

**STATE OF NEW MEXICO  
OFFICE OF BROADBAND ACCESS AND EXPANSION**

**AGREEMENT #: CNMF1024A18  
AMENDMENT #1**

THIS **AMENDMENT** is made by and between the State of New Mexico, Office of Broadband Access and Expansion, administratively attached to the Department of Information Technology, hereinafter referred to “OBAE” and **Tesuque Pueblo Administration** hereinafter referred to as the “Grantee” and collectively referred to as the “Parties”.

WHEREAS the Parties initially executed Connect New Mexico Grant Agreement # CNMF1024A18 on October 30, 2024.

WHEREAS, pursuant to the Subsection 63 of Section 5 of the General Appropriation Act of 2025, the expenditure authority for the Connect New Mexico Fund was extended through June 30, 2026.

WHEREAS, the federal Affordable Connectivity Program (ACP) ended in 2024.

The purpose of this Amendment is to extend the performance period of this grant from June 30, 2025 to June 30, 2026, and update the legal compliance obligations regarding the ACP.

IT IS MUTUALLY AGREED BETWEEN THE PARTIES THAT THE FOLLOWING PROVISIONS OF THE ABOVE-REFERENCED CONTRACT ARE AMENDED AS FOLLOWS

**ARTICLE 5 – EFFECTIVE DATE; PERIOD OF PERFORMANCE; BUDGET PERIOD**

- C. Subaward Budget Period Start and End Date. The budget period shall start upon the Effective Date and shall end no later than **June 30, 2026** (hereinafter “**Budget Period**”). The Department will provide reimbursement for all eligible expenses incurred after the Effective Date. Costs incurred by Grantee after **June 30, 2026** will not be eligible for reimbursement, and Grantee must submit to the State of New Mexico, no later than 90 calendar days (or an earlier date as agreed upon in writing by Grantee and the State of New Mexico) after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the award.

**ARTICLE 7 – LEGAL COMPLIANCE**

- A. 14. Grantee is required to, for at least five (5) years from the date of Substantial Completion, offer a low-cost broadband service plan with typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps with typical latency measurements of no more than 100 milliseconds; and not subject to data caps, surcharges imposed by Grantee, or usage-based throttling. During the five (5) year period:
- a. Grantee shall be required to participate in any state or federal successor to the Affordable Connectivity Program in effect during the five-year period.

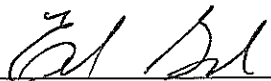
- b. The low-cost broadband plan shall charge the end-user no more than \$50 a month inclusive of all taxes, fees, and charges, or the allowable amount under any successor Affordable Connectivity Program, whichever is lower.
- c. End users shall be deemed eligible for the low-cost broadband service plan upon demonstrating either current enrollment in New Mexico Medicaid, SNAP, or other State of New Mexico Income Assistance Program, or an income under 200% of the Federal Poverty Level.
- d. End users shall be eligible for no-cost upgrades if the provider later offers the low-cost plan with higher speeds.

EXHIBIT D – Project Schedule is amended and incorporated herein to reflect the extended performance period.


All other articles and deliverables of the original agreement remain the same.

IN WITNESS WHEREOF, the parties have duly executed this Amendment as of the date of execution by the final signatory.


GRANTEE

By:  6/2/2025  
 Earl Samuel Date  
 Governor


OFFICE OF BROADBAND ACCESS AND EXPANSION

By: <sup>Signed by:</sup>  5/30/2025  
 32A0D0595C7C493... Date  
 Manny Barreras  
 Acting Director of Broadband  
 State of New Mexico Chief Information Officer  
 Cabinet Secretary Department of Information Technology

Approved for financial sufficiency:

By: <sup>Signed by:</sup>  5/30/2025  
 9895C3FF24BE46F... Date  
 Lisa Jennings  
 Mobile Chief Financial Officer

Approved for legal sufficiency:

By: <sup>DocuSigned by:</sup>  5/30/2025  
 C0140201B8E94E1... Date  
 Cass Brulotte  
 General Counsel

WBS No.	Project Area - Activity (e.g., tasks, actions)	Status (List)	Target Start Date (Month / Year)	Target End Date (Month / Year)	Other brief relevant input (e.g., critical dependencies, strategy to ensure on-time competition, early planning steps, etc.)
9.0	Network Testing	Not Started	Aug-25	Jan-26	
9.1	Tesuque 1, 2, 3, 4, FD and WT	Not started	8/30/2025	1/30/2026	Depends on construction initiation - testing will be completed when each area is completed
10.0	Development and Launch of Marketing Strategy and Sales Programs	N/A	N/A	N/A	
10.1	N/A	N/A	N/A	N/A	
11.0	Development and Launch of Adoption Assistance Programs	N/A	N/A	N/A	
11.1	N/A	N/A	N/A	N/A	
12.0	Launch of Commercial Service	N/A	N/A	N/A	
12.1	N/A	N/A	N/A	N/A	
13.0	Customer Installations	Not Started	Sep-25	Jan-26	
13.1	CAI 1-8	Not started	9/15/2025	1/30/2026	



<b>Connect New Mexico Fund</b>	
<b>Exhibit D - Project Schedule</b>	
<b>Recipient</b>	<b>Pueblo of Tesuque Administration</b>
<b>Project Name</b>	<b>Broadband</b>
<b>Id/No</b>	<b>CNMF1024A18</b>

<b>WBS No.</b>	<b>Project Area - Activity (e.g., tasks, actions)</b>	<b>Status (List)</b>	<b>Target Start Date (Month / Year)</b>	<b>Target End Date (Month / Year)</b>	<b>Other brief relevant input (e.g., critical dependencies, strategy to ensure on-time competition, early planning steps, etc.)</b>
<b>1.0</b>	<b>Market Assessment</b>	<b>N/A</b>	<b>N/A</b>	<b>Dec-26</b>	
1.1	N/A	N/A	N/A	N/A	
<b>2.0</b>	<b>Network and Engineering Design</b>	<b>Completed</b>	<b>Jan-25</b>	<b>Feb-25</b>	
2.1	Design	Completed	1/15/2025	2/28/2025	High-level network design including main fiber routes and hub locations.
<b>3.0</b>	<b>Permitting (right of way, easements, etc.)</b>	<b>In Progress</b>	<b>Apr-25</b>	<b>Jan-26</b>	
3.1	State of New Mexico DOT	Completed	N/A	N/A	
3.2	BIA R-O-W Process	In progress	4/15/2025	1/30/2026	NTP issuance to contractor as applicable
<b>4.0</b>	<b>Environmental Assessment</b>	<b>In Progress</b>	<b>Apr-25</b>	<b>Dec-25</b>	
4.1	NEPA	In progress	4/15/2025	8/30/2025	preliminary review of project area completed
4.2	Cultural Property Monitoring	Not started	7/1/2025	12/31/2025	Based upon construction schedule
<b>5.0</b>	<b>Site Preparation</b>	<b>In Progress</b>	<b>Jul-25</b>	<b>Dec-25</b>	
5.1	Tesuque 1, 2, 3, 4, FD and WT	Not started	7/1/2025	12/31/2025	Construction schedule provided by engineering firm during completion of construction documents.
<b>6.0</b>	<b>Workforce Development</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	
6.1	N/A	N/A	N/A	N/A	
<b>7.0</b>	<b>Vendor Selection and Procurement</b>	<b>In Progress</b>	<b>Feb-25</b>	<b>Jan-26</b>	
7.1	Procurement	In progress	2/15/2025	1/30/2026	Should be completed by 6/2025
<b>8.0</b>	<b>Network Deployment/ Construction</b>	<b>Not Started</b>	<b>6/30/2025</b>	<b>Dec-25</b>	
8.1	Tesuque 1, 2, 3, 4, FD and WT	Not started	6/30/2025	12/31/2025	