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**Invitation for Bid No: GTA-IFB-2023-001
15-Year Term Indefeasible Right to Use (IRU) Capital Lease of 100 Gbps of an
Asia Pacific Cable System between a Guam Cable Landing Station and TY2
Peering Location in Tokyo, Japan**

Response to Questions

Question #18: The Grant Policy document you provided earlier (attached) appears to be missing several pages, to document contains pages 4-5 of 20 pages only. Can you please provide the complete document or confirm the bidding only needs to comply to pages 4 and 5?

Response: Procurement Form 005 only needs to comply to pages 4 and 5 of the GTA Grant’s Policy.

Question #19: Executive Order 14026 specifies minimum wage of USD 16.20 per hour.

Before this, there was a lower minimum wage requirement established under Executive Order 13658.

From the Procurement Form 001, we spotted this commentary in blue box, as pasted below, it says that Executive Order 14026 does not apply to Government of Guam Service Contracts, however we are required to sign a Declaration RE: Compliance with U.S. DOL Wage Determination, may I ask please if this blue box commentary is coming from GTA, then the Procurement Form 001 that we are required to declare, sign and submit to GTA, does that mean there is no need for us to follow USD 16.20 per hour minimum wage and instead will fall back on earlier Executive Order 13658 (lower minimum wage)?

Note: Contracts subject to the Service Contract Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026.

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	Executive Order 14026 generally applies to the contract. The contractor must pay all covered workers at least \$16.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2023.
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GDOL guidance indicates that E.O. 14026 does NOT apply to Government of Guam Service Contracts.
See our website for more information.

The applicable Executive Order minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the Executive Orders is available at www.dol.gov/whd/govcontracts.

Response: Executive Order 14026 does not apply. However, the bidder must adhere to the local DOL Wage Determination – Occupational Listing inclusive of the required fringe benefits.

Question #20: The bidder has a 214 FCC license.

Bidders are not a prime contractor on this bid, therefore items 1 & 2 on the checklist is non-compliant or not applicable to the bidder.

- Unique Entity Identifier (UEI) from SAM.gov
- Guam Business license/Contractor's license/Specialty License must be submitted prior to an award.

It would be helpful if GTA can identify which of the checklist items are mandatory compliance requirements vs. optional considering the bidder is not the prime contractor. In addition, if GTA can also note any other mandatory clauses from the main document, that would be helpful.

Response:

UEI: According to the 2 CFR Frequently Asked Questions dated May 3, 2021, the requirements for obtaining a UEI do not flow down beyond the first-tier subawards of a Federal award. The UEI requirement from the checklist and bid package will be removed.

See Amendment #4.

Guam Business License: Bidders are required to present a 214 FCC license or applicable licenses and permits. The Guam Business License requirement from the checklist and bid package will be removed.

See Amendment #4.

Mandatory Compliance: GTA and all its contractors must abide by all applicable federal, state, and local regulations. All regulations stated in the amended checklist and bid package are applicable to the bidder.