



Comprehensive Community Infrastructure Budget Narrative Template

Applicant Name:

EasyGrants Number:

Organization Type:

Proposed Period of Performance:

Total Project Costs: \$

Total Federal Grant Request: \$

Total Matching Funds (Cash): \$

Total Matching Funds (In-Kind): \$

Total Matching Funds (Cash + In-Kind): \$

Total Matching Funds (Cash + In-Kind) as Percentage of Total Project Costs: %

1. Administrative and legal expenses - \$xxx

- Provide a breakout of position(s), time commitment(s) such as hours or level-of-effort, and salary information/rates with a detailed explanation, and additional information as needed.

Network design – This line item of 10,000 may seem kind of small for a project of this scope. However, most of the design has been completed. There will be some modifications necessary as the project moves forward. This line item is resonalbe estimate of money needed for that contingency. (80 hours @ 125hr.)

Structrual Engineer – Previous discussion with the Corp of Engineer on using the conduit that runs across the face of two earth dam strucutres will require us to have an structural engineer evaluate our plan to dig within 100 feet of the dams. We are simply going to put pull boxes on either side of the dams for access/repair/expansion points. We will then pull fiber through the existing conduit, however it is still mandated that we have an engineer evaluate and survey this possible exposure. Our calculation is based on \$100 hour for 250 hours of work.

Project manager* – New hire – 95,000 a year for two years. (Roughly 70 thousand a year plus benefits**).

Laborer 1 – new hire 75,000 per year for two years. (Roughly 50 thousand a year plus benefits**).



Laborer 2 – new hire 75,000 per year for two years. (Roughly 50 thousand a year plus benefits**).

Laborer 3 - new hire 75,000 per year for two years. (Roughly 50 thousand a year plus benefits**).

* Due to the time constraints of this project if acceptable candidates can not be found and hired within the first quarter of the project beginning, we will negotiate with a contractor for these services. Tribal policy mandates that we post jobs for 30 days and interview all Tribal applicants prior to hiring of contractors.

** All benefits are roughly based on 30 percent salary to benefit ratio.

IT support – New Hire – There will be a larger burden on the IT support staff of the Ute Tribe. New anchor institutions will be mostly handled by current staff, but all new Wi-Fi “Customers” will certainly expect someone to call for support. We are hoping to minimize this through training efforts, but we do expect, at least initially an increase in work load.

Network support contractor – It is to the projects advantage to contract out oversight of the network and fiber build out. This line item is to continue the ongoing agreement with Net-IT-Works, Inc to provide networking services for this project based on 125 per hour (no benefits, no travel, no per diem).

Wireless setup – This line item is based off a quote we received from a wireless provider that has had several years experience in providing and supporting Wi-Fi access to communities. We do not want to recreate the wheel here. We don’t want to have a learning curve. So we have elected, when we are ready, to contract their services for the wireless install portion of this project.

Trench digging – Based on prior experience we know that in this hard-bedrock ground we can not use a typical trencher a back hoe is required. With this knowledge we know we can dig about 50 feet per hour. This line item is based on 100 dollars per hour at an average of 50 feet per hour for roughly 40,000 feet. (We have specified elsewhere the project will require 50,000 feet of fiber this is for three reasons. We will need more fiber to run in side buildings, fiber will be coiled in pull boxes to provide slack for repairs or additions, and there is fiber “waist” due to breaks in the glass everytime you cut into the cable.

Trench back fill – Backfilling the trench is significantly quicker and cheaper than digging it. We have based this calculation on the same equation as digging the trench however, we figure we can fill about 400 feet per hour at \$100 per hour.

Road burrow – it will be necessary to burrow under Tribal roads. We have contacted Tribal Maintenance and they said they charge 100 per hour and they estimate 50 man hours.

USDA required travel – If travel is required for this grant then we will utilize this line item for that travel. If it is not required, or there are no seminars then we will not use this travel account.

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

Cash Source 1 – All cash matches will be made by Ute Indian Tribe of the Uintah and Oray reservation, more specifically from the IT budget of said organization. We took a simple approach and matched each line item at 30 percent.

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

In-Kind Source 1..., All in-kind matches will be made by the Ute Indian Tribe of the Uintah and Oray reservation, more specifically from the IT budget of said organization.



[REDACTED]

2. Land, structure, rights-of-way, appraisals, etc. - \$xxx

- Provide description of estimated costs, proposed activities, and additional information as needed.

No land, right of way, or appraisals will be charged to the project. These services will be provided to the project by the appropriate person responsible as a courtesy to the project and will not result in or be considered for reimbursement.

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

[REDACTED] of project will be cash match from the Ute Tribe Membership fund.

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

3. Relocation expenses and payment - \$xxx

- Provide explanation for the relocation, description of the person involved in the relocation, method used to calculate costs, and additional information as needed.

NA

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

NA

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

NA



4. Architectural and engineering fees - \$xxx

- Provide description of estimated fees, rates, explanation of proposed services, and additional information as needed.

Network Design based on 100 per hour 100 hours.

Structural Engineer 125 base on 200 hours

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget.

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

5. Other architectural and engineering fees - \$xxx

- Provide description of estimated fees, rates, explanation of proposed services, and additional information as needed.

Fiber Testing 85 an hour for 200 hours.

OTDR Testing base on 125 hours 100 hours.

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

6. Project inspection fees - \$xxx



- Provide description of estimated fees, rates, explanation of proposed services, and additional information as needed.

All project inspections will be provided by the Tribe.

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

7. Site work - \$xxx

- Provide description of estimated fees, rates, explanation of proposed services, and additional information as needed.

Backhoe work based on 100 dollars per hour based on 50 feet per hour

Fiber rental Trailer based on first leg of project

Fiber Spool Trailer based on first leg of project

Grounding rods based on first leg of project

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.



8. Demolition and removal - \$xxx

- Provide description of estimated fees, rates explanation of proposed services, and additional information as needed.

NA

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

NA

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

NA

9. Construction - \$xxx

- Provide description of estimated fees, rates, explanation of proposed services, state whether the work is being completed by the applicant or an outside contractor, and additional information as needed.

Cost of fiber, polly, composit boxes and all other purchases are based on the first leg of the project, and verified with a recent quote from [REDACTED].

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

10. Equipment - \$xxx

- Provide a list of equipment in the form of a table with description, number of units, unit cost, state whether it is being purchased or leased, and additional information as needed.



Equipment purchase are estimated on what the costs were for the first leg of the project and verified recently with an additional quote to prepare the detailed budget.

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

11. Miscellaneous - \$xxx

- Provide additional information as needed.

Screws, bolts, wireties rough guess.

- Provide detailed description, calculation, and basis of evaluation for each Cash Matching Funds source.

We have calculated 30 percent matching across the entire project budget

- Provide detailed description, calculation, and basis of evaluation for each In-Kind Matching Funds source.

10 percent (if deemed acceptable) will be dark fiber that this project will attach to. Based on 50 per linear foot, which includes all termination, etc.

13. Contingencies - \$0

- Contingencies are an unallowable expenditures under BTOP.

NA

15. Project (program) income - \$0

- The value for this line-item on the SF-424C is \$0. Please do not provide an estimated Project (program income) on the SF-424C.

Not for Profit.



Addendum

- Very few indirect costs are allowable through BTOP. If any allowable indirect costs and/or fringe benefits are included in the budget, please provide a copy of your existing Negotiated Indirect Cost Recovery Agreement (NICRA), if available. If the NICRA is applied accordingly in the budget, there is no need to justify the costs. If a NICRA is not available or is not consistent with the rates/calculations in the budget, please provide an explanation of how the amounts were calculated. Please clearly list the manner in which indirect costs are calculated in the budget.

Note: Verify that indirects are calculated correctly and are eligible BTOP costs. To clarify, reasonable indirect costs under BTOP are only allowable for Full Time Employees (FTEs) associated with the construction, deployment, or installation of facilities or equipment used to provide broadband service.

#. Example Budget Narrative - \$724,134 (Confirm to SF-424C)

\$100,000 of this category is estimated for legal expenses for contract reviews based on the average legal cost of (\$4) per mile for 25,000 miles.

\$134 of this category is estimated for legal court filings.

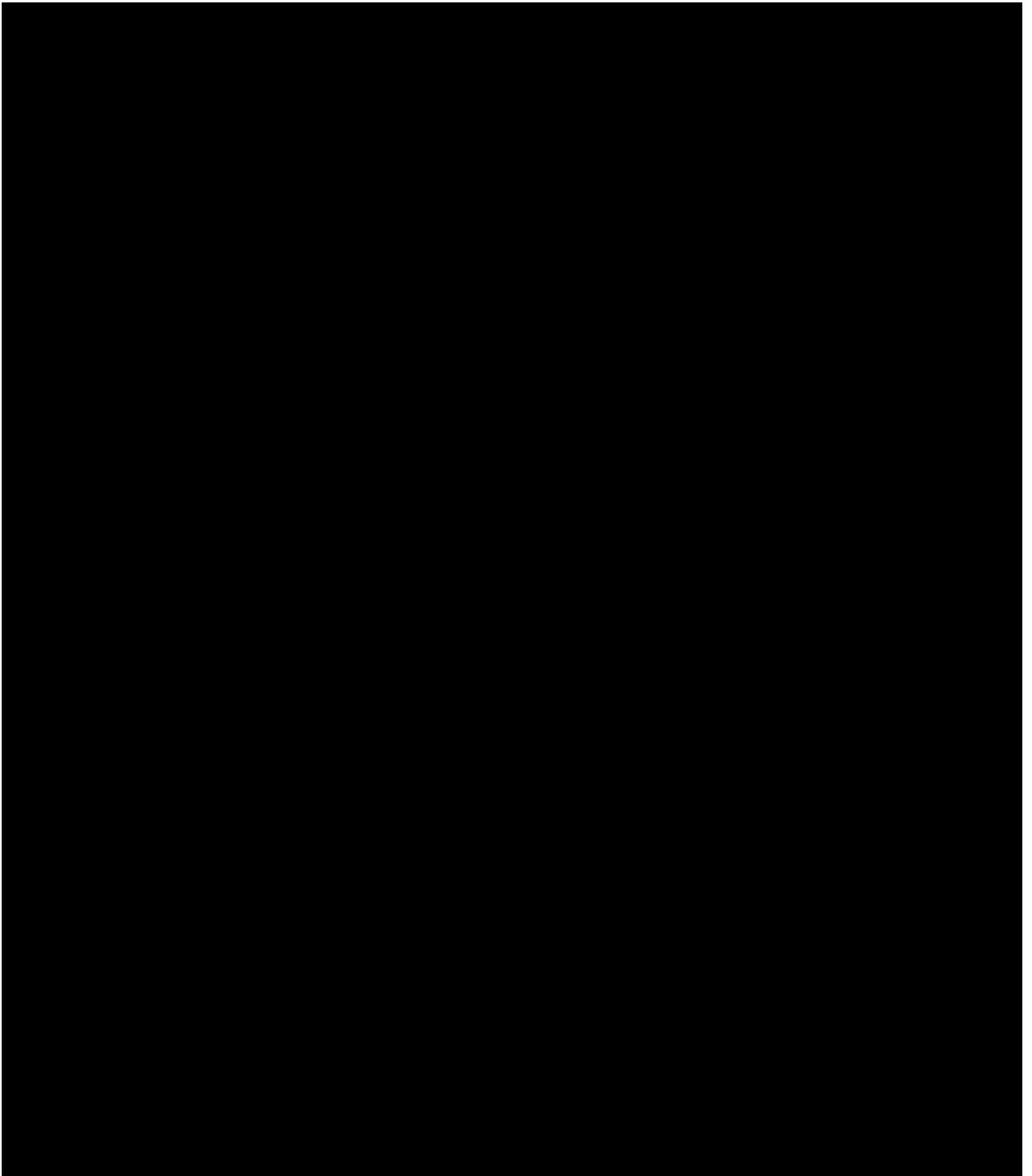
\$624,000 of this category is estimated for Project Engineering Staff which consists of a project manager and two (2) network engineers.

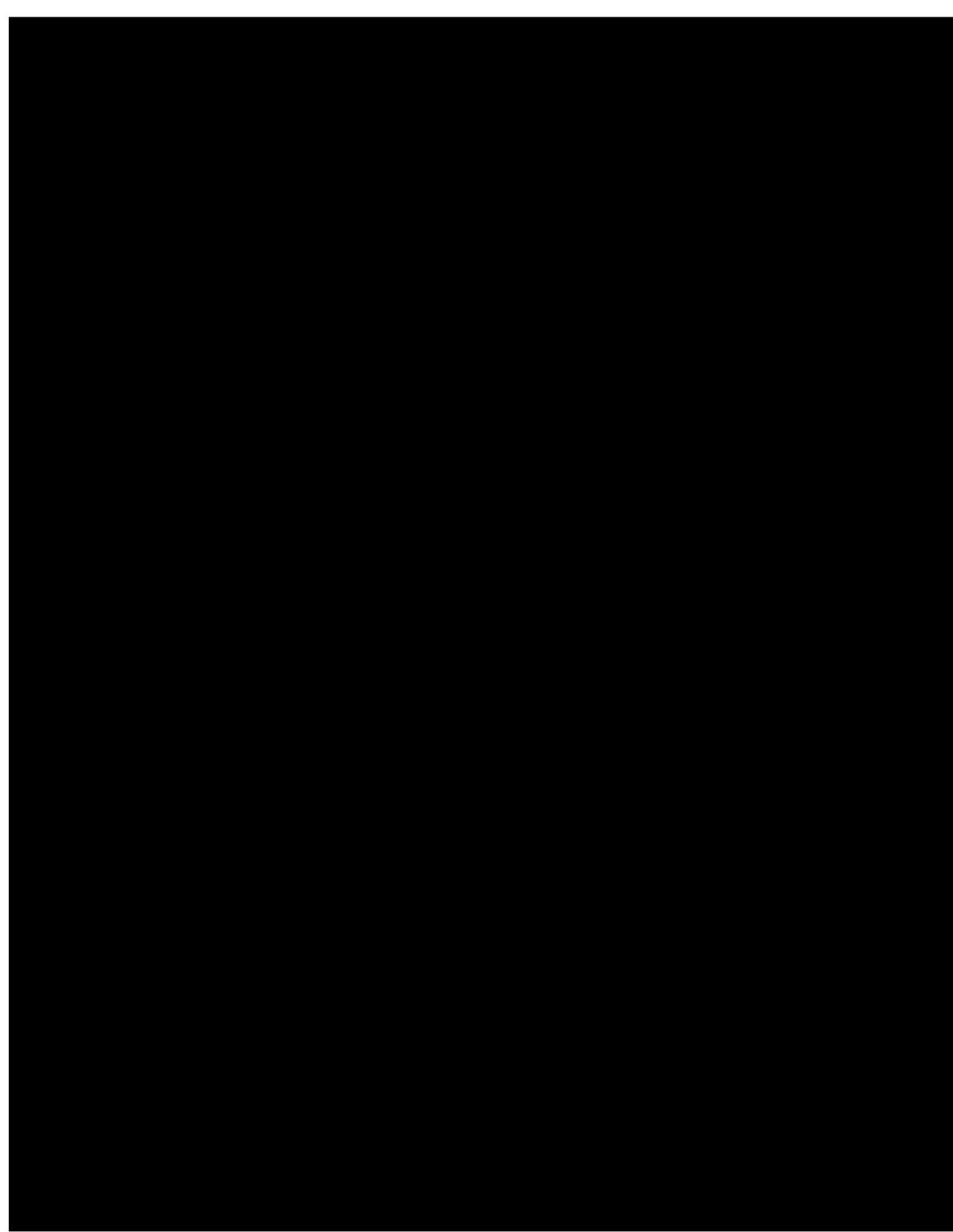
Staff	Hours	Years	Rate	Total Cost
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BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM (BTOP)

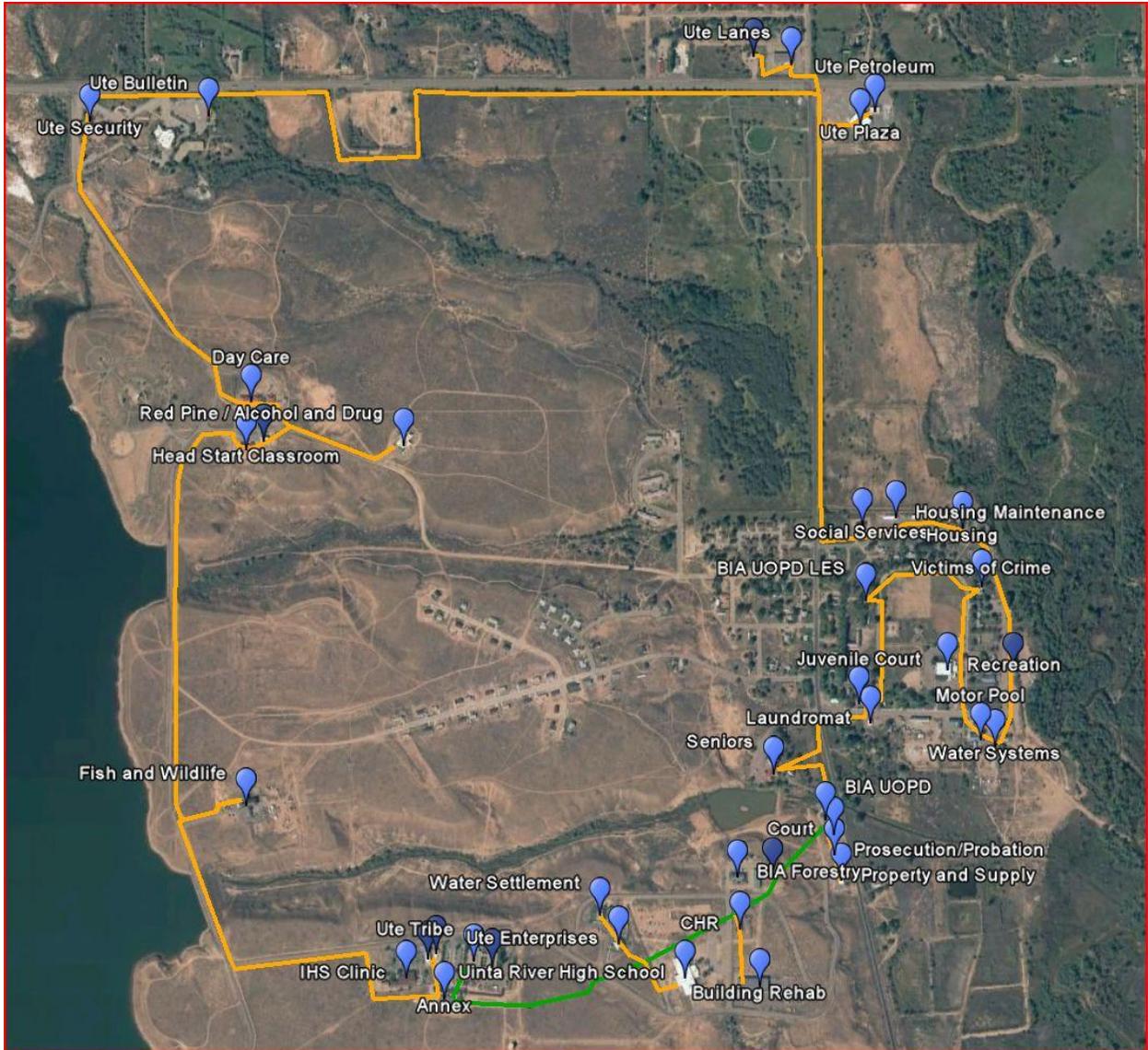
Project Manager	2080	3	\$20/hr	\$124,800
Project Engineer	2080	3	\$30/hr	\$187,200
Civil Engineer	2080	3	\$50/hr	\$312,000
TOTAL:				\$624,000

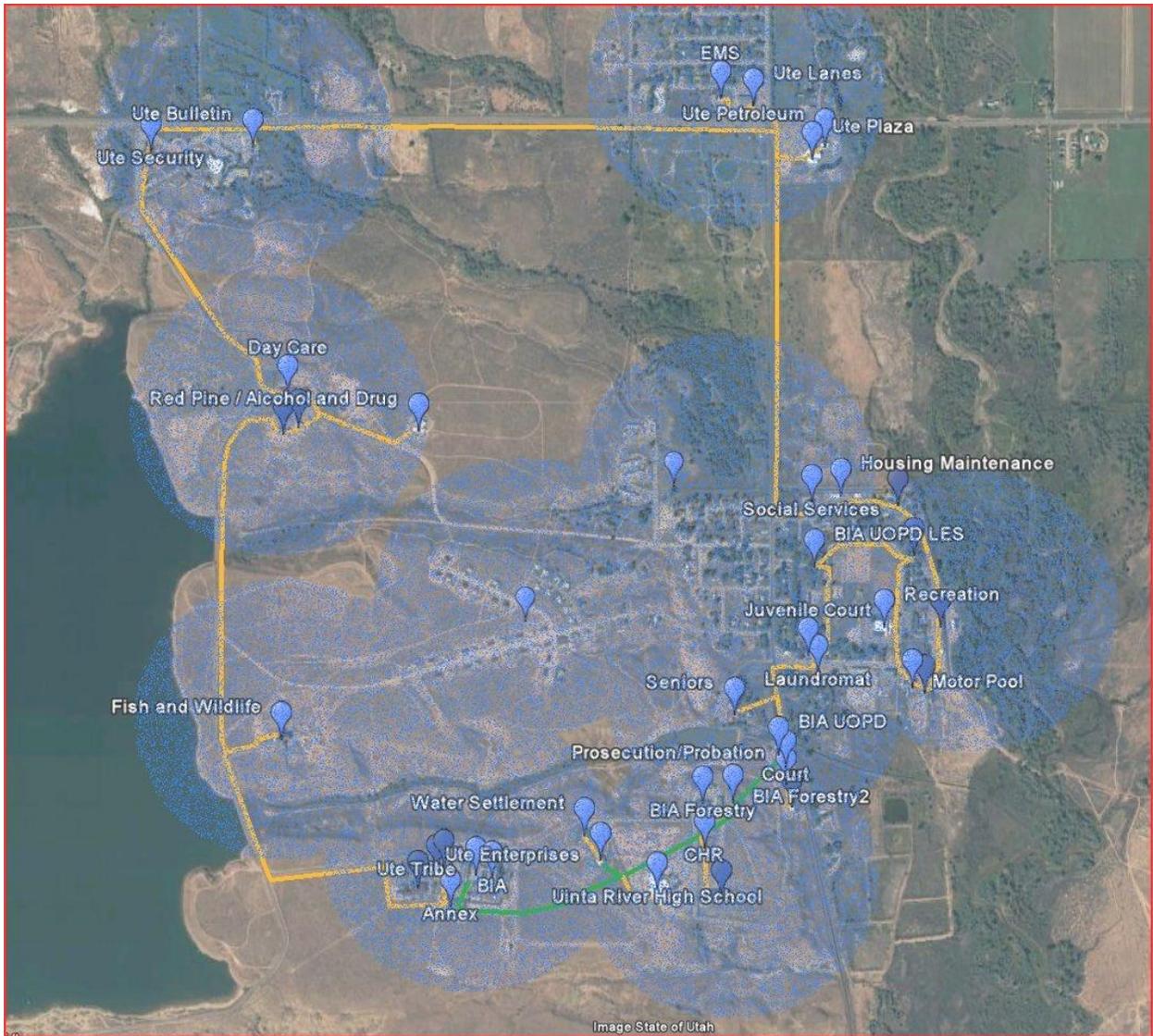




3 Pages

Withheld in their entirety
pursuant to FOIA Exemption 4
(5 U.S.C. § 552 (b)(4))





BTOP Comprehensive Community Infrastructure Pro Forma Financial Projections

Please complete the Income Statement, Balance Sheet, Cash Flows, and NPV-IRR Table worksheets. Key assumptions used to formulate these financial projections should be listed in the Key Assumptions worksheet. Please note that these are **project-specific** projections, in contrast to the historical financial information which is provided at the organizational level.

Please refer to the Comprehensive Community Infrastructure Grant Guidance for detailed instructions on the completing this upload.

Applicants are required to provide this upload as an Excel file, and not to convert it to a PDF prior to upload. Applicants may make adjustments to the format of the templates as necessary to provide the most effective presentation of the data for their specific project, but should not remove major headings (*e.g.* Revenues and Expenses on the Income Statement) or provide less detailed information than would be required to complete the provided templates.

Income Statement

	Forecast Period							
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Revenues								
Broadband Offerings								
Wholesale Data	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retail Data	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dark Fiber	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Collocation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other (list specific services)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Network Driven Revenues								
Video Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Voice Services (local/toll/long distance)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other (list specific services)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Universal Service Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Installation Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Expenses								
Backhaul	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Network Maintenance/Monitoring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Leasing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sales/Marketing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Customer Care	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Billing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Corporate G&A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Operating Expense	\$ (225,315)	\$ (450,630)	\$ (450,630)	\$ (225,315)	\$ (225,315)	\$ (225,315)	\$ (225,315)	\$ (225,315)
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
EBITDA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Depreciation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Amortization	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Earnings Before Interest and Taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Income Before Taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Income Taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Net Income	\$ (225,315)	\$ (450,630)	\$ (450,630)	\$ (225,315)	\$ (225,315)	\$ (225,315)	\$ (225,315)	\$ (225,315)

NPV/IRR Table

	Net Present Value	Internal Rate of Return
Without BTOP Funding	\$264,000.00	
With BTOP Funding	\$2,514,154.00	

Revenue Assumptions	
Factor	Specific Metric Used in Analysis
Customers Passed	
Anchor Institutions - Segment A	
Anchor Institutions - Segment B	
Businesses	
Households	
Last Mile Providers	
Other	
Take Rate (should likely vary across 8-Year Forecast)	
Anchor Institutions - Segment A	
Anchor Institutions - Segment B	
Businesses	
Households	
Last Mile Providers	
Direct Customer Connections	
Customer Segment A	
Customer Segment B	
Other	
Average Revenue per User (may vary across 8-year forecast)	
Anchor Institutions - Segment A	
Anchor Institutions - Segment B	
Businesses	
Households	
Last Mile Providers	
Other	

Expense Assumptions	
Factor	Specific Metric Used in Analysis
Network Expenses	
Backhaul	
Maintenance	

Utilities	
Leasing	
Depreciation	
Other	
Sales & Marketing	
Advertising	
Commissions	
Salaries	
Other	
Customer Care & Billing	
Systems	
Personnel	
Other	
General & Administrative	
Professional Services	
Insurance	
Non-Network Utilities	
Travel	
Supplies	
Miscellaneous	
Interest Expenses	
Debt Instrument A	
Debt Instrument B	
Taxes	
Federal Tax Rate	
Other Tax Rates	

This Project as per the Ute Indian Tribe Membership fund is a not for profit Organization. This projec

Notes to reviewers

The Ute Indian Tribe a Tribal Government

This project is being taken on by the Membership fund and thus cannot earn revenue. This reflects in the Pro-forma forecast and revenue projections.

The 2009 Membership fund accounting information was not available at the time of this application submittal.

[REDACTED]

BTOP Comprehensive Community Infrastructure Service Offerings and Competitor Data Template

Please complete the complete the following worksheets--either of the Last Mile or Middle Mile Service Offerings worksheets may be omitted if the applicant is not proposing to provide that type.

For both the Last Mile and Middle Mile Service Offerings worksheets, the service offerings should include all relevant tiers and markets (*e.g.* residential, business, wholesale). Applicants should ensure to include details on any services that would be offered at discounted rates to specific classes of customers (*e.g.* community anchor institutions or third party service providers).

In the Last Mile Service Offerings worksheet, applicants are required to provide estimated end user speeds. Average speeds should be the average sustained actual, non-burst end user speed that would be received during a peak hour. For purposes of calculating these speeds, applicants should utilize their subscriber projections for year eight of the project, and develop utilization projections that are consistent with any additional services the applicant is proposing. For wireless broadband services, this speed should be an average of the speeds available across the entire cell. Beyond these general guidelines, due to the multiplicity of technical solutions that may be proposed, the applicants may use discretion to determine the most reasonable method to estimate actual speeds on their network. Applicants should explain the underlying methodology used to calculate the average speeds in the space provided.

In the Competitor Data worksheet, applicants are required to provide data on both last mile and middle mile service providers, regardless of whether the applicant proposes to offer last mile and middle mile services. In the column titled Service Areas Where Service Offered, applicants should list all of the Last Mile and Middle Mile Service Areas within their Proposed Project Area in which the listed services are available. Please ensure that the Service Areas are consistent with those provided within the application and the Service Areas upload. If the availability of the listed services is limited (*e.g.* the service is only available within a portion of a Last Mile or Middle Mile Service Area), note this in the Other Comments column.

In contrast to several other upload templates in this application, the data provided in these worksheets will NOT be subject to automated processing. These template worksheets are provided to demonstrate the level of data required and to provide a suggested format. Applicants may modify the template layouts in order to provide the most effective presentation of their specific project. Applicants should, however, ensure that they provide at least as much data as these templates require. To the extent that you modify these templates please ensure that the print layouts are adjusted so that rows do not break across pages in a manner that is difficult to understand. A PDF of this file will be automatically generated upon upload to Easy Print and the print settings will be used to format the PDF file.

Middle Mile
provide services of

offerings should
providers should be
particular
(riders).

estimated average
fast speeds that an
providers, applicants
subscriber
plans to offer.
available across an
solutions that may
manner in which
making assumptions

last mile and
for both last mile
providers, applicants
Funded Service
names are
. If the actual
part of the Last

via this template
provided to
providers are free to
use the data for
as much detail
ensure that the
will be difficult to
grants, and the

Proposed Last Mile Service Offerings

Name of Service Tier	Advertised Speeds		Estimated Average Speeds		Average Latency	Pricing Plan (\$ per month)	Other Comments/Description/Features or Limitations
	Downstream Mbps	Upstream Mbps	Downstream Mbps	Upstream Mbps	@ End User CPE milliseconds		
DSL						\$60.00	

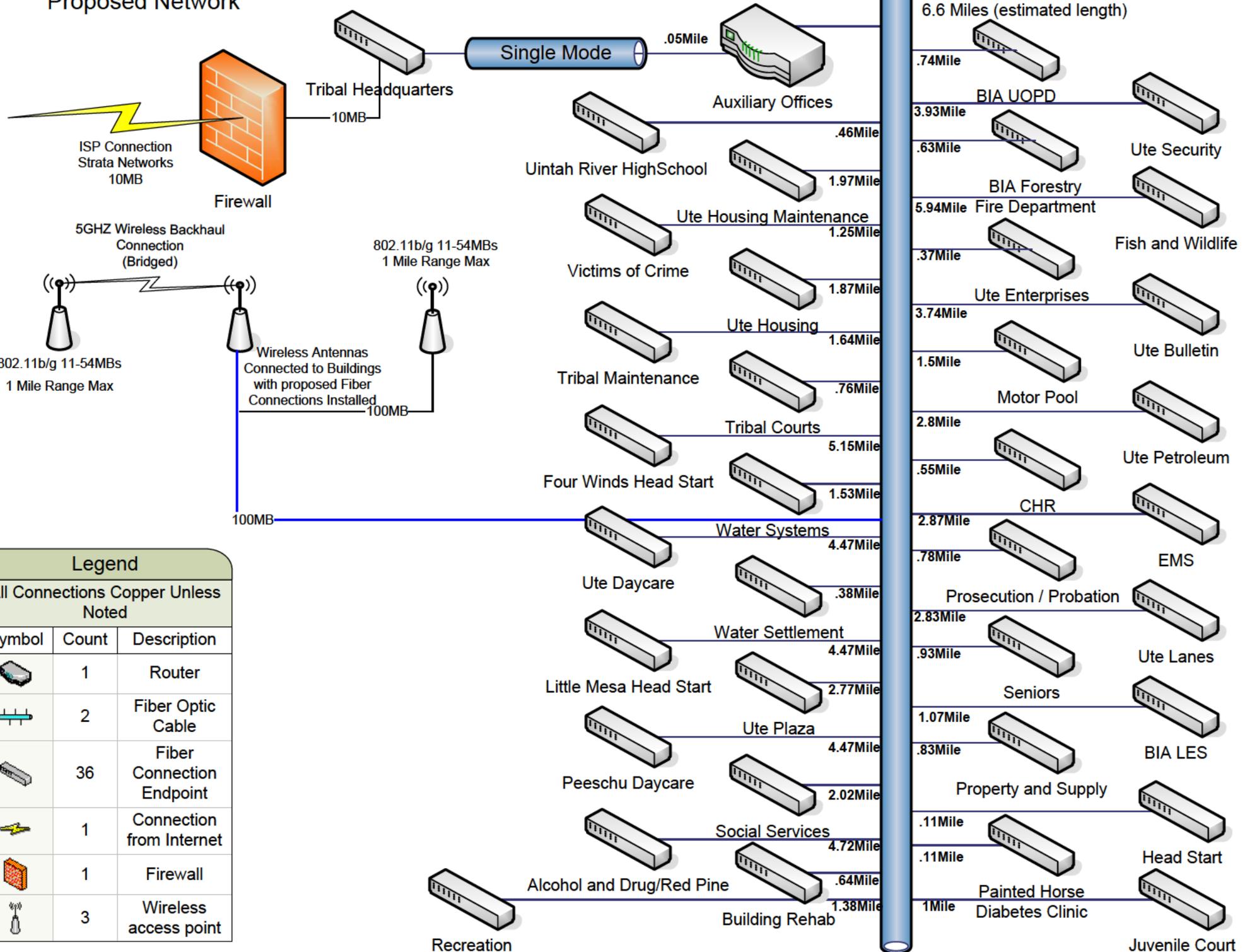
Explanation of Average Speed Calculations:

[Redacted Content]

Proposed Middle Mile Service Offerings

Name of Service Offering	Distance Band or Point to Point	Minimum Peak Load Network Bandwidth Capacity (Mbps)	Monthly/Yearly Pricing (\$)	Other Comments/Description/Features or Limitations
LADA Circuits	1000 feet	1024Kbs	129	Per pair
DSL		6MBs	60	Cannot protect Data Network of Gov.

Proposed Network



Legend		
All Connections Copper Unless Noted		
Symbol	Count	Description
	1	Router
	2	Fiber Optic Cable
	36	Fiber Connection Endpoint
	1	Connection from Internet
	1	Firewall
	3	Wireless access point

CERTIFICATION REGARDING LOBBYING

Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

In any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

NAME OF APPLICANT

AWARD NUMBER AND/OR PROJECT NAME

Ute Indian Tribe

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Frances M. Poowegup, Vice-Chairperson, Tribal Business Committee

SIGNATURE

DATE

May 25, 2010

CERTIFICATION REGARDING LOBBYING LOWER TIER COVERED TRANSACTIONS

Applicants should review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, "New Restrictions on Lobbying."

LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

In any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

NAME OF APPLICANT

Ute Indian Tribe

AWARD NUMBER AND/OR PROJECT NAME

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Frances M. Poowegup, Vice-Chairperson, Tribal Business Committee

SIGNATURE

[Redacted Signature]

DATE

May 25, 2010

U.S. Department of Commerce
Broadband Technology Opportunities Program
Authentication and Certifications

1. I certify that I am the duly Authorized Organization Representative (AOR) of the applicant organization, and that I have been authorized to submit the attached application on its behalf.
2. I certify that I have examined this application, that all of the information and responses in this application, including certifications, and forms submitted, all of which are part of this grant application, are material representations of fact and true and correct to the best of my knowledge, that the entity(ies) that is requesting grant funding pursuant to this application and any subgrantees and subcontractors will comply with the terms, conditions, purposes, and federal requirements of the grant program; that no kickbacks were paid to anyone; and that a false, fictitious, or fraudulent statements or claims on this application are grounds for denial or termination of a grant award, and/or possible punishment by a fine or imprisonment as provided in 18 U.S.C. §1001 and civil violations of the False Claims Act.
3. I certify that the entity(ies) I represent have and will comply with all applicable federal, state, and local laws, rules, regulations, ordinances, codes, orders and programmatic rules and requirements relating to the project. I acknowledge that failure to do so may result in rejection or deobligation of the grant or loan award. I acknowledge that failure to comply with all federal and program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
4. I certify that the entity(ies) I represent has and will comply with all applicable administrative and federal statutory, regulatory, and policy requirements set forth in the Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements ("DOC Pre-Award Notification"), published in the Federal Register on February 11, 2008 (73 FR 7696), as amended; DOC Financial Assistance Standard Terms and Conditions (Mar. 8, 2009); the Department of Commerce American Recovery and Reinvestment Act Award Terms (Apr. 9, 2009); and any Special Award Terms and Conditions that are included by the Grants Officer in the award.
5. I certify that any funds awarded to the entity(ies) I represent as a result of this application will not result in any unjust enrichment of such entity(ies) or duplicate any funds such entity(ies) receive under federal universal service support programs administered by the Universal Service Administrative Corporation (USAC).
6. I certify that the entity(ies) I represent has secured access to pay the 20% of total project cost or has petitioned the Assistant Secretary of NTIA for a waiver of the matching requirement.

March 24, 2010

Date


Authorized Organization Representative Signature

Frances M. Poowegup

Print Name

Tribal Vice-Chairperson

Title