigned, _____, who being duly sworn, deposes and states as follows:

1. [SUBGRANTEE NAME], a [INSERT ENTITY'S LEGAL TYPE (E.G. CORPORATION, LIMITED LIABILITY COMPANY, ETC.)] organized under the laws of the state of _____, entered into a Grant Agreement ("Agreement") with the South Carolina Office of Regulatory Staff ("ORS").

2. I am employed by Subgrantee as the _____. I am duly authorized by Subgrantee to make the statements contained in this Affidavit.

3. The Agreement was entered into pursuant to and in accordance with 2025 Act No. 69 (South Carolina Appropriations Bill for Fiscal Year 2025-2026), Part 1.B Proviso Section 73.8, which authorizes ORS to award grants from the federal Infrastructure Investment and Jobs Act ("IIJA") Broadband Equity Access and Deployment Program ("BEAD") to broadband service providers and other entities for authorized projects that achieve the purpose of expanding broadband infrastructure to households, businesses, and community anchor institutions in the State of South Carolina that are unserved or underserved by broadband services.

4. The requirements for receiving a Milestone 2 payment and maximum Milestone 2 payment amount are set forth in the Agreement, including the Project Milestones and Payment Schedule in Exhibit D to the Agreement.

5. I hereby attest that Subgrantee complied with the Agreement and all applicable provisions set forth in the IIJA, guidelines; guidance; supplemental guidance; policy notices; executive orders; state, federal, and local laws and regulations; and permits throughout the duration of the Project.

6. I hereby affirm that 50% of the physical network construction within Project [PROJECT AREA IDENTIFIER] is complete in accordance with the terms and conditions of the Agreement and all requirements for receiving a Milestone 2 payment have been met and that Subgrantee therefore is entitled to the disbursement of a Milestone 2 payment in the amount of \$_____ pursuant to the terms of the Agreement.

Name

Title [Principal Officer or other representative acceptable to ORS]

SWORN to before me, this ____ day of 20____

Notary Public of _____

My Commission expires: _____

EXHIBIT D

Disbursement & Reporting Illustrative Examples

APPLICATION FOR DISBURSEMENT MILESTONE NUMBER 3 PAYMENT (FINAL PAYMENT)

Grantee Name:

State Vendor Number:

Date:

Project ID	Total Project Cost	Milestone Payment 1 amount	Milestone Payment 2 amount	Funds Awarded	Date of Project Completion	Total Linear Miles of Fiber or Cable Installed	Number of BSLs to be Served as Listed in Application		Total Number of BSLs with Service Available	Percent of BSLs with Service Available	Amount of Disbursement Requested <i>(Please see the Project Milestones and Payment Schedule for the maximum amount that can be requested)</i>
Total											

By submitting this Application for Disbursement, Subgrantee certifies that 1) it has completed the Project; 2) that the Project is capable of providing reliable broadband service as outlined in the Grant Agreement and associated Exhibits to all BSLs in the identified Project Area; and 3) Subgrantee is eligible to receive pursuant to the terms and conditions of the Grant Agreement, including the Project Milestones and Payment Schedule set forth in Exhibit D, the disbursement of funds requested from the South Carolina 2025 IIJA BEAD Grant Program. All invoices must include a signed statement by a Principal Officer of Subgrantee or other representative acceptable to ORS in its sole discretion certifying that all amounts set forth herein are true and accurate and in accordance with the Grant Agreement.

**AFFIDAVIT OF COMPLETION AND ELIGIBLE EXPENSES
MILESTONE 3 PAYMENT (FINAL PAYMENT)**

STATE OF _____)

)

AFFIDAVIT

COUNTY OF _____)

Personally appeared before me the undersigned, _____, who being duly sworn, deposes and states as follows:

1. [SUBGRANTEE NAME], a [INSERT ENTITY'S LEGAL TYPE (E.G. CORPORATION, LIMITED LIABILITY COMPANY, ETC.) organized under the laws of the state of _____, entered into a Grant Agreement ("Agreement") with the South Carolina Office of Regulatory Staff ("ORS").

2. I am employed by Subgrantee as the _____. I am duly authorized by Subgrantee to make the statements contained in this Affidavit.

3. The Agreement was entered into pursuant to and in accordance with 2025 Act No. 69 (South Carolina Appropriations Bill for Fiscal Year 2025-2026), Part 1.B Proviso Section 73.8, which authorizes ORS to award grants from the federal Infrastructure Investment and Jobs Act ("IIJA") Broadband Equity Access and Deployment Program ("BEAD") to broadband service providers and other entities for authorized projects that achieve the purpose of expanding broadband infrastructure to households, businesses, and community anchor institutions in the State of South Carolina that are unserved or underserved by broadband services.

4. The Agreement requires the Subgrantee to complete the Project as defined by and pursuant to the terms and conditions of the Agreement, including its Exhibits and attachments.

5. The Agreement provides for a total grant amount equal to the lesser of 1) _____ Dollars (\$ _____), or 2) _____ percent (____%) of the Eligible Expenses related to the Project as defined by the Agreement for the purpose of reimbursing a portion of the Eligible Expenses to the Subgrantee. The amount eligible for reimbursement in connection with the Milestone 3 Payment (Final Payment) shall be reduced by any amounts paid in connection Milestone 1 or 2 payments.

6. I hereby attest that Subgrantee complied with the Agreement and all applicable provisions set forth in the IIA; guidelines; guidance; supplemental guidance; policy notices; executive orders; state, federal, and local laws and regulations; and permits throughout the duration of the Project.

7. Subgrantee certifies that the Project [PROJECT AREA IDENTIFIER] is complete in accordance with the terms and conditions of the Agreement, that Subgrantee can initiate broadband service that meets the requirements of the Agreement within ten (10) business days of a request to any BSL in the Project Area, with no charges or delays attributable to extension on the service, in addition to meeting all other requirements of the Agreement, service-related or otherwise, and that Subgrantee therefore is entitled to the disbursement of Grant funds in the amount of \$_____ pursuant to the terms of the Agreement.

8. I hereby affirm that the Project [PROJECT AREA IDENTIFIER] is being marketed and sold such that no resident is offered services at less than the minimum standards required by the Agreement.

Name

Title [Principal Officer or other representative
acceptable to ORS]

SWORN to before me, this ____ day of 20____

Notary Public of _____

My Commission expires: _____

BUILD AMERICA BUY AMERICA (BABA)

All Infrastructure Investment & Jobs Act (IIJA), Broadband Equity, Access & Deployment Program (BEAD) Subgrantee will be subject to the Build America, Buy America preference requirements set forth in section 70914 of the Build America, Buy America (BABA), Act.

Organization Name:	«Legal_EntityOrganization_Name»
Project Number:	«Project_Number_Format_XXXXX»
Project Name:	«Project_Name»
Period of Performance (Start Date to End Date, DD/MM/YYYY):	

Domestic Preferences in Procurement:

To the extent required by the BEAD Grant Agreement and applicable law, Subgrantee certifies all materials used in the project complies with the Build America Buy America Act and Subgrantee complied with the preference requirements for the procurement or use of goods, products, or materials produced in the United States as described in 2 C.F.R. § 200.322 and Executive Order 14005 Ensuring the Future is Made in All by All of America's Workers (January 25, 2021), unless an applicable waiver applied.

I understand that a false statement on this certification shall be regarded as a material breach of the Agreement. I also acknowledge that ORS may request any additional information or documentation it deems necessary to demonstrate compliance in the form of an audit or otherwise pursuant to its ability to effectively administer the BEAD Program on behalf of the State of South Carolina.

Printed Name & Title (Principal Officer or other representative acceptable to ORS) Date

Signature

Initial: _____

NARRATIVE OF OUTCOMES AND ACCOMPLISHMENTS

To finalize this award, you are required to provide ORS with a narrative of the outcomes and accomplishments related to the funds spent for the specific purpose as stated in the contract.

1. Organization/Project Information	
Organization Name:	[Add Entity Name Here]
Project Number:	
Project Name:	

2. Outcomes and Accomplishments:
<p>[Add Outcomes and Accomplishments Here]</p>

Initial: _____

By signing below, I certify all the information provided above is true and accurate to the best of my knowledge.

Printed Name & Title (Principal Officer or other representative acceptable to ORS) Date

Signature

DRAFT

Initial: _____