



INITIAL PROPOSAL VOLUME II

connectVI

**Broadband Equity, Access and
Deployment (BEAD) Grant Program**

**GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS
USVI BROADBAND OFFICE**



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Introduction

The US Virgin Islands Broadband Office (VIBO) is pleased to present the Initial Proposal - Volume II to meet the requirements of the Broadband Equity, Access, and Deployment (BEAD) grant program. This second volume is the VIBO's strategic plan for using the \$27.1 million from BEAD to bridge the digital divide in the U.S. Virgin Islands.

The Office of Management and Budget (OMB) has been designated as the Eligible Entity for the US Virgin Islands to execute the Broadband Equity, Access, and Deployment (BEAD) grant program, including creating the Initial Proposals. The staff of OMB interacted with a team of subject matter experts across the territory who have also helped inform this proposal. A key player in the transformation of broadband access, OMB and its staff have been entrusted with leading the program, ensuring that implementation is efficient, secure, and aligns with the community's needs.

This proposal addresses a range of requirements, including long-term broadband non-deployment objectives, support for local and regional planning, diverse workforce and business involvement, and strategies to reduce barriers to deployment. Volume II of the Initial Proposal includes requirements 1, 2, 4, & 8-20, with comprehensive descriptions of how the Territory will meet all the conditions of program guidelines. Volume II sets the stage for a comprehensive exploration of the program's goals and objectives, community benefits, and the strategies that will be implemented for successful execution.

All broadband stakeholders are welcome to review this proposal and provide as much constructive feedback as possible. The public comment period will be open for 30 days after this document's publication on November 16, 2023. Comments regarding the draft should be submitted via OMB's website at <https://www.omb.vi.gov/bead> by **11:59 PM ET on Saturday, December 16, 2023**.

The VIBO will review all submissions and consider recommendations for program execution. Following the assessment of received comments, and revisions to the proposal have been made, the VIBO will fulfill the requirement of submitting Volume II to NTIA for formal approval. The VIBO intends to maintain the timeline required by NTIA for the BEAD program to access grant funds. After the review process of both volumes, the VIBO hopes to secure approval from the National Telecommunications and Information Association (NTIA) to initiate the BEAD Challenge Process, marking a significant step toward addressing digital disparities in the US Virgin Islands.

The successful implementation of this program hinges on a collaborative approach involving various stakeholders, including government entities, private sector partners, and the local community. VIBO, through its ConnectVI program, eagerly anticipates strategic partnerships with the Territory's broadband stakeholders to deliver affordable, reliable, high-speed Internet access to every Virgin Islander. Any questions about the proposal or requests for clarification on any points can be sent to bead@omb.vi.gov.

SECTION 1 Objectives

(Requirement 1)

The United States Virgin Islands (USVI), a picturesque and strategically located territory, is currently engaged in an ambitious plan to implement long-term solutions that will significantly enhance connectivity and provide “Internet for All” to its residents. This initiative is driven by the critical need to improve broadband access, a challenge that has been highlighted by the region's vulnerability to natural disasters and the evolving global digital landscape. The USVI Broadband Equity, Access, and Deployment Program (BEAD) funding proposal is grounded in Governor Albert Bryan Jr.'s Vision 2040 Plan which is focused on prosperity for all Virgin Islanders. This plan was produced in 2020 by the United States Virgin Islands Economic Development Authority (USVIEDA) and is the most comprehensive economic vision and strategy ever composed in the USVI. Vision 2040 was developed using community input gathered from over 3,000 surveys, virtual townhall meetings, public permeations, open houses, focus groups, working sessions, and stakeholder interviews. Several supporting plans and documents serve as background source data for the Vision 2040 Plan.

In recent years, the territory has faced significant broadband challenges, with many areas experiencing limited access to high-speed internet for many reasons, from affordability to accessibility. This gap has impacted various aspects of life, including education, healthcare, and economic opportunities. The BEAD Grant provides a funding opportunity for the Territory to realize multiple aspects of Vision 2040 that align with broadband initiatives. The Plan's goals and objectives have been incorporated into a comprehensive strategy to invest BEAD funding into the distinct areas that will have the widest potential impact to achieve aspirations.

Given this, the Government of the Virgin Islands (GVI) is choosing to prioritize digital equity-centric projects and programs with its \$27 million BEAD allocation consisting of four synergistic pillars: 1) Internet Access Affordability, 2) Digital Economy Transformation, 3) Community Digital Competency, and 4) Upskilling the Workforce.



Internet Access Affordability



Digital Economy Transformation



Community Digital Competency



Upskilling the Workforce

Internet Access Affordability

VIBO intends to directly influence the pricing of broadband in the Territory by establishing a minimum price performance metric for all qualified ISPs. The intended base line service will be 100 Mbps symmetrical at a retail price between \$30 and \$45. The wholesale price will be discounted 50% if purchased through an open access broadband wholesaler. VIBO intends to fund this program through the entire BEAD performance period, or at least 5 years.

This will make high-speed Internet service free for Virgin Islanders receiving ACP benefits. All other individuals and families will be paying the same price as those living on the US Mainland for similar bandwidth. For comparison, the leading Internet provider in the Territory charges \$105 for 150/30 with a two-year contract, while the next largest Internet provider offers 100/20 service for \$80. The VIBO broadband affordability initiative would cut Internet pricing up 82% in the Territory and establish 100/100 service as the floor. It is currently 60/20 for \$65. This performance level is inadequate for today's high bandwidth demands for remote education, telehealth, and high-definition entertainment on multiple devices in the home.

VIBO will establish a committee, made up of relevant public, private, and non-profit stakeholders to develop a framework of prioritizing which communities are in the greatest need for reduced broadband pricing. This is necessary to ensure the ISPs deliver this program to the covered population and then to economically depressed areas. There will be a point of critical mass when enough of the population is served by this program that it will become the standard price performance for all residents.

The VIBO is confident this program will deliver the desired results because there has not been a moderating entity in the Territory to influence pricing. Such influence is necessary in a small market where dominant ISPs dictate pricing and access. In addition, future grant opportunities will be sought to bolster and extend this program's duration.

The USVI has excess fiber optic networks, however, **affordability** is the main challenge of the Territory. VIBO's pricing strategy will help stimulate competitive market dynamics that are difficult to foster in small markets where the playing field is tilted towards the greater resourced ISP.

Digital Economy Transformation

One of the GVIs goals is to invest and accelerate the adoption of technology to transform the economy of the Virgin Islands so it is less reliant on tourism. This aim is also to create a diversified modern economy that can attract professionals from the Virgin Islands Diaspora to return home. The belief is that returning Virgin Islanders will bring best business practices and resources gained from around the world to advance the economic objectives outlined in the Vision 2040 Plan.

Among Virgin Islanders living outside the Territory, Vision 2040's survey found that eight (8) out of 10 Virgin Islanders would consider moving back to the USVI and 39% reported that job opportunities would be the top motivator to returning home. When asked which investments would have the most impact in encouraging their return, 21% stated that improvements in the energy and communications sectors were the most important, followed by the modernization of healthcare (16%) in the Territory.

The VIBO will use BEAD funding to create the public/private partnerships that will attract Virgin Islands Diaspora professionals, innovators, tradespeople, and educators back to the Territory to transform the economy by capitalizing on the global trend of economic digitization. This includes investing in:

- Shared business automation platforms (shared to gain economies of scale pricing);
- eGovernment management platforms (cloud services);
- Centralized middle-mile network cyber security upgrades;
- Healthcare science technology solutions for public and private industry;
- Telehealth platforms for entrepreneurs and additional remote territorial medical care; and
- Entrepreneurial funds to incubate innovative businesses.

Community Digital Competency

The VIBO intends to invest a significant amount of BEAD funding to outfit Multi-Purpose Computing Facilities (MPCF) on St. Croix and St. John. These MPCFs are re-imagined Public Computer Centers (PCCs) focused on digital-learning and workforce training.

Previously, the Territory had several PCCs that were equipped for digital learning and workforce training. These PCCs were either destroyed during the 2017 hurricanes, their equipment stolen or vandalized, or fell into disrepair due to a lack of maintenance. The new vision is a safe, supervised, and well-maintained multi-purpose community space to conduct digital learning, workforce development, and digital literacy.

This space will include a digital life center where residents will be able to learn, play, and connect in an inspiring public area. The facilities will include central exhibition/conference areas to explore technology and host events and will also have adjoining spaces for community operated programs such as:

- Science, Technology, Engineering, Arts and Mathematic (STEAM)-based learning;
- Adult technical workforce development;
- Digital literacy workshops;
- Advanced technical training seminars;
- Community telehealth pods;
- Robotic programming and skills training; and a
- Makerspace/Creativity lab.

The USVI does not have a readily accessible, state of the art, MPCF. The existing libraries and recreation centers in the Territory were either severely damaged in 2017, closed/decommissioned, or are too small to host large community gatherings. To fill this void, we will also address a recurring concern that has been raised by local stakeholders across the Territory during Digital Equity community engagements which was the absence of “safe,” comfortable spaces to operate community programs and deliver community-based services, while being conveniently located and easily accessible by public transit.

Upskilling the Workforce

The ability to recruit Virgin Islands Diaspora professionals back to the Territory depends on the availability of a capable workforce, especially one that is digitally inclined. Upskilling is also critical to retaining the Territory's brightest and innovative young talent who are being pulled by the allure of greater prospects on the U.S. Mainland. More people of the Virgin Islands Diaspora would stay in the Territory if there were meaningful well-paying job opportunities.

The VIBO will partner with the Virgin Islands Department of Labor (VIDOL) to accelerate and increase investments in upskilling and reskilling Virgin Islanders to meet the needs of a modern, knowledge-based economy. Much of this training will be done through public/private partnerships. Locally, there are several credentialed, non-profit entities that are capable of this task. This training can occur at any MPCF location.

The VIBO will emphasize preparing Virgin Islanders for employment in sectors related to Information Technology (IT). Currently, only 2% of the Virgin Islands workforce is employed in this sector while IT positions within the VI Government remain vacant due to a limited pool of qualified IT professionals from which to draw. This is exacerbated by the fact that the USVI has a limited population of approximately 87,000 persons, including children and seniors, as determined by the most recent census. The lack of an experienced IT and technology talent pool is a drag on the local economy.

The dearth of IT professionals in the Territory also hinders the ability to recruit businesses to relocate to the Virgin Islands which is a necessity for the diversification of the USVI economy from a tourism-based to a knowledge-based economy. This involves creating a pipeline of skilled Virgin Islanders that begins at kindergarten, is nurtured through middle and high school, and is matured in higher education.

Regions, states, and nations have positioned themselves to prosper in this new economy. The 2040 Vision Plan acknowledges that the world is two decades into what many have called the knowledge economy. The USVI has not yet made the transition and is far behind in developing an innovation ecosystem that adequately supports entrepreneurship and establishes the territory as a pro business climate to support fast growing businesses.

SECTION 2 Local, Tribal, and Regional Broadband Planning Processes

(Requirement 2)

The VIBO recognizes the unique needs and barriers to closing the digital divide in the Territory, and the various local stakeholders that must be engaged to support the communities disproportionately impacted by digital inequity in the Virgin Islands. As the agency charged with preparing and managing the budget for the Territory, OMB is well-positioned to stay informed of, and coordinate with, other planning efforts related to telecommunications and digital equity.

The VIBO will seek input from the relevant local stakeholders, organizations, and other government agencies in its own broadband planning efforts. The process has already commenced with public engagements around digital equity and inclusion, which will also inform the Territory's Digital Equity (DE) Plan. These public engagements include "townhall" meetings,

senate hearings, and discussions around digital equity and inclusion via local media outlets. Stakeholder engagement will continue throughout the life of the BEAD planning process.

Additionally, VIBO will continue to coordinate with the Bureau of Information Technology (BIT) and the Office of Health Information Technology (OHIT) for mutual information-sharing and coordination.

SECTION 3 Local Coordination

(Requirement 4)

Stakeholder engagement is vital for ensuring the goals align with the needs and expectations of the community. This includes continuous dialogue and listening sessions with residents, local businesses, government agencies, educational institutions, and healthcare providers and conducting surveys and interviews with key stakeholders. Engaging these stakeholders will provide valuable insights into local requirements, helping to tailor the project to meet specific community needs. Furthermore, such engagement promotes transparency and fosters a sense of community ownership of the program. The VIBO will build upon the community engagement and outreach conducted by the Territory's DE Team to gather feedback from residents, leaders, and other stakeholders on how BEAD funding could be used to address the VIBO's four synergistic pillars of 1) Internet Access Affordability, 2) Digital Economy Transformation, 3) Community Digital Competency, 4) Upskilling the Workforce.

The purpose of these engagements will be to better understand the gaps in, and barriers to, workforce development in these respective areas, and among covered populations, to determine how BEAD funding can be leveraged to advance workforce development priorities and transform the local economy. The community stands to benefit significantly from the enhanced broadband access and the plethora of opportunities that will be afforded. Improved internet access will facilitate better educational opportunities, particularly in remote learning scenarios. Healthcare services will be bolstered through telemedicine capabilities, especially important in rural and underserved areas. Furthermore, reliable and high-speed internet will serve as a catalyst for economic growth, enabling local businesses to expand their reach and compete in a global market. Additionally, the project will prioritize inclusivity, ensuring that vulnerable populations, including low-income households, the elderly, and individuals with disabilities, gain access to the digital world.

Several local government agencies will be engaged to strengthen the Territory's BEAD Plan. These agencies include the Virgin Islands Bureau of Corrections (BOC), Virgin Islands Workforce Development Board (VIWDB), USVI Economic Development Authority USVIEDA, the University of the Virgin Islands (UVI), the Virgin Islands Department of Education (VIDE), the Department of Health (DOH), the Department of Human Services (DHS), BIT, and OHIT. The Collaborations will also ensure VIBO's alignment with the strategic plans of these agencies that are key to closing the digital divide in the Territory.

VIBO is already facilitating regular meetings with GVI stakeholders. These meetings will be critical in understanding the needs of agencies that serve covered populations across the Territory. Internet Service Providers (ISPs) and broadband advocates will also be consulted in the development of the Territory's BEAD Plan, consequently, outreach and communication with the private sector will also remain a priority.

The VIBO will host subgrantee technical assistance workshops to discuss the requirements to become qualified to receive BEAD funding. Topics of discussion will include, but not limited to, the following:

- How to become qualified for funding
- Future publications, announcements, and event calendar
- Points of Contact and Responsiveness
- Technical Assistance
- Grant Requirements
- Reimbursement Process
- Non-Compliance Outcomes
- Bidding and Application Process
- Proof of Funding
- Application Evaluation
 - First, Technical, and Final Review
 - Conflict of Interest
 - Evaluation and Scoring

Lastly, nurturing and expanding relationships with local non-profit organizations and advocacy groups will be fundamental in addressing the needs of communities that have been disproportionately impacted by digital inequity in the Territory. VIBO will work with the DE Team, who have been the primary interface with the community around digital equity and inclusion in the Virgin Islands, on how BEAD funding, and VIBO's four pillars, can best meet the needs of local covered populations. Progress on the Territory's BEAD Five-Year Plan and implementation will be periodically provided to the public with feedback being solicited along the way.

As a required attachment, the file (labeled usvi_Local Coordination Tracker.xlsx) certifies that the VIBO has conducted coordination with local community organizations, work organizations, and other groups.

SECTION 4 Deployment Subgrantee Qualifications

(Requirement 8)

The use of BEAD funding for deployment purposes would be considered duplicative, due to the award of the Connect USVI grant from the Federal Communications Commission (FCC). Therefore, the US Virgin Islands Broadband Office will not utilize BEAD funds to deploy or sustain infrastructure projects within the territory.

SECTION 5 Non-Deployment Subgrantee Qualifications

(Requirement 9)

The BEAD grant will not be utilized for infrastructure deployment due to the award of the Connect USVI grant from the Federal Communications Commission (FCC). Thus, all subgrantees will be selected for non-deployment projects exclusively. The VIBO's focus for the use of the BEAD funding and subgrantee selection will be centered around the following areas:

- Access and Affordability
- Workforce Development
- Digital Literacy and Security
- Economic Transformation
- Telehealth

VIBO understands that to efficiently utilize the BEAD grant to achieve our long-term goals and objectives, it will require acquisition of subgrantees to facilitate components of our vision. From this realization, steps have already been taken to create a team made up of subject matter experts from across the government to review and approve subgrantee applications. The team is comprised of Director Jenifer O’Neal from the Office of Management and Budget (OMB), Director Rupert Ross from the Bureau of Information Technology (BIT), Commissioner Gary Molloy from the Department of Labor (DOL), Director Michelle Francis from the Office of Health Information Technology (OHIT) and the future Director of the VIBO. The solicitation of subgrantees will begin once the Broadband Office posts Volume I and II for public comment and receives final approval from NTIA.

Before subgrantee selection is completed, the VIBO will select subgrantees on their ability to meet the qualifications below:

1. Capability to carryout activities funded by the subgrant in a competent manner in compliance with all applicable federal, Eligible Entity, and local laws;
 - a. Applicants must prove to VIBO that they have sufficient staff to dedicate themselves to the subaward, the capacity to carry out the work, applicant’s experience with similar projects and ability to comply with local and federal laws.
2. Has the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the Program and such other requirements as have been prescribed by the Assistant Secretary or the Eligible Entity; and
 - a. Applicants must present an organizational chart to show that they are structured in a multilevel format with multiple review and approval levels to prevent waste, fraud, and abuse. Proof of funding certificate to show that the organization has enough cash on hand to begin the project without a cash advancement and a cash flow statement to prove that they generate enough cash to sustain the projects without any working capital advance.
3. Has the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.
 - a. Resumes for all employees involved in the execution of the projects will be evaluated to ensure that the organization possesses the capability to execute the project. The applicant will be evaluated based on past projects completed.

The US Virgin Islands Broadband Office is responsible for ensuring all prospective subgrantees meet the qualifications outlined in the BEAD NOFO. The VIBO will use preliminary qualification guidelines and risk assessment scores in a gating phase for subgrantees to be eligible to advance to final proposal review.

Request For Applications being published will allow potential subgrantees to apply based on three different criteria; location, category or, the subgrantee can propose a project based on a specific need that they have identified and would like to pitch. This means an RFA might include a location with multiple service areas, a category with multiple service locations, or a request for proposal. A similar process was applied during OMB's funding of ARPA (American Rescue Plan Act) projects in the territory over the last few years. Proposals were not exclusively restricted to preset criteria; rather, applicants were encouraged to be innovative and submit grant applications outside the identified focus areas. Some preferred projects will be pre-defined by the VIBO, based on identified needs and existing stakeholder engagements. However, the VIBO will welcome and consider projects that are aligned with the objectives outlined in requirement 1 as well as, but not limited to, initiatives that will unlock new economic opportunities, enhance educational resources, improve healthcare through telemedicine, and strengthen disaster resilience.

If a potential subgrantee applies based on category or location, then said potential subgrantee must submit a plan to serve all entities in the category or locations in the RFA. The publication of RFAs will include a questionnaire, a list of locations with geographic coordinates, a list of existing broadband infrastructure in the project area, and a VIBO project cost analysis. All publications will be posted on <https://omb.vi.gov/bead/>.

The RFAs will emphasize to potential subgrantees the importance of aligning their long-term goals and objectives with that of the VIBO. Once applications have been submitted, the VIBO will begin the evaluation process based on the following guidelines:

1. **First review** - This will include an application review to ensure the submission includes all required information.
2. **Technical Review** - The review team comprised of subject matter experts shall conduct a review to ensure that the proposal submitted in the application is achievable in the time proposed project period, the budget narrative is feasible, and the proposed result is achievable.
3. **Extensive Review** - A review will be done based on the Comprehensiveness of the plan submitted to include budget, timeline and meeting the needs of the underserved population.

A subrecipient's risk assessment will be conducted to determine if there is any fraud risk associated with the prospective subrecipient. The risk assessment will take into consideration factors such as:

- Whether the subrecipient is subject to an audit or other federal financial reviews
- The degree of external oversight by auditors
- Evidence of effective financial controls within the subrecipient's ERP system and administrative operation
- Government of the Virgin Island's prior experience with the subrecipient,
- The life of the subrecipient's organization
- Performance with prior awards

- Scope of work, deliverables, budget
- Experience with similar projects
- Proof of funding and funding sustainability

Risk Assessment Questionnaire		Institution Questions (Scored)	Score																
Subrecipient Institution		16. Is the Subrecipient institution foreign or domestic?																	
Subject to Single Audit?	Yes <input type="checkbox"/> No <input type="checkbox"/>	17. What is the Subrecipient Organization type?																	
Relevant Findings?	Yes <input type="checkbox"/> No <input type="checkbox"/>	18. Does the Subrecipient have the management dedicated to the grant?																	
Internal Project Identifier		19. Were the results of the most recent Single audit (or similar) satisfactory?																	
Prime Sponsor		20. Is the Subrecipient Institution mature? Subrecipient experience 10+ years																	
DUNS		21. Does the Subrecipient Institution have experience with determining conflicts of interest (evidence of an acceptable COI Policy)? < click to select >																	
FAC EIN		Project Questions (Scored)																	
<i>See other tab for: guidance and frequently asked questions</i>		22. What is the Prime Sponsor type? < click to select >																	
Threshold Questions (Not Scored)		23. What is the Prime Award type?																	
<i>If yes to 1, 2, or 3, consider alternatives to initiating agreement:</i>		24. Cost of project? < click to select >																	
1. Is the Subrecipient Institution presently debarred or suspended?	Yes <input type="checkbox"/> No <input type="checkbox"/>	25. What is the percentage of the Prime Award being subcontracted (specific to this Subrecipient—not total)? < click to select >																	
2. Is the Subrecipient Institution's PI presently debarred or suspended?	Yes <input type="checkbox"/> No <input type="checkbox"/>	26. Does the subrecipient have experience similar to project requirement, or specialize in project field? < click to select >																	
3. Does the Subrecipient show "delinquent federal debt" in SAM?	Yes <input type="checkbox"/> No <input type="checkbox"/>	27. What are the Subrecipient's Scope of Work/Deliverables? < click to select >																	
<i>If no to 4, 5, 6, or 7, consider alternatives to initiating agreement:</i>		28. Where is the Performance Period? < click to select >																	
4. If required by the sponsor, does the Subrecipient have a compliant conflict of interest policy?	Yes <input type="checkbox"/> No <input type="checkbox"/>	<table border="1"> <thead> <tr> <th colspan="2">Assessment Performed:</th> <th>Assessed Risk</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>Initials</td> <td>Date</td> <td>Institution</td> <td>0</td> </tr> <tr> <td></td> <td></td> <td>Project</td> <td>0</td> </tr> <tr> <td></td> <td></td> <td>Total</td> <td>0</td> </tr> </tbody> </table>		Assessment Performed:		Assessed Risk	Score	Initials	Date	Institution	0			Project	0			Total	0
Assessment Performed:		Assessed Risk	Score																
Initials	Date	Institution	0																
		Project	0																
		Total	0																
5. Does the Subrecipient have an acceptable accounting system?	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Assessment Incomplete</i>																	
6. Does the Subrecipient have an acceptable procurement system?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
7. If required, has the Subrecipient completed audit under A-133 or Uniform Guidance for the most recent fiscal year?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
Other Considerations (Not Scored)																			
8. Has there been a PTE-issued management decision on audit findings that may affect this award?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
9. Does the Subrecipient have a negotiated indirect cost rate (or experience setting up such a rate)?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
10. Does the project align with BEAD NOFO	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
Does the subrecipient answer questions on page 71-72 of NOFO	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
11. Is there a potential or identified conflict of interest?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
12. Is costflow statements included?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
13. Can participant support the project without VIBO funding?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
14. Does the Subrecipient have adequate experience receiving same or similar federal awards?	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
15. Have other risks been identified? <i>If yes, explain in Notes below.</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>																		
Notes:																			

All factors listed on the assessment will be evaluated, and an assessed risk score will be generated.

Once the application review process has been completed, the VIBO team will then move to the organization review phase. This phase will consist of an in-depth review of the applicant to ensure that they are an eligible entity to receive BEAD funding. This will include a request for information (RFI) from the applicant to provide details about their company.

This will include:

- Organizational chart to show that they are structured in a multilevel format with multiple review and approval levels to prevent waste, fraud, and abuse.

- Proof of funding - Proof of funding certificate to show that the organization has enough cash on hand to begin the project without a cash advancement.
- Account Analysis - Detailed analysis of their operations to show cashflow that can sustain the proposed project without the future need of working capital from the VIBO.
- Business plans to include the proposed BEAD - A detailed business plan showing how the proposed BEAD project has been incorporated into their long-term vision for the company.

The selected subgrantees will be required to sign a subgrantee contract that outlines the entity information, the scope of work to be completed, reporting timelines, reimbursement schedules, audit and transparency requirement and an indemnification clause. All selected subgrantees will be closely monitored by the VIBO and the Office of Management and Budget's Compliance Unit. There will be both programmatic and financial monitoring to ensure that the subrecipients are progressing their outlined objectives based on their project timeline and within their budget. Subgrantees will also be monitored for compliance with the BEAD program goals. Subrecipients must submit quarterly financial expenditure reports and performance (programmatic) progress reports. Programmatic progress and financial expenditure must align.

The VIBO and OMB will conduct site visits at least once every quarter with a subrecipient monitoring checklist completed for each visit. Periodic desk reviews will also be conducted. Lastly, the subgrantee will be required to submit to the VIBO its yearly audited financial statements. It will be written into the subaward that all subrecipients expending \$750,000 or more in Federal awards during the subrecipient's fiscal year must provide the required completed audited financial statements within 9 months after their year-end or one month after the issuance of their audit. Failure to comply will result in the claw back provisions being triggered.

With the successful implementation of the non-deployment activities, VIBO envisions that the people of the Virgin Islands will gain access to much needed resources. These resources will no doubt improve the lives of our vulnerable population. This population will have access to previously out-of-reach opportunities. They will be able to take advantage of digital literacy programs, telehealth, and online schooling. Access to telehealth will decrease the average waiting time to get an appointment and ultimately end up saving lives. Digital literacy programs and online schooling will assist the people of the Virgin Islands to learn new skills, have access to programs not offered locally and ultimately help create a more diverse workforce.

The US Virgin Islands Broadband Office cannot serve the people without knowing what the people want, so stakeholder input is particularly important to the overall vision. The stakeholder input began prior to the initial proposal's completion with VIBO's first workshop and will continue with the posted comment period. The VIBO team will continue to host a series of outreach and workshop engagement events in various communities across all three islands to gain insight, input, and feedback. Funding for non-deployment activities will be allocated based on the vision of the VIBO and aligned with the BEAD NOFO and the Statewide Digital Equity Plan. During the grant period, the VIBO will continuously evaluate the strategies and performance of selected subgrantees. This evaluation will coincide with community outreach and a decision will be made based on the evaluation and community input. All courses of action will align with the long-term vision of the VIBO and the BEAD NOFO.

In addition, potential subgrantees will have their applications evaluated using a standardized proposal evaluation and scoring rubric designed specifically for non-deployment activities. This scoring rubric will support the other evaluation criteria outlined above.

The proposed scoring criteria for non-deployment activities are detailed below:

Total Points: 100

Technical Merit (45 points possible)

- **Project purpose (15 points):** Reviewers will consider the extent to which potential subgrantees propose a project that aligns with one or more of the program's objectives. Reviewers will consider how proposed projects will prioritize the needs of the community and the project outcomes of the proposed program, especially those projects that align with the goals of the Vision 2040 plan.
- **Level of need/impact in proposed service areas (15 points):** Applications will receive full points for this section if a proposed project can demonstrate specific needs in a service area that VIBO has identified as low-income as well as middle-class. Prospective subgrantees will need to provide comprehensive community statistics that reflect the potential need in the community for the proposed program, including but not limited to the estimated number of households or residents that may benefit from the program, the demographics of the impacted community (social, education, age, financial, and any covered populations as identified in the Digital Equity Act. Subgrantees will need to provide context as to how and why they selected their proposed project area.
- **Technical feasibility (15 points):** Potential subgrantees will be scored on the comprehensiveness and appropriateness of the project, including the clarity and level of detail of the proposed project plan. Reviewers will assess the extent to which proposed programs stimulate the adoption of broadband for telehealth, distance learning, telework and entrepreneurship, economic growth, and job creation. Reviewers will also consider the reasonableness of the program timeline.

Qualifications and Expertise (20 points possible)

- **Technical and operational capability (10 points):** Potential subgrantees will need to, at minimum, demonstrate capability of operating the proposed program with appropriately skilled staffing with high technical understanding of proposed digital literacy activities.
- **Financial and managerial capacity (10 points):** Potential subgrantees will need to show proof of financial good standing and must demonstrate a substantial workforce able to fulfill the needs of the proposed program in a timely manner.

Local Coordination (10 points possible)

- **Proof of community engagement in proposed service area (5 points):** Potential subgrantees will need to provide record that they engaged the community for which they are submitting a proposal to serve, documenting that they considered the needs of the community when developing their proposal. Potential subgrantees who do not provide proof of engagement will receive no points in the category.
- **Letter(s) of support (5 points):** Potential subgrantees are requested to submit at least one letter of support from collaborating organizations (e.g., CAI where proposed services will be implemented). All collaborating organizations are encouraged to submit a letter of support in the application package submitted by the potential subgrantee for

full points. Potential subgrantees who do not submit any letter(s) of support will receive no points in this category.

Project Budget (15 points possible)

- **Reasonableness of the budget (10 points):** When assessing points for reasonableness of the budget, there shall be a maximum number of points awarded to the lowest priced bidder. The points allocated to higher-priced bidders should be equal to the lowest bidder's price multiplied by the maximum points available for price, divided by the higher proposal price.
- **Match requirement (5 points):** Although not required, applicants will receive points in this category based on the amount of match they will contribute. Applicants who do not propose a match will receive no points in this category but will not be disqualified from consideration.

Other (10 points possible)

- **Minority Business Enterprise, Woman Business Enterprise, or Labor Surplus Area Firm (5 points):** Full points will be awarded to any potential subgrantee meeting one of these designations.
- **Sustainability of the project after the end of funding term (5 points):** Potential subgrantees will need to provide a project sustainability plan after the end of the BEAD funding term (June 2028). Points will be awarded based on a succinct plan for project continuity passed 2028, and how the funded program will be maintained financially and operationally.

In the event the review team identifies two or more competing proposals with the same or similar project scopes, 5 additional points will be awarded to the applicant that demonstrates how the project will adopt environmentally friendly approaches like energy efficient technology and practices and utilization of renewable energy sources wherever possible. Should no such criteria apply, the reasonableness of the budget criteria identified above will be utilized in scoring as the determining factor.

Reviewers will score all submitted proposals that make it through the initial vetting phase and risk assessment using the scoring template above. The VIBO will select the potential subgrantees who average the highest score and do not overlap project locations. The broadband office will approve and fund proposals from the highest score on down until all available funds are expended. Safeguards will be implemented to ensure diversity and inclusion of all goals and communities/geographic regions of the territory benefit.

The US Virgin Islands Broadband Office will negotiate a mutually acceptable Grant Agreement within 21 calendar days. If this cannot be accomplished within 21 calendar days after initial Selection, the VIBO reserves the right to terminate contract negotiations with the first-ranked potential subgrantee and may select the second-ranked subgrantee for negotiation of a potential award. This process may continue in order of Offeror ranking until a mutually acceptable Agreement is achieved with the VIBO and an award is made to a selected Offeror.

SECTION 6 Eligible Entity Implementation Activities

(Requirement 10)

The USVI Broadband Office does not anticipate directly implementing projects or activities, as a recipient, in advancement of the outlined objectives under the BEAD program. However, the VIBO will reserve the option to include a non-deployment activity, with itself as a recipient, should it become clear that a suitable subgrantee cannot be identified, or subgrantee award for an identified activity is not practical to achieve.

SECTION 7 Labor Standards and Protection

(Requirement 11)

Per the above-mentioned requirements, the selected grantees will be required to clearly indicate and support how it will support and enact the labor standards and protections listed.

The VIBO will require the following from its subgrantees:

- The subgrantee's record of past compliance with federal labor and employment laws, specifically regarding broadband development projects in the last three years. The VIBO will collect data on the prospective subgrantee's historical use of contracting and subcontracting arrangements, including staffing plans, and at least one example of each contractor and subcontractor's past performance in the context of a similar project;
- A certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal labor and employment laws by the prospective subgrantee, as well as all contractors and subcontractors; and
- Written confirmation that the prospective subgrantee discloses any instances in which it or its contractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.

Furthermore, in the application process, the VIBO shall require that subgrantees declare and explain the following:

- How subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:
- Provide information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and
- How the subgrantee will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.

The VIBO will review the responses from the prospective subgrantees and those who have a record of adhering to fair labor practices and staying in compliance with federal labor and employment laws will earn higher points.

The following are requirements that subgrantees, contractors and sub-contractors will have to follow:

Use a directly employed workforce, as opposed to a subcontracted workforce;

- Pay prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;
- Use project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project);
- Use of local hire provisions;
- Commitments to union neutrality;
- Use labor peace agreements;
- Use an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);
- Use an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and
- Take steps to prevent the misclassification of workers.

The VIBO will, in accordance with the BEAD NOFO, allow prospective subgrantees without a record of labor and employment law compliance to submit a specific statement committing to using strong labor and employment standards and protections. All agreements executed will detail the labor standards and protections including any additional provisions the subgrantee must agree to receive grant funding for the conduit system, including the listed requirements above. The VIBO will also include this language in its subgrantee agreements and compliance with Davis-Bacon and Service Contract Act Requirements, where applicable.

The subrecipient compliance and reporting guide, which includes the various requirements related to labor standards and protections from the BEAD NOFO, will be provided to the subgrantees to support the efforts to ensure subgrantees comply. The VIBO will also publish this subgrantee reporting and compliance guide on its website related to the implementation of its BEAD programs. The VIBO will establish and maintain open communication with subgrantees including providing post-award guidance to support the successful implementation of the required labor standards and protections.

As part of the regular reporting process, the VIBO will make sure the focus on compliance with the labor standards and protections is a priority. Subgrantees will submit their completed labor reporting form with every grant disbursement request or quarterly report, whichever one is submitted first. After that point, the VIBO will establish regular reporting times for subgrantees to submit their form. If a subgrantee does not utilize union labor or pay at or above the prevailing wage, the wages paid to staff must be reported on this form.

Included in VIBO 's post-award guidance is the reporting requirement information for the selected subgrantee. The report is where the subgrantee may provide a certification that all laborers and mechanics employed by contractors and subcontractors in the performance of the conduit project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States

Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed.

If such certification is not provided, the subgrantee must provide a Project Employment and Local Impact report detailing:

- The number of employees of contractors and sub-contractors working on the project;
- The number of employees on the project hired directly and hired through a third party;
- The wages and benefits of workers on the project by classification; and
- Whether those wages are at rates less than those prevailing. (As determined by US Secretary of Labor in accordance with subchapter IV of chapter 31 of Title 40, United States Code (“Davis-Bacon Act”).

As part of the post-award guidance, VIBO will emphasize to the subgrantee that it must maintain sufficient records to substantiate the above information upon request.

In addition, the subgrantee may provide a certification that a project includes a project labor agreement or a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

If the subgrantee does not provide such a certification, the subgrantee must provide a project workforce continuity plan, detailing:

- How the recipient will ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project, including a description of any required professional certifications and/or in-house training;
- How the recipient will minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project;
- How the recipient will provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30);
- Whether workers on the project will receive wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market; and
- Whether the project has completed a project labor agreement.

Finally, the subgrantee will report on whether the project prioritizes local hires and whether the project has a Community Benefit Agreement, with a description of such an agreement.

Once the above detailed information is provided, the subgrantee must proceed to review, complete, and sign the certification box and signature section at the conclusion of their labor report certifying and acknowledging the accuracy and completeness of the information provided.

SECTION 8 Workforce Readiness

(Requirement 12)

VIBO is committed to ensuring that the island has the skilled workforce it needs to implement this once in a lifetime opportunity to get internet access to our communities. Across the nation, there is a shortage of trained fiber-optic installers and front-line electrical workers, as well as network and cybersecurity professionals.¹¹ The Virgin Islands has not been immune to these shortages and the situation has been compounded by the “brain drain” or mass exodus of our skilled workers due to the hurricanes, the excessive cost of living with lower salaries compared to the mainland and the housing shortage.

There is no singular solution to the labor shortage, but the Territory has already started to address these challenges by cross training, upskilling, and creating awareness about the careers that are available in this field. The VIBO will work as a connecting agent between the workforce, training opportunities and employers. The VIBO will work with the local American Job Center, Department of Labor, Department of Education and Workforce Development Board to make sure a pipeline is created to support the skilled workforce that is necessary to implement this project. The VIBO will also collaborate with the RT Park, Economic Development Authority, and other agencies to pro-actively bring back local talent and attract new talent by encouraging entrepreneurship and highlighting the career opportunities that this project will be creating.

In addition to making sure that subgrantees follow the BEAD requirements concerning high labor standards and protections, the VIBO will also encourage to subgrantees to provide a safe working environment that has definitive pathways for career advancement and skill building.

SECTION 9 Minority Business Enterprises (MBEs and Women’s Business Enterprises (WBEs) / Labor Surplus Area Firms Inclusion

(Requirement 13)

The US Virgin Islands Broadband Office will use a comprehensive and collaborative approach to support diversity, equity, and inclusion in all aspects of the BEAD program. Promoting these values is a socially responsible approach and can bring additional benefits to the subgrantees including the opportunity to recruit new talent, enhance innovation and have access to a broader pool of talent.

The VIBO will partner with the Workforce Development Board (eligible providers), Chamber of Commerce, Small Business Development Center, Women In Business (VI and Caribbean Chapter), UVI CELL, RT Park and the Virgin Islands EDA to ensure that MBEs, WBEs and Labor Surplus Area Firms are made aware of the opportunities to engage with the VIBO and support the program. The VIBO will have informational sessions with these groups so that they know specifically where the gaps are and how their members can offer their services to the program. In addition, VIBO will engage in an informational campaign using social media, print ads and radio to advise the public of the opportunities available, emphasizing the importance of participation from MBEs, WBEs and Labor Surplus Area Firms.

Lastly, the VIBO will regularly monitor and report out on diversity efforts, including the number of grants awarded to minority, women-owned, and labor surplus area firms.

The VIBO certifies that it will take all necessary affirmative steps to ensure minority businesses, women's business enterprises, and labor surplus area firms are used when possible, including the guidance outlined on pages 88 - 89 of the BEAD NOFO.

SECTION 10 Cost and Barrier Reduction

(Requirement 14)

Through NTIA grants, 244 miles of fiber optic cable were installed, rights to 3,720 miles of undersea cable were acquired between Florida and Puerto Rico, and 325 CAIs were connected to reliable high-speed internet services. Installation of the fiber optic cable created a core-ring fiber-optic system in underground conduits on the islands of St. Thomas, St. John, and St. Croix with aerial service to outlying areas such as Water Island.

Although broadband infrastructure continues to be made available to any qualified ISP in the Territory, BEAD funding is prohibited from being utilized for any network expansion. This is due to the Connect USVI award rules that consider such projects to be duplicative and, thus, are barred with the use of BEAD funds. Consequently, there are no further responses regarding broadband infrastructure deployment cost and barrier reduction for this section.

SECTION 11 Climate Assessment

(Requirement 15)

Since BEAD funds cannot be used for broadband infrastructure development projects in the Territory, because of the Connect USVI award's duplication rule, this section is not applicable to the USVI's BEAD plan. However, in considering the VIBO intentions to achieve Governor Bryan's objectives of ubiquitous "Internet for All" throughout the Islands, the Territory references the Virgin Islands Territorial Emergency Management Agency's (VITEMA) Hazard Mitigation and Resilience Plan for the Virgin Islands (HMRP).²

SECTION 12 Low-Cost Broadband Service Option

(Requirement 16)

As a U.S. Territory, with reported higher than average costs for various communications, and overall cost of living being 36.3% higher than mainland US, high-speed internet may seem like a luxury to many residents in the US Virgin Islands. It is equally important that all residents can afford fast and reliable internet, as broadband continues to be deployed throughout the islands. Some families, many of those in vulnerable populations, must choose between the monthly costs for internet or other basic household needs. This affordability barrier perpetuates the digital equity gap and affects general upwards mobility for those whose access to the world wide web is an opportunity to experience many facets of the world that they may not currently know exists.

The US Virgin Islands Broadband Office has no means of enforcing pricing without being able to tie BEAD infrastructure projects to internet pricing guarantees. The Territory's BEAD funding

cannot be used for broadband infrastructure deployment projects, as a result of the Connect USVI award's duplication rule. Therefore, to assist in overcoming the affordability barrier, VIBO's low-cost broadband service requirement will be met in an advisory capacity.

The VIBO will advocate that a low-cost service option be made available to all qualified low-income customers - based on the FCC's Affordable Connectivity Program (ACP) eligibility criteria - for at least the length of time compliant with BEAD requirements as established by NTIA, for all ISPs doing business in the Territory, if they do not currently offer service options listed below.

Subgrantees will be required to offer low-cost plans that include:

1. The total price shall not exceed \$30 per month for high-speed internet service and a one-time credit of \$100 for a hardware device such as a computer or tablet to connect to the Internet. The total price must be inclusive of all associated taxes, fees, and equipment charges billed to the consumer (although the individual charges for these items may be reflected as separate line items on a customer's bill).
2. Allows the end user to apply the Affordable Connectivity Plan (ACP) benefit or successor program similar subsidies to the service price.
3. Meets performance requirements as established by the BEAD program, with (a) download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps, or (b) the performance benchmark for fixed terrestrial broadband service established by the Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934, as amended.
4. Provides typical latency measurements of no more than 100 milliseconds.
5. Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home residential_subscribers by the subgrantee must adhere.
6. In the event the subgrantee later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering without a non-recurring charge or penalty.

VIBO, in collaboration with viNGN who manages the ACP Community Outreach Grant on behalf of the Territory, will actively promote this program. Subgrantees must participate in the Affordable Connectivity Program or any successor program, and Eligible Subscribers eligible for a broadband service subsidy can apply the subsidy to the proposed service option.

VIBO certifies that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

SECTION 13 Middle Class Affordability Plans

(Requirement 20)

Designing affordable broadband service does not just relate to monthly fees but also the cost to initiate service and maintain ongoing costs for service and/or device upgrades to keep up with consumer needs. The VIBO intends for providers using BEAD funds to keep their commitment to ensure middle-class affordability over the life of the network.

The VIBO will require that each prospective subgrantee provide a certification that it will continue to provide a range of service offerings, including a low-cost option during the useful life of the network, as required by the NOFO. This is in addition to the reporting obligation noted above. Prospective subgrantees should also outline their plans for reinvesting network revenues into the networks to help reduce customer rates.

SECTION 14 Use of 20 Percent of Funding

(Requirement 17)

The US Virgin Islands Broadband Office is slated to receive a \$27,103,240.86 allocation for the implementation of the territory's BEAD program. Per the recommendation of the Director of the Office of Management and Budget, VIBO is requesting 100% of its remaining allocation.

To ensure that all spending follows the BEAD NOFO, VIBO does not intend to use any of the BEAD funding until our five-year plan is complete and approved by NTIA. As such, VIBO requests \$25,853,288.86 upon approval of this Initial Proposal, which is 100% of the USVI's BEAD allocation minus \$1,249,952 in initial planning funds that were already received.

The current needs of the Territory, makes the case for the Virgin Islands to properly invest in non-deployment activities that not only advance our human capital but provide a platform for residents to capitalize on new opportunities that may be beneficial to them (e.g., distance learning, trade certifications, telehealth, etc.)

Through the five years of implementation, this 100% allocation will be used towards the following areas:

- Non-deployment costs, such as outfitting community digital hubs at qualifying CAIs
- Programmatic expenses, including the procurement of NTIA BEAD-compliant challenge process portal and outreach initiatives
- Administrative costs, including staffing for the broadband office

These activities are outlined as follows:

Project Administration

The USVI Broadband Office will onboard qualified personnel to ensure the program achieves the BEAD award's goals. This includes monitoring progress to ensure that the goals are met on time and conducting project evaluations.

Grant Management and Compliance monitoring

The USVI Broadband Office will hire a Grants Administrator as well as other personnel to develop program procedures and conduct reporting. The Grant Administrator and OMB's Compliance

Unit will also conduct monitoring and compliance activities to ensure that funds are used in compliance with 2CFR uniform guidance and GVI policies.

Implementation of the sub-grantee selection process

The USVI Broadband Office will provide oversight throughout the subgrantee selection process. This includes the development of scoring guides, providing technical assistance through workshops. The USVI Broadband Office will also conduct technical reviews of subgrantee applications and lead the sub-grantee selection process. No member of the review team will be compensated by local funds or BEAD funds for their participation in the program.

Coordination of Outreach and Stakeholder engagement

The USVI Broadband Office will engage and inform the community of the various broadband initiatives through community information sessions. Additionally, the USVI Broadband Office/Office of Management & Budget will continue to build and nurture relationships with GVI stakeholders and local non-profit organizations. This will include community visits and assessments to better understand nuances in planning and executing programs in different local communities and formulating relationships with relevant points of contact. The USVI Broadband Office will also establish communications channels to allow for easy communication with relevant stakeholders in an organized and efficient manner. This would streamline the dissemination of relevant information, track program progress, collect data, and evaluate roadblocks.

The Office of Management and Budget’s Federal Grants Management Unit is actively developing a detailed program budget to match the non-deployment projects identified in this proposal. The VIBO certifies that it will adhere to BEAD Program requirements regarding Initial Proposal funds usage.

SECTION 15 Eligible Entity Regulatory Approach

(Requirement 18)

There are no laws in the US Virgin Islands concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act that either:

- preclude certain public sector providers from participation in the subgrant competition, or
- impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer.

As such, VIBO will not need to waive any laws to implement the BEAD program.

SECTION 16 Certification of Compliance with BEAD Requirements

(Requirement 19)

The VIBO certifies that it intends to comply with all applicable requirements of the BEAD program, including the reporting requirements.

The VIBO will align with BEAD NOFO to ensure facilitation of subgrantee accountability procedures by employing the following practices:

- Distribution of funding to subgrantees on a reimbursable basis (which would allow the VIBO to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);
 - Upon award of the contract between the VIBO and the subgrantee, grant funds will be distributed on a reimbursement basis. Subgrantees are authorized to begin work that will be funded with grant funds.
- The inclusion of existing claw back provisions in subaward agreements between the VIBO and any subgrantee;
- Timely subgrantee reporting mandates; and
- Robust subgrantee monitoring practices.

The VIBO will proactively monitor subgrantees throughout the duration of their projects to ensure compliance with all BEAD Program requirements, through existing practices of site visits, desk reviews and submission of monthly financial and progress reports. In addition, the VIBO will impose sufficient recourse against subgrantees that do not fulfill their legal and contractual obligations, by enforcing the Termination and Suspension clause written in all grant awards.

To maintain eligibility for grant funds, subgrantees will be monitored through the following activities:

Reporting

The subgrantee shall provide a monthly accounting for the funds expended from this award. This includes, but is not limited to, receipts, invoices, and contracts executed to secure services related to these expenditures. The subgrantee will also be required to provide monthly progress reports to include details of work completed, work in progress with picture and statistics if necessary. Failure to provide the required reports will result in restrictions in the recipient's reimbursements.

Site Visits

Site visits to project areas will occur twice a year, around six months apart. These regular visits will be to document implementation and progression of BEAD projects. In the event of slower project progression, additional site visits may be required to assess the project closely and determine whether funds may need to be recouped, should a subgrantee fail to fulfill contractual obligations on their proposed timeline to service.

Desk Reviews

The VIBO and the OMB Compliance Unit will conduct desk reviews at random. Funding recipients through VIBO will be selected for desk reviews as part of our obligation and responsibility for compliance monitoring and oversight of the receipt, disbursement, and use of BEAD funds. The desk review's objective will be to evaluate the documentation supporting the use of the BEAD funds as reported to VIBO. The desk review will also assess the risk of unallowable use of funds. The scope of the review will include the obligation and expenditure data for the selected period.

As part of the desk review, we will interview key personnel responsible for preparing and certifying the report, those personnel responsible for obligating and expending BEAD funds. We will evaluate contracts and other documents and records used to support the submitted reports. Among other things, we will evaluate the results of single audits and those issued by the Government Accountability Office. The conclusion reached from our desk review may result in a site visit for more in-depth review or an audit.

The US Virgin Islands Broadband Office certifies that its selection of subgrantees will account for and satisfy each of the following authorities:

- Parts II and III of Executive Order 11246, Equal Employment Opportunity
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency
- Executive Order 13798, Promoting Free Speech and Religious Liberty
- 2 CFR PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS

Additionally, prior to distributing any BEAD funding to a subgrantee, the VIBO requires the subgrantee to agree, by contract or other binding commitment, to abide by the non-discrimination requirements set forth in the following legal authorities, to the extent applicable, and to acknowledge that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed:

- Title VI of the Civil Rights Act
- Title IX of the Education Amendments of 1972
- The Americans with Disabilities Act of 1990
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Any other applicable non-discrimination law(s)

No person shall be excluded from participating in, be denied the proceeds of or be subject to discrimination in the performance of the award on account of race, creed, color, sex, religion, disability, or national origin.

The VIBO will require all subgrantees to certify their compliance with cybersecurity and supply chain risk management requirements per the guidelines listed below:

Cybersecurity

1. The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either:
 - a. operational, if the prospective subgrantee is providing service prior to the award of the grant; or
 - b. ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;
2. The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;

3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
4. The plan will be submitted to VIBO prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, an updated version must be submitted to VIBO within 30 days.

Supply Chain Risk Management (SCRM)

1. The prospective subgrantee has a SCRM plan in place that is either:
 - a. operational, if the prospective subgrantee is already providing service at the time of the grant; or
 - b. ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;
2. The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;
3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
4. The plan will be submitted to VIBO prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, an updated version must be submitted to VIBO within 30 days. The VIBO will provide a subgrantee's plan to NTIA upon NTIA's request.

In closing, this proposal and identified plans therein, underscore the Virgin Islands executive leadership team's commitment to not just delivering immediate improvements in internet connectivity but also ensuring that these benefits are sustainable and adaptable to future needs. This strategic approach will solidify the foundation for a digitally advanced and connected US Virgin Islands for generations to come.