

TEXAS BEAD Program Compliance

Contractor acknowledges that the project(s) it will be working on for Brightspeed is/are funded in whole or in part by the Broadband Equity, Access, and Deployment (“BEAD”) Program administered by the National Telecommunications and Information Administration (“NTIA”) and the Texas Comptroller of Public Accounts Broadband Development Office (“BDO”). Contractor shall comply with all applicable requirements of:

- The Texas BEAD Subgrant Agreement between Brightspeed and the Texas Comptroller of Public Accounts Broadband Development Office, including all attachments [TX_BEAD.pdf](#)
- The BEAD Notice of Funding Opportunity (“NOFO”) [BEAD NOFO.pdf](#)
- The BEAD Restructuring Policy Notice [BEAD Restructuring Policy Notice | BroadbandUSA](#)
- NTIA BEAD General Terms and Conditions [2026 BEAD Program General Terms and Conditions \(GTCs\) | BroadbandUSA](#)
- Department of Commerce Financial Assistance Standard Terms and Conditions [department_of_commerce_standard_terms_conditions.pdf](#)
- Applicable provisions of 2 CFR Part 200, as tailored to BEAD [eCFR :: 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#)
- Applicable Texas BEAD Program requirements, guidance, and reporting obligations <https://comptroller.texas.gov/programs/broadband/funding/bead/>

Specific Compliance Requirements include:

1. Build America, Buy America (BABA)

- Use only BABA-compliant iron, steel, manufactured products, and construction materials, which will be supplied by Brightspeed or must be pre-approved by Brightspeed;
- Include BABA requirements in all lower-tier subcontracts and purchase orders;
- Provide complete and accurate BABA compliance documentation upon request by Brightspeed, BDO, NTIA, or auditors.

2. Audit, Inspection, and Access Rights

- Provide Brightspeed, BDO, NTIA, the U.S. Department of Commerce, the Texas State Auditor, and their authorized representatives access to records, facilities, work sites, and personnel necessary to support audits, inspections, or reviews.
- Contractor shall not impede or condition such access.

3. Recordkeeping and Retention

- Maintain complete, accurate, and auditable records supporting labor, materials, equipment, costs, permitting activities, and compliance obligations.
- Retain records for at least ten (10) years following project closeout.
- Maintain as-built documentation, GIS records, permitting correspondence, testing records, and bills of materials.

4. Environmental, NEPA, and Historic Preservation

- Comply with all environmental and historic preservation obligations applicable to BEAD projects.
- Cease work immediately upon discovery of archaeological resources or burial sites.
- Support required environmental documentation, permitting, and reporting activities.

5. Permitting, Utility Coordination, and Railroad Crossings

- Comply with all federal, state, local, railroad, utility, and right-of-way permitting requirements.
- Maintain permitting logs and escalation records.
- Promptly notify Brightspeed of permitting delays, access disputes, or missed timelines.

6. Performance, Quality, and Milestone Support

- Perform broadband network construction in a manner that enables Brightspeed to meet BEAD performance standards.
- Cooperate with milestone verification, testing, inspection, and reporting activities.

7. Future Guidance and Program Changes

- Cooperate with Brightspeed in implementing updated compliance, reporting, or operational requirements resulting from future NTIA or state guidance.

8. Conflicts of Interest

- Promptly disclose any actual or potential conflicts of interest as required by Federal rules and by Chapter 171 of the Texas Local Government Code and Chapter 573 of the Government Code.

9. Suspension, Debarment and Texas Family Code

- Contractor represents that it is not suspended or debarred from participation in federally funded projects.
- Under Section 231.006 of the Family Code, the contractor certifies that the individual or business entity is not ineligible to receive payment.

10. Civil Rights, Nondiscrimination, Labor Compliance, and Whistleblower Protections

- Comply with all applicable civil rights, labor, and nondiscrimination laws.

- Provide required whistleblower notices relating to federal funds.

11. Waste, Fraud, Abuse, and Mandatory Disclosure

- Promptly report any credible evidence of fraud, false claims, bribery, or misuse of federal funds.

12. Federal Interest and Property Restrictions

- Do not sell, transfer, encumber, or dispose of BEAD-funded materials or property without Brightspeed authorization.
- Support inventory tracking, UCC documentation, and related federal interest compliance requirements.

13. Flowdown Requirements

- Include all applicable BEAD compliance obligations in lower-tier subcontracts, purchase orders, and vendor agreements.