



Office of Infrastructure Policy & Development

VERSION 1.1
AUGUST 14, 2025

FINAL PROPOSAL

Final Proposal Data Submission

0.1 Supporting Documentation for Subgrantees

Complete and submit the Subgrantees CSV file (named “fp_subgrantees.csv”) using the NTIA template provided.

See notices.guam.gov/notice_detail/7304

0.2 Supporting Documentation for Deployments Projects

Complete and submit the Deployment Projects CSV file (named “fp_deployment_projects.csv”) using the NTIA template provided.

See notices.guam.gov/notice_detail/7304

0.3 Supporting Documentation for Locations

Complete and submit the Locations CSV file (named “fp_locations.csv”) using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations.

See notices.guam.gov/notice_detail/7304

0.4 Supporting Documentation for No BEAD Locations

Complete and submit the No BEAD Locations CSV file (named “fp_no_BEAD_locations.csv”) using the NTIA template provided. The Location IDs in this list must match the NTIA-approved final list of eligible locations.

See notices.guam.gov/notice_detail/7304

0.5 Certification to Serve CAIs

If the Eligible Entity intends to use BEAD funds to serve CAIs, does the Eligible Entity certify that it ensures coverage of broadband service to all unserved and underserved locations, as identified in the NTIA-approved final list of eligible locations and required under 47 U.S.C. § 1702(h)(2)?

Yes.

0.6 Supporting Documentation for CAIs Locations

Complete and submit the CAIs CSV file (named “fp_cai.csv”) using the NTIA template provided. Although CAIs are not included under (f)(1) deployment projects, to confirm the Eligible Entity’s compliance with the BEAD prioritization framework and identify BEAD-funded CAIs, the NTIA template is required. The Eligible Entity must only include CAIs funded via BEAD in this list; the

Eligible Entity may not propose funding CAIs that were not present on the approved final list from the Eligible Entity's Challenge Process results.

See notices.guam.gov/notice_detail/7304

Executive Summary

Guam stands at the edge of a digital breakthrough—one that will make sure every home, every village, every resident is connected. With this BEAD allocation, we've been given a once-in-a-generation opportunity. It recognizes Guam's role as America's gateway to the Pacific and the work that's gone into shaping a vision for universal connectivity.

Our internet landscape has grown a lot over the years. Local providers have invested tens of millions of dollars into expanding networks and strengthening infrastructure, and because of that, Guam now has world-class speeds in many areas. But we also know the reality—there are still families who struggle to connect, students who lose opportunities, and elders who can't fully access services. Those gaps are what BEAD is designed to close.

Guam initially anticipated a significantly larger deployment investment. However, following the Restructuring Policy Notice, the pool of eligible Broadband Serviceable Locations was substantially reduced. In response, Guam adjusted its strategy to ensure compliance with federal guidance while still delivering meaningful last-mile deployment. Approximately \$4 million will now be invested in BSls and CAIs, while the remaining allocation will be directed toward hardening and resilience projects that are critical to Guam's unique disaster-prone and national defense environment. This adjustment reflects prudent stewardship of funds and a commitment to maximizing the long-term impact of the BEAD program for our residents and the nation.

Even though the number of eligible locations was reduced along the way, the program is still a success—because for the first time, many of our community anchor institutions will finally be connected. Schools, libraries, health centers, and public safety facilities that have never had reliable service will now have it, and that connectivity will ripple out to benefit the entire community.

What makes this especially important for Guam is that reliable communication isn't just about daily life—it's also about national security. Our people, institutions, and military partners all need resilient connectivity to protect critical infrastructure, sustain operations, and respond quickly in times of need.

On an island where typhoons and earthquakes are a reality, strength of our network is not optional—it is survival. By hardening networks and building in redundancy, Guam will stand ready when our people, and our nation, need it most.

And we're not stopping with last-mile deployment. Once that's complete, we do expect to have funds left over. Our goal is to retain as much of that funding as possible for projects that harden Guam's infrastructure and increase opportunity. That may mean burying power lines to core communication sites and reinforcing our middle mile with buried fiber. Those investments go beyond connectivity—they make Guam stronger, safer, and more resilient for both our community and the nation.

At the end of the day, this isn't just an infrastructure plan. It's a blueprint for opportunity, resilience, and security. With the leadership of the Leon Guerrero-Tenorio Administration, the commitment of our ISPs, and the support of our people, Guam is ready to deliver true universal connectivity—connectivity that protects, empowers, and unites.

Guam has long been America's gateway to the Pacific. With BEAD, we are now ensuring it is also America's model for universal, resilient connectivity.

Table of Contents

Final Proposal Data Submission	2
0.1 Supporting Documentation for Subgrantees	2
0.2 Supporting Documentation for Deployments Projects	2
0.3 Supporting Documentation for Locations	2
0.4 Supporting Documentation for No BEAD Locations	2
0.5 Certification to Serve CAIs	2
0.6 Supporting Documentation for CAIs Locations	2
Executive Summary	4
Table of Contents	6
Section 1 – Subgrantee Selection Process Outcomes (Requirement 1)	9
1.1 Consistency with Initial Proposal Volume II	9
1.2 Fair, Open, and Competitive Process	11
1.3 Information on Applications	12
1.4 Revision of the Eligible CAI List	12
1.5 Subgrantee Record Retention	13
Section 3 – Timeline for Implementation (Requirement 3)	13
3.1 Deployment Projects and Activities	13
3.2 Application Review and Curing Process	14
Section 4 – Oversight and Accountability (Requirement 4)	15
4.1 Waste, Fraud, and Abuse Hotline	15
4.2 BEAD Monitoring Plan and Policies	16
4.3 Certification for Subgrant Agreements	16
Section 5 – Local Coordination (Requirement 5)	18
5.1 Public Comment Period on Final Proposal	18
Section 6 – Challenge Process Results (Requirement 6)	19
6.1 Successful Completion and Approval of Challenge Process	19
6.2 Challenge Process Results	19
Section 7 – Unserved and Underserved Locations (Requirement 7)	19
7.1 Certification of Broadband Service Coverage of Unserved Locations	19
7.2 Coverage of Unserved Locations Determination	20
7.3 Coverage of Unserved Locations Documentation	20
7.4 Certification of Broadband Service Coverage of Underserved Locations	20
7.6 Coverage of Underserved Locations Documentation	20
7.7 Certification of Documentation of Unserved or Underserved Locations	21
7.8 Certification of Coverage of Underserved Locations	21
Section 11 – Cost and Barrier Reduction, Compliance with Labor Laws, Low-Cost Plans, and Network Reliability and Resilience (Requirement 11)	22

11.1 Reducing Costs and Barriers to Deployment	22
11.2 Compliance with Federal Labor and Employment Laws	22
11.3 Compliance with Federal Labor and Employment Laws	23
11.4 Certification of Low-Cost Broadband Service Option	23
11.5 Low-Cost Broadband Service Option	23
11.6 Certification of Reliability and Resilience of BEAD-funded Networks	24
11.7 Reliability and Resilience of BEAD-funded Networks	24
Section 12 – Substantiation of Priority Broadband Projects (Requirement 12)	25
12.1 Deployment of Priority Broadband Projects	25
A. Deployment of Priority Broadband Projects	25
B. Identifying Applications In Need of PBP Review	25
C. Methodology	25
Section 13 – Subgrantee Selection Certification (Requirement 13)	26
13.1 Subgrantee Scoring Criteria	26
Section 14 – Environmental and Historic Preservation (EHP) Documentation (Requirement 14)	27
14.1 Environmental and Historic Preservation (EHP) Documentation	27
Section 15 – Consent from Tribal Entities (Requirement 15)	28
15.1 Documentation of Consent from Tribal Entities	28
Section 16 – Prohibition on Excluding Provider Types (Requirement 16)	28
16.1 Certification of Exclusion of Provider Types	28
Section 17 – Waivers	29
17.1 Waivers for BEAD Requirements	29
17.2 Waivers for BEAD Requirements	29
Section 18 – Exhibits	30
Exhibit A – Subgrantees CSV file	30
Exhibit B – Deployment Projects CSV file	30
Exhibit C – Locations CSV file	30
Exhibit D – No BEAD Locations CSV file	30
Exhibit E – CAIs CSV file	30
Exhibit F – BEAD Program Monitoring Plan	30
Exhibit G – Draft Subgrant Agreement	30
Exhibit H – Environmental and Historic Preservation (EHP) Documentation	30
BEAD Monitoring Plan	31
1. Purpose	31
2. Authority	31
3. Monitoring Structure and Activities	31
4. Subgrant Reimbursement Structure	33
5. Subgrantee Training and Communication	34
6. Record Retention and Audit Preparedness	34
NOFO Section IV.B.9.b, Page 48: Environmental documentation associated with any construction and/or ground-disturbing activities and a description of how the	34

Eligible Entity will comply with applicable environmental and historic preservation requirements.	34
	34
APPENDIX A	41
APPENDIX B	42

Section 1 – Subgrantee Selection Process Outcomes (Requirement 1)

1.1 Consistency with Initial Proposal Volume II

Describe how the Eligible Entity's deployment Subgrantee Selection Process undertaken is consistent with that approved by NTIA in Volume II of the Initial Proposal as modified by the BEAD Restructuring Policy Notice.

Subgrantee Selection Process and Volume II Consistency

Guam's Subgrantee Selection Process is consistent with the strategy and principles outlined in Initial Proposal Volume II, with targeted adjustments made to comply with the June 6, 2025, BEAD Restructuring Policy Notice (RPN). These changes did not require Guam to launch a second or modified solicitation round; instead, Guam applied the RPN's updated guidance at the outset, using the BOTB (Benefit of the Bargain) approach for its first and only round of subgrantee selection.

Changes Prompted by the RPN

The RPN prompted several key adjustments to Volume II implementation:

- **Scoring Rubric Revisions:** Guam replaced the original scoring rubric included in Volume II with a revised rubric that aligned with the RPN's required scoring categories and weighting. These revisions ensured compliance with new federal mandates and improved the clarity and transparency of the selection process.
- **Technology Neutrality:** Volume II was updated to emphasize a technology-neutral posture. Guam's NOFO (OIPD-001-2025) made it clear that all technologies capable of meeting BEAD's performance standards would be considered and fairly evaluated. This shift reflected both federal priorities and Guam's unique geographic and infrastructure context.
- **Refinement of Eligible Areas:** Following the release of the final location Fabric and the close of Guam's Challenge Process, the number of eligible locations was reduced by approximately 86%. This refinement led to changes in the composition and design of project areas. The reduction in scope also influenced the cost modeling and scoring strategy, requiring Guam to adjust its procurement vehicle from an RFP to a NOFO to align with both BEAD policy and Guam's procurement laws.

To further align with NTIA's priorities, Guam introduced an additional requirement for applicants to contextualize their proposed deployment technologies within the island's unique topographic, environmental, and infrastructure constraints. This requirement supported Guam's evaluation of long-term resiliency and service sustainability across diverse deployment models.

A full timeline of the OPID's BEAD rounds, including prior 2024 rounds as well as the 2025 BOTB round is provided below:

APPLICATION SUBMISSION AND REVIEW TIMELINES	DATE
Subgrantee Submission Window Opened	Jul 31, 2025
Subgrantee Submission Window Closed	Aug 15, 2025
Review Opens	Aug 16, 2025
Review Closes	Aug 21, 2025
Provisionally Selected Subgrantees Chosen	Aug 22, 2025

1.2 Fair, Open, and Competitive Process

Describe how the Eligible Entity's deployment Subgrantee Selection Process undertaken is consistent with that approved by NTIA in Volume II of the Initial Proposal as modified by the BEAD Restructuring Policy Notice.

Guam's subgrantee selection process was conducted in full alignment with the approach approved in Volume II of the Initial Proposal (IPv2) and conformed to the June 6, 2024 BEAD Restructuring Policy Notice (RPN). The process adhered to principles of fairness, openness, and competition and was designed to ensure that all eligible entities had a meaningful opportunity to apply.

Applications Received by Project Area

For Project Areas 1 through 5, OIPD received four applications representing multiple technology types: Low Earth Orbit (LEO) satellite service, fiber-to-the-premises (FTTP), fixed wireless, and hybrid fiber-coaxial (HFC). For Project Area 6—which encompasses two very remote Broadband Serviceable Locations (BSLs)—only one application was received, from Starlink (LEO satellite service).

All applications were subjected to a completeness review before being advanced to technical evaluation and scoring. Technical evaluation was conducted by OIPD's third-party contractor and scored by a panel using Guam's published NOFO rubric, which incorporated the RPN-mandated evaluation categories and weighting structure.

Application of Priority Project Methodology

Consistent with Final Proposal Requirement 12, Guam applied the Priority Project methodology to each project area. For Project Areas 1 through 5, the fixed wireless application was determined to be non-priority because of Guam's ongoing challenges with Environmental Sensing Capability (ESC) requirements. Under federal spectrum-sharing rules, incumbent radar systems can reclaim spectrum use at any time, triggering mandatory shutdowns for commercial wireless providers. On Guam, where military radar activity is frequent and mission-critical, these ESC-triggered shutdowns could cause recurring service interruptions and prevent fixed wireless from delivering the BEAD-required performance level (100/20 Mbps, low latency) reliably. This could create significant risk of service outages for end users and undermine the goal of providing sustainable, high-quality broadband service.

The buried fiber proposal was selected as the priority project because it offered the most future-proof and resilient solution and demonstrated the lowest net cost due to the high matching-fund commitment of the provisional awardee. This matching contribution significantly reduced the amount of BEAD funding required, aligning with NTIA's objective to maximize program impact. The HFC and LEO proposals were scored but ultimately ranked lower due to cost.



For Project Area 6, the single application from Starlink was advanced and preliminarily awarded as the priority project, as it was the only technology capable of serving the two geographically isolated BSLS in a cost-effective manner.

In addition, the provisional awardee for Project Areas 1-5 intentionally excluded five (5) high-cost BSLS from their bid in order to keep overall project costs efficient. These remaining locations will be awarded to Starlink (LEO) as the most cost-effective solution, ensuring that all BSLS are ultimately served within BEAD's cost-effectiveness requirements.

This process reflects Guam's commitment to a transparent, competitive selection framework consistent with IPv2 and the RPN. The inclusion of multiple technology types, the structured evaluation process, and the clear application of priority project criteria ensured that the selected subgrantees represent the best-value solution for Guam's unserved and underserved communities while remaining consistent with BEAD's objectives.

1.3 Information on Applications

Affirm that, when no application was initially received, the Eligible Entity followed a procedure consistent with the process approved in the Initial Proposal.

As of this Final Proposal submission, Guam received applications during its initial Benefit of the Bargain (BOTB) round that collectively cover all eligible unserved and underserved Broadband Serviceable Locations (BSLS). All geographic areas received applications.

1.4 Revision of the Eligible CAI List

If applicable, describe the Eligible Entity's methodology for revising its eligible CAI list to conform with Section 4 of the BEAD Restructuring Policy Notice.

In accordance with Section 4 of the BEAD Restructuring Policy Notice (RPN), Guam revised its list of Eligible Community Anchor Institutions (CAIs) as outlined in Volume II of the Initial Proposal. This revision was implemented to ensure alignment with changes to the Eligible Project Area list following the challenge process and associated RPN guidance.

As required, CAIs located in areas that no longer qualified as unserved or underserved were removed from the eligibility list. However, in certain cases, Guam retained CAIs—particularly government facilities—because they still require service from mass-market broadband, and are functionally underserved due to the island's unique infrastructure conditions.

Unlike larger jurisdictions, Guam's broadband ecosystem depends almost entirely on mass-market providers for both residential and institutional connectivity. This means that even public sector CAIs often lack enterprise-grade broadband and are reliant on the same infrastructure as home users.



This consideration reflects both the letter and spirit of the RPN: while conforming to the required geographic exclusions, Guam preserved the integrity of the CAI strategy by ensuring that institutions critical to health, education, and public safety are not left behind simply because they reside in locations served only by consumer-grade broadband.

The final list of CAIs is included in Appendix B of the NOFO (NOFO-OIPD-001-2025), organized by cluster ID, facility type, village, and GPS coordinates. This list reflects a refined and RPN-compliant methodology tailored to Guam's deployment realities.

1.5 Subgrantee Record Retention

Certify that the Eligible Entity will retain all subgrantee records in accordance with 2 C.F.R. § 200.334 at all times, including retaining subgrantee records for a period of at least 3 years from the date of submission of the subgrant's final expenditure report. This should include all subgrantee network designs, diagrams, project costs, build-out timelines and milestones for project implementation, and capital investment schedules submitted as a part of the application process.

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity, certifies that it will retain all subgrantee records in accordance with 2 C.F.R. § 200.334. This includes the retention of all documents for a minimum of three (3) years from the date of submission of each subgrant's final expenditure report.

OIPD will maintain comprehensive records for each subgrantee, including but not limited to:

- Final network designs and engineering diagrams
- Documented project costs and budgets
- Detailed build-out timelines and milestone tracking
- Capital investment schedules and related documentation submitted during the application process

These records will be stored securely and made available for audit, oversight, or other authorized review by NTIA or its designees. OIPD will ensure that subgrantees are contractually required to provide and preserve all necessary documentation in alignment with federal guidelines.

Section 3 – Timeline for Implementation (Requirement 3)

3.1 Deployment Projects and Activities

Has the Eligible Entity taken measures to: (a) ensure that each subgrantee will begin providing services to each customer that desires broadband service within the project area



not later than four years after the date on which the subgrantee receives the subgrant; (b) ensure that all BEAD subgrant activities are completed at least 120 days prior to the end of the Eligible Entity's period of performance, in accordance with 2 C.F.R. 200.344; and (c) ensure that all programmatic BEAD grant activities undertaken by the Eligible Entity are completed by the end of the period of performance for its award, in accordance with 2 C.F.R. 200.344.

Yes. The OIPD, through its NOFO for BEAD subgrants, has built in measures to meet all three requirements:

(a) Begin service within four years

Subgrantees are contractually required to achieve full deployment of broadband infrastructure in their assigned project area within a maximum of four years from the subgrant award. This includes a binding commitment to begin providing broadband service to any customer in the project area that requests it within that four-year window.

(b) Complete all subgrant activities 120 days before period of performance ends

The NOFO incorporates 2 C.F.R. § 200.344 requirements by specifying that in the event of termination under this section, unspent funds must be returned, and subgrantees must complete all agreed-upon work within the subgrant's schedule. The deployment schedules are structured to ensure completion well before the closeout period, aligning with the 120-day pre-end-of-performance requirement.

(c) Complete all programmatic activities by the end of the Eligible Entity's period of performance

The Eligible Entity's agreements define a total 10-year period of performance, covering network operation, compliance, and reporting obligations. All programmatic BEAD grant activities undertaken by the subgrantee must be finished within that period, with closeout and clawback provisions ensuring that no unfinished or non-compliant work remains beyond the performance end date.

3.2 Application Review and Curing Process

Has the Eligible Entity established a transparent, fair, and timely process for:

- a. reviewing and scoring all subgrant applications using predefined criteria aligned with the BEAD Notice of Funding Opportunity (NOFO);**
- b. notifying applicants of deficiencies or incomplete submissions through a formal curing process; and**
- c. allowing applicants a reasonable opportunity to address such deficiencies, in accordance with federal grant management best practices and NTIA guidance?**

Guam's Office of Infrastructure Policy & Development (OIPD) established a transparent, fair, and timely process for reviewing and scoring all subgrant applications, consistent with the BEAD

Notice of Funding Opportunity (NOFO), the BEAD Restructuring Policy Notice (RPN), and federal grant management best practices.

The review process used predefined scoring criteria published in the NOFO (OIPD-001-2025), aligned with BEAD requirements and Guam's approved Initial Proposal Volume II. These criteria encompass technical design, organizational capacity, financial feasibility, and the alignment of each project with Guam's broadband priorities.

As part of Guam's commitment to fair and open competition, OIPD implemented procurement best practices by designating a single Point of Contact (POC) for the duration of the application window. This ensured consistent and timely responses to applicant inquiries, prevented the release of conflicting guidance, and provided a clear audit trail of all questions and responses.

A formal curing process was in place for minor deficiencies only. Applicants were notified in writing of any identified issues that fall within the scope of allowable curing—such as missing documentation or administrative errors in the interest of preserving the integrity and efficiency of the review process.

The curing process did not permit substantive changes to project design, cost, or scope. All curing notices and applicant responses are documented to ensure a consistent, impartial review experience.

Section 4 – Oversight and Accountability (Requirement 4)

4.1 Waste, Fraud, and Abuse Hotline

Does the Eligible Entity have a public waste, fraud, and abuse hotline, and a plan to publicize the contact information for this hotline?

The Office of Infrastructure Policy & Development (OIPD) will utilize the government of Guam's existing Waste, Fraud, and Abuse (WFA) Hotline to meet BEAD program requirements for reporting suspected misconduct. The hotline is operated by the Guam Office of Public Accountability (OPA), an independent entity that provides confidential channels for individuals to report concerns related to misuse of public funds, fraud, waste, abuse, or other irregularities.

The WFA Hotline can be reached in the following ways:

- Phone: (671) 47AUDIT / (671) 472-8348
- Online: <https://www.opaguam.org/hotline>
- Email: hotline@guamopa.com
- Mail: Office of Public Accountability, Suite 401 DNA Building, 238 Archbishop Flores Street, Hagåtña, GU 96910



OIPD will incorporate the hotline into its BEAD communications strategy by featuring it prominently in public outreach materials, subgrantee guidance, and all relevant content posted on broadband.guam.gov. This ensures broad public awareness of how to report concerns and demonstrates our commitment to transparency and responsible stewardship of federal funds. Hotline information is already posted on the broadband.guam.gov homepage.

This approach aligns with 2 C.F.R. § 200.113 and federal best practices for promoting accountability and safeguarding against misuse of grant funds.

4.2 BEAD Monitoring Plan and Policies

- (1) BEAD program monitoring plan; See Exhibit F
- (2) Agency policy documentation which includes the following practices:
 - a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize) or on a basis determined by the terms and conditions of a fixed amount subaward agreement; and
 - b. Timely subgrantee (to Eligible Entity) reporting mandates.

See **Exhibit G** - Draft Subgrant Agreement (All elements of required agency policy documentation are included in the Draft Subgrant Agreement.)
notices.guam.gov/notice_detail/7284

4.3 Certification for Subgrant Agreements

Certify that the subgrant agreements will include, at a minimum, the following conditions:

- a. **Compliance with Section VII.E of the BEAD NOFO, as modified by the BEAD Restructuring Policy Notice, including timely subgrantee reporting mandates, including at least semiannual reporting, for the duration of the subgrant to track the effectiveness of the use of funds provided;**
- b. **Compliance with obligations set forth in 2 C.F.R. Part 200 and the Department of Commerce Financial Assistance Standard Terms and Conditions;**
- c. **Compliance with all relevant obligations in the Eligible Entity's approved Initial and Final Proposals, including the BEAD General Terms and Conditions and the Specific Award Conditions incorporated into the Eligible Entity's BEAD award;**
- d. **Subgrantee accountability practices that include distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis;**
- e. **Subgrantee accountability practices that include the use of clawback provisions between the Eligible Entity and any subgrantee (i.e., provisions allowing recoupment of funds previously disbursed);**
- f. **Mandate for subgrantees to publicize telephone numbers and email addresses for the Eligible Entity's Office of Inspector General (or comparable entity) and/or**



subgrantees' internal ethics office (or comparable entity) for the purpose of reporting waste, fraud, or abuse in the Program. This includes an acknowledgement of the responsibility to produce copies of materials used for such purposes upon request of the Federal Program Officer; and

g. Mechanisms to provide effective oversight, such as subgrantee accountability procedures and practices in use during subgrantee performance, financial management, compliance, and program performance at regular intervals to ensure that subgrantee performance is consistently assessed and tracked over time.

The Office of Infrastructure Policy & Development (OIPD) hereby certifies that all BEAD subgrant agreements executed under the Eligible Entity's administration will, at a minimum, include the following conditions:

Compliance with BEAD NOFO and Policy Notice Requirements

Each subgrant agreement will require adherence to Section VII.E of the BEAD NOFO, as modified by the BEAD Restructuring Policy Notice, including timely subgrantee reporting mandates. Subgrantees will be required to submit reports at least semiannually for the duration of the subgrant to track the effectiveness of the use of funds provided.

Compliance with Federal Regulations and Terms

Subgrantees will be bound to comply with all applicable obligations set forth in 2 C.F.R. Part 200 and the U.S. Department of Commerce Financial Assistance Standard Terms and Conditions.

Compliance with Approved Proposals and Award Conditions

Subgrant agreements will incorporate all relevant obligations from the Eligible Entity's NTIA-approved Initial and Final Proposals, including the BEAD General Terms and Conditions and any Specific Award Conditions incorporated into the Eligible Entity's BEAD award.

Reimbursable Basis for Funding

All subgrant agreements will provide that funding for deployment projects be distributed on a reimbursable basis, ensuring that payments are made only after the subgrantee has demonstrated satisfactory progress toward agreed-upon milestones.

Clawback Provisions

Subgrant agreements will include clawback provisions allowing the Eligible Entity to recoup funds previously disbursed if the subgrantee fails to meet contractual, performance, or compliance obligations.

Waste, Fraud, and Abuse Reporting Requirements

Subgrantees will be required to publicize telephone numbers and email addresses for the government of Guam's existing Waste, Fraud, and Abuse (WFA) Hotline as detailed in Section 4.1. Subgrantees must acknowledge their responsibility to provide copies of any materials used for these purposes upon request of the Federal Program Officer.

Oversight and Accountability Mechanisms

Subgrant agreements will require the use of effective oversight mechanisms, including performance, financial management, compliance, and program performance monitoring at regular intervals. These measures will ensure that subgrantee performance is consistently assessed and tracked over time.

Section 5 – Local Coordination (Requirement 5)

5.1 Public Comment Period on Final Proposal

Describe the public comment period and provide a high-level summary of the comments received by the Eligible Entity during the public comment period, including how the Eligible Entity addressed the comments.

1. **One Public Comment Received on August 28, 2025** - The commenter supported expanding reliable internet to schools, libraries, clinics, and other community anchor institutions but opposed extending home internet to all unserved and underserved communities. They expressed concern that free or subsidized home access could lead to misuse and suggested instead providing monitored access through village mayors' offices or other public spaces.

OIPD Feedback - At this time, there are no plans under the BEAD program to provide free or subsidized home internet service to households. The program is focused on ensuring that unserved and underserved locations have access to reliable, high-speed infrastructure so that service is available, but the cost of monthly internet service will remain the responsibility of the customer and the internet service provider.

Section 6 – Challenge Process Results (Requirement 6)

6.1 Successful Completion and Approval of Challenge Process

Certify that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from NTIA.

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity for the Broadband Equity, Access, and Deployment (BEAD) Program in Guam, hereby certifies that the Eligible Entity has successfully completed the BEAD Challenge Process and received approval of the results from the National Telecommunications and Information Administration (NTIA) on April 25, 2025.

6.2 Challenge Process Results

Provide a link to the website where the Eligible Entity has publicly posted the final location classifications (unserved/underserved/CAIs) and note the date that it was publicly posted.

https://notices.guam.gov/notice_detail/6567 Posted March 26, 2025

Section 7 – Unserved and Underserved Locations (Requirement 7)

7.1 Certification of Broadband Service Coverage of Unserved Locations

Certify whether the Eligible Entity will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity for the Broadband Equity, Access, and Deployment (BEAD) Program in Guam, hereby certifies that it will ensure coverage of broadband service to all unserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

7.2 Coverage of Unserved Locations Determination

If the Eligible Entity does not serve an unserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination.

Not applicable.

7.3 Coverage of Unserved Locations Documentation

If applicable to support the Eligible Entity's response to Question 7.2, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

7.4 Certification of Broadband Service Coverage of Underserved Locations

Certify whether the Eligible Entity will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process required under 47 U.S.C. § 1702(h)(2).

The OIPD certifies that it will ensure coverage of broadband service to all underserved locations within its jurisdiction, as identified upon conclusion of the Challenge Process in accordance with 47 U.S.C. § 1702(h)(2). 7.5 Coverage of Underserved Locations Determination

If the Eligible Entity does not serve an underserved location because it is either financially incapable or has determined that costs to serve the location would be unreasonably excessive, explain and include a strong showing of how the Eligible Entity made that determination.

Not applicable.

7.6 Coverage of Underserved Locations Documentation

If applicable to support the Eligible Entity's response to Question 7.5, provide relevant files supporting the Eligible Entity's determination.

Not applicable.

7.7 Certification of Documentation of Unserved or Underserved Locations

Certify that the Eligible Entity has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding, that the Eligible Entity will utilize reason codes 1, 2, and 3 for the entire period of performance, and that the Eligible Entity will maintain documentation, following the guidelines provided by NTIA, to justify its determination if there is a reason to not serve any unserved or underserved location on the NTIA-approved Challenge Process list through a BEAD project. The documentation for each location must be relevant for the specific reason indicated by the Eligible Entity in the fp_no_BEAD_locations.csv file. The Eligible Entity shall provide the documentation for any such location for NTIA review, as requested during Final Proposal review or after the Final Proposal has been approved.



OIPD hereby certifies that it has utilized the provided reason codes to investigate and account for locations that do not require BEAD funding. OIPD further certifies that it will utilize reason codes 1, 2, and 3 for the entire period of performance.

OIPD affirms that it will maintain documentation, in accordance with NTIA guidelines, to justify its determination if there is a reason not to serve any unserved or underserved location identified on the NTIA-approved Challenge Process list through a BEAD project. The documentation for each location shall be relevant to the specific reason indicated by the OIPD in the fp_no_BEAD_locations.csv file.

OIPD shall provide such documentation for NTIA review, upon request, either during Final Proposal review or after Final Proposal approval.

7.8 Certification of Coverage of Underserved Locations

Certify the Eligible Entity has accounted for all enforceable commitments after the submission of its challenge results, including state enforceable commitments and federal enforceable commitments that the Eligible Entity was notified of and did not object to, and/or federally-funded awards for which the Eligible Entity has discretion over where they are spent (e.g., regional commission funding or Capital Projects Fund/State and Local Fiscal Recovery Funds), in its list of proposed projects.

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity, hereby certifies that it has accounted for all enforceable commitments after the submission of its challenge results.

NTIA has informed Guam that there are no enforceable commitments applicable at this time. Nevertheless, OIPD affirms that it has reviewed and accounted for any such commitments, had they existed, in its list of proposed projects.

Section 11 – Cost and Barrier Reduction, Compliance with Labor Laws, Low-Cost Plans, and Network Reliability and Resilience (Requirement 11)

11.1 Reducing Costs and Barriers to Deployment

Provide the implementation status (Complete, In Progress, or Not Started) of plans described in the approved Initial Proposal Requirement 14 related to reducing costs and barriers to deployment.

In Progress - Dig Once

Leon Guerrero-Tenorio Administration in partnership with the Department of Public Works is looking into implementing a Dig Once policy to develop and implement a comprehensive Dig Once policy. The policy would advocate for the use of joint trenching for multiple utilities where possible, to minimize disruption and maximize efficiency.

In Progress - EHP Compliance Support

The Leon Guerrero-Tenorio Administration reviewed and addressed requirements set by the Guam State Historic Preservation Office. The aim was to streamline approvals and reduce the time and cost involved in construction or laying down fiber, essential for the successful implementation of the BEAD program. Modifications took into consideration environmental impacts, the protection of cultural heritage, and the preservation of endangered native species.

In Progress - Streamlining Permitting Progress

The Leon Guerrero-Tenorio Administration has led major permitting improvements, including automation of critical EPA and DPW reviews. These measures will further reduce delays and streamline processes for broadband deployment projects and review times should improve significantly.

11.2 Compliance with Federal Labor and Employment Laws

Affirm that the Eligible Entity required subgrantees to certify compliance with existing federal labor and employment laws.

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity for the Broadband Equity, Access, and Deployment (BEAD) Program in Guam, hereby affirms that the OIPD required all subgrantees to certify compliance with existing federal labor and employment laws.

This requirement is incorporated into NOFO-OIPD-001-2025 and the resulting subgrant agreements, which mandate execution of the U.S. Department of Labor Wage and Benefit Determination compliance declaration and adherence to applicable federal labor standards as a condition of award.

11.3 Compliance with Federal Labor and Employment Laws

If the Eligible Entity does not affirm that subgrantees were required to certify compliance with federal labor and employment laws, explain why the Eligible Entity was unable to do so.

Not applicable. All applicants certified compliance with labor laws.

11.4 Certification of Low-Cost Broadband Service Option

Certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period.

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity for the Broadband Equity, Access, and Deployment (BEAD) Program in Guam, hereby certifies that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period.

This requirement is established in NOFO-OIPD-001-2025, which mandates that subgrantees provide at least one qualifying low-cost broadband service option that meets BEAD technical standards and remains available throughout the full period of performance for the funded network.

11.5 Low-Cost Broadband Service Option

If the Eligible Entity does not certify that all subgrantees selected by the Eligible Entity will be required to offer a low-cost broadband service option for the duration of the 10-year Federal interest period, explain why the Eligible Entity was unable to do so.

Not applicable. All awarded proposals include a low-cost service option.



11.6 Certification of Reliability and Resilience of BEAD-funded Networks

Certify that all subgrantees have planned for the reliability and resilience of BEAD-funded networks.

The government of Guam, through the Office of Infrastructure Policy & Development (OIPD), certifies that all BEAD subgrantees are required to plan for the reliability and resilience of BEAD-funded networks.

As outlined in Guam's BEAD Notice of Funding Opportunity (NOFO), subgrantees must demonstrate in their applications and subgrant agreements that:

- All networks are designed to withstand local hazards, including typhoons, earthquakes, and power disruptions.
- Infrastructure meets or exceeds NTIA and FCC technical standards for reliability.
- Plans include backup power solutions, network hardening measures, and redundancies to ensure continuity of service.
- Subgrantees report on resiliency measures and commit to ongoing compliance as a condition of funding.

These requirements are embedded in Guam's subgrant process, and OIPD will verify compliance during subgrant application review, award negotiations, and post-award monitoring.

11.7 Reliability and Resilience of BEAD-funded Networks

If the Eligible Entity does not certify that subgrantees have ensured planned for the reliability and resilience of BEAD-funded networks in their network designs, explain why the Eligible Entity was unable to do so.

Not applicable. All applicants selected have reliability and resilience plans.



Section 12 – Substantiation of Priority Broadband Projects (Requirement 12)

12.1 Deployment of Priority Broadband Projects

Describe how the Eligible Entity applied the definition of Priority Project as defined in the Infrastructure Act and the BEAD Restructuring Policy Notice.

A. Deployment of Priority Broadband Projects

Our office applied the definition of Priority Broadband Project consistent with the Infrastructure Investment and Jobs Act and NTIA's BEAD Restructuring Policy Notice. A PBP is defined as a project that provides broadband service at speeds of at least 100 Mbps download and 20 Mbps upload, with latency that supports real-time applications, and that is scalable to meet evolving broadband needs.

Guam evaluated all proposals on a technology-neutral basis, requiring applicants to meet the statutory definition of a Priority Broadband Project. Awards balanced cost-effectiveness with operational viability: for large Project Areas, Guam prioritized applicants with enforceable federal milestones to ensure accountability across multi-year builds, while favoring solutions resilient to Guam's national defense role and disaster-prone environment. For CAI clusters, Guam selected high-match proposals that were viable at smaller scale and maximized community anchor institution coverage with minimal federal cost.

B. Identifying Applications In Need of PBP Review

Applications would be flagged for additional review if performance, latency, scalability, or cost information was unclear or incomplete. These applications were directed into the cure process for clarification.

C. Methodology

As outlined in Guam's NOFO, applications were evaluated using a transparent, points-based system that considered:

- Cost-effectiveness (average cost per passing and amount of BEAD funds requested),
- Scalability and performance commitments, and
- Deployment readiness and timing where applicable.
- Operational viability for Guam

Risk Assessment and Enforcement Considerations

While cost efficiency was an important factor in awarding BEAD subgrants, proposals also needed to demonstrate accountability under 2 C.F.R. §200.206. Guam's review considered not



only the level of federal participation but also whether commitments could be reasonably enforced over the full compliance period.

Section 13 – Subgrantee Selection Certification (Requirement 13)

13.1 Subgrantee Scoring Criteria

Provide a narrative summary of how the Eligible Entity applied the BEAD Restructuring Policy Notice's scoring criteria to each competitive project application and describe the weight assigned to each Secondary Criteria by the Eligible Entity. Scoring criteria must be applied consistent with the prioritization framework laid out in Section 3.4 of the BEAD Restructuring Policy Notice.

The Office of Infrastructure Policy & Development (OIPD), as the Eligible Entity for the BEAD Program in Guam, applied the scoring criteria outlined in the BEAD Restructuring Policy Notice to each competitive project application in a manner consistent with the prioritization framework described in Section 3.4 of the Policy Notice. The evaluation framework in NOFO-OIPD-001-2025 established a two-tier scoring system consisting of **Primary Criteria** and **Secondary Criteria**, with priority given to the lowest cost per passing and the scalability of the proposed network over four years.

Primary Criteria (60 Points Total)

Primary scoring focused on the minimal BEAD program outlay, aligning with the BEAD Restructuring Policy Notice's directive to prioritize cost efficiency while meeting program requirements:

- **Part 1 – Total Project Cost per Broadband Serviceable Location (BSL) (30 points):**
 - 30 points awarded to the lowest average cost per BSL in a project area.
 - 20 points awarded to applications within 15% of the lowest cost.
 - 10 points awarded to applications above 15% of the lowest cost.
- **Part 2 – Committed End-User Speeds Four Years from Date of Award (30 points):**

Points awarded according to scalability:

 - 6 points for 100/20 Mbps
 - 12 points for 200/50 Mbps
 - 18 points for 500/100 Mbps
 - 24 points for 1,000/1,000 Mbps
 - 30 points for 2,000/2,000 Mbps

Secondary Criteria (up to 40 Additional Points)

Secondary Criteria were applied only when competing applications for the same project area were within 15% of the lowest-cost proposal. The Eligible Entity assigned the following weights to the Secondary Criteria, consistent with the BEAD Restructuring Policy Notice framework:

- 1. Speed to Deployment (20 points maximum – 50% of total secondary points)**
Applicants committing to an earlier deployment date than the four-year maximum received points as follows:
 - 5 points – within 48 months
 - 10 points – within 36 months
 - 15 points – within 24 months
 - 20 points – within 12 months
- 2. Speed of Network and Other Technical Capabilities (20 points maximum – 50% of total secondary points)**
Eligible Entity awarded up to 20 points based on documented technical capabilities supporting higher speeds, lower latency, and enhanced reliability. Applications without vendor documentation supporting these claims received zero points in this category.

This structured approach ensured that Guam's BEAD subgrant awards prioritized cost-effective, high-capacity, and timely broadband deployment, while also applying secondary evaluation factors only when cost competitiveness was sufficiently close to merit further technical and schedule-based consideration.

Section 14 – Environmental and Historic Preservation (EHP) Documentation (Requirement 14)

14.1 Environmental and Historic Preservation (EHP) Documentation

Submit a document which includes the following:

- **Description of how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements, including a brief description of the methodology used to evaluate the Eligible Entity's subgrantee projects and project activities against NTIA's National Environmental Policy Act (NEPA) guidance. The methodology must reference how the Eligible Entity will use NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) to create NEPA project records, evaluate the applicability of categorical exclusions, consider and document the presence (or absence) of Extraordinary Circumstances, and transmit information and draft NEPA documents to NTIA for review and approval.**

- Description of the Eligible Entity's plan to fulfill its obligations as a joint lead agency for NEPA under 42 U.S.C. 4336a, including its obligation to prepare or to supervise the preparation of all required environmental analyses and review documents.
- Evaluation of the sufficiency of the environmental analysis for your state or territory that is contained in the relevant chapter of the FirstNet Regional Programmatic Environmental Impact Statement (PEIS), available at <https://www.firstnet.gov/network/environmental-compliance/projects/regional-programmatic-environmental-impact-statements>.
- Evaluation of whether all deployment related activities anticipated for projects within your state or territory are covered by the actions described in the relevant FirstNet Regional PEIS.
- Description of the Eligible Entity's plan for applying specific award conditions or other strategies to ensure proper procedures and approvals are in place for disbursement of funds while projects await EHP clearances.

See Exhibit H

Section 15 – Consent from Tribal Entities (Requirement 15)

15.1 Documentation of Consent from Tribal Entities

Upload a Resolution of Consent from each Tribal Government (in PDF format) from which consent was obtained to deploy broadband on its Tribal Land. The Resolution(s) of Consent submitted by the Eligible Entity should include appropriate signatories and relevant context on the planned (f)(1) broadband deployment including the timeframe of the agreement. The Eligible Entity must include the name of the Resolution of Consent PDF in the Deployment Projects CSV file.

Not applicable.

Section 16 – Prohibition on Excluding Provider Types (Requirement 16)

16.1 Certification of Exclusion of Provider Types

Does the Eligible Entity certify that it did not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for a BEAD subgrant, consistent with the requirement at 47 U.S.C. § 1702(h)(1)(A)(iii)?



Yes

Section 17 – Waivers

17.1 Waivers for BEAD Requirements

If any waivers are in process and/or approved as part of the BEAD Initial Proposal or at any point prior to the submission of the Final Proposal, list the applicable requirement(s) addressed by the waiver(s) and date(s) of submission. Changes to conform to the BEAD Restructuring Policy Notice should be excluded. If not applicable to the Eligible Entity, note 'Not applicable.'

Not applicable.

17.2 Waivers for BEAD Requirements

If not already submitted to NTIA, and the Eligible Entity needs to request a waiver for a BEAD program requirement, upload a completed Waiver Request Form here. If documentation is already in process or has been approved by NTIA, the Eligible Entity does NOT have to upload waiver documentation again.

TBD

Section 18 – Exhibits

Exhibit A – Subgrantees CSV file

Exhibit B – Deployment Projects CSV file

Exhibit C – Locations CSV file

Exhibit D – No BEAD Locations CSV file

Exhibit E – CAIs CSV file

Exhibit F – BEAD Program Monitoring Plan

Exhibit G – Draft Subgrant Agreement

Exhibit H – Environmental and Historic Preservation (EHP) Documentation

EXHIBIT A

The following provisional Awardees are:

Space Exploration Technologies Corp.	9 Project Area BSLS
PTI Pacifica Inc., dba IT&E	175 CAI Locations
Teleguam Holdings, LLC dba GTA	1358 Project Area BSLS

EXHIBIT B-G

See notices.guam.gov

EXHIBIT F

BEAD Monitoring Plan

1. Purpose

This monitoring plan outlines the processes, timelines, and tools the Office of Infrastructure Policy & Development (OIPD) will use to ensure all subgrantees comply with the terms of the BEAD program. This includes federal requirements under 2 C.F.R. Part 200, NTIA's BEAD NOFO, and the BEAD Restructuring Policy Notice, as well as IIJA requirements (47 U.S.C. § 1702) for network capabilities, deployment requirements, and service obligations. Our monitoring framework is designed to balance accountability, risk mitigation, and support for successful project execution.

2. Authority

This plan is established pursuant to:

- 2 C.F.R. § 200.329 – Monitoring and reporting program performance
- 2 C.F.R. § 200.332 – Requirements for pass-through entities
- BEAD NOFO Section V.D.1 (Program Oversight), as well as Sections IV.C.2.a (Network Capabilities), IV.C.2.b (Deployment Requirements), and IV.C.2.c (Service Obligations)
- BEAD Restructuring Policy Notice Section 3.3.c, including Appendix B for LEO-specific requirements and sections on network capabilities, deployment requirements, and service obligations
- IIJA (47 U.S.C. § 1702(g)(1)(B) and (D), (h)(4)(B), (h)(4)(D), (h)(4)(F), (h)(4)(G)) for reliability and resilience, covered purchases, low-cost plans, conduit access, public notice, and cybersecurity

3. Monitoring Structure and Activities

a. Risk-Based Monitoring Approach

OIPD will apply a tiered risk model to determine the level of scrutiny and support required for each subgrantee. This model evaluates:



- Organizational capacity
- Experience with federal grants
- Project scale and complexity
- Historical performance (if applicable)
- Compliance with cybersecurity and supply chain plans (including NIST frameworks and natural disaster resilience)
- Adherence to service obligations (e.g., low-cost plans, public notice, non-discriminatory access)
- Technology-specific risks (e.g., LEO CPE provision, fixed wireless tower completion)

Subgrantees are assigned to risk tiers (low, moderate, high) within 30 days of award, and tiers may be updated quarterly based on compliance and performance indicators. Projects involving covered purchases or PRC-sourced equipment will automatically start in moderate/high risk tiers unless waived.

b. Performance-Based Monitoring and Compliance Checks

Subgrantees must meet specific performance thresholds tied to both technical milestones and administrative compliance to remain in good standing. These include:

- Buildout Milestones: Must meet or exceed progress benchmarks at 25%, 50%, 75%, and 100% of project timeline.
- Speed & Latency Testing: Subgrantees must demonstrate that completed segments meet BEAD speed and quality-of-service standards (95% of measurements \leq 100ms round-trip; 80/80 standard for speeds).
- CAI Connections: Documented evidence (photos, service agreements, live connections) of community anchor institutions reached.
- Workforce Commitments: Demonstrated adherence to hiring plans, training goals, and any required use of local labor or apprenticeships.
- Network Outages: Ensure outages do not exceed an average of 48 hours over any 365-day period (excluding natural disasters/force majeure); monitored via subgrantee outage logs and metrics.
- Reliability and Resilience: Verification of risk management plans incorporating NIST frameworks and strategies for natural disasters (e.g., wildfires, flooding).
- Low-Cost Broadband Service Options: Availability to eligible subscribers (at least 100/20 Mbps, <100 ms latency) for the 10-year federal interest period; documentation of plan details (charges, speeds, eligibility broader than RPN if applicable).
- Access to Service: Standard installations within 10 business days (or CPE delivery for LEO); non-discriminatory terms; no more than 3 free CPE per location for LEO during performance period.
- Public Awareness Campaigns: Evidence of campaigns (online/other means) notifying populations of new services, tailored to demographics.
- Conduit Access Points: For underground/roadway fiber projects, confirmation of interspersed access points at regular/short intervals.
- Covered Purchases: No use of prohibited communications equipment or PRC-manufactured fiber/optical gear; vendor certifications required.



OIPD will use these indicators to:

- Authorize or withhold reimbursement
- Trigger corrective actions or escalation
- Inform site visit priorities

c. Quarterly Reporting and Validation

Quarterly reports must include:

- Narrative updates on project progress
- Percent completion by location and by budget category
- Updated GIS or engineering data
- Results from speed and reliability testing
- Certified invoices
- Outage reports (duration, causes, metrics); resilience plan updates (e.g., natural disaster mitigation)
- Low-cost plan enrollment data, eligibility verifications, and price/speed details
- Service access metrics (e.g., installation timelines, CPE provision for LEO)
- Public awareness campaign activities and reach metrics
- Certifications for conduit access, covered purchases, and cyber/supply chain compliance

d. Site Visits and Independent Verification

OIPD will conduct:

- Quarterly in-person site visits for all subgrantees
- Supplemental performance verification visits for subgrantees with higher risk scores or missed milestones
- Third-party validation, as needed, to verify performance claims in buildout or network testing

A site visit checklist will confirm not just physical progress, but also safety compliance, workforce presence, and material use vs. invoicing, as well as verification of outage protocols, resilience measures (e.g., backup systems for disasters), low-cost plan implementation, service access processes, public campaign materials, conduit placements, and covered equipment audits. Post-deployment visits (e.g., biennial during 10-year period) for high-risk subgrantees to check service obligations. Third-party validation for cyber/supply chain plans and outage metrics.

4. Subgrant Reimbursement Structure

All deployment subgrants will be reimbursed on a cost-incurred basis in accordance with:

- 2 C.F.R. § 200.305(b)
- The terms of our draft subgrant agreement (see Exhibit G)
- Exceptions will be documented for any fixed-amount awards

Invoices must be supported by certified documentation, including engineering reports, vendor invoices, and photographic/geospatial proof of work completed. Reimbursements will be conditioned on compliance with use of funds (equitable/nondiscriminatory manner) and covered purchases; include clawback provisions for nonperformance as per subgrantee agreements. Documentation must include certifications for prohibited equipment avoidance and conduit access compliance.

5. Subgrantee Training and Communication

OIPD will provide:

- Mandatory pre-award onboarding sessions
- Access to video tutorials and documentation on using READY.net
- Ongoing helpdesk support via OIPD's Program Management Office
- Training on new obligations: low-cost plans, outage management, resilience planning, public awareness, cyber/supply chain, conduit access, and covered purchases

Quarterly newsletters and updates will also include monitoring reminders and FAQs, including reminders on post-deployment monitoring (e.g., 10-year low-cost enforcement).

6. Record Retention and Audit Preparedness

OIPD will comply with 2 C.F.R. § 200.334 by maintaining all subgrantee records, including:

- Network diagrams and designs
- Buildout schedules and updates
- Financial reports and invoices
- Compliance communications and site visit reports
- Outage logs, resilience/cyber plans, low-cost enrollment data, public campaign documentation, conduit plans, and covered purchase certifications

Records will be retained for at least three years following submission of the final expenditure report, or longer if required for the 10-year federal interest period (e.g., low-cost plan and service obligation records).

Exhibit G – Draft Subgrant Agreement

See: notices.guam.gov/notice_detail/7284

Exhibit H

NOFO Section IV.B.9.b, Page 48: Environmental documentation associated with any construction and/or ground-disturbing activities and a description of how the Eligible Entity will comply with applicable environmental and historic preservation requirements.



1. Methodology for EHP Compliance
 - Describe how the Eligible Entity will comply with applicable environmental and historic preservation (EHP) requirements.
 - Outline the methodology for evaluating subgrantee projects using NTIA's National Environmental Policy Act (NEPA) guidance.
 - Confirm how the entity will utilize NTIA's Environmental Screening and Permitting Tracking Tool (ESAPTT) to:
 - Create NEPA project records
 - Evaluate categorical exclusions
 - Assess for Extraordinary Circumstances
 - Transmit information and draft NEPA documents to NTIA
2. NEPA Joint Lead Agency Role
 - Describe the plan to fulfill joint lead agency responsibilities under 42 U.S.C. § 4336a, including:
 - Preparing or supervising all required environmental analyses and review documents
3. Review of FirstNet Regional PEIS
 - Provide an evaluation of the environmental analysis in the FirstNet Regional Programmatic Environmental Impact Statement (PEIS) for your state or territory
 - Confirm whether all deployment activities expected in BEAD-funded projects are covered by the actions described in the PEIS
 - Link reference:
<https://www.firstnet.gov/network/environmental-compliance/projects/regional-programmatic-environmental-impact-statements>
4. Award Conditions During EHP Review
 - Describe how the Eligible Entity will apply specific award conditions or other measures to ensure:
 - Funds are properly conditioned
 - No unauthorized construction or disbursement occurs prior to full EHP clearance



Final Report – Environmental (Requirement 14)

The Office of Infrastructure Policy & Development (OIPD) will ensure full compliance with applicable environmental and historic preservation (EHP) requirements through alignment to the requirements of the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), Section 7 of the Endangered Species Act, and Section 404 of the Clean Water Act, as applicable, and to include NTIA's programmatic guidance as established in its "Guidance on NTIA National Environmental Policy Act Compliance, April 2024". OIPD will establish a framework to assure that all eligible subgrantee projects and project activities will adhere to a comprehensive framework aligning with federal, territorial, and local guidelines. The following measures demonstrate the process OIPD will execute to assure regulatory compliance and responsible project execution:

1. Environmental and Historic Preservation Requirements

The Office of Infrastructure Policy & Development (OIPD) will ensure full compliance with all applicable environmental and historic preservation (EHP) requirements, including:

- National Environmental Policy Act (NEPA)
- National Historic Preservation Act (NHPA), Section 106
- Endangered Species Act (ESA), Section 7
- Clean Water Act, Section 404
- NTIA's Guidance on NEPA Compliance (April 2024)
- Relevant territorial and local environmental regulations

OIPD will implement a comprehensive compliance framework to evaluate all subgrantee projects and ensure alignment with federal, territorial, and local guidelines.

2. Joint Lead Agency Responsibilities

As a joint lead agency under NEPA (42 U.S.C. § 4336a), OIPD acknowledges its obligation to:

1. Prepare or supervise all environmental analyses and review documents.
2. Collaborate with NTIA, federal agencies (FCC, USDA, USFWS, USACE, NMFS), and territorial agencies (Guam EPA, Guam State Historic Preservation Office) to ensure consistent, efficient reviews.
3. Apply "One Federal Decision" by developing a single environmental decision document for each project to reduce duplication.
4. Ensure meaningful public involvement, including multi-language outreach and culturally appropriate formats.



5. Support NTIA in Tribal consultation responsibilities by providing project data, cultural context, and local engagement with indigenous organizations, even though Guam has no federally recognized Tribes.
6. Leverage ESAPTT to manage environmental screenings, permitting, and compliance reporting.

3. FirstNet Regional PEIS Evaluation

OIPD reviewed the 2017 FirstNet Regional Programmatic Environmental Impact Statement (PEIS, Chapter 6: Guam) and determined that it sufficiently covers most anticipated BEAD deployment activities, including:

- Installation of fiber in existing conduit or aerial facilities.
- Lighting dark fiber and use of existing submarine cables.
- Small-scale wireless and equipment installations.

Coverage Determination Table

Deployment Activity	Covered by PEIS	Requires Supplemental Review
Fiber in existing conduit	Yes	No
Aerial fiber on existing poles	Yes	No
New buried fiber with ground disturbance	Partial	Yes - erosion, wetlands, cultural sites
Submarine cable landings	Partial	Yes - coastal, marine impacts
Satellite/backhaul integration	Yes	No

Where gaps exist, OIPD will prepare supplemental Environmental Assessments (EA) or Environmental Impact Statements (EIS) to address:

- Guam's Zero Waste Act (2022)
- Updated Endangered Species Listings (e.g., *Pogostemon guamensis*, *Bulbophyllum realersoniae*, Guam Kingfisher)
- Recently listed historic properties (Chaqui'an Massacre Site, Tuman-Maui Well)
- Guam's Priority Climate Action Plan (2024) for climate resilience and sea-level rise



4. NEPA Screening and Categorical Exclusions (CEs)

OIPD will employ a tiered methodology to identify and categorize projects:

Step	Step Description	Step Details
1	CE Screening	Cross-reference with NTIA Appendix B CEs
1	CE Screening	Apply provisional CE if criteria are met and no Extraordinary Circumstances (ECs) exist
2	EC Check	Apply Appendix B (Appendix C - NTIA's April 2024 NEPA Guidance) (ECs) review for sensitive conditions (wetlands, endangered species, cultural sites)
3	Escalation	If ECs are present, prepare an EA or escalate to EIS if significant impacts are likely

Example CE Projects:

- Underground fiber in disturbed ROWs
- Aerial fiber on existing poles
- Small-scale wireless on existing rooftops

See **Appendix A** showing the **Categorical Exclusion (CE) and Authority Flowchart**.

See **Appendix B** showing the **Extraordinary Circumstances (EC) Checklist**.

5. Specific Award Conditions (SACs)

No implementation and no disbursement until environmental review is complete (CE/FONSI/ROD); only non-ground disturbing work allowed. This condition will be included in every subgrant to ensure full compliance with NEPA and related environmental laws.

- To safeguard compliance, OIPD will apply EHP-specific SACs to all subgrantee awards:
- Funds withheld until NTIA issues a CE, FONSI, or ROD.
- Milestone schedules required for NEPA and Section 106 reviews.
- Pre-implementation activities limited to non-ground-disturbing actions (engineering design, ROW agreements, permitting preparation, desktop studies).
- Monitoring system established to ensure timely completion of consultations and permit acquisition.

6. Public and Stakeholder Engagement

OIPD will ensure meaningful participation by:

- Conducting early scoping meetings with agencies and community organizations.



- Providing multi-language notices and public comment opportunities.
- Maintaining a public tracking log of comments and agency consultations.
- Engaging indigenous and cultural groups to address traditional knowledge and heritage protection.

7. Environmental Justice (EJ) Analysis

OIPD will comply with Executive Order 12898 by:

- Using EPA's EJScreen and NTIA's ESAPTT EJ module to identify low-income/minority communities. Any census tract in the top 20% of EJScreen burden scores, or with a low-income population greater than 35%, will be flagged as potentially disproportionately impacted and subject to additional review.
- Evaluating potential disproportionate impacts from construction, ROW disturbances, or visual/aesthetic changes.
- Documenting mitigation strategies to ensure equitable distribution of project benefits.

8. Mitigation and Monitoring

Mitigation will be developed project-by-project, with examples including:

- Erosion & sediment controls for trenching activities.
- Marine habitat protections during submarine cable work.
- Buffer zones around sensitive species habitats.
- Archaeological monitoring during excavation near cultural sites.
- Construction waste recycling under the Guam Zero Waste Act.

Monitoring will include:

- Periodic site inspections
- Air, noise, and water quality checks
- Quarterly reporting to NTIA via ESAPTT
- Adaptive management where mitigation proves insufficient

9. Staffing and Capacity

OIPD has established a NEPA compliance team comprising:

- In-house NEPA professionals
- Contracted subject matter experts (biology, archaeology, permitting)
- Liaisons with Guam EPA, Guam SHPO, and USFWS

Resources will be scaled based on project demand. A compliance tracking system will ensure timely reviews, with NTIA oversight through ESAPTT.

Staffing Capacity Table

Role/Function	Current FTE	Surge/On-Call Capacity	Notes
NEPA Lead / Compliance PM	2.0 FTE	+1.0 FTE (contract)	Core staff, manages ESAPTT
Biological Resources SME	0.5 FTE	+1.0 FTE (IDIQ)	Endangered species reviews
Cultural / Archaeology	0.5 FTE	+1.0 FTE (IDIQ)	Section 106 & monitoring
Environmental Permitting	0.5 FTE	+0.5 FTE (contract)	CWA/404, CZMA, stormwater
ESAPTT Data Steward	0.5 FTE	Covered by Grants PM	Uploads/QA of project records

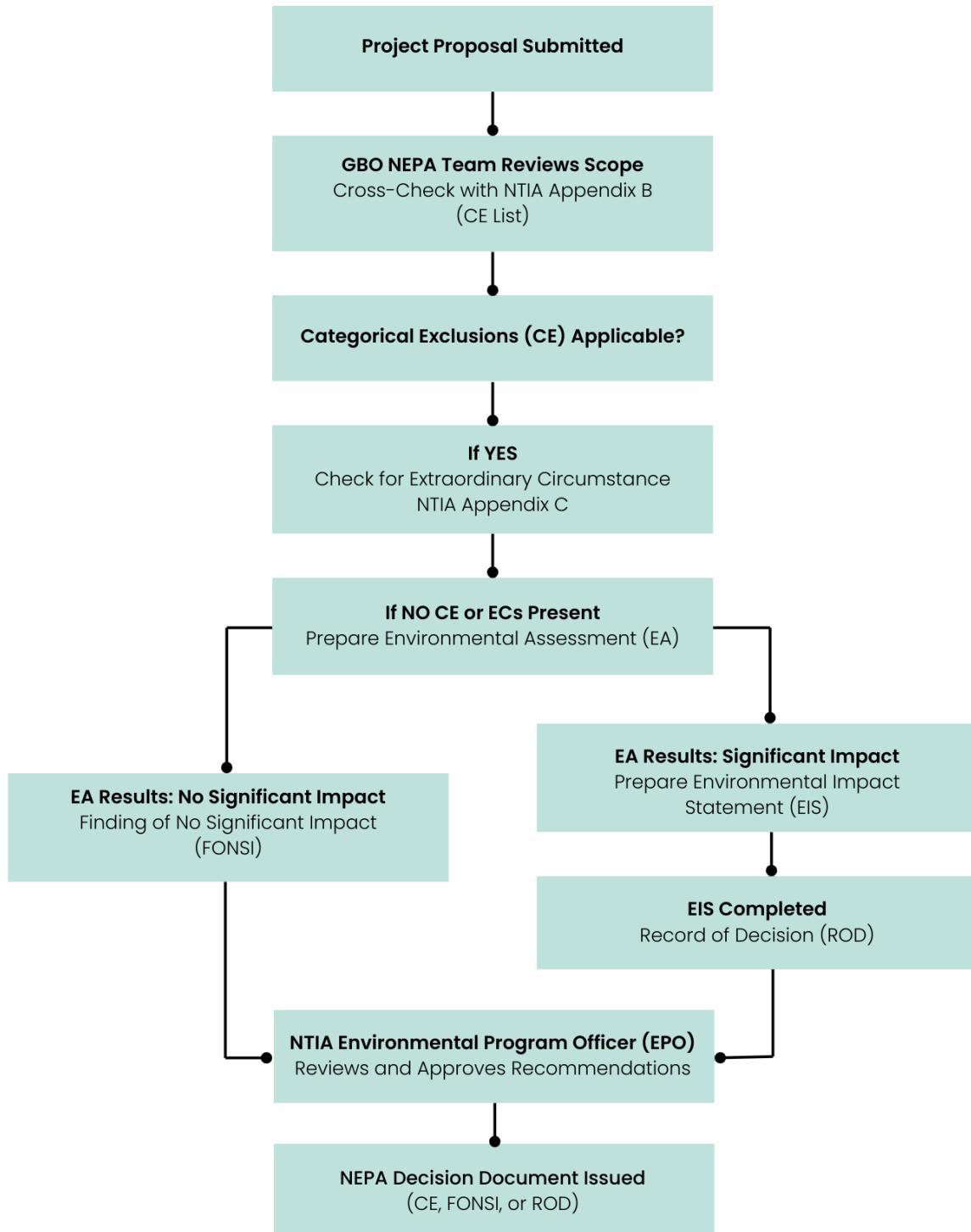
Conclusion

The Office of Infrastructure Policy & Development's framework aligns with NTIA's April 2024 NEPA Guidance and Requirement 14 expectations. With the addition of structured PEIS coverage mapping, CE methodology, EJ analysis, stakeholder engagement plan, and mitigation protocols, Guam is positioned to conduct efficient, transparent, and compliant environmental reviews for BEAD-funded projects.

This approach balances Guam's unique environmental and cultural context with the national goal of broadband deployment, ensuring readiness, resilience, and compliance.



APPENDIX A



APPENDIX B

Extraordinary Circumstances (EC) Checklist

Projects that normally qualify for a Categorical Exclusion (CE) may still require an Environmental Assessment (EA) or Environmental Impact Statement (EIS) if any of the following conditions apply.

For each subgrantee project, OIPD will complete this checklist and document whether an EC is present:

1. Protected Species & Habitat
 - Potential to adversely affect species listed or proposed under the Endangered Species Act (ESA) or their designated critical habitat.
2. Wetlands, Floodplains, Coastal Zones
 - Impacts to wetlands, 100-year floodplains, or designated coastal management zones.
3. Cultural & Historic Properties
 - Adverse effects on properties listed, or eligible for listing, on the National Register of Historic Places or the Guam Register of Historic Places.
 - Impacts to cultural resources of significance to indigenous Chamorro groups or other local communities.
4. Air, Noise, and Water Quality
 - Significant adverse impacts on air quality, water quality, or noise levels in violation of territorial or federal standards.
5. Environmental Justice (EJ)
 - Disproportionately high and adverse effects on minority or low-income populations (flagged if EJScreen top 20% or LI >35%).
6. Public Health & Safety
 - Significant risks to public health or safety, including proximity to hazardous sites or use of hazardous materials.
7. Unique Geographic or Ecological Areas
 - Disturbance of prime farmland, ecologically critical areas, protected marine zones, or unique island habitats.
8. Controversy or Uncertainty
 - Highly controversial effects on environmental quality, or significant scientific uncertainty about environmental consequences.
9. Cumulative Impacts
 - Likelihood of significant cumulative effects when combined with other past, present, or reasonably foreseeable projects.
10. Climate Resilience

- Adverse interaction with Guam's climate adaptation priorities, including sea-level rise, storm surge, and extreme weather risks (per Guam's 2024 PCAP).