



BROADBANDUSA

CONNECTING AMERICA'S COMMUNITIES

Broadband Technology Opportunities Program

BTOP Recipient Handbook FY 2010

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Prepared for:

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program
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Table of Contents

Preface	Purpose of the BTOP Recipient Handbook.....	1
1	Award Recipient Responsibilities.....	2
1.1	BTOP Award Recipient Responsibilities.....	3
1.2	Federal Responsibilities and Available Assistance	6
1.3	Grants Management Best Practices	7
1.4	Timeline of Major Recipient Activities	9
2	Project Start-Up Activities	10
2.1	Understand the Award Package	10
2.2	Accept the Award Package.....	12
2.2.1	<i>Accept the Award Package: PCC and SBA Projects.....</i>	<i>12</i>
2.2.2	<i>Accept the Award Package: Broadband Infrastructure Projects.....</i>	<i>13</i>
2.3	Complete Online Registrations	13
2.3.1	<i>Register or Renew Registration with CCR.....</i>	<i>14</i>
2.3.2	<i>Register with FederalReporting.gov</i>	<i>14</i>
2.3.3	<i>Register With ASAP.....</i>	<i>15</i>
2.3.4	<i>Register with Grants Online (Applicable to Broadband Infrastructure Projects Only)</i>	<i>17</i>
2.4	Complete Priority SACs	17
2.5	Establish Grants File and Prepare for First Reporting Cycle	18
2.5.1	<i>Assess and Strengthen Financial Capabilities</i>	<i>19</i>
3	Draw Down Funds	20
3.1	How to Request and Draw Down Award Funds	20
3.2	Payment Policies	21
4	How to Comply With Environmental Special Award Conditions (SACs).....	23
4.1	Overview of Environmental Regulations.....	24
4.2	Determine If There Are Environmental SACs	25
4.3	Environmental Assessments and Consultations	25
4.3.1	<i>Environmental Assessment Package Format.....</i>	<i>27</i>
4.4	Environmental Assessment Review Process	28
5	Recipient Reporting	29
5.1	Recovery Act Quarterly Reporting Requirements	31
5.2	Financial Quarterly Reporting Requirements.....	32
5.3	Quarterly and Annual Performance Progress Reporting Requirements	33
5.4	BTOP Monitoring of Recipient Reporting Requirements	34





6	Project Modifications and Award Action Requests	36
6.1	Types of BTOP Award Action Requests	36
6.2	How to Submit BTOP Award Action Requests	38
6.3	BTOP Requirement for Post-Award Modifications	38
6.3.1	<i>Post-Award Modification Requirements Applicable to All Requests</i>	<i>38</i>
6.3.2	<i>Other Post-Award Modification Project- Specific Requirements</i>	<i>39</i>
6.3.2.1	<i>Purchasing or Leasing New Fiber.....</i>	<i>39</i>
6.3.2.2	<i>Route Change.....</i>	<i>39</i>
6.3.2.3	<i>Microwave System Location Change</i>	<i>39</i>
6.3.2.4	<i>Equipment Change</i>	<i>40</i>
7	Project Closeout Activities	41
7.1	Required Closeout Actions	41
7.2	Other Closeout Actions that May Be Required.....	42
8	Grant Administration Standards: Complying With Award Terms	43
8.1	American Recovery and Reinvestment Act (ARRA) Requirements	43
8.2	Uniform Administrative Requirements	47
8.2.1	<i>Recipient Code of Conduct.....</i>	<i>48</i>
8.2.2	<i>Procurement Standards.....</i>	<i>48</i>
8.2.3	<i>Record Retention.....</i>	<i>50</i>
8.3	Financial Requirements for BTOP Awards	50
8.3.1	<i>Allowable Costs</i>	<i>52</i>
8.3.2	<i>Award Payments.....</i>	<i>55</i>
8.3.3	<i>Federal and Non-Federal Cost Sharing.....</i>	<i>55</i>
8.3.4	<i>Incurring Costs or Obligating and Expending Federal Funds Beyond Award Expiration</i>	<i>55</i>
8.3.5	<i>Program Income</i>	<i>56</i>
8.3.6	<i>Tax Refunds.....</i>	<i>56</i>
8.3.7	<i>Subrecipients and Vendors under Award</i>	<i>57</i>
8.4	Special Award Conditions	59
8.5	Audit Requirements	59
8.5.1	<i>Audit Resolution Process.....</i>	<i>60</i>
9	Understanding Stakeholder and Media Relations.....	62
9.1	Community Outreach	62
9.1.1	<i>Setting Community Outreach Goals</i>	<i>62</i>
9.1.2	<i>Identifying Stakeholders.....</i>	<i>62</i>
9.1.3	<i>Developing Messages.....</i>	<i>63</i>
9.2	Working with the Media.....	63
Appendix A	BTOP Recipient Master Checklist of Activities.....	65





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Made Possible by the Broadband Technology Opportunities Program

Funded by the American Recovery and Reinvestment Act of 2009

Appendix B	Helpful Resources	75
Appendix C	Glossary	76
Appendix D	Acronym List	82
Appendix E	Fact Sheets	87
	American Recovery and Reinvestment Act Reporting Tips	88
	Automated Standard Application for Payment (ASAP.gov) Registration Process	92
	Section 7 of the Endangered Species Act (ESA)	95
	National Historic Preservation Act (NHPA) Section 106	97
	Indirect Costs	99
	Post-Award Modifications	101
	Signage Requirements and Recipient Guidance	103
	Additional Uses of Recovery Logo	107
	Subrecipients and Contractors	110





Preface Purpose of the BTOP Recipient Handbook

The Broadband Technology Opportunities Program (BTOP) is a \$4.7 billion competitive grant program funded through the American Recovery and Reinvestment Act of 2009 (Pub. L No. 111-5, 123 STAT.115; Recovery Act or ARRA). BTOP is administered by the National Telecommunications and Information Administration (NTIA) within the U.S. Department of Commerce (DOC) and is intended to accelerate broadband deployment in unserved and underserved areas, supporting strategic institutions that are likely to create jobs or provide significant public benefits. To achieve these objectives, NTIA funds projects across the nation in three categories: Broadband Infrastructure, which includes Middle Mile (MM), Last Mile (LM), and Comprehensive Community Infrastructure (CCI) projects (including CCI 700 MHz projects); Public Computer Centers (PCC); and Sustainable Broadband Adoption (SBA). Between December 17, 2009, and April 26, 2010, the Department and NTIA awarded Round 1 BTOP grant awards totaling \$1.2 billion in Federal funding to help expand broadband access and adoption across the country. Round 2 BTOP awards will be announced on a rolling basis through September 30, 2010.

The BTOP Recipient Handbook FY 2010 (handbook) is designed to be used by grant award recipients selected to receive BTOP Federal funds. This handbook serves as BTOP grant award recipient guidance on management and administration (M&A) and to:

- Increase BTOP award recipients' understanding of their responsibilities defined by the award terms and conditions (T&Cs) and other requirements and regulations to which BTOP award recipients must adhere.
- Communicate forms of assistance available to recipients, including the responsibilities of the BTOP Office and Grants Office to support and build strong partnerships with recipients.
- Provide guidance on how to complete start-up activities, draw down award funds, and complete other administrative and programmatic activities from the award date through completion of the project and award closeout, including checklist provision and due date identification to complete requirements.
- Promote good BTOP award stewardship by sharing recommended best practices in project management and grant administration that recipients can use to ensure the successful implementation and timely BTOP funded project completion.

The handbook contains nine major sections:

- Sections 1, 2, and 3 define recipient and Federal responsibilities, describe how to accept the award agreement, and identify priority start-up activities for initiating projects in a timely manner.
- Sections 4 through 7 provide guidance on how to complete project and grant M&A activities throughout the life of the award, including drawing down award funds, submitting required progress reports, requesting programmatic or budget changes to the award, and successfully completing close out activities.
- Section 8 summarizes key grant administration standards that BTOP recipients must understand and adhere to, to comply with the award T&Cs. Additional resources, including fact sheets, NTIA contact information, and a glossary are presented in the appendices.
- Section 9 provides recipients guidance on stakeholder engagement through effective community outreach and media relations.

BEST PRACTICE

Watch for "Memos" throughout the handbook, which provide BTOP tips, key reminders, and best practices.

Recipients are encouraged to review and refer to this handbook frequently. This handbook will be updated and made available to recipients on the BTOP website at www.ntia.doc.gov/broadbandusa as guidance and new information becomes available. Recipients should contact the assigned BTOP Federal Program Officer (FPO) or Grants Officer with any questions regarding award requirements.





1 Award Recipient Responsibilities

In early 2009, Congress directed the Federal Communications Commission (FCC) to develop a National Broadband Plan to ensure every American has access to broadband capability, saying:

“Broadband is the great infrastructure challenge of the early 21st century. Like electricity a century ago, broadband is a foundation for economic growth, job creation, global competitiveness and a better way of life. It is enabling entire new industries and unlocking vast new possibilities for existing ones. It is changing how we educate children, deliver health care, manage energy, ensure public safety, engage government, and access, organize and disseminate knowledge... The number of Americans who have broadband at home has grown from eight million in 2000 to nearly 200 million last year. But broadband in America is not all it needs to be. Approximately 100 million Americans do not have broadband at home... and the United States is behind many advanced countries in the adoption of such technology.”¹

Closing the broadband availability gap requires financial support from Federal, state, and local governments. In 2010, the Recovery Act provided \$4.7 billion in one-time funding to create the Broadband Technology Opportunities Program (BTOP) at the U.S. Department of Commerce (the Department or DOC), administered by the BTOP Office, the National Oceanic and Atmospheric Administration (NOAA) Grants Office, and the National Institute of Standards and Technology (NIST) Grants Office. As of April 2010, over \$1.2 billion of the available Federal funding has been awarded to 82 award recipients, with additional awards planned for announcement on a rolling basis through September 30, 2010.

The grant awards will fund projects proposed by recipients in three categories: *Broadband Infrastructure*, *Public Computer Center* (PCC), and *Sustainable Broadband Adoption* (SBA). In Round One, the Broadband Infrastructure category consists of two components – Last Mile (LM) projects and Middle Mile (MM) projects – designed to deliver broadband access to unserved and underserved areas of the country. LM projects were developed to bring broadband service to end-users or end-user devices, while MM projects focus on the provision of interoffice transport, backhaul, connectivity, or other special access services. In the second round of funding, the Broadband Infrastructure category is comprised of Comprehensive Community Infrastructure (CCI) projects focusing on MM broadband infrastructure components that offer new or substantially upgraded connections to community anchor institutions, especially community colleges. Under the limited reopening of the second round of funding, the Broadband Infrastructure category is comprised of projects that deploy a 700 MHz public safety broadband network and expand broadband capacity for a 700 MHz public safety broadband network. PCC projects will expand public access to broadband service and enhance broadband capacity at institutions that provide public computing centers, such as libraries and community colleges. SBA projects will promote broadband demand and adoption. These projects include education and training on, access to, or support for broadband technology typically to uninformed groups in underutilized areas.

The accountable and transparent use of BTOP award funds will help the nation realize the vision of the National Broadband Plan and meet the goal of providing universal broadband access to citizens. Each BTOP funding recipient is responsible for understanding and complying with the terms and conditions (T&Cs) and Special Award Conditions (SACs) set forth in the recipient's CD-450 award package.

¹ Connecting America: The National Broadband Plan (2010). Federal Communications Commission.





1.1 BTOP Award Recipient Responsibilities

The National Telecommunications and Information Administration (NTIA) views its relationship with BTOP award recipients as a partnership, with the recipient providing the effort and expertise necessary to carry out approved activities, and NTIA providing financial and technical assistance, programmatic guidance, and involvement, as appropriate. The BTOP recipient is responsible for ensuring that projects are successfully implemented as approved and administered in compliance with BTOP requirements. The award is subject to U.S. laws and regulations, including the Recovery Act, which requires an increased level of transparency and accountability in use of award funds. Inconsistency or conflict in T&Cs specified in the award will be resolved according to the following order of precedence:

- Public laws.
- Regulations.
- Applicable notices published in the Federal Register.
- Executive Orders (EOs).
- Office of Management and Budget (OMB) Circulars/Code of Federal Regulations (CFRs).
- DOC Standard T&Cs.
- BTOP-wide and project specific Special Award Conditions (SACs), except to the extent that SACs may take precedence over the DOC Standard T&Cs, as discussed above.
- See Section 8 of this handbook, *Grant Administration Standards: Complying with Award Terms*, for more details on the above T&Cs, and the Federal regulations that govern Federal grants.

Presented below is a list of key BTOP recipient responsibilities that should be reviewed and incorporated into the grant administration processes. In addition to these overarching recipient responsibilities, recipients of Federal funding are responsible for maintaining organizational tools, systems, and protocols to support the M&A of funded projects. Recipients must establish and maintain accounting systems and financial records to accurately account for their awards. Recipients must also account for receipts and expenditures, cash management, program income, maintenance of financial records, and refunding expenses disallowed by audits or monitoring.

Key BTOP Recipient Responsibilities

- **Manage BTOP grant funds, draw downs, and expenditures.** Recipients are responsible for the management and administration of funds provided through this award and are accountable for all deadlines, requirements, and limitations.
- Recipients should be aware of payment policies related to draw downs; obligation and expenditure restrictions; and internal audit requirements. Funds are not disbursed all at once, but rather over time in accordance with the approved project budget.
- It is the recipient's responsibility to distribute funds to subrecipients in accordance with the approved budget.
- Recipients are responsible for managing funds according to restrictions on obligations and expenditures. Obligations are a legal liability to pay determinable sums for services or goods during the grant period under an award, a sub-award, and/or contract. Key restrictions include: (1) Federal funds are available for obligation during the grant period of performance; (2) grant funds must be expended by the end of the grant period; and (3) any funds not expended must be returned to NTIA, which is required to return the funds to the U.S. Treasury.





Key BTOP Recipient Responsibilities

- See Section 2 for initial and priority start-up activities that recipients should complete first, Section 3 for guidance on how to draw down award funds, and Section 6 for guidance on requesting changes to the project.
- **Track matching funds.** Unless waived by the Assistant Secretary for Communications and Information, BTOP requires at least a 20 percent non-Federal match toward the total eligible project costs. The recipient is required to track and report on the 20 percent match requirement.
- See award T&Cs for further explanation of matching requirements.
- **Monitor project activities to ensure compliance.** Recipients are responsible for monitoring award activities to provide reasonable assurance that awards are administered in compliance with financial and programmatic requirements, including the award's standard terms and conditions, Recovery Act award terms, and SACs. Recipients are responsible for tracking stated goals and milestones of funded projects; accounting for receipts and expenditures, cash management, and budgetary control; maintaining adequate financial records; and refunding disallowed expenditures.
- See Sections 5 and 8 for details on the reporting, basic compliance, and audit requirements of BTOP awards. See Section 4 for guidance on complying with environmental special award conditions, if applicable.
- **Achieve program results.** Recipients are responsible for collecting and reporting on performance information. Recipients will be provided an opportunity to baseline the project milestones and will need to report quarterly and annually on progress made towards those milestones. Recipients will be required to file three reports for each of the four quarters, and once annually, covering financial matters, progress toward project completion, and compliance with American Recovery and Reinvestment Act of 2009 (ARRA) requirements, respectively.
- See Section 5 for guidance on reporting requirements and instructions for how to submit each quarter (four times per year) the three types of quarterly reports, and an annual performance report.
- **Ensure adequate financial management systems are in place.** Recipients certified in their applications [standard form 424 (SF-424)] that the organizations have the legal, financial, and managerial capacity to manage Federal grant funds. To ensure adequate financial systems are in place, recipients can refer to the codes and standards below.
- 15 CFR Part 14 –Establishes uniform administrative requirements for Federal grants, cooperative agreements, and sub-awards to institutions of higher education, hospitals, other non-profit, and commercial organizations. See: <http://oam.ocs.doc.gov/docs/GRANTS/15cfr14.pdf>.
- 15 CFR Part 24 –Establishes uniform administrative requirements for Federal grants, cooperative agreements, and sub-awards to state, local, and tribal governments. See: <http://oam.ocs.doc.gov/docs/GRANTS/15cfr24.pdf>.
- SF-424B for non-construction projects at http://www.irs.gov/pub/irs-utl/litcform_424b_assurance_of_non_construction_projects.pdf.





Key BTOP Recipient Responsibilities

- SF-424D for construction projects at <http://www.acf.hhs.gov/programs/ofs/grants/sf424d.pdf>.
- **Ensure financial management systems for subrecipients are in place.** Recipients are responsible for subrecipients' accounting and should be familiar with subrecipients' financial operations to ensure funds are managed and expended in compliance with BTOP requirements. Recipients and subrecipients are also responsible for ensuring that grant funds are managed in compliance with BTOP statutory and programmatic requirements.
- Monitor subrecipient obligations and expenditures by:
 - *Reviewing financial operations.* Recipients should be familiar with, and periodically monitor, subrecipients' financial operations, records, systems, and procedures, specifically the maintenance of current financial data.
 - *Recording financial activities.* Subrecipients' award or contract obligations, as well as cash advances and other financial activities, should be recorded in recipients' records in summary form. Subrecipient expenditures should also be recorded in the recipients' records or evidenced by report forms duly filed by the subrecipient. Non-Federal contributions applied to programs or projects by subrecipients should likewise be recorded, as should any program income resulting from program operations. Financial records must validate expenditures related to the grant.
 - *Budgeting and budget review.* Recipients should ensure that subrecipients prepare an adequate budget on which award commitments will be based. The details of each project should be maintained on file by recipients.
 - *Accounting for non-Federal contributions.* Recipients will ensure that the requirements, limitations, and regulations pertinent to non-Federal contributions (cash and in-kind) are applied. Cash and in-kind contributions applied to BTOP projects are treated the same as Federal funds. Matching funds must be documented and recorded in the general ledger of a formal financial system by recipients and subrecipients. Recipients must maintain adequate documentation to ensure compliance and provide evidence.
 - *Audit requirements.* Recipients must ensure that subrecipients have met the necessary audit requirements contained in this handbook.
- Communicate with the community to remain aware of stakeholder concerns and interests and promote stakeholder involvement through community outreach and media relations.
- **Keep files on grant funds and project activities.** Recipients and subrecipients will be monitored by NTIA program staff and Grants Officers, both financially and programmatically, to ensure that project goals, performance, timelines, milestones, budgets, and other requirements are met. Recipients are required to maintain comprehensive documentation on all aspects of grants to enable sufficient oversight by Federal representatives.
- See Section 2.5 for guidance and best practices on creating and maintaining comprehensive grant documentation.





1.2 Federal Responsibilities and Available Assistance

Federal responsibilities include monitoring and managing projects implemented by recipients to ensure compliance with Federal financial assistance legislative authorities, governing regulations, and policies summarized in this handbook. The BTOP Office coordinates with the NOAA and NIST Grants Offices to carry out these responsibilities. The Program Office responsibilities focus on assisting recipients with programmatic, scientific, or technical aspects of their projects, reviewing recipient requests for project changes, and monitoring recipient compliance with award T&Cs. The Grants Offices support the BTOP Office in managing the awards' financial and business aspects.

Since the DOC and NTIA view their relationship with BTOP award recipients as a partnership, Federal representatives are assigned to support and provide guidance to recipients throughout the life of the awards. Federal representatives and recipients share a common goal: to ensure BTOP projects are completed successfully and in a timely manner. Recipients are encouraged to contact the BTOP Federal Program Officer (FPO) or Grants Officer assigned to their award with any questions regarding award requirements.

Federal Contacts		
Federal Representative	Contact Information	Topic
BTOP Federal Program Officer	See award package for contact information.	<ul style="list-style-type: none"> ■ Questions regarding BTOP special award conditions. ■ Day-to-day management of the grant award. ■ Programmatic or technical advice on project implementation. ■ BTOP quarterly and annual performance report requirements and submission. ■ Assistance with project changes and guidance on how to submit award action requests. ■ Questions on compliance issues and grant administration standards, such as Recovery Act requirements, cost principles, and audit requirements. ■ Requests for technical assistance.
BTOP Environmental Specialist	Frank Monteferrante Phone: (202) 482-4208 Email: fmonteferrante@ntia.doc.gov	<ul style="list-style-type: none"> ■ Questions regarding environmental assessments, consultations, and other environmental requirements.
NOAA Grants Officer (Recipients of CCI/Infrastructure awards only)	See award package for contact information. NOAA Grants Management Division General Information Phone: (301) 713-0926	<ul style="list-style-type: none"> ■ Questions regarding standard and Recovery Act award T&Cs and submission of accepted award package. ■ Questions about Recovery Act award terms and registration on FederalReporting.gov. ■ Problems with registration or award fund draw downs in the Department of Treasury's Automated Standard Application for Payment
NIST Grants Officer (Recipients of PCC and SBA awards only)	See award package for contact information. NIST Help Desk Phone: (301) 975-6478	





Federal Contacts		
Federal Representative	Contact Information	Topic
		(ASAP) system. <ul style="list-style-type: none"> ■ Quarterly ARRA and SF-425 financial report requirements and submission. ■ Review and approval of award amendment requests. ■ Other non-programmatic or project-related administrative aspects of the award.

1.3 Grants Management Best Practices

Grants management best practices are provided below to help recipients successfully complete BTOP funded awards projects. Contact the FPO for assistance in understanding these best practices.

Grants Management Best Practices
<ul style="list-style-type: none"> ■ Understand essential terms and conditions of the grant, including project specific SACs, and review the CD-450 award package. Recipients should fully understand and comply with the standard and special terms and conditions of the grant. Failure to comply may result in the withholding of funds, termination of the award, or other sanctions.
<ul style="list-style-type: none"> ■ Understand BTOP statutory and programmatic requirements. Recipients are responsible for reviewing the applicable BTOP Notice of Funds Availability (NOFA) to fully understand and comply with the requirements.
<ul style="list-style-type: none"> ■ Read and understand Federal guidance on financial management of grant funds. Recipients are reminded to review relevant OMB Circulars and the CFRs to ensure compliance with Federal grant management financial requirements.
<ul style="list-style-type: none"> ■ Establish financial and administrative systems to monitor grant activities and document use of funds, including matching funds with a financial officer and/or auditor. The Financial Management Capacity Checklist in Section 8.3 of this handbook presents information on the proper administration of grant funds. Recipient financial officers or auditors can use the checklist to examine and augment, as necessary, financial management processes, including those of subrecipients, as applicable.
<ul style="list-style-type: none"> ■ Establish a grant file to collect documentation for auditing purposes. A list of items to include in the grant file is presented in Section 2.5 of this handbook. A grant file will ensure BTOP documentation is kept in one location which will simplify the audit process.





Grants Management Best Practices

- **Understand reporting requirements.** Recipients are required to file quarterly and annual ARRA reports, performance reports, and SF-425 financial reports.
- **Understand performance measures and BTOP goals.** Understanding performance measures and program goals at the outset provides a means to track progress and to focus on scope.
- **Understand audit requirements.** Recipients should work with a financial officer or an auditor to understand and comply with the BTOP audit requirements. Recipients should document financial and program activities throughout the grant lifecycle that will provide evidence of compliance.





1.4 Timeline of Major Recipient Activities

The following BTOP Grants Timeline details key events and recipient responsibilities in the first three to six months of the grant project life cycle. As the project moves into its middle and latter execution phases, the handbook content will provide guidance in understanding ongoing reporting requirements and the responsibilities associated with being a BTOP recipient.

First 10 Days after Award

- **Review** award documentation and agreement carefully.
- **Review** NTIA Welcome Packet and provide information as needed.
- **Register** with FederalReporting.gov within 10 business days of the award date.
- **If already enrolled in ASAP, Provide** Grants Specialist (identified in CD-450) and FPO with seven-digit account number for the Department of Treasury's ASAP system.
- **If not already enrolled in ASAP, Provide** Grants Specialist and FPO with organization name and type, point-of-contact name, email address, mailing address, telephone and fax numbers, Employer Identification Number (EIN), and Dun & Bradstreet Data Universal Numbering System (DUNS) numbers.
- **Receive** ASAP password within seven days of initiating enrollment.

First 30 Days after Award

- **Accept** award agreement by signing and **returning** it to Grants Officer online (as required by NOAA) or in hard copy (as required by NIST).
- **Attend** orientation conference call hosted by FPO.
- **Review** SACs carefully and commence fulfillment actions as needed.
- **Complete ASAP** enrollment by designating Head of Organization and Authorized and Financial Officials in ASAP.
- If the agreement requires an Environmental Assessment, **attend** the Environmental Assessment Webinar, ensure project descriptions and maps are complete, and start the Environmental Assessment.

First 60 Days after Award

- **Attend** the Reporting Webinars
- **Attend** the Compliance Webinar
- **Attend** FPO drop-in calls
- **Begin** draw down of award funds in ASAP, as needed.
- If the agreement requires an Environmental Assessment, **ensure** that development is on schedule to complete the environmental SACs and submit the draft Environmental Assessment to the BTOP Office as soon as possible, or no later than six months after award date.

Quarterly and Annually

- **Prepare and submit** Baseline Project Plan with first quarterly reports.
- **Prepare and submit** the ARRA quarterly reports to FederalReporting.gov.
- **Prepare and submit** Quarterly Financial reports (SF-425).
- **Prepare and submit** BTOP-specific quarterly performance progress report (SF-PPR).
- If required, complete Environmental Mitigation and Monitoring Plan and mitigated requirements.



2 Project Start-Up Activities

Upon award of a Broadband Technology Opportunities Program (BTOP) grant, the recipient is encouraged to complete or initiate several important priority actions. Each of these actions is explained in this section. The steps the recipient takes in the first weeks after being awarded a BTOP grant will:

- Allow the recipient to access the awarded funds.
- Guide the recipient in developing or ensuring a robust organizational infrastructure, capable of meeting the grant management, administration, and reporting requirements.

See Appendix A for a master checklist of BTOP recipient activities, including project start-up activities. See the following table for recommended Federal contact guidance for each issue within this section.

Project Start-Up Activity	Federal Representative Contact		
	Federal Program Officer (FPO)	Grants Officer/Specialist	Other Representative
Accept Award Package		√	
Understanding BTOP Special Award Conditions (SACs)	√		
Register in FederalReporting.gov		√	
Register in Automated Standard Application of Payment ASAP		√	
Technical issues with Grants Online registration. [Infrastructure and Comprehensive Community Infrastructure (CCI) recipients only]		√	
Establish grant file and technical questions	√		

2.1 Understand the Award Package

After an award is announcement, the BTOP recipients' first step is to review and accept the BTOP award package. Recipients will receive two information packages consisting of:

- An award package from the Grants Officer awarding funds to the project. The award package contains a CD-450 Financial Assistance Award document, the official BTOP funds offer to the recipient.
- A welcome package from the FPO assigned to monitor the project's progress and help the recipient throughout the life of the grant. The welcome package (1) introduces the recipient to the FPO, who will serve as its partner throughout the





project; (2) provides guidance on how to respond to the award offer; and (3) supplies instructions on how to manage other key actions that will be required during the project.

The contents of the award package include:

Item	Purpose
Department of Commerce (DOC) Form CD-450	<ul style="list-style-type: none"> Provides the official grant award offer detailing the award conditions. To accept the award the recipient signs and returns it, as explained in Section 2.2.
BTOP and Project Specific SACs	<ul style="list-style-type: none"> Provides the specific BTOP project's conditions, in addition to general American Recovery and Reinvestment Act of 2009 (ARRA) requirements, Federal rules that apply to Federal grant awards, and, if applicable, environmental SACs, as explained in Section 8.4. BTOP and project specific SACs may override the award's standard terms and conditions (T&Cs) and amend the original application.
Standard Form 424A (SF-424A)	<ul style="list-style-type: none"> Provides recipients with the BTOP project's budget and financial status.
ARRA Reporting Cover Sheet	<ul style="list-style-type: none"> Provides the required identification data needed to register at FederalReporting.gov, as explained in Section 2.4.
ARRA Reporting Timeline	<ul style="list-style-type: none"> Provides recipients with a list of required actions to complete each reporting period, as explained in Section 5.1.
ARRA Award Conditions	<ul style="list-style-type: none"> Provides recipients with an ARRA list of conditions and regulations that usually apply to Federal grant awards, as explained in Section 8.4.
Federal Reporting Template	<ul style="list-style-type: none"> Provides recipients with a template used to submit ARRA-mandated reports to FederalReporting.gov, as explained in Section 5.
Federal Reporting Data Model	<ul style="list-style-type: none"> Provides recipients with description of the types of data required to submit in quarterly ARRA reports.
Original Application Submitted by Recipient and All Amendments to Original	<ul style="list-style-type: none"> Provides recipients with the project description for the awarded BTOP grant.

The welcome package supplements the award package by providing guidance to the recipient on how to interpret and respond to the award package. The contents of the welcome package include:

Item	Purpose
Recipient Welcome Letter	<ul style="list-style-type: none"> Welcomes recipients to the BTOP and provides the FPO's contact information.
Fact Sheets and Frequently Asked Questions (FAQs)	<ul style="list-style-type: none"> Provides instructions on how to complete many of the start-up activities described in this handbook, including ARRA registration on FederalReporting.gov.
Recipient Handbook	<ul style="list-style-type: none"> Provides recipients with step-by-step instructions on how to complete key grant management and administration steps, also provides important BTOP reference information.





BEST PRACTICE

Understand the essential terms and conditions of the grant. Failure to comply may result in the withholding of funds, award termination, or other sanctions. Review the:

- Applicable BTOP Notice of Funds Availability (NOFA).
- Standard Forms and Assurances that were signed and submitted with the application.
- CD-450 award package, which contains the DOC standard terms and conditions, ARRA award terms, and all applicable SACs.

the award as is and may not make any changes or amendments to the CD-450. Each Grants Office employs different procedures for distributing and receiving signed CD-450 forms. Therefore, the recipient should know which Grants Office offered the award and follow that office's procedures noted in the sections below.

- To officially execute the grant award, the forms should be returned within 30 calendar days.
- If the signed copies are not returned within the 30-day period, the grants office may declare the grant award to be null and void.

By accepting the BTOP award funds, a recipient agrees to complete the proposed project, and do so within the proposed timeframe and budget. The recipient also agrees to fulfill the reporting and other requirements mandated by Federal regulations, the ARRA, and SACs attached to the recipient's grant award. Therefore, the recipient should carefully read and understand the SACs, ARRA requirements, and Federal regulations referenced in the CD-450 before agreeing to accept BTOP funds. See Section 5 of this handbook for more detailed information on reporting requirements. See Section 8 for more detailed information about SACs and the regulations with which BTOP recipients must comply.

2.2.1 Accept the Award Package: PCC and SBA Projects

Recipients of Public Computer Center (PCC) and Sustainable Broadband Adoption (SBA) project awards should submit award acceptances to the National Institute of Standards and Technology (NIST) Grants Office. The NIST Grants Office sends the award package to PCC and SBA recipients via surface mail. The award package includes three copies of form CD-450. To accept the award offer, the recipient's Authorized Organization Representative (AOR) should take the following steps **within 30 calendar days from the award date** provided in the award package. If the award is not accepted on time, the Grants Office may choose to terminate the award. The AOR is the only individual authorized to submit grant-related documents on the recipient's behalf. Thus, it is important to accept the award in a timely manner.

To accept the award, the recipient should follow these steps:

1. Understand the award conditions included with or referenced in the award offer.

The award package contains information the recipient's organization needs to fully comply with the T&Cs of the award. Each recipient should read all of these materials and keep them on hand for reference during the project's life cycle. Even if recipients have had previous experience with other Federal grants and grant programs, each Federal agency and grant program is different, each has its own distinct requirements, and recipients should become familiar with the specific requirements of its BTOP grant program. Recipients should pay particular attention to the SACs included with the award, as some may be time sensitive (for example, environmental compliance SACs, if applicable). Also, each recipient should review the welcome package as it contains essential information, such as FAQs and guidance on BTOP award recipient initial steps and best practices.

2.2 Accept the Award Package

Recipients are free to accept or reject the grant, as awarded upon receiving the BTOP award package. If the recipient chooses to accept the grant:

- The recipient should review, sign, and return form CD-450 to the specified Grants Officer. Recipients must accept





2. Check that all information listed on the CD-450 is correct.
3. Notify the assigned FPO if any information is incorrect.
4. Complete the following boxes on all three copies of the CD-450:
 - "TYPED NAME AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL"
 - "TITLE"
 - "DATE"
5. Retain one signed copy of the CD-450 for recipient's records.
6. Return two signed copies of the CD-450 to the NIST Grants Officer listed on the CD-450.

2.2.2 Accept the Award Package: Broadband Infrastructure Projects

Broadband Infrastructure Round One MM and LM project and Round Two CCI project awards recipients should submit award acceptances to the NOAA Grants Office. The NOAA Grants Office sends the award package to recipients electronically via the Grants Online system (GOL). To accept the award offer, a recipient's AOR should take the following steps **within 30 calendar days from the award date** provided in the award package. If the award is not accepted on time, the Grants Office may choose to terminate the award. Thus, it is important to accept the award in a timely manner.

To accept the award, the recipient should follow these steps:

1. Understand the award conditions included with or referenced in the award offer.
2. Check that all information listed on the CD-450 is correct.
3. Notify assigned FPO if any information is incorrect.
4. Either submit award acceptance electronically via GOL or submit award acceptance via hard copy. If the recipient submits its award acceptance via GOL, log into GOL and submit an award acceptance. If the recipient submits its acceptance via hard copy to the NOAA Grants Officer listed on the CD-450, retain one signed copy of the CD-450 for recipient's records and return two signed copies of the CD-450 to the NOAA Grants Officer listed on the CD-450.

2.3 Complete Online Registrations

BTOP recipients should register (or renew existing registration) with several entities shortly after accepting an award. BTOP recommends that recipients complete the initial registration steps set forth in the chart below. These registrations allow the recipient to file necessary reports, draw down funds, and submit and receive award related documents. The entities the recipient should register with are listed in the table below:

Online Registration	Website	Purpose	Date
Central Contractor Registration (CCR)	https://www.bpn.gov/ccr/default.aspx	Prerequisite for registering with FederalReporting.gov.	10 days after accepting award, if not already registered.
FederalReporting.gov	www.Federalreporting.gov	To submit ARRA quarterly reports.	10 days after accepting award.
Automated Standard Application for Payment System (ASAP)	www.asap.gov	To draw down BTOP award funds.	10 days after award date.
Grants Online (For CCI /Infrastructure recipients only)	https://grantsonline.rdc.noaa.gov	To submit all CCI quarterly reports and award actions.	As soon as possible.





2.3.1 Register or Renew Registration with CCR

Central Contractor Registration (CCR) is the primary registrant database for the Federal government. CCR collects, validates, stores, and disseminates data to support agency acquisition missions. Registration with CCR is required to register with FederalReporting.gov.

- **Recipients who have not registered with CCR previously** must register with CCR to register with FederalReporting.gov and comply with Federal grant regulations. A recipient that is not registered with CCR should do so immediately after accepting an award, as it can take several days for the FederalReporting.gov system to sync with the recipient's CCR registration, and recipients must register with FederalReporting.gov within 10 days of accepting an award.
- **A recipient who has already registered with CCR previously** should confirm that its registration has not expired and is not set to expire shortly. It can take several weeks to reactivate a CCR registration that has expired, which would prevent the recipient from registering with FederalReporting.gov within the deadline of 10 days after accepting an award.
- The recipient registers with CCR at the following link: <https://www.bpn.gov/ccr/default.aspx>.
- Help registering with CCR can be obtained from the CCR Help Desk at the following phone number: (866) 606-8220.

The following information is required to register with CCR:

Done?	Information Needed for CCR Registration
<input type="checkbox"/>	Recipient's official name, as used on tax returns.
<input type="checkbox"/>	Recipient's Employer Identification Number (EIN).
<input type="checkbox"/>	Recipient's Data Universal Numbering System (DUNS) number.
<input type="checkbox"/>	Recipient's Electronic Funds Transfer (EFT) information.
<input type="checkbox"/>	Statistical information about the recipient entity (For breakdown of data required, visit: https://www.bpn.gov/ccr/StartRegistration.aspx)

2.3.2 Register with FederalReporting.gov

The Recovery Act requires recipients of BTOP awards to submit reports via the FederalReporting.gov website. This section details the FederalReporting.gov registration process. For information about ARRA reporting requirements and the FederalReporting.gov report submission process, see Sections 5.1 and 5.4.

The following information is required to register with FederalReporting.gov:

Done?	Information Needed for FederalReporting.gov Registration
<input type="checkbox"/>	Recipient's email address.
<input type="checkbox"/>	BTOP grant award amount.
<input type="checkbox"/>	Recipient's CCR number.
<input type="checkbox"/>	Recipient's DUNS number.

To register with FederalReporting.gov, the recipient should:





1. Go to www.FederalReporting.gov.
2. Click on "Register Now." If an error message appears, FederalReporting.gov may not have synchronized to the recipient's CCR number yet. The recipient should check back periodically to repeat this step until successful.
3. Complete the information as requested.
4. Click on "Submit."
5. Receive an email from FederalReporting.gov to confirm that registration is complete.
6. Email a copy of the confirmation email to the FPO **and** Grants Officer assigned to the recipient's project.
7. Call (877) 508-7386 to request a FederalReporting.gov personal identification number (FRPIN). The recipient will need an FRPIN to submit reports to FederalReporting.gov.

Help registering with FederalReporting.gov can be obtained from the following sources:

- FederalReporting.gov help desk (8:00a.m. – 6p.m. EST, Monday – Friday).
- Phone: (877) 508-7386
- Online: Go to www.FederalReporting.gov and click on "Live Help" or see frequently asked questions at: <https://www.Federalreporting.gov/Federalreporting.faq.do>
- Grants Officer. See award package for contact information.

2.3.3 Register With ASAP

BTOP payments to award recipients will be made through electronic funds transfers using the U.S. Department of Treasury's ASAP system. Recipients are required to enroll in the ASAP system to draw down these funds within 10 business days of the award date. Failure to enroll will mean that grant funds are not accessible. The process of using ASAP to draw down award funds is detailed in Section 3.

To enroll in ASAP, the recipient should have several pieces of information ready, including:

Done?	Information Needed for ASAP Registration
<input type="checkbox"/>	Recipient's organization name and organization type.
<input type="checkbox"/>	Recipient's point-of-contact and title of contact.
<input type="checkbox"/>	Recipient's mailing address.
<input type="checkbox"/>	Recipient's point-of-contact email address.
<input type="checkbox"/>	Recipient's fax number.
<input type="checkbox"/>	Recipient's telephone number.
<input type="checkbox"/>	Recipient's Data Universal Numbering System (DUNS) number.
<input type="checkbox"/>	Recipient's EIN.
<input type="checkbox"/>	Recipient's Authorizing Official (AO) name and contact information. The Head of Organization (HOO) designates the AO. The AO defines the Recipient Organization (RO) profile and identifies the RO users (i.e., payment requestor).





Done?	Information Needed for ASAP Registration
<input type="checkbox"/>	Recipient's Financial Official (FO) name and contact information. The FO defines the banking information and links to the National Telecommunications and Information Administration (NTIA) Agency Location Code (ALC) (13060001) and Region Code (02). The FO certifies and signs banking information form.

To register with ASAP, the recipient should:

1. If a recipient already has an ASAP account, only one step is necessary. Previously enrolled recipients should provide their Grant Specialist and FPO with their seven-digit ASAP account number.

If a recipient does not yet have an ASAP account and needs to enroll, the recipient should complete the following steps and email the following grant information to ASAP.Inquiries_Enrollment@noaa.gov (Broadband Infrastructure recipients [Middle Mile (MM), Last Mile (LM), or CCI projects]) or ASAP.enrollment@nist.gov (PCC and SBA recipients):

- Recipient's organization name and organization type.
- Recipient's point-of-contact and title of contact.
- Recipient's mailing address.
- Recipient's point-of-contact email address.
- Recipient's fax number.
- Recipient's telephone number.
- Recipient's DUNS number.
- Recipient's EIN.



BEST PRACTICE

Begin ASAP registration process early, as it can take several weeks and funds cannot be drawn down until ASAP registration is complete. The recipient's Head of Organization must provide required data to the designated Grants Office within 10 days of award date.

2. Within five days of sending the Grants Officer the information listed above, the recipient should receive an email confirmation from ASAP along with a user identification (ID). Within seven days, the recipient will receive a password via U.S. mail.
3. Log into ASAP at www.asap.gov using the user ID and password and enter the required information on the organization's officials:
 - Head of Organization (HOO). The HOO will designate the Authorizing Official (AO) and Financial Official (FO) designees.
 - Authorizing Official (AO). The AO defines the Recipient Organization (RO) profile and the RO users (i.e., primary requestor).
 - Financial Official (FO). The FO defines the banking information and links to the NTIA (ALC) (13060001) and Region Code (RC) (02). The FO certifies and signs the banking information form.
4. Receive ASAP enrollment confirmation email. The recipient enrollment steps in ASAP are complete when the AO and FO designees are approved and banking information is certified and submitted. The Grants Offices will send an email to the recipient to notify them that enrollment is complete and funds are available to draw down. For instructions on drawing down award funds in ASAP after enrollment is complete see section 3.

Recipients should use the following resources for assistance:

- ASAP Enrollment Fact Sheet found in Appendix E.





- NIST and National Oceanic and Atmospheric Administration (NOAA) Grants Officer. See award package for contact information.
- General guidance on the Department of Treasury's website: www.fms.treas.gov/asap.
- NIST ASAP enrollment (for PCC and SBA recipients) email: ASAP.enrollment@nist.gov
- NOAA ASAP enrollment (for CCI and Infrastructure recipients) email: ASAP.Inquiries_Enrollment@noaa.gov
- ASAP Regional Offices:

Location	Time Zone	Phone	Business Hours
Philadelphia ASAP Regional Office	Eastern	(215) 516-8021	7:30a.m. – 4:00p.m.
Kansas City ASAP Regional Office	Central	(816) 414-2100	7:30a.m. – 4:00p.m.
San Francisco ASAP Regional Office	Pacific	(510) 594-7182	7:30a.m. – 4:00p.m.

2.3.4 Register with Grants Online (Applicable to Broadband Infrastructure Projects Only)

BTOP award recipients with Broadband Infrastructure projects (MM, LM, or CCI projects) should register with the Grants Online system (GOL). GOL is the web-based application the recipient will use to submit performance reports, financial reports, and other documentation to the Grants Officer. Also, NOAA's Grants Office and the project's assigned FPO will send award-related documents to the recipient via GOL, including the award package that the recipient must return to accept the award.

The recipient will be invited via email to register with GOL. The recipient should then call the GOL Help Desk, which will give the recipient a password with which to access GOL. The telephone number for the GOL Help Desk is:

- Phone: (301) 444-2112 or (877) 662-2478
- Email: GrantsOnline.Helpdesk@noaa.gov.



BEST PRACTICE

Know the official project award date and track completion of time-sensitive SACs against it. The award date is listed in the CD-450 award package in the "award period" field.

2.4 Complete Priority SACs

Certain SACs require prompt action by the recipient. SACs are requirements attached to an award in addition to the general rules and laws that cover Federal grant programs. Certain SACs require prompt action because award funds may be limited until they are satisfied. Specific SACs applicable to proposed projects are listed in the award package. Four SACs commonly attached to BTOP award packages that may limit draw down of funds before satisfaction, are:

- Accounting System Verification (ASV). The ASV SAC requires the recipient to submit a signed statement from an authorized official, verifying the ability of the recipient's financial management system to appropriately track and account for Federal grant funds and expenditures associated with the funded project. This statement must be received





within 30 days of the award start date and the recipient is not allowed to draw down any funds until the Grants Officer receives and accepts the statement.

- Environmental Assessment (EA) and other environmental SACs (if applicable). The environmental SAC usually applies to Broadband Infrastructure projects (MM, LM, and CCI projects) and other projects involving proposed construction activities. It may require recipients to conduct various environmental impact assessments or other environmentally-related studies, conduct specific consultation(s) with various regulatory agencies, or obtain certain permits. The exact nature of the SAC requirements depends on the proposed project activities and the specific location of such activities. The EA and other environmental compliance activities should be completed within six months of award start date. Limited BTOP funds can be drawn down for management and administration (M&A) activities to complete the environmental studies and for limited, preliminary procurement activities while the environmental SAC is being satisfied. Full project implementation funds cannot be drawn down to initiate project implementation until the environmental SAC is satisfied (for example, for a SAC requiring an EA, funds cannot be drawn down for full project implementation until the EA process is complete and a Finding of No Significant Impact [FONSI] is submitted and approved by NTIA). More detailed information about environmental compliance and EAs is presented in Section 4.
- ASAP. The ASAP SAC is a program-wide SAC that requires recipients to provide enrollment data to respective NOAA and NIST Grants Officers within 10 days of receipt of award. Recipients receive BTOP payments using the Department of the Treasury's ASAP system. Under the ASAP system, payments are made through preauthorized EFTs, in accordance with the requirements of the Debt Collection Improvement Act of 1996. To receive payments under ASAP, recipients are required to enroll with the Department of Treasury, Financial Management Service, Regional Financial Centers, which allows them to use the online and Voice Response System (VRS) method of withdrawing funds from their ASAP established accounts. The following information will be required to make withdrawals under ASAP: (1) ASAP account number – the award number found on the cover sheet of the award; (2) ALC; and (3) RC.
- Advances shall be limited to the minimum amounts necessary to meet immediate disbursement needs, but in no case should advances exceed the amount of cash required for a 30-day period. Advanced funds not disbursed in a timely manner and any applicable interest must be promptly returned to DOC. If a recipient demonstrates an unwillingness or inability to establish procedures which will minimize the time lapsing between the transfer of funds and disbursement or if the recipient otherwise fails to continue to qualify for the advance method of payment, the Grants Officer may change the method of payment to reimbursement only.
- For-Profit Recipient Audit Requirement. This SAC applies to for-profit organizations that receive a BTOP award exceeding \$100,000. Organizations meeting this description shall have a program-specific audit performed. The auditor should follow generally accepted government auditing standards and the requirements for a program-specific audit as described in OMB Circular A-133 § 235. A copy of the program-specific audit shall be submitted to the Grants Officer and to the DOC Office of Inspector General (OIG) at the address specified in the recipient's award package. An audit is required within 90 days after the end of the first year and within 90 days from the project expiration date. The recipient should review the award package for other priority SACs. Questions about priority SACs can be answered by the project's assigned FPO.

2.5 Establish Grants File and Prepare for First Reporting Cycle

The recipient should establish a grant file to facilitate and document compliance with programmatic, financial, and audit requirements. In general, the grant file should include:

- Any approval documentation.
- Match documentation.
- Procurement documentation.



BEST PRACTICE

Establish a grant file to collect documentation that will be needed for an audit. A grant file will store all BTOP documentation in one location, simplifying the audit process. See the Grant File Checklist for guidance on what to include in the file.





- Reporting documents.
- BTOP-related correspondence.
- Audit documentation.
- Close-out documentation.

The checklist in the appendix provides a more specific list of documents that the recipient should, if applicable, include in the grant file (some of these documents will not yet have been completed, but they should be included as they become available).

2.5.1 Assess and Strengthen Financial Capabilities

The recipient certified in the BTOP application that it has the legal, financial, and managerial capacity to manage Federal grant funds. Some recipients have existing systems that are sufficient for managing Federal grants. However, to ensure that adequate financial systems are in place, the recipient should assess its financial management infrastructure. Federal regulations and standard forms that mandate specific standards of financial management systems for Federal grant recipients are listed below (the recipient should be familiar with the relevant regulations):

- 15 Code of Federal Regulations (CFR) Part 14
 - Relevant to institutions of higher education, hospitals, non-profits, commercial organizations.
 - See: <http://oam.ocs.doc.gov/docs/GRANTS/15cfr14.pdf>
- 15 CFR Part 24
 - Relevant to state, local, and tribal governments.
 - See: <http://oam.ocs.doc.gov/docs/GRANTS/15cfr24.pdf>
- See: <http://oamweb.osec.doc.gov/docs/GRANTS/pdf/ST&C-rev-1002.pdf>



BEST PRACTICE

Work with a financial officer or an auditor to understand BTOP audit requirements and ensure appropriate financial and administrative systems are in place. Use Financial Capacity Checklist to examine a recipient's own financial management processes, such as use of matching funds, and those of each subrecipient.

The financial capabilities checklist in the appendix is a tool that the recipient may use to audit its financial management systems and procedures:





3 Draw Down Funds

Recipient organizations are responsible for managing their Broadband Technology Opportunities Program (BTOP) award funds throughout the specified period of performance. The recipient should be aware of policies related to draw downs, payments, obligations and expenditures. This section provides guidance on the payment policies, specifically the Federal obligation and expenditure restrictions placed on award fund use, and instructions on drawing down award funds. See Appendix A for a master checklist of BTOP recipient activities, including project start-up activities. See the following table for guidance on the recommended Federal contact for each issue in this section.

Draw Down Activity	Federal Representative Contact		
	Federal Program Office (FPO)	Grants Officer/Specialist	Other Representative
Draw down process or problems		√	
Guidance on limitations or restrictions placed on draw downs by BTOP Special Award Conditions (SACs)	√		

3.1 How to Request and Draw Down Award Funds

BTOP payments to award recipients will be made through electronic funds transfers (EFTs) using the U.S. Department of Treasury's Automated Standard Application for Payments (ASAP) system. Funds are not disbursed all at once, but rather disbursed over time as project costs are incurred. To draw down funds, recipients are required to enroll in the ASAP system. Failure to enroll will mean that award funds are not accessible.

To draw down award funds, the recipient should:

- 1. Review the award terms and conditions (T&Cs) and payment polices in section 3.2 of this handbook.**
- 2. Enroll in ASAP.** Instructions for enrolling in ASAP are discussed in section 2.3 of this handbook, Complete Online Registrations or the BTOP ASAP Registration Process Fact Sheet. It may take up to 14 days after enrollment steps are complete before funds are certified and available for draw down in ASAP.
- 3. Request and withdraw funds.** Recipients may request payments of obligated funds in advance of costs incurred, provided that the payment policies and the award terms and conditions are met. Payments are made through preauthorized electronic fund transfers, in accordance with the requirements of the Debt Collection Improvement Act of 1996. The following information will be required to make withdrawals in ASAP.

Done?	Information Needed to Draw Down Funds in ASAP
<input type="checkbox"/>	ASAP personal identification number (PIN) , which ASAP sends to the recipient after enrollment in ASAP.
<input type="checkbox"/>	Project award number , located in the recipient's award package cover sheet.
<input type="checkbox"/>	ASAP account number , located in the recipient's award package cover sheet.
<input type="checkbox"/>	Department of Commerce (DOC) Agency Location Code, (ALC) 13060001.
<input type="checkbox"/>	DOC Region Code, (RC), 02.





The recipient can initiate the request for funds via the internet. No forms are required to request funding.

- To withdraw funds via the internet, go to www.ASAP.gov and log into the website using the above information.
- 4. **Credit unused funds back to ASAP.** If unused funds remain at the end of the 30-day period, the recipient reconciles the account by crediting back unused funds to the ASAP system via the Automated Clearing House (ACH) or via FEDWIRE. The ACH or FEDWIRE transaction may only be performed by the recipient's financial institution. Full or partial payment may be returned to ASAP. Recipients should provide their financial institution with ASAP account information [e.g., ALC, recipient identification (ID), account ID] to which returned funds are to be credited. Returned funds are credited back to the recipient's ASAP account and can be drawn down again. Additionally, advances or reimbursements made in error must be refunded if the erroneous payment creates excess cash on hand or a negative "balance authorized."

If the recipient encounters a technical problem when attempting to draw down funds from ASAP, technical assistance is available from the following sources:

- The ASAP Support Hotline: (804) 697-8384.
- ASAP Regional Offices:

Location	Time Zone	Phone	Business Hours
Philadelphia ASAP Regional Office	Eastern	(215) 516-8021	7:30a.m. – 4:00p.m.
Kansas City ASAP Regional Office	Central	(816) 414-2100	7:30a.m. – 4:00p.m.
San Francisco ASAP Regional Office	Pacific	(510) 594-7182	7:30a.m. – 4:00p.m.

- The Grants Office that awarded a BTOP grant to the recipient:
 - Sustainable Broadband Adoption (SBA) and Public Computer Center (PCC) recipients should contact the National Institute of Standards and Technology (NIST) Grants Officer listed on form CD-450 in their award package.
 - Broadband Infrastructure recipients [Middle Mile (MM), Last Mile (LM), or Comprehensive Community Infrastructure (CCI) projects] should contact the National Oceanic and Atmospheric Administration (NOAA) Grants Officer listed on form CD-450 in their award package.
- For additional information and guidance on ASAP, please refer to the following sites:
 - <http://www.fms.treas.gov/asap/>
 - <http://www.fms.treas.gov/asap/background.html>.

3.2 Payment Policies

The recipient should be aware of policies related to draw downs, payments, obligations, and expenditures. Recipients are responsible for:





- Ensuring that all costs incurred are allowable. Additional information on financial requirements and allowable costs are included in Section 8 of this handbook, Grant Administration Standards.
- Advances are limited to the minimum amount necessary to meet immediate disbursement needs, and should not exceed the amount of cash required for a 30-day period. The recipient may otherwise draw down BTOP funds from ASAP as often as required to meet current and allowable obligations. If the recipient over-estimated project costs in its budget, the recipient may expend the extra funds on additional project-related items. Prior approval from a designated DOC Grants Officer is required only if a budget line item change is greater than 10 percent.
- Assuring that the recipient's financial management system meets the standards for fund control and accountability, as prescribed in the Office of Management and Budget (OMB) Circular A-110, applicable Code of Federal Regulations (CFRs), and described in the recipient's award terms and conditions.
- Maintaining advances of BTOP funds in insured, interest bearing accounts. Interest on advanced funds, in excess of \$100 or \$250 per year, depending on the applicable Uniform Administrative Requirements, must be remitted promptly to ASAP through an electronic medium such as the FEDWIRE Deposit System. Contact the FPO for further guidance.
- If applicable, restricting funds draw down in accordance with terms detailed in environmental SACs until the requirements of the environmental SAC are satisfactorily fulfilled and the SAC is lifted through an award action request. Management and administration (M&A) funds and limited, preliminary procurement funds are allowed to be drawn down while the environmental SAC is satisfied, in accordance with the provisions and processes detailed in the SAC.
- Returning to ASAP any funds that are not expended within 30 days of being drawn down and any interest accrued on BTOP funds in excess of the annual amount allowed by the Uniform Administrative Requirements.
- Monitoring subrecipients and confirming that the subrecipient has financial management systems capable of maintaining complete and accurate records, and that subrecipients' expenditures are also recorded by the recipient, as described in section 2 of the handbook.

 **BEST PRACTICE**

Work with a financial professional to maintain accounting records for the BTOP project to ensure compliance with program requirements.

A detailed explanation of the recipient's financial management responsibilities can be found in Section 8.3, which includes links to relevant Federal regulations. Funds may not be obligated or expended after the project's close-out date. Any BTOP funds not expended by the end of the project must be returned to the Treasury. Recipients should strive to meet the financial management responsibilities set forth in the BTOP award package.





4 How to Comply With Environmental Special Award Conditions (SACs)

This section provides guidance to recipients that must comply with environmental special award conditions (SACs) related to compliance with the National Environmental Policy Act of 1969 (NEPA) or other applicable Federal laws. This section only applies to recipients that must satisfy an environmental SAC, as defined in the recipient's award package, such as development of an Environmental Assessment (EA) or other regulatory consultations to identify and evaluate the potential impacts of projects funded with Broadband Technology Opportunities Program (BTOP) awards to environmental, historical, and cultural resources. The following subsections provide applicable recipients with information about the activities and types of analyses required to fulfill their environmental SACs. Recipients are encouraged to contact the BTOP Environmental Specialist, or assigned FPO, with any questions on environmental requirements, as well as attend Web-based environmental training sessions (webinars) offered by BTOP. Also, the following environmental guidance documents, which contain more details on the information summarized in this section, are available on the BTOP website at: <http://www2.ntia.doc.gov/environmental>.

- NEPA Environmental Webinar.
- EA Guidance for Recipients.
- Historic Preservation Section 106 Guidance for Recipients.
- Endangered Species Section 7 Guidance for Recipients.
- Additional useful links related to environmental compliance available at: <http://www2.ntia.doc.gov/environmental>.

The following sections present an overview of potentially applicable environmental regulations, information on determining if the grant has applicable environmental SACs, information on the EA and consultations (if applicable, including the EA package format checklist), and the EA or consultation documentation review process. See Appendix A for a master checklist of BTOP recipient activities, including environmental SAC activities. See the following table for guidance on the recommended Federal contact for each issue in this section.

Environmental SAC Activity	Federal Representative Contact		
	Federal Program Officer (FPO)	Grants Officer/Specialist	BTOP Environmental Specialist
Determine if there are environmental SACs.	√		
Guidance on how to complete environmental SACs, including EAs and consultations.			√
Guidance on draw down restriction related to environmental SACs			√
Guidance on lifting of completed environmental SACs.			√





4.1 Overview of Environmental Regulations

There are many Federally-mandated environmental regulations that may apply to BTOP grants. The most common is NEPA, which requires Federal agencies to use a common process to assess the impacts of agency actions (programs, projects, and policies) on the natural and manmade environment. In the case of Federal grant programs, such as BTOP, the use of Federal funds triggers the NEPA process and requires one of several possible levels of environmental review to assess environmental impacts of proposed projects funded by the award. All impacts are considered regardless of project location (for example, recipients are required to examine all potential impacts associated with the project, not just those proposed to be implemented on Federal land). The level of environmental review required under NEPA was determined during the pre-award phase of the BTOP grant lifecycle, and if an EA is required, details are provided in the award package.

NEPA is a procedural statute that provides a framework to assess environmental impacts, and to assess resources governed by other environmental laws, regulations, and Executive Branch policies. Some of the other environmental laws, regulations, and Executive Branch policies Federal agencies, and recipients of Federal grant awards, must comply with include the following:

- Clean Water Act (CWA).
- Clean Air Act (CAA).
- Coastal Zone Management Act (CZMA).
- Endangered Species Act (ESA).
- National Historic Preservation Act (NHPA).
- Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended by Executive Order 11991, Relating to Protection and Enhancement of Environmental Quality.
- Executive Order 11990, Protection of Wetlands.
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.
- Executive Order 13089, Coral Reef Protection.
- Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance.



BEST PRACTICE

Hire a qualified contractor within the first month after award date to complete the environmental assessment and support you in completing environmental SACs successfully and within required timelines.

The environmental laws or regulations that are most frequently applied in BTOP recipients' SACs, in addition to NEPA, are NHPA and ESA.

- NHPA requires that National Telecommunications and Information Administration (NTIA) and BTOP grant recipients examine and consult with appropriate entities [e.g., State Historic Preservation Office (SHPO) or Tribal Historic Preservation Offices (THPO)/Federally-recognized Native American Tribes] on the potential impacts of projects proposed by BTOP award recipients to historical, cultural, and tribal resources. The legal process for assessing potential impacts on historical resources and consulting with appropriate parties is described further in Section 106 of NHPA.
- ESA makes it unlawful to "take" (i.e., harass, harm, pursue, hunt, shoot, wound, kill, trip, capture, or collect) an "endangered" or "threatened" wildlife species. ESA requires that consultations between BTOP recipients and potentially impacted stakeholders, such as the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS), take place to determine if endangered or threatened species may be affected by the recipient's project, and what measures may be required to mitigate such effects.

In addition to NHPA and ESA, other laws and regulations can be applicable to BTOP projects. All applicable laws and regulations, as well as required recipient actions, are presented in detail in the grant award package.





4.2 Determine If There Are Environmental SACs

BTOP Broadband Infrastructure recipients [Middle Mile (MM), Last Mile (LM), or Comprehensive Community Infrastructure (CCI) projects]—and some recipients with PCC projects that have a significant construction component—may have to fulfill environmentally related SACs no later than six months from the award date. To determine if the project must comply with environmental SACs, refer to the SACs listed in the award package and/or contact the FPO to confirm if the project is subject to any such requirements. Examples of common environmental SACs applied to BTOP projects that involve construction may include:

- Requirements to complete a draft EA under NEPA no later than six months after the award date.
- Completion of a NHPA Section 106 consultation with the appropriate SHPO and appropriate Native American Tribes.
- ESA Section 7 consultation with the FWS, NMFS, Coastal Zone Management agencies, or other relevant regulatory authorities.
- Acquisition of required permits from the U.S. Army Corps of Engineers (USACE) to address potential impacts to wetlands, if applicable.
- Compliance with all other applicable Federal, state, and local environmental laws, regulations, or policies.

4.3 Environmental Assessments and Consultations

The most common activities BTOP recipients will undertake to fulfill environmental SACs are the completion of an EA, consultation(s) with relevant regulatory authorities, obtaining required permits and licenses, or any combination thereof. Each recipient should fully evaluate the required activities that apply to its project and ensure it has an understanding of what is required and by when. The recipient may, for their purposes, want to document this in a regulatory compliance plan, but no such plan is required by the BTOP Office. The BTOP Environmental Specialist can provide assistance and guidance to recipients with these planning activities and also with regulatory agency communication, if needed.

- **Environmental Assessment.** An EA is an environmental analysis that documents the potential impacts of a proposed Federal action (i.e., a BTOP award recipient's project) to determine if the project would significantly affect the environment (potential impacts to historic or cultural resources are included). An EA assists the BTOP Office determine the extent the project may impact environmental resources. An EA may also identify ways to potentially minimize those impacts through mitigation or identification of a more environmentally preferable alternative. Recipients required to submit a draft EA must do so no later than six months after the award date.
 - Projects documented in the EA as not having a significant impact receive a Finding of No Significant Impact (FONSI) determination that may include mitigation requirements.
 - Completion of the EA and receipt of a FONSI will satisfy the SAC and the recipient should receive permission to begin implementing the project and drawing down funds for full project implementation.
 - In rare cases when projects may have a significant impact, the BTOP Environmental Specialist will work with the recipient to identify alternative solutions such as re-scoping the project.
- **Consultation.** A consultation is the process that provides stakeholders with "substantive interest" the opportunity to comment on the potential impact. Most BTOP projects may have consultations requirements related to Section 106 of NHPA or Section 7 of ESA. ESA Section 7 consultations are initiated by the recipient and NHPA Section 106 consultations are initiated by the BTOP Environmental Specialist, with copies of consultation initiation documents provided to recipients by NTIA. In both cases, the recipient is responsible for all consultation follow-up activities with the consultation agencies. (In rare cases, the SHPO may request to only work with NTIA directly on NHPA Section 106 consultations. If this occurs, the recipient should notify the NTIA Environmental Specialist immediately.) Tribal consultations are conducted by NTIA unless the Tribe specifically requests direct consultation with the recipient. Most





recipients of BTOP infrastructure awards will be required to complete one or more of the following types of consultations.

- **NHPA Section 106 Consultation.** A NHPA consultation may be used to assess effects of proposed actions on historical properties and attempt to resolve potentially adverse effects through mitigation, Memorandums of Agreement, or other actions. The BTOP Environmental Specialist will support recipients by initiating this consultation with the applicable SHPO and THPO, or representatives of Federally-recognized Native American Tribes, if applicable.
- **ESA Section 7 Consultation.** An ESA consultation may be used to determine if endangered or threatened species (or related habitats) would be affected by the BTOP recipient's project, and what mitigation may be required. Typically, recipients work directly with the FWS/NMFS to complete consultations. ESA consultations are initially "informal," but may be escalated to "formal" if the FWS determines that there are potential impacts resulting from the project on endangered or threatened species or critical habitat. If the FWS/NMFS requests a formal ESA Section 7 consultation, the recipient should notify the BTOP Environmental Specialist(s) and FPO, immediately. Possible outcomes of informal consultation are:
 - No effect – no further consultation required.
 - May affect but not likely to adversely affect – requires FWS/NMFS concurrence with possible mitigation measures.
 - Likely to adversely affect – requires a Biological Assessment (BA) and formal consultation.
- **Permits and Licenses.** Many BTOP recipients may be required to obtain Federal, state, or local permits and licenses for projects in wetlands, floodplains, coastal zones, and other protected areas. The BTOP Environmental Specialist is available to provide guidance to recipients on obtaining permits.

There are several priority activities that recipients should complete to ensure on-time completion of environmental SACs and allow full draw down of BTOP award funds for project implementation. Within the first month of the award date, it is recommended that recipients:

- Review available guidance documents on how to write an EA posted on the BTOP website at <http://www2.ntia.doc.gov/environmental>.
- Submit to the BTOP Environmental Specialist the most recent project description and maps, unless already provided during BTOP application review activities.
- Hire an environmental consultant to develop the EA, unless the recipient organization has staff with experience writing EAs and consulting with environmental regulators.
- Contact the BTOP Environmental Specialist immediately if there are any questions about the required scope or approach to developing the EA.
- Recipients are allowed to use BTOP M&A award funds to cover the costs associated with completing an EA. Recipients are also allowed to use limited, preliminary procurement funds to purchase equipment or materials during development of the EA or completion of other environmentally-related SAC activities, in preparation for full project implementation after the environmental SAC requirements are satisfied. See the specific environmental SAC for more information.





BEST PRACTICES

Best practices for developing an EA include:

- Start the EA planning and consultations as soon as possible to ensure compliance with the environmental SAC within the six-month timeline.
- If NHPA consultations are required, use a professional who meets the Secretary of the Interior's Professional Qualification Standards for Historic Preservation.
- Develop a focused and concise EA to speed up the review process. All resource areas must be identified and analyzed in each of the pertinent areas of the document (e.g., existing environment, environmental consequences, and cumulative impacts). However, it is not necessary to spend much time analyzing resource areas that will be unaffected by the proposed project – for those resources, simply state that the project would not impact those resource areas and as such is not subject to further analysis.
- Respond to all written comments on the draft EA, and submit the completed comment-response matrix with the final EA.
- Maintain frequent contact with the BTOP Environmental Specialist and send regular updates on progress achieved in completing required environmental SACs. Report any timeline concerns to the BTOP Environmental Specialist as soon as possible.

4.3.1 Environmental Assessment Package Format

While each EA must be project-specific, there are standard areas of analysis and document content that enable compliance with applicable Federal environmental and historic preservation laws. The areas of analysis and document content are based on NEPA, as well as all applicable DOC and agency-level NEPA regulations. EAs written for BTOP projects should have the following format:

- Executive Summary
- Chapter 1: Purpose and Need
- Chapter 2: Proposed Action and Alternatives
- Chapter 3: Existing Environment
- Chapter 4: Environmental Consequences
- Chapter 5: Applicable Environmental Permits and Regulatory Requirements
- Chapter 6: List of Preparers
- Chapter 7: References
- Chapter 8: Submittal Requirements

Additional information may be found in the appendix in the Environmental Assessment Package Checklist.





4.4 Environmental Assessment Review Process

Once the recipient submits a draft EA, within six months of the award date, the BTOP Environmental Specialist will review the draft document and provide a comment matrix to the recipient, noting any deficient sections of the document. Once the EA is revised to address the comments provided in a reasonable timeframe, the resubmitted EA will be accepted as final. Once the EA is accepted as final, the BTOP Office will determine if the proposed project is eligible to receive a Finding of No Significant Impact (FONSI). Typically, the technical and legal review of a recipient's final EA concludes with a FONSI or a Mitigated FONSI, as described below:

- **FONSI.** A Finding of No Significant Impact is a decision document that presents conclusions from the analysis of the submitted EA.
- **Mitigated FONSI.** A Mitigated FONSI is occasionally used to avoid the necessity of concluding that there are significant impacts and that the next level of environmental impact analysis under NEPA is required [the next level above an EA is referred to as an environmental impact statement (EIS)]. In a mitigated FONSI, changes to the proposed action or mitigation measures necessary to reduce otherwise significant impacts (or simply reduce adverse impacts) are documented as required for implementation. Once included in the Mitigated FONSI, recipients are required to implement the proposed actions or mitigation measures documented in the Mitigated FONSI. Additionally, the BTOP Office has responsibility to ensure that the additional actions are indeed accomplished by recipients.

Upon receipt of a FONSI or Mitigated FONSI from BTOP, and completion of all applicable consultation activities, recipients should contact their FPO to request an award action to lift the environmental SACs that have been satisfied.





5 Recipient Reporting

As discussed in Section 1, *Award Recipient Responsibilities*, recipients will be responsible for three types of quarterly reporting: The American Recovery and Reinvestment Act of 2009 (ARRA), financial, and performance reporting. Reporting provides an effective way for both the recipient and the Federal government to track and monitor progress made towards financial and programmatic objectives. It is important that recipients ensure that reports are accurate, complete, and submitted on time. A checklist of action items is included at the end of Section 5 to provide a reminder of the actions the recipient should initiate or complete during the first financial quarter of the grant period, and each quarter thereafter.

- **American Reinvestment and Recovery Act (ARRA) Report.** Broadband Technology Opportunities Program (BTOP) recipients are required, according to the ARRA award conditions, to register on FederalReporting.gov and submit on funds received reports no later than 10 days after the end of each calendar quarter (ending March 31, June 30, September 30, and December 31). Recipients report primarily on the type and number of jobs created or retained each quarter resulting from BTOP award fund expenditures. The data reported by BTOP recipients through FederalReporting.gov will be available to citizens via the Recovery.gov website, ensuring ARRA fund utilization transparency and accountability. ARRA reporting requirements are described in section 5.1 of this handbook. For questions regarding ARRA reports or registration on FederalReporting.gov, contact the assigned Grants Officer listed in the award package.
- **Financial Report (SF-425 FFR).** BTOP recipients must submit a quarterly report using the SF-425 Federal Financial Report (FFR) detailing financial information concerning their project. This report must be submitted no later than 30 days after the end of each calendar quarter. The report includes budget and cost information on each quarter's expenses. The recipient and Federal government can use financial reports to assess the overall financial management and health of each award, to ensure BTOP fund expenditures are consistent with the recipient's anticipated progress, and to monitor expenditures assuring that all costs are allowable. Financial reporting requirements are described in Section 5.2 of this handbook. For questions regarding financial reports, contact the assigned Grants Officer listed in the award package.
- **BTOP Performance Progress Report (PPR).** To comply with statutory requirements and special award conditions (SACs), all BTOP recipients must submit a quarterly report, as well as an annual report on the programmatic performance of their award. The quarterly report must be submitted no later than 30 days after the end of each calendar quarter and the annual report must be submitted no later than January 30th. These reports include project data, budget information, as well as key milestone and project indicator information, such as the number of new network miles deployed, the number of new public computer centers, or the number of broadband awareness campaigns conducted. The Federal Program Officer (FPO) uses performance reports to assess the project management's overall health, to monitor progress made against reporting milestones, and to identify and mitigate areas of concern or risk to project completion and success. The BTOP Office will post all submitted performance reports to a public-facing website to meet statutory transparency requirements within 30 days of submission receipt. For questions regarding the PPR, contact the assigned FPO.

NOTE: The first quarterly report filed by the recipient will be a Narrative Performance Progress Report rather than the more detailed BTOP-PPR form. Additionally, as set forth in the recipient award conditions, along with the Narrative Performance Progress Report, recipients will also be required to submit a Baseline Report. This Baseline Report permits the recipient to update key information regarding timelines and indicators of project success from the information set forth in the recipient's original or amended application. Both the Narrative Performance Progress Report and the Baseline Report are to be completed and submitted one-time. A PPR will be required for each quarter after the recipient's first quarter reporting period. Additionally, although the Baseline Report will not be made publicly available, the Narrative Performance Progress Report will be publicly available via the Internet. The Narrative Performance Report and the Baseline Report can be found on NTIA's Website: <http://www2.ntia.doc.gov/btopreporting>. For questions regarding these reports, contact the assigned FPO listed in the award package.





Report Type	Due Dates	Submission Method (FY 2010)
ARRA Report	<ul style="list-style-type: none"> 10 days after quarter end. 	<ul style="list-style-type: none"> Form: ARRA Section 1512 Reporting Model. Submit at FederalReporting.gov.
Federal Financial Report (FFR)	<ul style="list-style-type: none"> 30 days after quarter close. 	<ul style="list-style-type: none"> Form: SF-425 FFR. SBA and PCC Recipients: Submit via email to FPO. CCI/Infrastructure Recipients: Submit via GOL.
Performance Progress Report (PPR) (Quarterly and Annual)	<ul style="list-style-type: none"> 30 days after quarter close (Quarterly Report). January 30th (Annual Report). 	<ul style="list-style-type: none"> Form: PPR Quarterly Template or Annual Template. Sustainable Broadband Adoption (SBA) and Public Computer Center (PCC) Recipients: Submit via email to FPO. Comprehensive Community Infrastructure (CCI)/Infrastructure: Submit via Grants Online (GOL).
Baseline Performance Report (One-Time Submission)	<ul style="list-style-type: none"> 30 days after close of first quarter of reporting period. Filed with submission of first quarterly progress report. 	<ul style="list-style-type: none"> Form: BTOP Baseline Performance Report Template. Recipients submit via email to FPO.
Narrative Performance Progress Report (One-Time Submission)	<ul style="list-style-type: none"> 30 days after close of first quarter of reporting period. 	<ul style="list-style-type: none"> Form: BTOP Narrative Performance Report Template SBA and PCC Recipients: Submit via email to FPO. CCI/Infrastructure: Submit via GOL.

See Appendix A for a master checklist of BTOP recipient activities, including reporting activities. See the following table for guidance on the recommended Federal contact for each issue in this section.

Recipient Reporting Activity	Federal Representative Contact		
	Federal Program Officer (FPO)	Grants Officer/Specialist	Other
Complete Recovery Act reporting requirements		√	





Complete financial (SF-425 FFR) reporting requirements		√	
Complete performance (BTOP PPR) reporting requirements	√		

5.1 Recovery Act Quarterly Reporting Requirements


The ARRA, a \$787 billion stimulus package designed to renew sustainable long-term economic growth across the U.S., is the source of BTOP funds and places specific reporting requirements on all BTOP award recipients. ARRA requires recipients to submit reports on funds received no later than 10 days after the end of each calendar quarter. FederalReporting.gov is the central government-wide data collection system for Federal agencies and recipients of Federal awards under Section 1512 of ARRA. To fulfill their reporting obligations, all recipients will access FederalReporting.gov. The data submitted on FederalReporting.gov will be reviewed by both recipients and Federal agencies, and then made available for public view on Recovery.gov to ensure BTOP fund utilization transparency and accountability.

To submit quarterly ARRA reports, the recipient should:

1. **Register on www.FederalReporting.gov within 10 business days after receipt of award package.** Only registered users will be able to submit and review data through FederalReporting.gov. See section 2.3 of this handbook for instructions on how to register on FederalReporting.gov.
2. **One to 10 days after the end of the quarter – Initial Submission: All recipients compile project data at the end of each reporting quarter, enter data, and submit reports.** The recipient submits ARRA reporting data on a quarterly basis, based on a standard calendar year. ARRA reporting requirements need to be fulfilled at the end of the quarter in which funds were originally obligated. Reports shall be submitted no later than 10 days after the end of each reporting period, unless the Office of Management and Budget (OMB) establishes a different date. This allows time for any data revision, which must be completed within 30 days after the end of the quarterly reporting period. Every recipient must be able to implement a data quality review process and ensure that all reported data is correct. The same schedule and deadlines shall apply to submission of reports beyond the first year. Extensions will not be given. Any data changes after the 30-day deadline will need to be reported in the next quarter ARRA report.

Recipient award packages contain the Section 1512 reporting data model that details the reporting data required from recipients and subrecipients. The Section 1512 reporting model should not be altered, and special notice should be paid to the important reporting requirement of ARRA funds pertaining to job creation. OMB guidance requires each recipient to calculate the number of full-time equivalent (FTE) positions created or retained each quarter by dividing the cumulative ARRA funded hours worked by the cumulative hours in a full-time work schedule for the kind of job being estimated. Job totals should not be rounded to the nearest whole number; instead, recipients should report the exact result of this calculation. Other important facts about job creation include:

- Job creation or retention is reported quarterly and is not a cumulative figure. Recipients must report the total number of hours worked by employees in the quarter being reported.



BEST PRACTICE

When preparing quarterly Recovery Act reports, use the methodology for job creation calculations in the Recovery Act guidance available in recipient's award packages to report the exact number of jobs. Do not report rounded numbers for job counts.





- Report only those jobs paid with ARRA funds. Do not report jobs paid from matching funds or other sources.
- A job created is a new position created and filled, or an existing unfilled position that is filled, that is funded with ARRA funds. A "job retained" is an existing position now paid for with ARRA funds.
- A job must be counted as either a "job created" or a "job retained." A single job cannot be counted as both. In completing the report, however, recipients are required to report an estimate of jobs directly created or retained in a single numeric field; recipients no longer report "jobs created" separately from "jobs retained." This has eliminated the need for recipients to make subjective judgments as to whether a given job would have existed were it not for the Recovery Act.

In addition, when completing the report, each recipient should provide the date the Grants Office signed its award (located near the bottom of its Form CD-450) in the "Award Date" field of the ARRA report.

Enter quarterly ARRA report information on www.FederalReporting.gov. Log into the website and enter or upload the necessary reporting information within 10 days of the end of each fiscal quarter.

3. **11 to 21 days – Recipient Review: All recipients review and revise data.** The prime recipient is responsible for reviewing and ensuring the accuracy and completeness of subrecipient information.
4. **22 to 29 days – Agency Review:** Agencies conduct data quality review and notify recipients of any necessary corrections; recipients make corrections in www.FederalReporting.gov.
5. **30th day – Reports are published for the public on Recovery.gov.** This streamlined reporting and reviewing process allows all reported data to be publicly available on www.Recovery.gov within 30 days of the end of the fiscal quarter. NOTE: The schedule may change based on OMB direction.

Contact the Grants Officer for assistance, or review the following website for additional guidance. The website (www.FederalReporting.gov) has up-to-date reporting guidance released by OMB, training webinars and instructions on the use of the online system to collect the data.

5.2 Financial Quarterly Reporting Requirements

BTOP awards are subject to financial reporting on a quarterly basis and recipient must submit the SF-425 FFR. Reported data will be reviewed by the Grants Officer to properly monitor the financial performance of the awards including ensuring the expenditure of BTOP funds is consistent with the recipient's progress, and ensuring that all costs are allowable. FPOs will use the financial information to analyze and review the current financial trends of each BTOP recipient to allow for more informed decisions on monitoring and technical assistance needs. In addition, draw-down receipts will be compared with the submitted reports to determine reasonableness. This will help prevent excess cash on hand and ensure that draw-downs are based on need.

BTOP funds are to be expended in an allowable, reasonable, and timely method. Each recipient must demonstrate that their internal accounting systems and controls comply with Federal grant management and accounting requirements governing the receipt and expenditure of Federal award funds.





To submit quarterly financial (SF-425 FFR) reports, the recipient should:

1. **Download and complete the SF-425 FFR Form.**
 - SBA and PCC recipients should access and download the FFR SF-425 from the OMB website at: www.whitehouse.gov.omb.grants_forms/. The website provides instructions and guidance to properly fill out the FFR. After completing the form, recipients shall submit the FFR to the assigned NIST Grants Officer by email.
 - Broadband Infrastructure recipients (MM, LM, and CCI projects) should log into the National Oceanic and Atmospheric Administration's (NOAA) GOL system, complete the FFR SF-425 online and submit it electronically in GOL. The recipients should also email the FFR to the appropriate NOAA Grants Officer.
2. **Submit quarterly SF-425 FFR.** The submission of the FFR will be on a quarterly basis. These reports are not to be submitted concurrently with ARRA reporting through www.FederalReporting.gov. For recipients of awards from the NOAA Grants Office, reports must be submitted via GOL. For National Institute of Standards and Technology (NIST) Grants Office award recipients, reports must be submitted directly to the Grants Specialist noted in the award document. Reports shall be submitted no later than 30 days after the end of each reporting period. If a recipient was awarded a BTOP grant award during or near the end of a calendar quarter, the recipient is still required to submit a report for the reporting period in which the project start date falls.

5.3 Quarterly and Annual Performance Progress Reporting Requirements

In addition to the required ARRA and financial reporting, recipients are obligated to submit quarterly and annual performance progress reports to the BTOP Office. The main objective of the performance progress report is to capture key accomplishments, progress and planning data about each recipient's project, including budgeted and actual amounts. The submitted data will be analyzed by the FPO to monitor the completion and achievement of key benchmarks and milestones of each recipient's project. FPOs will follow up with recipients to correct any data discrepancies and to ensure all reports are submitted on time. Additionally, recipient performance reports will be posted and publicly available on the National Telecommunications and Information Administration (NTIA) BTOP website 30 days after submissions.

Recipients are to submit complete and timely performance progress reports. Based on project type, the recipient will respond to (a) a quarterly set of questions at the end of every quarter, and (b) an annual set of questions at the end of each calendar year. The performance progress report asks a series of questions that broadly address project performance and the monitoring needs by comparing the project's baseline (planned) and actual information. This includes information on:

- Broadband Infrastructure (Middle Mile (MM), Last Mile (LM), and CCI projects) – Subscribers passed and served, improved vs. new access for subscribers, pricing plans and broadband speeds available to subscribers, and community anchor institutions served;
- PCC – Average number of users per week, training provided, equipment deployed, new workstations installed and available to the public;
- SBA – Awareness campaigns, outreach activities, training provided, and broadband subscription rates.

Quarterly performance progress reports are required to be submitted 30 days after the end of each quarter. Annual performance progress reports are required to be submitted 30 days after the end of each calendar year on January 30th. This information will be utilized by the BTOP Office to properly assess recipient performance towards project goals. Data will be submitted on standard fillable reporting forms and submitted electronically to the FPO via the Post Award Monitoring (PAM) system. Please contact the FPO for guidance on access to PAM and step-by-step instruction for submission of reports using PAM.

If further data or clarification on any reports is needed, the assigned FPO will contact the recipient. Due to the importance of the data, it is important for the data to be entered by a knowledgeable recipient staff person who is actively involved with the BTOP project(s). It is also important that the data is thoroughly reviewed for accuracy before the reporting form is submitted to NTIA. Incomplete forms containing errors could limit the access of the recipient to award funds. Recipients will be called upon to take prompt corrective action regarding the reported data to the extent necessary.





As stated above, the first quarterly report filed by a recipient is the Narrative Performance Report rather than the more detailed BTOP-PPR form. This report will be made publicly available on NTIA's Website. At the same time that the Narrative Performance Report is filed, recipients are also required to submit a **one-time Baseline Report**. This report includes a baseline project plan that details key outputs and outcomes from the project on a quarter by quarter basis and indicates how previously submitted milestones and key indicators may have changed as a result of special award conditions, new information, or other events. This is a one-time report and will not be requested in future quarters. It will be kept confidential except as permitted by applicable law.

- For PCC or SBA recipients, the completed Narrative Performance Report and Baseline Report should be emailed to the assigned FPO on the 30th day after the end of the recipient's first quarter of their award period.
- For Broadband Infrastructure recipients (MM, LM, and CCI projects), the completed Narrative Performance Report and Baseline Report should be uploaded to GOL and emailed to the assigned FPO on the 30th day after the end of the recipient's first quarter of their award period.

5.4 BTOP Monitoring of Recipient Reporting Requirements

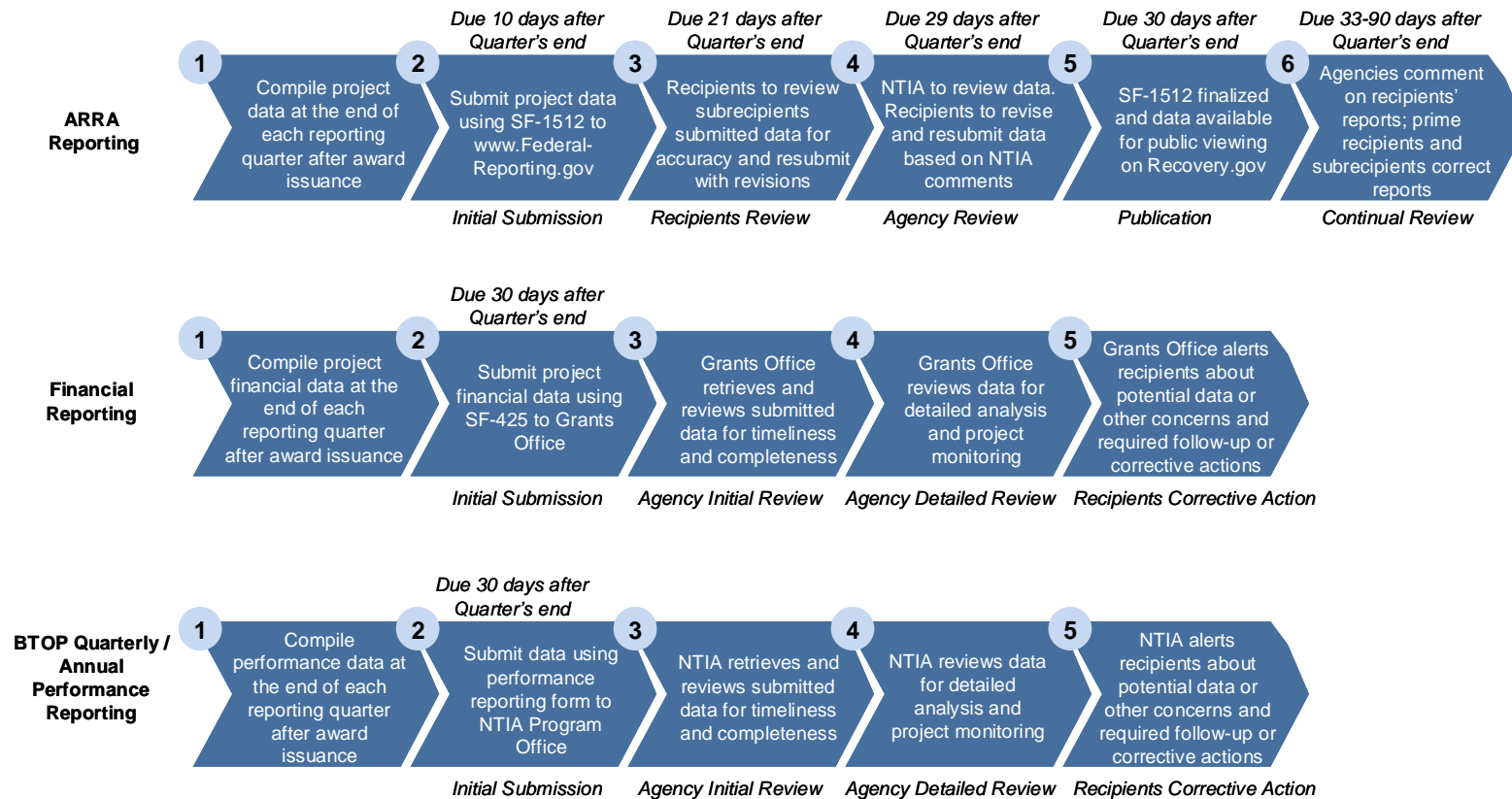
NTIA has established monitoring activities to engage each recipient and track programmatic and fiscal performance. These activities will assist with maintaining compliance with statutory and programmatic requirements, mitigating challenges and issues incurred by the recipient, and demonstrating the recipient's ability to be responsible and accountable for BTOP award administration and management. The FPO, in collaboration with the Grants Officer, leads monitoring activities, including desk reviews and site visits. While performance and financial reports are important components of monitoring, ad hoc telephone conversations and email exchanges can be equally important in addressing specific questions and providing timely guidance.





Summary - Reporting Process between NTIA and Recipient

The reporting process and sequence of activities for ARRA, Financial and Progress Reporting between the BTOP recipients and NTIA is captured in the chart below.





6 Project Modifications and Award Action Requests

Broadband Technology Opportunities Program (BTOP) award action requests are one-time or irregular events that require modification to a recipient's project through an amendment to the award, such as changes to contact information, project scope, or budget. This section describes the types of acceptable project modifications and instructions for submitted award action requests. See Appendix A for a master checklist of BTOP recipient activities, including project modification and award action request activities. See the following table for guidance on the recommended Federal contact for each issue in this section.

Project Modification Activity	Federal Representative Contact		
	Federal Program Officer (FPO)	Grants Officer/Specialist	Other
Guidance on award action requests	√		
Approval of Award Action Requests (AAR)	√		
Technical issues with submitting award action requests on Grants Online [Infrastructure and Comprehensive Community Infrastructure (CCI) recipients only]		√	

6.1 Types of BTOP Award Action Requests

The list below describes common types of acceptable project modifications. BTOP award action requests must be submitted by recipients to the Federal Program Officer (FPO), using the instructions in section 6.2. The FPO will review and determine decisions on all requests. Changes shall be reported to NTIA in accordance with 15 CFR § 14.25 or 15 CFR § 24.30.

Types of BTOP Award Action Requests	
Action Requested	Description
<ul style="list-style-type: none"> Change in project scope 	<ul style="list-style-type: none"> Modification to the project's scope from the original or modified application, even if there is no associated budget revision requiring prior written approval.
<ul style="list-style-type: none"> Change in a key person or institution name 	<ul style="list-style-type: none"> Modification to the key person or institutional name specified in the original or modified application. The Grants Office is responsible for collecting and processing Form CD-346 from any newly named key individuals resulting from an award action request to change key personnel.





Types of BTOP Award Action Requests	
Action Requested	Description
<ul style="list-style-type: none"> Change in project program or budget 	<ul style="list-style-type: none"> Modification to the project program or budget from the original or modified application. Changes are considered on a case-by-case basis and may be requested at any time prior to the completion of the award closeout process. <ul style="list-style-type: none"> When requesting approval for budget revisions, the recipient must use the budget Form SF-424A or SF-424C unless the Grants Officer and FPO indicate that a letter of request suffices. Transfer of funds among direct cost categories (line items in SF-424A or SF-424C) must be approved in writing when the cumulative amount of such direct cost transfers exceeds 10 percent of the total Federal and non-Federal funds authorized. The transfer authority does not authorize creation of new budget categories within the award without prior approval.
<ul style="list-style-type: none"> Absence of the approved project director 	<ul style="list-style-type: none"> Absence of the approved project director for more than three months, or a 25 percent reduction in his or her time devoted to the project.
<ul style="list-style-type: none"> Transfer of funds allocated for training to other categories of expenses 	<ul style="list-style-type: none"> Transfer of funds allotted for training allowances (direct payment to trainees) to other categories of expense.
<ul style="list-style-type: none"> Inclusion of cost that requires prior approval based on cost principles 	<ul style="list-style-type: none"> The inclusion, unless waived by DOC, of costs that require prior approval in accordance with The Office of Management and Budget (OMB) Circular A-21 "Cost Principles for Educational Institutions," OMB Circular A-122 "Cost Principles for Non-Profit Organizations," OMB Circular A-87 "Cost Principles for State, Local and tribal Governments," and/or Federal Acquisition Regulation (FAR) cost principles (48 CFR Part 31) for "Commercial Organizations."
<ul style="list-style-type: none"> Applicable equipment purchases 	<ul style="list-style-type: none"> Purchase of equipment using funds not already accepted in the approved application.
<ul style="list-style-type: none"> Completion of "actionable" Special Award Conditions (SACs) 	<ul style="list-style-type: none"> Completion of activities required to fulfill a recipient's SACs, such as completion of an environmental assessment.
<ul style="list-style-type: none"> Amount of Federal authorized funds is expected to exceed recipient needs 	<ul style="list-style-type: none"> The amount of Federal authorized funds is expected to exceed the needs of the recipient for the project period by more than \$5,000 or five percent of the Federal award, whichever is greater.
<ul style="list-style-type: none"> Sub-award or transfer of work 	<ul style="list-style-type: none"> Transfer of work or award to a subrecipient that is not described in the approved application.
<ul style="list-style-type: none"> Other 	<ul style="list-style-type: none"> Other types of award action requests not listed above may be requested and reviewed, as needed.





6.2 How to Submit BTOP Award Action Requests

All BTOP award action requests must be submitted to the BTOP Program Office for review and decision.

1. **Before submitting an award action request, contact the FPO for assistance** in determining the type of award action request that is needed or with other award action request inquiries.
2. **Complete the Award Action Request Form.** The FPO can provide guidance to recipients on how to complete the award request.
3. **Submit the Award Action Request Form.**
 - Broadband Infrastructure Recipients Only (Middle Mile (MM), Last Mile (LM), and CCI projects): Log into Grants Online (GOL) and submit the award action request via GOL.
 - Sustainable Broadband Adoption (SBA) and Personal Computer Community (PCC) Recipients Only: Email the completed Award Action Request Form to the FPO assigned to support the project.

The FPO will review the request and make a recommendation to the Grants Office. The Grants Office will issue a decision. The recipient will receive notification (in writing) whether the request has been approved within 30 calendar days of the request receipt date.

6.3 BTOP Requirement for Post-Award Modifications

Consistent with the statutory purposes of BTOP, and pursuant to the controlling Department of Commerce (DOC) regulations and authorities, National Telecommunications and Information Agency (NTIA) has proposed the following requirements for the recipient to comply with for any post-award modification.

6.3.1 Post-Award Modification Requirements Applicable to All Requests

- The recipient must request prior written approval of the deviations or changes from the Grants Office. 15 C.F.R. Pt. 14.25 and 15 C.F.R. Pt. 24.30.
- The recipient must verify that the proposed deviations or changes will not increase the approved budget. 15 C.F.R. Pt. 14.25 and 15 C.F.R. Pt. 24.30.
- The recipient must provide a narrative with a full explanation of the proposed deviations or changes. The narrative must include information on how the deviations or changes serve the BTOP statutory purposes established through the ARRA.
- The recipient must verify that the deviations or changes will not delay or interfere with the timely completion of the project.
- The recipient must verify whether the deviations or changes are being proposed before the Environmental Assessment (EA) is completed. If the deviations or changes are proposed prior to completion, no additional steps will be needed taken, since the deviations or changes will be presented in the EA as the funded project.
- If the deviations or changes occur after the EA has been completed, an addendum to the EA will be necessary. Environmental regulatory clearances may need to be obtained depending on the size and scope of the deviation or change. This will mean contacting the State Historic Preservation Office (SHPO), the U.S. Fish and Wildlife Service (FWS), the U.S. Army Corps of Engineers (USACE), and others as appropriate. This is relative to the size and scope of the proposed deviations or changes and the change in distance from the original site. If the recipient is moving the proposed route alignment to a different road, an additional review and new EA will be required. If the recipient is moving the route over several feet to the right or left, no additional review and EA will be required. If the footprint of a





building is changing significantly, another review and an addendum to the EA may be necessary. Moving a proposed building to an entirely new location will require a new EA.

6.3.2 Other Post-Award Modification Project- Specific Requirements

In addition to complying with the general statutory and programmatic requirements of BTOP, each recipient and FPO may have added obligations depending on the requested modification.

6.3.2.1 Purchasing or Leasing New Fiber

- If the deviation or change involves the purchase or lease of new fiber, the recipient must provide a description of the fiber being purchased and the capacity difference between the original and new fiber.
- The recipient must detail the kind of fiber being purchased and state how it will comply with the Buy American provision of the Recovery Act and implementing regulations.
- The recipient must provide a color-coded map of the project area designating: (1) the approved route; (2) the unserved and underserved areas within the project area; and (3) the areas along the map where the new fiber will be located.
- The FPO must make a determination about whether the route change would adversely impact or invalidate the recipient's unserved and underserved area designations.

6.3.2.2 Route Change

- If the deviation or change involves an amended route, the recipient must provide a color-coded map of the project area designating: (1) the approved route; (2) the unserved and underserved areas within the project area; and (3) the originally approved route contrasted with the proposed changed route.
- The recipient must provide a narrative describing the unserved and underserved areas in the project area. The narrative must demonstrate that the project area(s) continues to meet the definition of unserved or underserved as originally designated.
- The FPO must make a determination about whether the route change would adversely impact or invalidate the recipient's unserved and underserved area designations.

6.3.2.3 Microwave System Location Change

- The recipient must provide a color-coded map of the project area designating: (1) the approved route; (2) the unserved and underserved areas within the project area; and (3) the originally approved microwave system locations with the proposed changed locations.
- The recipient must provide a narrative describing the unserved and underserved areas in the project area. The narrative must demonstrate that the project area(s) continues to meet the definition of unserved or underserved as originally designated.
- The FPO must make a determination about whether the route change would adversely impact or invalidate the recipient's unserved and underserved area designations.





6.3.2.4 Equipment Change

- If the deviation or change involves the substitution of equipment the recipient had previously agreed to use with other equipment, the recipient must provide a description of the substituted equipment to be purchased and the reasons the substituted equipment is of equal or greater quality than the original equipment.
- The recipient must detail the kind of substituted equipment being purchased and state how it will comply with the Buy American provision of the ARRA and implementing regulations.





7 Project Closeout Activities

The recipient is required to submit the project closeout documentation to the Federal Program Officer (FPO) and Grants Officer. The recipient should provide closeout documentation following project completion or expiration of the grant award period, whichever comes first. This section summarizes the documentation that should be submitted to close the project and award. See Appendix A for a master checklist of Broadband Technology Opportunities Program (BTOP) recipient activities, including project closeout activities. See the following table for guidance on the recommended Federal contact for each issue in this section.

Project Closeout Activity	Federal Representative Contact		
	Federal Program Office (FPO)	Grants Officer/Specialist	Other
Guidance on submitting closeout documentation	√		

7.1 Required Closeout Actions

When a recipient's award nears its expiration date, the recipient will receive an expiration notice from the Grants Officer. The recipient should prepare and submit the final financial reports, performance reports, and other required documentation. Once the Grants Officer receives all closeout documentation, the recipient will receive notification that the project has been closed out successfully. The following closeout documents are required for all projects:

- Final Federal Financial Report (FFR SF-425).
 - The final FFR should not have unliquidated obligations and must indicate the exact balance of unobligated funds.
 - All BTOP funds not expended by the end of the award period must be remitted by the recipient to National Telecommunications and Information Agency (NTIA). The funds will then be de-obligated and returned to the U.S. Department of the Treasury.
- Final Federal Cash Transaction Reports (SF-272).
- Final Program Progress Report (PPR) summarizing the project accomplishments, partnerships, community impact, lessons learned, project expansion, spin-off activities, and future plans.
 - This report should be based on the data submitted during the life of the award and should be sent to the recipient's assigned FPO.
- List of project expenditures by approved line item budget categories.
- Copies of studies, publications, reports, and/or work products generated by the project.
- The project evaluation report, all preliminary reports, data collection instruments, and other relevant evaluation materials that were by-products of the project.
- The recipient and any subrecipients must retain records related to the grant for at least three years after the project's completion. During this period, the Secretary of Commerce, the Inspector General of Commerce, and the Comptroller General have the authority to access documents and records related to BTOP.





7.2 Other Closeout Actions that May Be Required

If applicable, the following may also be required:

- Final Requests for Reimbursement Automated Standard Application for Payments (ASAP).
- Form CD-281, "Report of Government Property in Possession of Contractor" for recipients who have borrowed Federal property.
 - Form CD-281 is an inventory listing of all equipment the recipient acquired under the grant with both Federal and non-Federal funds.
 - Form CD-281 is available at the following link:
http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@oitpp/documents/content/dev01_002436.pdf
- Statement listing inventions/patents/royalties for recipients who have invented and/or patented intellectual property under the award and/or written for publication or profit.
- Verification that all environmental special award conditions (SACs) have been met, including any mitigation measures documented in the recipient's Finding of No Significant Impact (FONSI) or Mitigated FONSI letter.
- A grant audit.





8 Grant Administration Standards: Complying With Award Terms

This section, *Grant Administration Standards: Complying with Award Terms*, consists of five subsections: The American Recovery and Reinvestment Act of 2009 (ARRA) Requirements, Administrative Requirements, Financial Requirements and Cost Principles, Special Award Conditions (SACs), and Audit Requirements. Each subsection presents important details about ARRA and Broadband Technology Opportunities Program (BTOP) requirements and regulations that recipients should understand and abide by to simplify the grant process for all stakeholders.

Compliance Activity	Federal Representative Contact		
	Federal Program Officer (FPO)	Grants Officer/Specialist	Other
ARRA requirements		√	
Administrative requirements		√	
Financial requirements		√	
BTOP SAC requirements	√	√	
Audit requirements		√	

8.1 American Recovery and Reinvestment Act (ARRA) Requirements

The BTOP is authorized by Section 6001 of ARRA and as such, grant awards under the program are subject to the general terms and conditions of ARRA. Several key ARRA award terms require all recipients to comply with reporting on the use of American goods (Buy American), Davis Bacon Act (prevailing wages), ARRA signage, audit requirements, and state certification that infrastructure work is being completed appropriately. The following table presents details on the general ARRA award terms and conditions.





General ARRA Award Terms and Conditions

The following apply to all recipients:

Reporting and Registration Requirements.

- Project progress reports must be completed no later than 10 days after each calendar quarter during active fund award period (Section 1512).
- Recipients must register and maintain current registration with the Central Contractor Registration (CCR) www.ccr.gov at all times during the active award period.
- In addition to Federal Financial Report (FFR SF-425) and Performance Reports, recipients must register and submit www.FederalReporting.gov reports.
- The Office of Management and Budget (OMB) guidance documents are located at:
 - http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-21.pdf.
 - http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-08.pdf.
 - http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-14.pdf.
- Training through webinars can be found at:
<https://www.FederalReporting.gov/FederalReporting/downloads.do#webinars>.

Use of American Iron, Steel, and Manufactured Goods (Buy America Act).

- A limited waiver of Buy America requirements was issued for certain broadband equipment in BTOP projects:
 - Broadband Switching Equipment.
 - Broadband Routing Equipment.
 - Broadband Transport Equipment.
 - Broadband Access Equipment.
 - Broadband Customer Premises.
 - Equipment and End-User Devices.
 - Billing/Operations Systems.
- For equipment not covered by waiver, recipients may seek waivers on a case-by-case basis. Waivers requesting exemption from this provision must be submitted to the FPO and the Grants Officer in writing. Approval of any such waiver request, if granted, must be in writing.
- For more information, see this Website:
<http://www.broadbandusa.gov/files/RUS%20Buy%20American%20Waiver.pdf>.





General ARRA Award Terms and Conditions

The following apply to all recipients:

Single Audit Requirements.

- The award terms and conditions (T&Cs) require recipients to maintain records that adequately identify the source and application of ARRA/BTOP funds.
 - All expenditures related to the BTOP project should be identified on the Schedule of Expenditures of Federal Awards (SEFA) and on the Data Collection Form (SF-SAC).
 - All subrecipients must be separately identified at the time of the sub-award, the time of disbursement of funds, the Federal award number, Catalog of Federal Domestic Assistance (CFDA) number, and the amount of BTOP funds expended.
- For profit organizations must comply with the program specific audit requirements set forth in OMB Circular A-133, Subpart B, § 235 (see Section 5 for more details).

SEC. 1511 Certification.

- All infrastructure projects must receive a certification from the state governor, mayor, or other chief executive that the project has received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure project uses taxpayer dollars appropriately.
- The certification must include:
 - Description of the project.
 - Estimated total cost.
 - A breakout of the matching and BTOP funds.
- The certification must be posted on Recovery.gov prior to any infrastructure funds becoming available.

Quick Start Activities.

- Recipients should give preference to activities that can be started and completed expeditiously, with a goal of using at least 50 percent of funding for activities that start no later than 120 days after the award date.

SEC.1515 Access of Offices of Inspector General to Certain Records and Employees.

- Under the terms and conditions of the award, any representative of the Department of Commerce (DOC) Office of the Inspector General (OIG) has the right to examine any BTOP project records pertaining to subcontractors, subrecipients, or any state or local agency administering the award. The representative also holds the right to interview any officer or employee of the recipient's entity, subrecipients, or agency regarding the project.

First Tier Subrecipient Planning Activities.

- All first tier subrecipients are required to obtain a Data Universal Numbering System (DUNS) number no later than the first time ARRA data requirements are due.





General ARRA Award Terms and Conditions

The following apply to all recipients:

Davis Bacon Act.

- All laborers and mechanics employed by recipients, the recipient's contractors, or subcontractors on this project shall be paid wages at rates no less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of Title 40, United States Code.
- With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and Section 3145 of Title 40 (40 U.S.C. § 3145).

Whistleblower Act.

- Recipients shall comply with the Whistleblower Protection requirements of ARRA, Section 553 of Division A, Title XV, Public Law 111-5, which provides protection for non-Federal employees making specified disclosures relating to possible fraud, waste, or abuse of Recovery Act funds. Recipients shall display a poster at their job sites. The poster can be downloaded from the following website:
<http://www.oig.doc.gov/recovery/whistleblower.html>.
- The OIG will verify the appropriate placement of this poster as part of any field work conducted. Failure to display the poster may result in an audit finding.





General ARRA Award Terms and Conditions

The following apply to all recipients:

Signage Requirements.

- BTOP recipients from all funding rounds are required to use the Recovery Act logo in display signage at construction sites. The July 2009 and January 2010 BTOP Notices of Funds Availability (NOFA) state the following requirements:
 - All projects funded by the Recovery Act shall display signage that features the Primary Emblem throughout the construction phase. The signage should be displayed in a prominent location on site. Some exclusions may apply.
 - The Primary Emblem should not be displayed at a size less than six inches in diameter.
- The signage requirement applies when the major purpose of the award is construction. Alteration of facilities incidental to a non-construction purpose is not considered construction under this chapter. For example, minor renovations of a space to house a Public Computer Center (PCC) would not be considered construction for purposes of this signage requirement.
- Recipients may satisfy the signage requirements above by using the Primary or BroadbandUSA Emblems shown here and following all guidelines for size, clear space, and color. Complete guidelines are provided in the Recovery Logo Usage fact sheet posted at <http://www2.ntia.doc.gov/signage>



Primary Emblem



BROADBANDUSA
CONNECTING AMERICA'S COMMUNITIES

BroadbandUSA Emblem

8.2 Uniform Administrative Requirements

The Uniform Administrative Requirements outline basic recipient requirements to receive, administer, and comply with Federal awards. Specifically, they include definitions and descriptions of financial and program management, including cost share and program income; property and procurement standards; and reporting and record keeping requirements. Subrecipients are also required to comply with these regulations. The award T&Cs require recipients to follow Federal administrative regulations based on the recipient organization type, as shown in the following table:





Uniform Administrative Requirements	
Recipients Type:	Regulation or requirement that applies:
College or University	15 Code of Federal Regulations (CFR) Part 14
State, local, or tribal government	15 CFR Part 24
Non-profit organization	15 CFR Part 14
Commercial organization	15 CFR Part 14
All recipients (except states)	OMB Circular A-110
State recipients	OMB Circular A-102

8.2.1 Recipient Code of Conduct

Recipients and subrecipients must have a written code of conduct governing the performance of employees engaged in contract awards and administration.

8.2.2 Procurement Standards

All recipients must maintain written standards of conduct governing their procurement procedures. In addition, all procurement procedures must contain some form of cost or price analysis determining reasonableness, allocability, and allowability. Recipients must also maintain a contract administration system to ensure standards of conduct adherence. Guidance on writing standards of conduct, records, and contract administration can be found in 15 CFR Parts 14 or 24, as appropriate. The following table provides a list of procurement standards.



BEST PRACTICE

Comply with Federal procurement requirements and review 15 CFR Part 14 and 24. Ensure that procurement transactions are conducted in open and free competition. Avoid non-competitive practices (e.g., exclusion of contractors that developed the specifications for a project from bidding).





Procurement Standards
The following apply to all awards:
<ul style="list-style-type: none">■ Recipients must have written procedures for procurement.
<ul style="list-style-type: none">■ Competition is required unless justified.
<ul style="list-style-type: none">■ Recipients must document:<ul style="list-style-type: none">● Basis for contractor selection.● Sole source justification if not competed.● Cost and price analysis.● Subrecipient monitoring plan.
<ul style="list-style-type: none">■ Subrecipients must also document:<ul style="list-style-type: none">● Basis for contractor selection.● Justification if not competed.● Cost and price analysis.
<ul style="list-style-type: none">■ Contractor requirements under prime or subrecipients:<ul style="list-style-type: none">● Perform under standard T&Cs (ARRA and DOC).● Perform with integrity.● Record of past performance.● Equipped with necessary financial resources.● Not debarred or on excluded party list.

Prime recipients must select subrecipients and contractors in a manner that provides open and free competition, to the maximum extent practicable. The recipient must be alert to organizational conflicts of interest, as well as other practices among subrecipients that may restrict or eliminate competition. To ensure objective subrecipient performance and eliminate unfair competitive advantage, subrecipients that develop or draft work requirements, statements of work, or requests for proposals shall be excluded from competing for such sub-awards. Recipients are also required to follow their written procurement procedures and written conflict of interest procedures when selecting subrecipients.





8.2.3 Record Retention

Records must be kept for three years after final closeout or until after audit, litigation, or claim is resolved, whichever occurs later. The OIG has unrestricted access to these records and may interview the recipient's personnel for as long as records are retained.

8.3 Financial Requirements for BTOP Awards

To ensure grant funds are properly used, all recipients should become familiar with Federal regulations specifying the financial requirements and cost principles applied to all Federal grants:

- Cost Principles governing the allowability of costs under Federal grant awards (OMB Circulars A-21, A-87, or A-122, or Federal Acquisition Regulations Part 31, Subpart 31.2, codified at 48 CFR Subpart 31.2, depending on the identity of the recipient); and
- Audit requirements, such as those contained in OMB Circular A-133.

All Federal grants are subject to certain restrictions defined by law. As part of these restrictions, all recipients have agreed to and must commit to the following:

- Comply with the T&Cs of the BTOP Grant Program. The SF-424 was submitted with the BTOP application. The SF-424 requires the recipient to comply with the terms of the grant.
- Certify that financial management systems are in place. In the SF-424B or SF-424D submitted with the BTOP application, the recipient certified that it has the legal, financial, and managerial capacity to manage grant funds. Financial systems must be in place to comply with this Federal requirement and to manage this Federal grant.
- Use Federal grant funds for the purposes that were proposed. In the SF-424, the recipient certified that it will use grant funding and match funding for the proposed and approved purposes. The recipient also certified that it will complete its activities in a timely manner.
- Will not commingle Federal funding sources. BTOP funds and matching funds must not be commingled with funds from any other Federal grant program. BTOP grant funds may not be included as a cost or used to meet matching requirements of any other Federal award in the current or prior period. The accounting systems of all recipients and subrecipients must ensure that agency funds are not commingled with funds from other awards or Federal agencies. Each award must be accounted for separately.
- Certify that the recipient will grant access to the awarding agency and the Comptroller General of the United States to all documents related to the grant. The recipient should establish a system to keep all records, books, papers, and documents related to the grant. This provision provides the awarding agency and the Comptroller General of the United States access to grant records and files for financial and program compliance monitoring and audit purposes.
- Certify that the recipient will not use Federal grant funds to supplant or replace other funds. BTOP grant funds cannot be used to supplant or replace any other funds that have been budgeted or funded for the same purpose. Potential supplanting will be monitored throughout the grant period of performance. The recipient may be required to supply documentation certifying that a reduction in non-Federal, non-matching resources occurred for reasons other than the receipt or expected receipt of Federal funds.
- Agree to comply with Federal procurement requirements. The recipient should follow the same policies and procedures it uses for procurement from its non-Federal funds and should include any clauses required by the Federal government. The following are key procurement tenets when using Federal funds:





- All procurement transactions should be conducted to ensure open and free competition.
 - The recipient and subrecipient should avoid non-competitive practices (e.g., contractors that developed the specifications for a project should be excluded from bidding).
 - Understand and follow the guidance related to procurement and subrecipients (OMB Circular A-133, Section 210) – see the fact sheet presented in Appendix E.
- Agree to comply with the DOC T&Cs, ARRA and BTOP SACs. The recipients must follow the ARRA T&Cs and BTOP SACs identified in the award documentation for performance and management of funds disbursed for the execution of the programmatic goals of the project.
 - Place funds in an interest bearing account. Funds must be placed in an interest bearing account and are subject to rules outlined in DOC regulations, 15 CFR Part 14 or Part 24, as applicable. These guidelines state that all recipients and subrecipients are required to promptly, and at least quarterly, remit interest earned on advances. The guidelines also stipulate that recipients or subrecipients may keep interest amounts up to \$100 or \$250 per year, depending on the Uniform Administrative Requirements that apply to the recipient, for administrative expenses for all Federal grants combined. Interest earned on advances should be remitted to the DOC.
 - Agree that funds are subject to the Cash Management Improvement Act. The BTOP recipient may elect to draw down funds up to 30 days prior to expenditure or disbursement; however, the recipient should draw down funds as close to expenditure as possible to comply with the Cash Management Improvement Act (CMIA). CMIA requires that programs remain interest-neutral (i.e., no interest will be gained or lost by the Federal government as a result of a Federal grant program).

The DOC Standard Terms and Conditions contained in the grant award package describe general financial, programmatic and other departmental award requirements with which the recipient must comply.

Among the items covered in the standard terms and conditions document are the following:	
Financial Requirements	<ul style="list-style-type: none"> ■ A description of the financial reports that the organization will be required to submit to National Institute of Standards and Technology (NIST) or National Oceanic and Atmospheric Administration (NOAA). ■ An explanation of how the organization should request a payment from the BTOP award. ■ A clarification of the Federal and non-Federal cost sharing rule. ■ A discussion of general guidelines governing budget changes and transfers of funds among budget categories on the award. ■ A warning about incurring costs and/or obligating Federal funds beyond the project expiration date. ■ A note about grant-related tax refunds.
Programmatic Requirements	<ul style="list-style-type: none"> ■ A description of the reports and closeout documentation that the organization will be required to submit to BTOP. ■ A discussion of general guidelines regarding programmatic changes related to the award. ■ A note regarding actions that might be taken in the event of unsatisfactory performance on the grant award. ■ A statement regarding the recipient's obligation to notify BTOP in the event that their organization receives other Federal awards related to the scope of work of their BTOP





Among the items covered in the standard terms and conditions document are the following:	
	project.
Other Requirements	<ul style="list-style-type: none"> ■ An explanation of the applicability of provisions of the award to subrecipients, contractors, and subcontractors. ■ A description of organization-wide and project-related audit requirements. ■ A note regarding payment of debts owed to the Federal government. ■ An explanation of various regulations regarding non-discrimination, government-wide debarment and suspension, lobbying restrictions, name checks and other requirements related to the award.
Special Awards Conditions (SACs)	<ul style="list-style-type: none"> ■ Specific information related to the particular award, which reiterates some of the requirements contained in the standard terms and conditions, and describes a number of requirements that must be met before the majority of Federal funds from the grant award can be released to the organization.

8.3.1 Allowable Costs

The T&Cs of the award require the recipient to follow Federal cost principles to determine project costs. Additionally, the First and Second NOFAs, including the 700 MHz Reopening NOFA, enumerate the eligible and ineligible costs associated with each BTOP project category. Recipients should become familiar with the specific cost restrictions imposed on their projects through the NOFAs to ensure that their expenditures are not allocated to cost items deemed ineligible under the BTOP. There are differences in the eligibility of cost components between the first and second rounds of BTOP funding, so recipients should be sure to only consult the NOFA that is applicable to their particular grant award for the appropriate eligible cost determinations.

All allowable costs must meet all of the following requirements:

Allowable Costs	
Costs must be:	Definition:
Necessary	<ul style="list-style-type: none"> ■ A cost is necessary if it is a type generally recognized as ordinary and necessary for the operation of the organization or the performance of the award.
Reasonable	<ul style="list-style-type: none"> ■ A cost is reasonable if, in its nature or amount, it does not exceed what would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.
Allocable	<ul style="list-style-type: none"> ■ A cost is allocable to the project in accordance with the relative benefits received by the project.
Consistent	<ul style="list-style-type: none"> ■ A cost should be treated consistently with policies and procedures applying uniformly to both the award and other organizational activities.





Costs must also:
<ul style="list-style-type: none"> ■ Be authorized or not prohibited under applicable laws and regulations. ■ Conform to any limitations set forth in regulations or award documents. ■ Be determined in accordance with Generally Accepted Accounting Principles (GAAP). ■ Not be included to use cost share/match of any other Federally-financed program, as outlined in the NOFA. ■ Be adequately documented in accounting records.

Cost Principles	
Recipient Type	Regulation that applies
College or University	OMB Circular A-21 (2 CFR Part 220).
State, local, or tribal government	OMB Circular A-87 (2 CFR Part 225).
Non-profit organization	OMB Circular A-122 (2 CFR Part 230).
Commercial organization	Federal Acquisition Regulation (FAR) cost principles (48 CFR Part 31).

8.3.1.1 Direct Costs

Direct costs are those that can be identified specifically with a particular final cost objective (i.e., a particular award, project, service, or other direct activity of an organization). However, a cost may not be assigned to an award as a direct cost if any other cost incurred for the same purpose, in like circumstances, has been allocated to an award as an indirect cost.

8.3.1.2 Indirect Costs (NICRAs discussion)

Indirect costs associated with all BTOP project categories are generally allowable if included in the approved budget (as a line item) or subsequently approved by the DOC Office of Acquisition Management (OAM). As the First and Second NOFAs prohibit grant monies from being used to fund operating expenses of a Broadband Infrastructure project [Middle Mile (MM), Last Mile (LM), or CCI], indirect costs incurred in implementing these projects must generally be associated with the construction, deployment, or installation of facilities and equipment used to provide broadband service to be considered eligible for recovery under BTOP. Indirect costs are the costs incurred by an organization that are not readily identifiable with a particular project or program, but are nevertheless necessary to the operation of the organization and the performance of its programs. The costs of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect costs. More specifically, indirect costs are usually expressed as percentage (for example 10 percent) applied to a base (for example some subset of total direct costs). For the broadband infrastructure projects, indirect costs are only allowable if included as a line item in the project budget and an indirect cost rate is established with DOC.





Example Indirect Costs of BTOP Project

Common examples of indirect costs include:

- Salaries/expenses of executive officers.
- Personnel administration.
- Accounting.
- Fringe benefits.
- Office rent (the cost of renting facilities).
- Maintenance (the cost of maintaining facilities).
- Library expenses.
- Office supplies (e.g., office equipment, computers printers, and copiers).

If a Negotiated Indirect Cost Rate Agreement (NICRA) was not submitted and approved as a part of the application process, recipients must submit a cost allocation plan and an indirect cost rate proposal within 90 days of the award start date to the OAM, or within 30 days for any recipient proposing to forego recovery of any portion of its indirect costs to satisfy any portion of its cost sharing or matching requirement. This plan should be based on actual costs for the most recently completed and audited fiscal year (for example, Fiscal Year 2009 audited financial statements could produce a Fiscal Year 2010 rate proposal). The cost allocation plan and the indirect cost rate proposal should be submitted to:

Office of Acquisition Management
U.S. Department Of Commerce
14th Street and Constitution Avenue, N.W.,
Room 6412
Washington, DC 20230

Any questions, comments and program feedback should be forwarded to:

Commerce Grants Management Division
Phone: 202-482-1679
Email: GJohnso3@doc.gov



BEST PRACTICE

Attend recipient webinars and maintain frequent contact with the assigned FPO. Recipient webinars provide guidance on how to comply important BTOP requirements. The FPO is available to provide assistance and guidance throughout the life of the award.

- The DOC OAM will review the indirect cost proposals submitted by the recipient and then negotiate and approve the NICRA, which will allow the recipients to include indirect costs as allowable project expenses. If additional information or an audit is deemed necessary, DOC or an auditor working for the DOC will notify the organization of the specific requirements necessary to complete the indirect cost rates proposal.
- Recipients can use the fixed rate proposed in the indirect cost plan until such time as DOC provides a response to the submitted plan. Actual indirect cost rates must be calculated and submitted annually. For guidance on how to develop an indirect cost plan, recipients should refer to the following websites:
- <http://www.dol.gov/oasam/programs/boc/costdeterminationguide/main.htm>.





- <http://oamweb.osec.doc.gov/docs/Indirect%20Cost%20Rate%20Proposal%20Instructions%20-%20Sept%2009.pdf>.

8.3.2 Award Payments

Each recipient should be using the advance payment method of disbursing grant funds, as defined in the guidelines for disbursement of award funds and as stated in the award documents. Advance method of payment must be authorized unless otherwise specified in a SAC.

- Advances are limited to the minimum amount necessary to meet immediate disbursement needs, but in no case should advances exceed the amount of cash required for a 30-day period. Advances should be reconciled against project costs monthly.
- SACs may limit the ability to draw funds depending on the scope of the condition.
- Interest in excess of the applicable threshold (\$100 or \$250 per year, depending on the Uniform Administrative Requirements that apply to the recipient) must be remitted to the Federal government.
- NOTE: See Section 3 for details regarding drawing down funds.

8.3.3 Federal and Non-Federal Cost Sharing

All contributions, including cash and third party in-kind, shall be accepted as part of the recipient's cost sharing or matching when such contributions meet all of the following criteria:

- Verifiable from the recipient's records.
- Not included as contributions for any other Federally-assisted project or program.
- Necessary and reasonable to properly and efficiently accomplish project/program objectives.
- Allowable under the applicable cost principles.
- Not paid by the Federal government under another award, except where authorized by Federal statute to be used for cost sharing or matching.
- Provided for in the approved budget when required by the Federal awarding agency.
- Conform to other provisions, as applicable.

If actual allowable costs are less than the total approved budget, the Federal and non-Federal cost shares shall be calculated by applying the approved Federal and non-Federal cost share ratios to actual allowable costs. The non-Federal share, whether in cash or in-kind, is expected to be committed at the same general rate as the Federal share. Exceptions to this may be stated in a SAC or granted by the Grants Officer based on sufficient documentation demonstrating previously determined plans for, or later commitment of, cash or in-kind contributions.

8.3.4 Incurring Costs or Obligating and Expending Federal Funds Beyond Award Expiration

Costs associated with the project may not be incurred beyond the expiration date stipulated in the award. Only costs pertaining to the project closeout and incurred within 90 days after the expiration date will be authorized. Closeout activities are normally limited to final performance and financial reports unless otherwise approved in writing by the Grants Officer. Also:

- The recipient shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date stipulated in the award. The only costs authorized for use beyond the expiration date, for a period up to 90 days following the award expiration date, are strictly associated with closeout activities.





- Only the Grants Officer can authorize an award period extension, and the authorization must be received in writing.

If the recipient does incur cost savings, it can redirect funds, with FPO approval, to an extension of the existing project activities. Refer to Section 6.2 on Award Actions for more information.

8.3.5 Program Income

The use of program income is outlined in the particular NOFA to the award granted. All recipients should check the specific NOFA requirements published in the Federal Register pertaining to program income [NOFA, 74 F.R. 33014 (July 9, 2009) (Round 1) or 75 F.R. 3792 (Jan. 22, 2010) (Round 2)].

Program income means gross income earned by a grant recipient directly generated by a supported activity or earned as a result of the award during the award period. If the recipient organization is assessing fees to outside organizations or individuals for services, such as training, internet access, or webpage hosting, and the costs of providing those services are included in the project budget (in either the Federal or non-Federal share), the project is earning program income. Further, if costs were incurred to generate the program income, those costs may be deducted from the program income provided that they have not been previously charged to the award.

If the project is earning program income, then the recipient organization, as the recipient, must consistently use the funds for the specific award purposes. Typically, this would involve using the funds to expand the scope of the project, or for other uses identified at the time of award negotiation. Round One recipients must retain program income and add it to the funds committed to the project to further eligible project objectives, including for example: (1) reinvestment in project facilities; (2) funding BTOP compliance costs; and (3) paying operating expenses of a PCC or a Sustainable Broadband Adoption (SBA) project. Similarly, Round Two recipients may use program income as described above (i.e., added to the funds committed to the project to further eligible project objectives), or they may use it to meet the cost share/matching requirement (75 F.R. 3792 [Jan. 22, 2010]). The funds must be obligated during the award period. The use of program income is subject to audit. See 15 C.F.R. §§ 14.24(b)(2) and 24.25(g).

All of the responsibilities relating to program income also apply to all subrecipients of an award. For example, if the grant has paid for equipment that the organization transfers to a third party and the third party uses the equipment to provide a service that generates income, then the recipient's organization must report the income. Program income must be properly identified and reported quarterly to the recipient's assigned FPO and Grants Officer using Form SF-425, under the Program Income line item.

8.3.6 Tax Refunds

All tax refunds resulting from the BTOP project must be returned or credited to the DOC. A recipient must notify its assigned Grants Officer and FPO when it receives a tax refund.

- Refunds of Federal Insurance Contributions Act (FICA)/Federal Unemployment Tax Act (FUTA) taxes received by the recipients during or after the award period must be refunded or credited to DOC when the benefits were financed with Federal funds under the award.
- The recipient agrees to contact its assigned FPO immediately upon receipt of the funds.
- Federal tax expenses are not an allowable project cost.



BEST PRACTICE

Display required signage and Recovery Act logos at project sites, including vendors an subrecipients.

All BTOP recipients are required to display the Recovery Act logo on signage at construction sites. See award terms and conditions and the Signage Requirements fact sheet in the Appendix of this handbook for details.





8.3.7 Subrecipients and Vendors under Award

A subrecipient is an organization involved in the activities of the award. The subrecipient must be eligible to receive BTOP funds. Additionally, the subrecipient shares responsibility with the recipients for adherence to applicable compliance responsibilities and will have the award's performance measured against whether the objectives of the program are met. With funding flowing through the recipient, a subrecipient performs substantive work on an award project to accomplish the goals of the award. Award terms and conditions applicable to the recipient of the award flow down to the subrecipient. Each subrecipient must follow the Uniform Administrative Requirements and Federal cost principles applicable to its own type of entity, which may be different from that of the recipient.

A vendor (contractor) is an organization that is contracted by the recipient or subrecipient to provide goods and services. Characteristics of a vendor relationship include providing similar goods and services to many different purchasers and operating in a competitive environment. The vendor is not subject to all of the BTOP compliance requirements applicable to recipients and subrecipients, but must comply with contract terms and conditions imposed by ARRA or required under the Uniform Administrative Requirements or other provisions of Federal law.

- A project partner's responsibilities depend upon whether it is a subrecipient performing substantive work to accomplish a public purpose authorized by law, or a vendor simply providing goods or services to directly benefit the recipient. A subrecipient must comply with programmatic requirements, administrative requirements in 15 CFR Part 14 or Part 24 (as applicable), cost principles, audit requirements, DOC Standard Terms and Conditions, and American Recovery and ARRA Award Terms. In implementing sub-awards involving public-private partnerships, recipients should be aware that uniform administrative requirements and cost principles applicable to subrecipients are based on the subrecipient's type of organization, i.e., non-profit, university or commercial organization. The same uniform administrative requirements and cost principles may not apply to the prime recipient.
- Additional details regarding the relationships between recipients, subrecipients, vendors, and project partners are presented in the facts sheets in Appendix E.
- All sub-awards to subrecipients must be made in a manner to provide, to the maximum extent practicable, open and free competition. All recipients must be alert to organizational conflicts of interest as well as other practices among subrecipients that may restrict or eliminate competition.
- When selecting a vendor, recipients must follow the procurement standards outlined in the Uniform Administrative Requirements for Grants and Agreements (15 CFR 24.36 for a state, local, or tribal government entity or 15 CFR 14.40-48 for any other entity). All procurement transactions must be conducted in a manner to provide, to the maximum extent practicable, open and free competition. The recipients must be alert to organizational conflicts of interest, as well as other practices among contractors that may restrict or eliminate competition or otherwise restrain trade. This is to ensure objective contractor performance and eliminate unfair competitive advantage.
- Recipients must identify and justify pre-selected contractors. The recipient should identify the vendor under "Contract Costs" in the budget, and should provide an explanation of the relationship with the contractor (i.e. services/goods provided) and document how they selected this contractor. In addition, the recipient must submit a copy of the pre-existing contract between applicant and contractor. NTIA may request a copy of the written procurement procedures during the Due Diligence review process.
- Recipients should handle post-award procurements when selecting vendors by following the regulations outlined in 15 CFR § 14.40-48. All future procurement by state and other government entities' recipients must follow the regulations outlined in 15 CFR § 24.36.
- For additional information and guidance on subrecipients and vendors, please refer to the following resources:
 - 15 CFR § 14.40-48.
 - 15 CFR § 24.36.





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- American Recovery and Reinvestment Act (ARRA) Award Terms:
<http://oam.ocs.doc.gov/docs/ARRA%20DOC%20Award%20Terms%20Final%205-20-09PDF.doc.pdf>.
- Department of Commerce Standard Terms and Conditions:
<http://oamweb.ossec.doc.gov/docs/GRANTS/DOC%20STCsMAR08Rev.pdf>.
- Round 2 NOFA: http://www.ntia.doc.gov/frnotices/2010/FR_BTOPNOFA_100115.pdf.
- OMB Circular A-21 at §A.3: <http://www.whitehouse.gov/omb/rewrite/circulars/a021/a021.html>.
- OMB Circular A-87 at §A.3.b: <http://www.whitehouse.gov/omb/rewrite/circulars/a087/a087-all.html>.
- OMB Circular A-122 at §3.b: http://www.whitehouse.gov/omb/circulars_a122_2004/ .
- OMB Circular A-133 sec. __.210: <http://www.whitehouse.gov/omb/rewrite/circulars/a133/a133.html>.
- "Sub-awards or Contracts – More than Just a Name." Jenna Granger, Federal Assistance Law Division, January 2000.

BTOP award recipients (also called prime recipients) may work with subrecipients, vendors, and contractors for assistance throughout the course of projects. It is important to understand the definitions of these commonly used terms to ensure ARRA and BTOP reports are accurate. More information on the terms is captured in the following table.

Topic	Prime Recipient	Subrecipient	Vendor
Function	<ul style="list-style-type: none"> ■ Alternate commonly used terms: Award recipient, Recipient. ■ The organization selected to receive the BTOP award. 	<ul style="list-style-type: none"> ■ Alternate commonly used terms: Subawardee, Subgrantee, Partner. ■ Involved in the substantive activities of the project. ■ Uses their activities to <i>directly</i> execute the mission. ■ Performs substantive work on an award project. ■ Subject to the same terms and conditions of the grant award as the prime recipient. 	<ul style="list-style-type: none"> ■ Alternate commonly used terms: Contractor, Partner ■ Provides products or services that <i>indirectly</i> support the mission. ■ Does not perform substantive work on the project, but rather, provides goods or services to directly benefit the recipient.
Purpose	<ul style="list-style-type: none"> ■ Seeks to accomplish a public benefit by meeting BTOP grant program purposes. 	<ul style="list-style-type: none"> ■ Seeks to accomplish a public benefit by meeting BTOP grant program purposes. 	<ul style="list-style-type: none"> ■ Does not seek to accomplish a public benefit.
ARRA Reporting	<ul style="list-style-type: none"> ■ Determines whether or not they, the prime recipient, will be responsible for ARRA reporting or delegate the responsibility to subrecipient(s). 	<ul style="list-style-type: none"> ■ Prime recipient may delegate ARRA reporting to the subrecipient. 	<ul style="list-style-type: none"> ■ Vendor does not have ARRA reporting requirements and Prime recipient cannot delegate ARRA reporting to the vendor.





Topic	Prime Recipient	Subrecipient	Vendor
CCR	<ul style="list-style-type: none"> Must register on CCR before completing registration on FederalReporting.gov. 	<ul style="list-style-type: none"> Does not need to register on CCR, regardless of whether the subrecipient is reporting directly or the prime recipient is reporting on the subrecipient's behalf. 	<ul style="list-style-type: none"> Does not need to register on CCR.
DUNS	<ul style="list-style-type: none"> Each entity (except individuals) receiving ARRA funds directly or indirectly should have a DUNS number. 	<ul style="list-style-type: none"> Each entity (except individuals) receiving ARRA funds directly or indirectly should have a DUNS number. 	<ul style="list-style-type: none"> Each entity (except individuals) receiving ARRA funds directly or indirectly should have a DUNS number.

8.4 Special Award Conditions

This section is currently being updated with additional information on SACs.

8.5 Audit Requirements

All BTOP awards are subject to audit by the DOC's OIG under the single audit requirements outlined in OMB Circular A-133 (<http://www.whitehouse.gov/omb/rewrite/circulars/a133/a133.html>). The recipient must adhere to audit requirements defined by the designated recipient organization:

Audit Requirements	
Recipient Type:	Regulation that applies:
College or University	OMB Circular A-133
State, local, or tribal government	OMB Circular A-133
Non-profit organization	OMB Circular A-133
Commercial organization	OMB Circular A-133, Subpart B, § 235

Relevant OMB circulars and regulations are referentially incorporated into BTOP award agreements. Therefore, upon accepting a BTOP award, the recipient agrees that these requirements become enforceable between the agency and the recipient on a contractual basis. If the recipient does not adhere to BTOP's audit requirements, or an audit produces adverse findings, project costs claimed by the recipient may be disallowed.

Non-Federal, non-profit entities are subject to the Single Audit Act of 1996 and therefore also have a single audit requirement under OMB Circular A-133. Non-Federal, non-profit entities that expend BTOP award funds in excess of \$500,000 in one year should have a program-specific audit conducted for that year. Non-Federal, non-profit entities that expend less than \$500,000 of BTOP award funds in one year are generally exempt from Federal audit requirements for that year, except in certain cases noted in OMB Circular No. A-133. The recipient should submit a copy of the audit report to the Grants Officer.





A copy of the audit report must also be submitted to the Federal Audit Clearinghouse within 30 days of the receipt of the auditor's report, and no later than nine months after the end of the audit period, at:

**Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jefferson, IN 47132**

If an audit is required, it should be conducted within 90 days after the end of the first year's performance period. An audit is also required after the project expiration date.

For-profit recipients receiving a BTOP award shall have a program-specific audit performed, at least once every two years using the following schedule for audit report submission:

- For two- or three- year awards – an audit is required:
 1. Within 90 days after the end of award year 1.
 2. Following the project expiration date and close out period. This audit shall include any costs incurred during the close out period.
- For awards extended beyond three years – an audit is required:
 1. Within 90 days after the end of award year 1.
 2. Within 90 days after the end of award year 3, and
 3. Following the project expiration date and close out period.

The auditor should follow generally accepted government auditing standards and the requirements for a program-specific audit as described in OMB Circular A-133 § 235 and any applicable compliance supplements and BTOP audit guidelines. The recipient should submit a copy of the program-specific audit to the Grants Officer and DOC OIG at the following address:

**Office of Inspector General
U.S. Department of Commerce
Atlanta Regional Office of Audits
401 West Peachtree Street, N.W., Suite 2742
Atlanta, GA 30308.**

BEST PRACTICE

Establish an Audit Committee responsible for, among other things, reviewing annual audit plans, determining standards for auditors to follow, reviewing draft Requests for Proposal (RFPs) for audit services, determining the scope of audits, ensuring auditor qualifications, and monitoring the Auditor's conduct. Remember the AICPA's Audit Committee Matching Program.

8.5.1 Audit Resolution Process

If the recipient does not adhere to BTOP's audit requirements, or an audit produces adverse findings, project costs claimed by the recipient may be disallowed. A debt would thus be established and the recipient would owe the disallowed amount to the DOC. In accordance with the Federal Register notice dated January 27, 1989, the recipient may dispute a proposed disallowance of costs and the establishment of a debt [54 Fed. Reg. 4053 (January 27, 1989)]. The appeal process is presented below:





Audit Dispute Process

- The Recipient Submits Written Comments and Documentary Evidence.
 - The recipient has 30 days from the date of the transmittal of the final audit report to submit written comments and documentary evidence. There will be no extension of this deadline.
- The Inspector General Reviews the Documentary Evidence Submitted by the Recipient.
 - The Inspector General notifies the recipient of the results in an Audit Resolution Determination Letter.
- If the Audit Resolution Determination is Overruled or Modified On Appeal, Corrective Action is Taken.
 - An appeal of the Audit Resolution Determination does not prevent the establishment of the audit-related debt, nor does it stop interest accruing on the debt.
 - An appeal will stay the offset of funds owed by the recipient against funds due to the recipient.

After the opportunity to appeal has expired or after the appeal determination has been rendered, the Inspector General will not accept any further documentary evidence from the recipient. No other administrative appeals are available.





9 Understanding Stakeholder and Media Relations

9.1 Community Outreach

The Broadband Technology Opportunities Program (BTOP) is a significant opportunity to serve the recipient's community. Broadband access and adoption open the door to services that can improve people's lives – through education and training, health care, jobs, and public safety. Engaging with the community helps recipients remain aware of stakeholder concerns and interests.

Community outreach involves organizations, individuals, neighborhoods, decision-makers, businesses, and others with an interest in or impacted by individual projects. Effective outreach helps establish:

- **Involvement.** BTOP is ultimately about the people each project serves. Involve them early in the process, and they will better understand and recognize project progress.
- **Two-way communications.** Opening a dialogue with the community provides the recipient an opportunity to ask for and understand feedback, and respond as needed.
- **Transparency.** The community wants to know that the recipient is a responsible steward of grant monies and that it is accomplishing project goals.

The following sections can help the recipient launch community outreach activities.

9.1.1 Setting Community Outreach Goals

The recipient can set community outreach goals based on overall project goals and a clear understanding of the community's communications needs. The recipient should consider the following questions to begin setting goals:

- **What does the community need to know about the recipient's project?** The outreach goal could be as simple as keeping the community informed.
- What should the recipient report about project progress and any challenges or delays? Consistent and open reporting helps gain the community's trust.
- **Who will benefit from the improved services the project will deliver?** Help the community understand how to use these services and how these services can improve their lives.
- **Does the recipient need more project partners?** Community outreach can build the number of anchor institutions or other partners participating in each project.
- **Have groups or individuals expressed concerns about a BTOP project?** Outreach could engage them in a dialogue to address their issues and questions.

9.1.2 Identifying Stakeholders

Stakeholders are individuals and groups involved in, impacted by, and holding a vested interest in a BTOP project. Stakeholders could fall into one or more of the following categories:

- **Government.** State, local, and tribal officials can become valuable partners if they understand the project's plans and milestones.
- **Residents.** People who live and work in the areas where construction and other project activities will occur need to know about the project.





- **Service users.** The end users of planned services may need education on how broadband can improve their lives.
- **Business community.** Business owners and developers may be able to use broadband services to increase employment and training. Keep them informed and they can plan for the future.

9.1.3 Developing Messages

Outreach is about engaging the community and making them part of the project's success. First and foremost, the recipient is spending taxpayer dollars to provide services and focus should remain on the steps taken to remain responsible and responsive.

The following tips can help in developing messages:

- **Tailor the message to the audience.** A technical presentation may work for government officials, but may not be appropriate for the general public.
- **Match the communications tool to the stakeholder.** Local reporters may use a news release, but a newsletter will work better for residents.
- **Timing is everything.** Communicate early and often. Explain the services and technologies that the project will offer when completed.
- **Provide accurate information when responding to information request.** Reference the BTOP website, the Office of Management and Budget (OMB) Circulars and BTOP compliance requirements when responding to requests. When needed, contact the Federal Program Officer (FPO) or forward requests to the BTOP Help Desk for program information:
 - BTOP Help Desk Email: btop@ntia.doc.gov
 - BTOP Help Desk Phone: (202) 482-2048
 - BTOP Website: www.ntia.doc.gov/broadbandusa

9.2 Working with the Media

BTOP award recipients can expect close scrutiny from the public, media, public policy leaders, and others because the projects are funded with Federal dollars. Although the National Telecommunication and Information Administration (NTIA) does not require that recipients work with the media, strategic outreach to print, broadcast, and online reporters can open the lines of communication and help ensure that recipient's point of view is included in media coverage. Building a good working relationship with local media will position the recipient as a reliable source of information.

The recipient should consider designating one staff member to serve as the media point of contact. This person's name and contact information should be included on news releases, for example, to simplify media follow-up. The recipient should also designate at least one media spokesperson, probably someone who represents the organization's management. This person should prepare in advance so that the recipient can respond immediately to media calls and information requests.

One way to prepare the recipient spokesperson is to develop answers to questions the media are most likely to ask, Frequently Asked Questions (FAQs). The following list contains possible FAQs the recipient should be prepared to answer:

- How does this broadband project benefit the community?
- How many jobs will the project create or save?
- When will the project hire these people?
- When will the project begin and be completed?





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- Who are the recipient's community partners?
- What role will partners play in implementing the broadband project?
- How will the recipient communicate about this project to the community?
- How will the recipient encourage the community to participate in its BTOP project?
- How is the recipient fulfilling BTOP's required 20 percent financial match?

The NTIA Office of Public Affairs is available to work with recipients, if desired, for future special events and story ideas to share with the media. Recipients can provide NTIA's contact information to local media, especially in situations where reporters are asking questions about BTOP funding and Federal oversight of projects. Contact Jessica Schafer, NTIA's Press Secretary, at jschafer@ntia.doc.gov or (202) 482-7002.





Appendix A BTOP Recipient Master Checklist of Activities

Done?	Project Start Up Checklist	Date
<input type="checkbox"/>	<ul style="list-style-type: none"> Receive and review award package and welcome package. 	<ul style="list-style-type: none"> Within 30 days of award date listed on CD-450.
<input type="checkbox"/>	<ul style="list-style-type: none"> Accept or decline award package. 	<ul style="list-style-type: none"> Within 30 days of award date listed on CD-450.
<input type="checkbox"/>	<ul style="list-style-type: none"> Initiate registration in the Automated Standard Application for Payment (ASAP) system. If already enrolled in ASAP, provide Grants Specialist (identified in CD-450) and Federal Program Officer (FPO) with seven-digit account number for the Department of Treasury's ASAP system. If not already enrolled in ASAP, Provide Grants Specialist and FPO with organization name and type, point-of-contact name, email address, mailing address, telephone and fax numbers, Employee Identification Number (EIN), Dun & Bradstreet (D&B) number, and Data Universal Numbering System (DUNS) number. 	<ul style="list-style-type: none"> Within 10 days of award date.
	<ul style="list-style-type: none"> Receive ASAP password within seven days of initiating enrollment. 	<ul style="list-style-type: none"> Within 10 days of award date.
<input type="checkbox"/>	<ul style="list-style-type: none"> Register with Central Contract Registration (CCR) (or renew existing registration). 	<ul style="list-style-type: none"> Within 10 days of accepting award package.
<input type="checkbox"/>	<ul style="list-style-type: none"> Register with FederalReporting.gov. 	<ul style="list-style-type: none"> Within 10 days of accepting award.
<input type="checkbox"/>	<ul style="list-style-type: none"> Register with Grants Online (GOL) [only Broadband Infrastructure projects Middle Mile (MM), Last Mile (LM), or Comprehensive Community Infrastructure (CCI)]. 	<ul style="list-style-type: none"> As soon as possible.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit accounting system verification. 	<ul style="list-style-type: none"> Within 30 days of award date.





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<input type="checkbox"/>	<ul style="list-style-type: none"> Complete ASAP enrollment by designating Head of Organization (HOO) and Authorized Official (AO) and Financial Officials (FO) in ASAP. 	<ul style="list-style-type: none"> Within 30 days of award date.
<input type="checkbox"/>	<ul style="list-style-type: none"> Initiate required consultations and hire a contractor to start the environmental assessment (EA), if required and applicable. 	<ul style="list-style-type: none"> As soon as possible.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit draft environmental assessment to Broadband Technology Opportunities Program (BTOP) Environmental Specialist. 	<ul style="list-style-type: none"> No later than six months of award date.
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete all other priority Special Award Conditions (SACs). 	<ul style="list-style-type: none"> Varies, see award package.
<input type="checkbox"/>	<ul style="list-style-type: none"> Establish grant file. 	<ul style="list-style-type: none"> As soon as possible.
<input type="checkbox"/>	<ul style="list-style-type: none"> Prepare and submit first quarter (Q1) The American Recovery and Reinvestment Act (ARRA) progress report to FederalReporting.gov. 	<ul style="list-style-type: none"> 10 days after end of first quarter.
<input type="checkbox"/>	<ul style="list-style-type: none"> Prepare and submit Q1 financial report to Grants Office. 	<ul style="list-style-type: none"> 30 days after end of first quarter.
<input type="checkbox"/>	<ul style="list-style-type: none"> Prepare and submit baseline and Q1 performance reports to FPO. 	<ul style="list-style-type: none"> 30 days after end of first quarter.
	<ul style="list-style-type: none"> Begin to draw down fund. 	<ul style="list-style-type: none"> Within 60 days of award date.
<input type="checkbox"/>	<ul style="list-style-type: none"> Assess organization's grant management infrastructure. 	<ul style="list-style-type: none"> As soon as possible.
<input type="checkbox"/>	<ul style="list-style-type: none"> Strengthen weak areas of grant management infrastructure. 	<ul style="list-style-type: none"> As soon as possible.
<input type="checkbox"/>	<ul style="list-style-type: none"> Ensure plans to display the proper Recovery Act signage and logos at project construction sites. 	<ul style="list-style-type: none"> As soon as possible, upon start of project implementation or construction.





Done?	Grant File Checklist
<input type="checkbox"/>	Copy of signed grant award and SACs.
<input type="checkbox"/>	Contact list: <ul style="list-style-type: none"> • AOR. • Financial point of contact.
<input type="checkbox"/>	Original application: <ul style="list-style-type: none"> • Standard Form 424A (Budget Information) for PCC and SBA projects. • Standard Form 424B (Assurances for Non-Construction Projects). • Standard Form 424D (Assurances for Construction Projects). • Standard Form LLL (Disclosure of Lobbying Activities), if applicable. • CD-511 and CD-512, Certification Regarding Debarment, Suspension, and Other Responsibility Matters and Certification of Non-Supplanting.
<input type="checkbox"/>	Copy of award action requests.
<input type="checkbox"/>	Copy of EA and FONSI or Mitigated FONSI, if applicable.
<input type="checkbox"/>	Match documentation.
<input type="checkbox"/>	Procurement documentation: <ul style="list-style-type: none"> • A description of the procurement policies and procedures used. • Basis for contractor selection, including justification if not competed. • Cost or price analysis. • Data on all contracts awarded (including names of contractors, contact information, type of contractor, and amounts of awarded contracts). • Documentation of contract work (including copies of award letters, inspection reports, contract amendments, payment logs, and evaluations of contractor performance).
<input type="checkbox"/>	Reporting documents: <ul style="list-style-type: none"> • Copies of submitted ARRA progress reports. • Copies of submitted financial reports. • Copies of submitted performance reports.
<input type="checkbox"/>	Financial capability checklist.
<input type="checkbox"/>	BTOP related correspondence.
<input type="checkbox"/>	Audit findings and related documents.
<input type="checkbox"/>	Records documenting relevant subrecipient and vendor contract activities and communications.
<input type="checkbox"/>	Project close-out documentation.





Financial Capabilities Checklist	
Section A: Purpose	
<p>The recipient's financial responsibility must be such that the recipient can properly discharge the public trust, which accompanies the authority to expend public funds. Adequate accounting systems should meet the following criteria as outlined in the BTOP Grant Guidance.</p> <ul style="list-style-type: none"> ■ Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the fund expenditures for each grant. ■ Entries in accounting records should refer to subsidiary records and/or documentation that support the entry and can be readily located. ■ The accounting system should provide accurate and current financial reporting information. ■ The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence to prescribed management policies. 	
Section B: Accounting System	
1. Has a government agency rendered an official written opinion concerning the adequacy of the accounting system for the collection, identification, and allocation of costs under Federal contracts/grants?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Which of the following best describes the accounting system:	Manual <input type="checkbox"/> Automated <input type="checkbox"/> Combination <input type="checkbox"/>
3. Does the accounting system identify the receipt and expenditure of program funds separately for each contract/grant?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
4. Does the accounting system have provisions to record expenditures for each grant/contract by the component project and budget cost categories shown in the approved budget?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
5. Are time distribution records maintained for an employee when his/her effort can be specifically identified to a particular cost objective?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
6. Does the recipient have an approved indirect cost rate with the Federal government?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
a. If so, which agency approved the indirect cost rate?	
b. What is the approved indirect cost rate?	
c. How long after the fiscal year closeout are indirect cost rates normally settled?	
d. Does the accounting system provide for the segregation of direct and indirect expenses?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
7. Does the accounting/financial system include budgetary controls to preclude incurring obligations in excess of:	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
a. Total funds available for a grant?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
b. Total funds available for a budget cost category (e.g., Personnel, Travel)?	





Financial Capabilities Checklist	
8. Is the recipient generally familiar with the existing regulations and guidelines containing the cost principles and procedures for the determination and allowance of costs in connection with Federal contracts/grants?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
Section C: Funds Control	
1. Can Federal grant/contract funds and related costs and expenses be distinctly accounted for if grant/contract funds are commingled with recipient's funds?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Section D: Financial Capabilities	
1. Did an independent certified public accountant (CPA) ever examine the financial statements?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. If an independent CPA review was performed, did the recipient retain copies of the CPA's latest report and any management letters issued?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3. Is the recipient generally familiar with the existing regulations and guidelines containing the cost principles and procedures for the determination and allowance of costs in connection with Federal contracts/grants?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/>
4. Did the recipient file audits with the Federal Audit Clearinghouse in a timely manner, if applicable?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Section E: Property Management	
1. Does the recipient's property management system(s) provide for maintaining: (a) a description of the property; (b) an identification number; (c) source of the property; (d) where the title vests; (e) the acquisition date; (f) the Federal share of property cost; (g) the location and condition; (h) the acquisition cost; and (i) the ultimate disposition information?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Does the recipient's property management system(s) provide for a physical inventory and reconciliation of property at least every two years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Section F: Procurement Management	
1. Does the recipient maintain written procurement procedures to (a) promote competition; (b) avoid unnecessary purchases; (c) provide an analysis of lease vs. purchase alternatives; and (d) provide a process for soliciting goods and services?	Yes <input type="checkbox"/> No <input type="checkbox"/>
a. Who establishes these procurement policies and procedures?	
2. Is there a written code of conduct for procurement staff?	Yes <input type="checkbox"/> No <input type="checkbox"/>
a. How are they made aware of this code?	
b. Does it provide for disciplinary actions?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3. What conflict of interest rules apply to the recipient's procurement system	
a. Do employees sign a conflict of interest statement annually?	Yes <input type="checkbox"/> No <input type="checkbox"/>
4. Does the recipient include the Federal clauses in contracts and sub-grants?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5. Does the recipient's procurement system provide for the conduct and documentation of cost or price analysis for each procurement action?	Yes <input type="checkbox"/> No <input type="checkbox"/>





Financial Capabilities Checklist		
6. Does the recipient assess the financial capability of a contractor to perform the contract?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
a. How is a determination of responsibility made?		
7. Does the recipient conduct internal reviews of the procurement files for adherence to statutes, regulations, and organization policies?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8. How are duties and functions segregated within a recipient's organization to ensure that adequate checks and balances exist?		
9. What are the policies regarding subrecipient suspension or debarment?		
a. Is there a process for verifying that they are not debarred or suspended?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Section G: Subrecipient/Subcontractor Management		
1. Is there a subrecipient monitoring system in place (i.e., written policies)?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
2. Is there regular communication with the subrecipient?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
a. If so, how frequently?		
3. How will the recipient review the costs contained in a sub-grant application?		
4. What information will the recipient require the subrecipient to submit to substantiate incurred expenditures?		
5. How often will a subrecipient be required to submit financial and progress reports to the recipient?		
6. Does the recipient conduct subrecipient site visits?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
a. What is the criterion for visiting a site?		
Done?	Draw Down Funds Checklist	Completion Dates
<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Understand payment policies, allowable costs, and restrictions on use of BTOP funds. 	<ul style="list-style-type: none"> ▪ Before drawing down BTOP funds.
<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Register with ASAP (if not registered already). 	<ul style="list-style-type: none"> ▪ As soon as possible.
<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Draw down funds from ASAP into an insured, interest-bearing account. 	<ul style="list-style-type: none"> ▪ Monthly, or as needed.
<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ Return any unused funds or interest accrued to ASAP. 	<ul style="list-style-type: none"> ▪ Monthly, or as needed.





Done?	Environmental SAC Checklist	Date
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Participate in environmental webinar and drop-in call with FPO and Environmental Specialist. 	<ul style="list-style-type: none"> ■ Within two weeks of award date, or as available.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Complete engineering design sufficient for the National Environment Policy Act of 1969 (NEPA) analyses, including basic project design data, construction footprint, profile, and alignment. All of these items are needed to complete the EA. 	<ul style="list-style-type: none"> ■ Within one month of award acceptance.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Hire EA contractors, if needed. 	<ul style="list-style-type: none"> ■ Within one month of award acceptance.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Draft purpose, need, and alternative sections of the EA. 	<ul style="list-style-type: none"> ■ Within one month of award acceptance.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Initiate required resource agency consultations, if required for National Historic Preservation Act (NHPA) Sec. 106, Endangered Species Act (ESA) Sec. 7, and required permits and licenses. 	<ul style="list-style-type: none"> ■ Within one month of award acceptance.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Receive consultation comment and/or decision letters from required resource agencies. 	<ul style="list-style-type: none"> ■ Within 30 days of consultation initiation, or no later than five months of award date.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Receive other permits and regulatory approvals. 	<ul style="list-style-type: none"> ■ Within 30 days of consultation initiation, or no later than five months of award date.
<input type="checkbox"/>	<ul style="list-style-type: none"> ■ Submit draft EA to BTOP Environmental Specialist. 	<ul style="list-style-type: none"> ■ As soon as possible, but no later than six month from award date. BTOP recommends submitting EA drafts within four and a half months of award date.





<input type="checkbox"/>	<ul style="list-style-type: none"> Incorporate comments from BTOP Environmental Specialist into EA and submit final EA to BTOP Environmental Specialist. 	<ul style="list-style-type: none"> Within one week from received comments.
<input type="checkbox"/>	<ul style="list-style-type: none"> Receive approved Finding if No Significant Impact (FONSI) or Mitigated FONSI 	<ul style="list-style-type: none"> Within two weeks from submission of final EA.
<input type="checkbox"/>	<ul style="list-style-type: none"> Recipient works with the FPO and Grants Officer to lift SACs and amend the award, as appropriate. 	<ul style="list-style-type: none"> Within two weeks from submission of final EA.
Done?	Environmental Assessment Package Checklist	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Executive Summary. Comprises the major points of the document including a brief presentation of the purpose and need, the alternatives considered, and the conclusions of the analysis. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 1: Purpose and Need. Briefly describes the project background and history, the proposed action, and the general geographic setting of the project and major project features. Including maps illustrating the project location and vicinity are useful; photographs are also useful visual tools. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 2: Proposed Action and Alternatives. Details description of the proposed project, including as much information as necessary so the reader fully understands the project. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 3: Existing Environment. Provides information on the existing environment or the baseline conditions for those resource areas potentially affected or impacted by the proposed action or alternatives, including the no action alternative. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 4: Environmental Consequences. Analyzes the impacts of the proposed project and each alternative presented in Chapter 2 on the resources presented in Chapter 3. Chapter 4 provides a comprehensive analysis of the potential direct and indirect effects and discusses the level of significance of each effect identified. Cumulative impacts are also addressed in Chapter 4 of the EA. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 5: Applicable Environmental Permits and Regulatory Requirements. Provides a complete listing and description of the applicable permitting and regulatory requirements and identifies the cognizant Federal, state, and local regulatory agency, and clearly state the status of project compliance. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 6: List of Preparers. Presents the individuals who contributed to the technical content of the EA. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 7: References. Lists information sources cited within the EA. 	





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<input type="checkbox"/>	<ul style="list-style-type: none"> Complete Chapter 8: Submittal Requirements. Recipients are required to submit two hard copies of the EA and appendices, and two electronic copies (including both Word and PDF versions) on separate CDs. Hard copy documents and CDs should be sent by express mail services (FedEx or similar carrier), not through the regular U.S. Postal Service mail, to the address contained in the Environmental Assessment Guidance document. A copy should also be emailed to fmonteferrante@ntia.doc.gov and gwalker@doc.gov. 	
<input type="checkbox"/>	<ul style="list-style-type: none"> Review the Environmental Assessment Guidance for BTOP Award Recipients, which provides more details on how to complete an environmental assessment, available at: http://www2.ntia.doc.gov/environmental. 	
Done?	Recipient Reporting Checklist	Date
<input type="checkbox"/>	<ul style="list-style-type: none"> FederalReporting.gov Registration. 	<ul style="list-style-type: none"> 10 days after award document mailed Sustained Broadband Adoption/Public Computer Center (SBA/PCC) / 10 days after award document emailed (CCI).
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit ARRA Report (Section1512 data) to FederalReporting.gov. 	<ul style="list-style-type: none"> 10 days after each quarter close.
<input type="checkbox"/>	<ul style="list-style-type: none"> Revise ARRA Report as needed based on feedback from Grants Office. 	<ul style="list-style-type: none"> 11-22 days after each quarter close.
<input type="checkbox"/>	<ul style="list-style-type: none"> SF-425 FFR sent to Grants Officer: For PCC/SBA: financial reports sent directly to the National Institute of Standards and Technology (NIST) Grants Office by email For Broadband Infrastructure (MM, LM, or CCI projects), submitted through GOL for the NOAA Grants Office to review. 	<ul style="list-style-type: none"> 30 days after each quarter close.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit Quarterly Performance Progress Report (PPR) or Federal Financial Report (FFR). 	<ul style="list-style-type: none"> 30 days after each quarter close.
<input type="checkbox"/>	<ul style="list-style-type: none"> Revise Quarterly PPR as needed based on feedback from FPO. 	<ul style="list-style-type: none"> Within 30 days of report submission.





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<input type="checkbox"/>	<ul style="list-style-type: none"> Submit Annual PPR. 	<ul style="list-style-type: none"> January 30th of each calendar year.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit Baseline data to FPO. 	<ul style="list-style-type: none"> 30 days after close of first quarter in award performance period.
Done?	Award Action Requests Checklist	Completion Dates
<input type="checkbox"/>	<ul style="list-style-type: none"> Contact the assigned FPO with the nature of the desired program changes. 	<ul style="list-style-type: none"> As needed.
<input type="checkbox"/>	<ul style="list-style-type: none"> Complete AAR Form including an outline of the requested changes and explain the impact to the recipient's project timeline and budget. 	<ul style="list-style-type: none"> As needed.
<input type="checkbox"/>	<ul style="list-style-type: none"> Email completed AAR to the assigned FPO. 	<ul style="list-style-type: none"> As needed.
Done?	Closeout Activities Checklist	Completion Dates
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit final SF-425 FFR. 	<ul style="list-style-type: none"> To be determined (TBD).
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit SF-272. 	<ul style="list-style-type: none"> TBD.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit Final PPR. 	<ul style="list-style-type: none"> TBD.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit List of Project Expenditures. 	<ul style="list-style-type: none"> TBD.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit copies of studies, publications, reports, and/or work products generated by the project. 	<ul style="list-style-type: none"> TBD.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit Project Evaluation Report. 	<ul style="list-style-type: none"> TBD.
<input type="checkbox"/>	<ul style="list-style-type: none"> Submit all other required closeout documents. 	<ul style="list-style-type: none"> TBD.
<input type="checkbox"/>	<ul style="list-style-type: none"> Retain all BTOP-related documents in grants file. 	<ul style="list-style-type: none"> For 3 years after project completed.





Appendix B Helpful Resources

Resource	Website Location	Description
Advisory Council on Historic Preservation	www.achp.gov/	<ul style="list-style-type: none"> This website provides information regarding compliance with Section 106 of NHPA.
ASAP Website	www.asap.gov	<ul style="list-style-type: none"> This website is maintained by the U.S. Department of Treasury and is used by the recipient to draw down award funds.
Broadband Match	http://match.broadbandusa.gov/BTOPpartners/BPMhome.aspx	<ul style="list-style-type: none"> This website is an online database-driven tool for facilitating collaboration and productive partnership among applicants for their Recovery Act broadband initiatives.
BTOP Compliance	www.ntia.doc.gov/broadbandusa	<ul style="list-style-type: none"> This website contains citations and URLs to some of the key Federal rules.
BTOP Environmental Requirements	www2.ntia.doc.gov/environmental	<ul style="list-style-type: none"> This website contains environmental assessment guidance and other useful information on environmental compliance.
BTOP Recipient Handbook	http://www2.ntia.doc.gov/granteehandbook	<ul style="list-style-type: none"> This website contains the most recent version of the BTOP Recipient Handbook.
BTOP Website	http://www2.ntia.doc.gov/	<ul style="list-style-type: none"> This website is the homepage of BTOP and contains all publicly available guidance and recipient reports.
Council on Environmental Quality (CEQ)	www.whitehouse.gov/administration/eop/ceq/	<ul style="list-style-type: none"> This website is for guidance and information concerning NEPA requirements.
FederalReporting.gov	www.Federalreporting.gov/	<ul style="list-style-type: none"> This website is the central government-wide data collection system for Federal Agencies and Recipients of Federal awards under Section 1512 of the Recovery Act.
NOAA Grants Online	www.grantsonline.rdc.noaa.gov/f lows/home/Login/LoginController.r.jpf	<ul style="list-style-type: none"> This website is used by recipients of Broadband Infrastructure projects (MM, LM, or CCI) to manage award funds and transmit information.
Recovery.gov	www.recovery.gov/Pages/home.aspx	<ul style="list-style-type: none"> This website is the U.S. government's official website providing easy access to data related to Recovery Act spending and allows for the reporting of potential fraud, waste, and abuse
U.S. Fish and Wildlife Service (U.S. Department of the Interior)	www.fws.gov/endangered/	<ul style="list-style-type: none"> This is the website for the threatened and endangered species program.





Appendix C Glossary

A

- **Accounts Payable:** Amounts the recipient owes.
- **Accounts Receivable:** Amounts owed to the recipient.
- **Advance Payment:** Advance on grant funds limited to the minimum amount necessary to meet immediate monetary needs (limited to a 30-day period).
- **Advisory Council on Historic Preservation (ACHP):** Independent agency of the U.S. government that promotes the preservation, enhancement, and productive use of the nation's historic resources.
- **Allocable Cost:** Cost directly related to benefits received by the project.
- **Allowable Cost:** Expenditures under a grant project that are specifically permitted (or not specifically prohibited) by law, regulation, or guidance from the Office of Management and Budget (OMB), Federal accounting standards, or other authoritative sources.
- **American Reinvestment and Recovery Act (ARRA or Recovery Act):** Economic stimulus package enacted by the 111th U.S. Congress in February 2009 that provides \$4.7 billion to NTIA to establish BTOP.
- **Audit:** Evaluation conducted by the Department of Commerce Office of Inspector General according to the Inspector General Act of 1978. All projects funded through BTOP must comply with audit requirements depending on the type of entity.
- **Authorized Organization Representative:** Individual authorized by an award recipient to act for the recipient organization and to assume the obligations imposed by the Federal laws, regulations, requirements, and conditions that apply to a grant application or grant award.

B

- **Budget Adjustments:** Act of amending the budget by moving funds from one category or line item to another. Budget adjustments must be approved by the assigned Grants Officer.
- **Build-out:** Construction or improvement of facilities and equipment as specified in the application.
- **Buy American Provision:** Section 1605 of the Recovery Act that specifies no funds appropriated by the Act may be used for a public buildings/works project unless "all iron, steel and manufactured goods used... are produced in the U.S." Exceptions are allowed for cases where the head of the Federal agency concerned determines adherence would be "inconsistent with the public interest", where iron/steel/manufactured goods are not produced in the U.S. in sufficient and available quantities, or inclusion of U.S. products would increase overall project cost by 25 percent.

C

- **CD-450 Form:** Document the Grants Officer uses to authorize and issue the BTOP award.
- **Central Contractor Registration (CCR):** Web-enabled government-wide application that collects, validates, stores, and disseminates business information about the Federal government's trading partners in support of contract and grant awards, as well as electronic payment processes.
- **Centralized Facility:** Last Mile component of a Comprehensive Community Infrastructure (CCI) project. In most cases, the Last Mile connection goes from the end-user device through an intermediate point of aggregation (*i.e.*, a remote terminal, fiber node, wireless tower, or other equivalent access point) to a primary internet provider (IP) routing entity in a centralized facility (*i.e.*, in the central office, the cable head end, the wireless switching station, or other equivalent centralized facility).
- **Community Anchor Institution:** Schools, libraries, medical and healthcare providers, public safety entities, community colleges and other institutions of higher education, and other community support organizations and





agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by vulnerable populations, including low-income individuals, the unemployed, and the aged.

- **Compliance Officer:** Department of Commerce staff person who oversees compliance activities from a portfolio perspective. He/she is responsible for developing the compliance framework and evaluation criteria, and overseeing the process for preventing, identifying, and correcting/ curtailing instances of waste, fraud or abuse of award funds.
- **Comprehensive Community Infrastructure (CCI):** A Broadband Infrastructure project category used in Round 2 of BTOP funding that emphasizes Middle Mile (MM) broadband capabilities and the connection of key community anchor institutions as a way of maximizing the benefits of BTOP dollars.
- **Cost Sharing:** Costs that a recipient organization contributes to a proposed project. An organization's share could be in the form of cash or supplies, or it might be valuable in-kind services, such as volunteer services.
- **Council on Environmental Quality (CEQ):** Division of the Executive Office of the President that coordinates Federal environmental efforts and works closely with agencies and other White House offices in the development of environmental and energy policies and initiatives.

D

- **Davis-Bacon Act:** Federal law that established the requirement for paying prevailing wages on public works projects. All Federal government construction contracts, and most contracts for Federally-assisted construction over \$2,000, must include provisions for paying workers on site no less than the locally prevailing wages and benefits paid on similar projects. Any project using Recovery Act funds must meet the wage requirements of the Davis-Bacon Act.
- **Deobligation of Award:** Withdrawal of awards made to recipients that demonstrate an insufficient level of performance, or wasteful or fraudulent spending. NTIA reserves the right to deobligate BTOP awards and award these funds competitively to new or existing applicants.
- **Direct Costs:** Costs identified specifically with a particular project or activity, or that can be directly assigned to such projects or activities relatively easily with a high degree of accuracy. For budget purposes, line items listed as specific project expenses are direct costs. Direct costs of a project may be charged to the award if they are allowable costs and are included within approved budget categories.
- **Dun and Bradstreet (D&B) Number:** Unique nine-digit numbers used by businesses and the Federal government to keep track of more than 70 million businesses world-wide. Some entities, such as states and universities, will also have what is known as "DUNS + 4," which is used to identify specific units within a larger entity

E

- **Economic Life:** Estimated useful service life of an asset as determined by NTIA in connection with awards made under BTOP.
- **Eligible Costs:** Project costs that may be paid for using NTIA grant funds consistent with the cost principles identified in the applicable OMB circulars and in the grant program's authorizing legislation.
- **Environmental Assessment:** Report that provides evidence that the recipient's BTOP project meets or exceeds the National Environmental Policy Act (NEPA) environmental protection regulations. A recipient must submit an environmental assessment to National Telecommunication and Information Administration (NTIA) within six months of accepting a BTOP grant award.

F

- **Federal Program Officer (FPO):** Department of Commerce official responsible for the technical, scientific, or other programmatic aspects of an award/program. He/she oversees a specified subset of grant awards within each BTOP project area and serves as the primary NTIA point-of-contact for a sub-set of BTOP recipients. The FPOs are responsible for the administration, performance and compliance monitoring of the work conducted under their





respective projects, including evaluation of financial and progress reports, and identification of recipient needs and provision of technical assistance.

- **Financial Accounting Standards:** Statements of financial accounting standards which are set by the Financial Accounting Standards Board (FASB) and are part of Generally Accepted Accounting Principles (GAAP).
- **Federal Financial Report (FFR):** Report that must be submitted on a quarterly basis using the OMB FFR Standard Form-425 for the periods ending December 31, March 31, June 30, and September 30. Reports must be submitted to BTOP Officers no later than 30 days following the end of each reporting period. A final Federal financial report must be submitted after the expiration date of the award.
- **Fiscal Year:** Twelve-month period for which financial results are prepared and reported. It may be identical to or different from the calendar year. The Federal government's fiscal year is from October 1 to September 30 of the next calendar year. The recipient's fiscal year may not correspond to the Federal government's fiscal year.
- **Fixed Assets:** Assets that are not generally converted to cash within one year, such as equipment and vehicles.
- **Forecast Period:** Time period used to determine if an application is financially feasible. The financial feasibility of an application is based on eight-year projections.
- **For-Profit:** Commercial organization whose primary function is to generate profit. Some large non-profits are treated as profit makers for Federal grant purposes and required to follow the cost principles in 48 CFR 31.2.
- **Fringe Benefits:** Personnel-related costs such as medical and life insurance, pension contributions, and vacation leave. These costs typically are reflected in the budget as a percentage of salary or wage costs.
- **Fund Accounting:** Method of accounting in which assets and liabilities are grouped according to the purpose for which they are to be used.

G

- **Generally Accepted Accounting Principles (GAAP):** Uniform minimum standards of, and guidelines for, financial accounting and reporting.
- **Generally Accepted Auditing Standards (GAAS):** Standards for auditors' professional qualities and judgment in the performance of audit work.
- **Governmental Accounting Standards (GAS):** Standards of financial reporting for all units of state and local government often referred to as the Yellow Book.
- **Grants Coordinator:** Contract staff that partner and work closely with Federal Program Officers to manage grant portfolios and ensure that all required information is available and various program reviews are completed.
- **Grants Officer:** Department of Commerce official responsible for all business management and administrative aspects of a grant. The Grants Officer has delegated authority to award, amend, administer, closeout, suspend, and/or terminate grants and cooperative agreements, and make related decisions and findings.

I

- **Indefeasible Right of Use (IRU) Agreement:** A legal vehicle that may be used in the BTOP for the contractual grant of usage rights in broadband facilities or equipment and may combine elements of a sale, lease, and service contract. An IRU interest is a form of acquired capital giving the grantee an exclusive and irrevocable right to use the facility for all, or almost all, of its useful life. IRUs typically involve the conveyance of interests in conduit, dark fiber, or bandwidth capacity.
- **Indirect Costs:** Costs incurred for common or joint objectives and cannot be identified readily and specifically with a particular project or activity. Indirect costs generally are operating expenses not listed as specific project line items in the budget.
- **Indirect Cost Rate:** Percentage of grant funds that can be used for indirect costs. The process used for establishing an indirect cost rate must follow the Department of Commerce's "General Indirect Cost Rate Program Guidelines for Recipient Organizations."





- **Ineligible Costs:** Project costs that may not be paid using NTIA grant funds. An applicant proposing to use any portion of the grant funds for any ineligible cost will be instructed to revise its proposed budget to remove such costs prior to the award of a grant.
- **In-Kind Contribution:** Non-cash donations to a project that may count toward satisfying the non-Federal matching requirement of a project's total budgeted costs. In-kind contributions, including third party in-kind contributions, must be allowable project expenses.

L

- **Last Mile:** Broadband Infrastructure project category in BTOP Round One that provides broadband service to end users or end-user devices. The Comprehensive Community Infrastructure (CCI) project category used in BTOP Round One may include Last Mile components that provide broadband service to end-user devices through an intermediate point of aggregation to a primary Internet Protocol (IP) routing entity in a centralized facility. *Use in all lowercase except capitalize "Last" when the term appears at the beginning of a sentence or "Last Mile" when referring to the BTOP Round One project category or to the Last Mile component of a CCI project in BTOP Round Two.*
- **Last Mile Service Area:** The service area of a Last Mile component of a CCI project in BTOP Round Two, composed of one or more contiguous Census block groups or tracts, where the applicant is requesting BTOP funds to provide broadband service to end-user devices through an intermediate point of aggregation.

M

- **Matching Requirement:** Requirement that recipients under BTOP must provide matching funds of at least 20 percent toward the total eligible costs of the project. In order for costs to be eligible to meet matching requirements, they first must be allowable under the grant program.
- **Middle Mile:** Broadband infrastructure project category in BTOP Round One that does not predominantly provide broadband service to end users or to end-user devices and that may include interoffice transport, backhaul, Internet connectivity, or special access. The CCI project category used in BTOP Round Two may include Middle Mile components that provide broadband service from one or more centralized facilities (*i.e.*, the central office, the cable headend, the wireless switching station, or other equivalent centralized facility) to an Internet point of presence.
- **Middle Mile Service Area:** Project service area of a Middle Mile component of a CCI project in BTOP Round Two, composed of one or more contiguous Census block groups or tracts, where broadband service is provided from one or more centralized facilities, (*i.e.*, the central office, the cable head end, the wireless switching station, or other equivalent centralized facility) to an Internet point of presence, as well as direct connections to community anchor institutions from such centralized facilities.
- **National Environmental Policy Act (NEPA):** Act requiring Federal agencies to consider the environmental impacts of their proposed actions and reasonable alternatives to those actions.
- **Nondiscrimination and Interconnection Obligations:** Principles contained in the Federal Communications Commission (FCC) Internet Policy Statement adopted on August 5, 2005: (1) consumers are entitled to access the lawful Internet content of their choice; (2) consumers are entitled to run applications and services of their choice, subject to the needs of law enforcement; (3) consumers are entitled to connect their choice of legal devices that do not harm the network; (4) consumers are entitled to competition among network providers, application and service providers, and content providers.
- **Non-profit:** Corporation, trust, association, cooperative, or other organization which: (1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (2) is not organized primarily for profit; and (3) uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term "non-profit organization" excludes (1) colleges and universities; (2) hospitals; (3) state, local, and Federally recognized Indian tribal governments; and (4) non-profit organizations excluded according to 2 CFR 230.25(a).





P

- **Peering:** Voluntary interconnection of administratively separate Internet networks for the purpose of exchanging traffic between the customers of each network.
- **Performance Progress Report (PPR):** Quarterly report that documents baseline project plans and details regarding key project outputs and outcomes. Performance reports must be submitted on a quarterly basis for periods ending December 31, March 31, June 30, and September 30 to the recipient's Program Officer, unless stated by the Program Officer.
- **Post-Award Monitoring (PAM) System:** Online tool that allows each recipient to view and access progress and financial reports, amendment requests, and award documentation for specific projects.
- **Pre-Award Costs:** Costs incurred prior to the award, but after the program authority has been enacted and the appropriation becomes available, unless a contrary indication exists in the language or legislative history of the program.
- **Pro Forma Financial Analysis:** Analytical projection of the potential financial position of a project based on a review of historical information, operating metrics, and potential cost savings due to anticipated changes. Pro forma analysis is typically performed in conjunction with a financial review.
- **Program Income:** Gross revenue earned by a grant recipient as a result of the award and three allowable uses: (1) fund non-Federal share of project costs; (2) add to approved funding to expand the award; (3) deduct from total allowable project costs before applying the Federal sharing ratio.
- **Program Office:** NTIA staff that oversees post-award management of BTOP grants, including administration, performance, compliance and monitoring. Supports award recipients in completing their projects while remaining compliant with grant-related laws and regulations.
- **Public Computer Center (PCC):** Place that provides broadband access to the general public or a specific vulnerable population, such as low-income, unemployed, aged, children, minorities, and people with disabilities.

R

- **Reasonable Costs:** Costs based on one of the following principles: ordinary and necessary, market prices, prudent person, or established practices. A reasonable cost does not exceed what a prudent person would incur under the circumstances prevailing at the time the decision was made to incur the cost.
- **Recipient:** Organization(s) awarded a grant to implement a BTOP Project. Recipient or Award Recipient is the preferred term in place of Awardee or Grantee.
- **Restriction on Assets:** Prohibition on sale or lease of any portion of the broadband facilities or equipment purchased with award funds.

S

- **Schedule of Expenditures of Federal Awards (SEFA):** Document that assists in the audit of an organization and is required for all Recovery Act awards.
- **Security Interest in Real Property:** The interest that the Federal government takes in property that is acquired or improved with BTOP grant funds requires that, for the useful life of the covered real property, broadband facilities, and equipment, the recipient will not sell, transfer, convey or mortgage any interest in the property, nor will the recipient use the property for purposes other than those for which the award was made.
- **Standard Form-424 (SF-424):** Core government-wide standard data sets and forms for grant application packages. Use of the SF-424 Form Families reduces the administrative burden to the Federal grants community, including applicants, recipients, and Federal staff involved in grants-related activities.
- **SF-SAC:** Data Collection Form that reports on audits of states, local governments, and non-profit organizations for fiscal periods ending in 2008, 2009, or 2010. Auditees are required to submit a completed Form SF-SAC and a customized SF-PPR with one complete reporting package to the Federal Audit Clearinghouse designated by OMB.





- **Special Award Conditions (SAC):** Specific conditions that may amend or take precedence over DOC standard terms and conditions on a case-by-case basis when allowed by the Department's standard terms and conditions.
- **Subrecipient:** Entity that receives funds when a recipient makes a sub-award to carry out a Federal program. Subrecipients do not include individuals who are beneficiaries of a project.

U

- **Unserved/Underserved Area:** Last Mile or Middle Mile service area, where at least one of the following factors is met: (1) no more than 50 percent of the households in the Last Mile or Middle Mile service area have access to facilities-based, terrestrial broadband service at greater than the minimum broadband transmission speed; (2) no fixed or mobile terrestrial broadband service provider advertises to residential end users broadband transmission speeds of at least three megabits per second ("mbps") downstream in the Last Mile or Middle Mile service area; or (3) terrestrial broadband subscribership for the Last Mile or Middle Mile service area is 40 percent of households or less. An unserved/underserved area may include individual Census block groups or tracts that on their own would not be considered underserved. The availability of or subscribership rates for satellite broadband service is not considered for the purpose of determining whether an area is unserved/underserved.
- **Unliquidated Obligation:** Obligations incurred for which expenditure has not been recorded, such as supplies ordered but not yet received.
- **Unrestricted Funds:** Resources that have no restrictions as to use or purpose.





Appendix D Acronym List

Acronym	Definition
ACH	Automated Clearing House
ACHP	Advisory Council on Historic Preservation
ALC	Agency Location Code
APE	Area of Potential Effect
AO	Authorizing Official
AOR	Authorized Organization Representative
ARRA	The American Recovery and Reinvestment Act of 2009
ASAP	Automated Standard Application for Payments
ASV	Accounting System Verification
BA	Biological Assessment
BI	Broadband Infrastructure
BO	Biological Opinion
BTOP	Broadband Technology Opportunities Program
CA	Corrective Action
CA/CAP	Corrective Action/Corrective Action Plan
CAA	Clean Air Act
CCI	Comprehensive Community Infrastructure
CCR	Central Contractor Registration
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations





BROADBANDUSA

CONNECTING AMERICA'S COMMUNITIES

Made Possible by the Broadband Technology Opportunities Program

Funded by the American Recovery and Reinvestment Act of 2009

Acronym	Definition
CMIA	Cash Management Improvement Act
COTR	Contracting Officer's Technical Representative
CPA	Certified Professional Accountant
CRM Database	Customer Relationship Management Database
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
D&B	Dun & Bradstreet
DOC	Department of Commerce
DUNS	Data Universal Numbering System
EA	Environmental Assessment
EFT	Electronic Fund Transfer
EIN	Employee Identification Number
EIS	Environmental Impact Statement
EO	Executive Orders
ESA	Endangered Species Act of 1973
FAQs	Frequently Asked Questions
FAR	Federal Acquisition Regulation
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FFR	Federal Financial Report
FICA	Federal Insurance Contributions Act





BROADBANDUSA

CONNECTING AMERICA'S COMMUNITIES

Made Possible by the Broadband Technology Opportunities Program

Funded by the American Recovery and Reinvestment Act of 2009

Acronym	Definition
FO	Financial Official
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
Form CD-450	Financial Assistance Award Form
FPO	Federal Program Officer
FRG	FederalReporting.gov
FRPIN	FederalReporting.gov Personal Identification Number
FTE	Full-time Employee
FUTA	Federal Unemployment Tax Act taxes
FWS	U.S. Fish and Wildlife Service
GAAP	Generally Accepted Accounting Principles
GMIS	Grants Management Information System
GOL	Grants Online
HOO	Head of Organization
ID	Identification
IP	Internet Protocol
LLL	Disclosure of Lobbying Activities
LM	Last Mile
M&A	Management and Administration
MDT	Management Dashboard Tool
MM	Middle Mile





Acronym	Definition
NATHPO	Native American Tribal Historic Preservation Offices
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act of 1996
NICRA	Negotiated Indirect Cost Rate Agreement
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOFA	Notice of Funds Availability
NTIA	National Telecommunications and Information Administration
OAM	Office of Acquisition Management
OCC	Office of Chief Counsel
OIG	Office of the Inspector General
OMB	The Office of Management and Budget
PAM	Post-Award Monitoring Tool (PAM)
PCC	Public Computing Center
PIN	Personal Identification System
PPRPO	Performance Progress Report Program Officer
Q1	First Quarter
RATPPR	The Recovery Accountability and Transparency Board Performance Report
RC	Region Code
RFP	Request for Proposal





Acronym	Definition
RO	Recipient Organization
RUS	Rural Utilities Service
SACs	Special Award Conditions
SBA	Sustainable Broadband Adoption
SF-424A	Standard Form-424A-Budget Information-Non-Construction Programs
SF-424C	Standard Form-424C-Budget Information-Construction
SF-425	Standard Form-425 Financial Report
SF-PPR	Standard Form-Performance Progress Report
SHPO	State Historic Preservation Officer
SOP	Standard Operating Procedure
TA	Technical Assistance
T&Cs	Terms and Conditions
T&E	Threatened and endangered
THPO	Tribal Historic Preservation Offices
UCC	Uniform Commercial Code
USACE	U. S. Army Corps of Engineers
VRS	Voice Response System





Appendix E Fact Sheets





FACT SHEET
Broadband Technology Opportunities Program
American Recovery and Reinvestment Act Reporting Tips

The American Recovery and Reinvestment Act (ARRA) requires all BTOP grant recipients to submit a report with metrics on a wide range of data elements to FederalReporting.gov by the 10th day of each calendar quarter. The following table summarizes ARRA reporting requirements, deadlines, the FederalReporting.gov submission process, as well as other helpful resources.

Topics	Details
Overview	<ul style="list-style-type: none">■ By the 10th day of each calendar quarter, each BTOP recipient is required to submit a report on a wide range of data, including jobs created and/or retained, through the FederalReporting.gov Web site.■ BTOP report data will be available to the public on the Recovery.gov Web site to ensure transparency and accountability for the use of ARRA funds.■ Check FederalReporting.gov at the beginning of each quarter for the reporting timeline and updated guidelines.■ Failure to submit a report according before the deadline is a serious compliance violation.
Registration	<ul style="list-style-type: none">■ Prime recipients and sub-recipients must register on FederalReporting.gov:■ Detailed instructions for FederalReporting.gov registration are included in BTOP welcome packets.■ The recipient and its first-tier subrecipients must enroll in the Central Contractor Registration (CCR) before completing FederalReporting.gov registration. Go to https://www.bpn.gov/ccr for more information.■ Prime recipients and subrecipients must have DUNS numbers and be registered in CCR in order to complete ARRA reporting.





ARRA Registration Codes	<ul style="list-style-type: none"> ■ In addition to an e-mail address, the DUNS number from the original application, a valid CCR number, and the grant award amount, all BTOP recipients will need to provide additional codes to successfully register on FederalReporting.gov. ■ Sustainable Broadband Adoption (SBA) and Public Computer Center (PCC) award recipients receive all necessary codes on the ARRA Reporting Cover Sheet included in the award package. Those codes are: <ul style="list-style-type: none"> ● Funding Agency Code: 1335 ● Awarding Agency Code: 1341 (<i>BTOP SBA and PCC award recipients only</i>) ● Catalogue of Federal Domestic Assistance (CFDA) Number: 11.557 ● Program Source (TAS) Code: 13-0554 ● NTEE-NPC Activity code: W01 (<i>BTOP SBA and PCC award recipients only</i>) ■ Infrastructure project award recipients do not receive codes in the award package. Infrastructure award recipients should use the following codes: <ul style="list-style-type: none"> ● Funding Agency Code: 1335 ● Awarding Agency Code: 1330 (<i>BTOP infrastructure projects only</i>) ● Catalogue of Federal Domestic Assistance (CFDA) Number: 11.557 ● Program Source (TAS) Code: 13-0554 ● NAICS code: 237130 (<i>BTOP infrastructure projects only</i>)
Timeline	<ul style="list-style-type: none"> ■ Reporting calendar quarters: Consistent from year to year <ul style="list-style-type: none"> ● Quarter 1: January 1 – March 31 ● Quarter 2: April 1 – June 30 ● Quarter 3: July 1 – September 30 ● Quarter 4: October 31 – December 31 ■ Reporting Timeline: At the beginning of each calendar quarter: <ul style="list-style-type: none"> ● Day 1-10: Prime recipients and subrecipients file initial Recovery Act reports covering the prior quarter. ● Day 11-20: Prime recipients review data submitted by subrecipients. Prime and subrecipients may make changes. The awarding Federal agency may view the data. ● Day 21-30: The awarding Federal agency reviews the reported data. Prime and subrecipients may make changes in response to agency comments. ● Day 30: Reported data published on Recovery.gov. ● Day 33+: Continuous quality assurance period.





Jobs	<p>Job creation or retention is reported quarterly and is not a cumulative figure. Recipients must report the number of full time equivalent (FTE) positions created or retained each quarter by dividing the cumulative ARRA funded hours worked by the cumulative hours in a full-time work schedule for the kind of job being estimated. Job totals should not be rounded to the nearest whole number; instead, recipients should report the exact result of this calculation.</p> <p>A “job retained” is an existing position now paid for by ARRA funds.</p> <p>A job created is a new position created and filled, or an existing unfilled position that is filled, with ARRA funds. A “job retained” is an existing position now paid for with ARRA funds.</p> <p>A job must be counted as either a “job created” or a “job retained.” A single job cannot be counted as both. In completing the report, however, recipients are required to report an estimate of jobs directly created or retained in a single numeric field; recipients no longer report “jobs created” separately from “jobs retained.” This has eliminated the need for recipients to make subjective judgments as to whether a given job would have existed without the Recovery Act.</p> <p>Report only those jobs directly related to the project and paid with ARRA funds. Do not report jobs paid from matching funds or from other sources. The recipient should report the number of FTEs created or retained by itself and its subrecipients, in addition to those of contractors directly related to the project. Subrecipients do not report on jobs created or retained; these figures are reported only by the recipient. Jobs at contractors that provide off-the-shelf or other products that are the result of general manufacturing (i.e., products that can be used by other purchasers, not just the recipient’s own project) are not allowable and should not be reported. In contrast, the recipient should report jobs created or retained by contractors performing work directly and uniquely applicable to the recipient’s project. The recipient is responsible for communicating and coordinating with its subrecipients and contractors to develop accurate job estimates for the report.</p>
Important Reminders	<p>Ensure all “draft” reports are submitted on FederalReporting.gov by close of business on the 10th day after the end of the reporting quarter.</p> <p>Ensure that the recipient’s CCR registration and DUNS number remain current and active. If CCR registration lapses, the time required for it to be reinstated could prevent the recipient from filing timely reports.</p> <p>The recipient may choose to delegate reporting to sub-recipients. The recipient must notify the Grants Office when reporting is delegated to a sub-recipient.</p> <ul style="list-style-type: none"> • The recipient is responsible for ensuring all subrecipients and contractors understand and comply with reporting responsibilities. Subrecipients are involved in the substantive activities of the project and their work directly executes the project’s mission. Contractors provide goods and services in their own commercial interest, for the benefit the prime recipient.





<p>Helpful Resources</p>	<ul style="list-style-type: none">■ FederalReporting.gov User Guide: https://www.federalreporting.gov/federalreporting/downloads.do ■ FederalReporting.gov Service Desk<ul style="list-style-type: none">● Phone: 877-508-7386● TTY: 877-881-5186 ■ ARRA Reporting<ul style="list-style-type: none">● M-10-08, Updated Guidance on the American Recovery and Reinvestment Act – Data Quality, Non-Reporting Recipients, and Reporting of Job Estimates (December 18, 2009) http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-08.pdf● M-09-21, Implementing Guidance for the Reports on Use of Funds Pursuant to the American Recovery and Reinvestment Act http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-21.pdf● M-09-15, Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009 http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-15.pdf● M-09-10, Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009 http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-10.pdf ■ BTOP Resource<ul style="list-style-type: none">● Subrecipients, Vendors, and Contractors Fact Sheet. Available at http://www2.ntia.doc.gov
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FACT SHEET
Broadband Technology Opportunities Program
Automated Standard Application for Payment (ASAP.gov) Registration Process

OVERVIEW

All BTOP payments to award recipients will be made through electronic funds transfers (ETFs) using the U.S. Department of Treasury's ASAP system. Recipients are required to enroll in the ASAP system to draw down these funds. Failure to enroll will mean grant funds are not accessible.

If a recipient has an ASAP account, it is required to provide its seven-digit ASAP account number to its Grant Specialist and FPO. If a recipient does not yet have an ASAP account and needs to enroll, it should complete the two-step enrollment process outlined below as soon as possible.

ASAP ENROLLMENT: STEP ONE

BTOP grants are awarded by one of two Grants Offices. The recipient must know its correct Grants Office before beginning enrollment. The National Oceanic and Atmospheric Administration (NOAA) serves as Grants Office for infrastructure recipients, and the National Institute of Standards and Technology (NIST) is the Grants Office assigned to Sustainable Broadband Adoption (SBA and Public Computing Center (PCC).

Comprehensive Community Infrastructure (CCI) and infrastructure recipients must email the following grant information to ASAP.Inquiries_Enrollment@noaa.gov. SBA and PCC recipients must email the following information to ASAP.enrollment@nist.gov.

- Name of Organization
- Type of Organization
- Address
- Point of Contact
- Title of Contact
- Point of Contact's Email Address
- Phone Number
- Fax Number
- EIN # (Employee Identification Number)
- DUNS # (Data Universal Numbering System)

ASAP ENROLLMENT: STEP TWO

Step Two of the ASAP enrollment process consists of five sub-parts. The following table outlines this process. The government is responsible for Parts A, D, and E. Recipients are responsible for Parts B and C.





Parts	Course of Action	Responsibility	Due Date
Part A	Enrollment Official enters information collected in Step One into ASAP.	NIST and NOAA	Five days after Step One is completed
Part B	Recipient receives email confirmation from ASAP along with User ID/User Name immediately after entering the data. Within seven days, the recipient will receive a password via U.S. mail.	Recipient	N/A
Part C	<p>Recipient logs in using User ID and password and identifies the organization officials:</p> <ul style="list-style-type: none"> ▪ Head of Organization (HOO) <ul style="list-style-type: none"> ▪ HOO will designate Authorizing Official (AO) and Financial Official (FO) designees. ▪ Authorizing Official <ul style="list-style-type: none"> ▪ AO defines the Recipient Organization (RO) profile. ▪ AO identifies the RO users (i.e., payment requestor). ▪ Financial Official <ul style="list-style-type: none"> ▪ FO defines the banking information and links to the NTIA Agency Location Code (ALC) (13060001) and Region Code (RC)(02). ▪ FO certifies and signs banking information form. <p>All officials will receive their individual User IDs via email and their passwords via U.S. mail within seven days. Recipient enrollment steps are complete when AO and FO designees are approved and banking information is certified and submitted. Failure to comply with these steps could subject the award to a change in the method of payment to reimbursement only.</p>	Recipient	<p>Initiate recipient enrollment within 10 days of ASAP Notification Registration, HOO designates AO and FO</p> <p>AO and FO complete their steps within five days of designation</p>
Part D	<p>ASAP generates an email within 24 hours notifying the NIST or NOAA Enrollment Official that enrollment is complete.</p> <p>The NIST or NOAA Enrollment Official notifies NIST Finance Office via email that enrollment is complete.</p>	NIST and NOAA	One day after enrollment is complete
Part E	<p>After receiving confirmation that recipient has executed its CD-450 BTOP Award, the NIST Finance Office obligates, authorizes, and certifies funds, and confirms interface with ASAP.gov is complete. This may take up to 14 days to complete.</p> <p>The NIST Grants Office will notify all three officials for PCC and SBA projects via email when funds are available for draw down.</p>	NIST	Within 14 days





	The NOAA Grants Office will notify all three officials for Broadband Infrastructure projects [Middle Mile (MM), Last Mile (LM), or CCI] when funds are available for draw down.		
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ADDITIONAL RESOURCES

- For additional information and guidance on ASAP, please refer to the following sites:
 - <https://www.asap.gov>
 - <http://www.fms.treas.gov/asap/>
 - <http://www.fms.treas.gov/asap/background.html>

The ASAP Support Hotline is (804) 697-8384.

For regional office contact numbers, please refer to the table below. Recipients should call the center based in the same time zone as their place of business.

Regional Financial Center	Time Zone	Phone Number	Business Hours	Mailing Address
Philadelphia	Eastern	(215) 516-8021	7:30 a.m. - 4:00 p.m.	P.O. Box 8676 Philadelphia, PA 19115-6317
Kansas City	Central	(816) 414-2100	7:30 a.m. - 4:00 p.m.	P.O. Box 12599-0599 Kansas City, MO 64116-0599
San Francisco	Pacific or Mountain	(510) 594-7182	7:30 a.m. - 4:00 p.m.	P.O. Box 193858 San Francisco, CA 94119-3858

- Broadband Infrastructure recipients (MM, LM, and CCI projects) may also contact individuals supporting ASAP enrollment in the NOAA Grants Office:
 - Darius Porter: (301) 585-1332 or Darius.Porter@noaa.gov
 - Heather Cooper: (301) 713-0922 x 106 or Heather.Cooper@noaa.gov
- PCC and SBA recipients may also contact the individual supporting ASAP enrollment in the NIST Grants Office:
 - Jannet Cancino: (301) 975-6544 or jannet.cancino@nist.gov





FACT SHEET

Broadband Technology Opportunities Program Section 7 of the Endangered Species Act (ESA)

The Endangered Species Act of 1973 (ESA) protects threatened and endangered (T&E) species and the critical habitats they need to survive. The ESA is administered by the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS).

The Department of Commerce (DOC), National Telecommunications and Information Administration (NTIA) will examine the project information in the pre-award phase to determine whether an environmental assessment (EA) is required, which includes the completion of the ESA Section 7 consultation process. If the agency determines that there would be no impacts, then no consultation is required. Otherwise, the Special Award Condition (SAC) issued to the recipient by DOC/NTIA will include a requirement for an ESA Section 7 consultation to determine:

- ✓ The potential effects on protected species and their critical habitats.
- ✓ The mitigation measures, if any, needed to reduce any potential adverse effects.

In the BTOP program, the recipient initiates ESA Section 7 consultation with the FWS or NMFS, and DOC/NTIA will assist and advise throughout the consultation, as needed.

Consultation is expedited by open and comprehensive communication between the recipient and the FWS or NMFS ESA Section 7 staff, regarding both construction and operational impacts of the proposed project.

SECTION 7 RESPONSIBILITIES OF BTOP RECIPIENTS: CONSULTATION PROCESS

There are two types of Section 7 consultation, informal and formal. Recipients should initiate informal consultation, notify DOC/NTIA, and provide assistance in a timely manner in the form of project data. DOC/NTIA conducts formal consultation with the assistance of the recipient, if it is deemed necessary by the regulatory agency. The results of any required consultation, including any related discussions and correspondence, need to be documented in the EA.

The Process – Informal Consultation: Informal consultation is a frequently used process, which includes all discussions, telephone conversations, meetings, and correspondence between the FWS or NMFS, the BTOP recipient, and DOC/NTIA. Informal consultation takes place prior to, and may eliminate the requirement for, formal consultation.

Recipients should research potential T&E species or habitat by looking up the species list via the FWS website:

<http://www.fws.gov/Endangered/wildlife.html>, prior to the initiation of informal FWS consultation. Informal consultation with FWS is necessary to follow through on whether there is any potential effect in or near the location of the proposed project (the study area). The recipient should contact FWS to determine whether there may be listed species and whether the proposed project has the potential to impact them. The BTOP recipient should ensure that DOC/NTIA is kept aware of all findings in order to provide support as needed.

Section 7 of the ESA requires all Federal agencies to consult with the appropriate resource agencies, either FWS or NMFS, on any action they are proposing that could affect any T&E species or critical habitat. **This includes actions funded by grant dollars.** For Broadband Technology Opportunities Program (BTOP), recipients should initiate informal consultation, while keeping DOC/NTIA informed. If during informal consultation the resource agencies determine that formal consultation is required, DOC/NTIA will lead that process, with assistance from the recipient. Consultation with the NMFS occurs only for marine species, while consultation for all other species is conducted through FWS.

Informal consultation takes place prior to, and may eliminate the requirement for, formal consultation. It may include telephone conversations, meetings, and correspondence between the FWS or NMFS, the BTOP recipient, and DOC/NTIA to determine potential effects on T&E species and/or habitat.

Formal consultation takes place after the informal consultation of potential impacts to T&E species and habitat have been determined and are known to exist. DOC/NTIA will work with the BTOP recipient to initiate formal consultation with FWS or NMFS.





The FWS or NMFS will prepare a list of species known to exist in the study area. If no species or habitat is known to exist then the consultation is complete. If a T&E species or habitat is known to exist, then the FWS/NMFS will determine if the proposed action will impact the species or habitat.

The possible outcomes of an informal consultation are as follows:

- No effect, and no further consultation necessary.
- May affect but not likely to adversely affect, which requires FWS or NMFS concurrence of determination with possible mitigation measures or requirements.
- Likely to adversely affect, which requires a Biological Assessment, to be prepared by the recipient, initiating formal consultation.

The Process – Formal Consultation: To begin formal consultation, DOC/NTIA personnel will provide support to the BTOP recipient to send a written request, accompanied by a Biological Assessment (BA), to FWS or NMFS initiating formal consultation. Formal consultation should last no longer than 90 days and the appropriate regulatory agency (FWS or NMFS) will issue a Biological Opinion (BO) within 45 days.

The BA should include the following information:

- A description of the action being considered.
- The geographic area that may be affected by the action.
- Any listed species or critical habitat that the action may affect, and how the action may affect them.
- The cumulative impacts on any listed species or critical habitat.
- A discussion of any EAs, environmental impact statements (EISs), or other BAs that have been prepared for the action.
- Any other relevant information on the action, affected species, or critical habitat.

A Biological Assessment (BA) is a document prepared for the Section 7 consultation process to determine whether a proposed major activity under the authority of a Federal agency is likely to adversely affect listed species, species proposed for listing, or designated critical habitat. BTOP recipients will be responsible for the preparation of BAs; the associated costs, which may include hiring a qualified consultant, are an allowable use of grant funds.

The formal consultation process concludes with the FWS/NMFS issuing a BO. The BO has three possible findings:

- **Not Jeopardized.** The action will not jeopardize protected species, and the action may proceed.
- **Likely To Jeopardize.** The action is likely to jeopardize protected species. The potential to jeopardize may be mitigated to below significant levels. The DOC/NTIA has several options:
 - Adopt "reasonable and prudent measures" to eliminate jeopardy/adverse modification and comply with incidental take statement.
 - Cancel the project.
 - Reinitiate consultation by proposing modifications or alternatives not yet considered.
- **Jeopardize Continued Existence.** The action will jeopardize the continued existence of protected species. The project cannot proceed as is, however, after major redesign or relocation, the consultation process may be reinitiated and the project re-evaluated.

MORE INFORMATION ON SECTION 7 AND THE ENDANGERED SPECIES ACT

- Endangered Species Act of 1973 (www.fws.gov/laws/lawsdigest/ESACT.html or www.fws.gov/Endangered/pdfs/esaall.pdf).
- U.S. Fish and Wildlife Service offices (www.fws.gov/Endangered/contacts.html).
- U.S. Fish and Wildlife Service species (<http://www.fws.gov/Endangered/wildlife.html>).
- National Marine Fisheries Service (www.nmfs.noaa.gov).





FACT SHEET
Broadband Technology Opportunities Program
National Historic Preservation Act (NHPA) Section 106

Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to account for the potential effects of their actions (undertakings) on historic properties (whether direct actions or those accomplished using Federal funds), and affords stakeholders the opportunity to comment through a consultation process. Historic properties are buildings, structures, objects, districts, or archaeological sites listed in or have been determined to be eligible for listing on the National Register of Historic Places (NRHP).

Consultation is “the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process” (36 CFR Part 800). For most projects, the consulting party will be the State Historic Preservation Officer (SHPO), and may include the appropriate Federally-recognized Native American Tribes, Tribal Historic Preservation Officer (THPO), or Native Hawaiian organizations. The Advisory Council on Historic Preservation (ACHP)

The SHPO has **30 days** from receipt of a request from a Federal agency to respond to that agency with a review or an NRHP-eligibility determination [36 CFR Part 800.3(c)(4)].

A CONSULTING PARTY is an individual or organization with a substantive interest in an undertaking. A consulting party may be involved due to a legal or economic relationship to the undertaking or affected properties, or due to their concern with the undertaking's effects on historic properties.

may also be a consulting party. It is important to note that Federally-recognized Native American Tribes and Native Hawaiian organizations may have interests on their ancestral lands, not just lands currently owned by the Tribe or organization. The DOC/NTIA, as the lead Federal Agency, is responsible for initiating consultation with the consulting parties; the BTOP recipient is responsible for gathering the necessary information and requirements for Section 106 consultation. It is within the SHPO's discretion to work directly with recipients after consultation is initiated. BTOP recipients will copy DOC/NTIA on all correspondence with the SHPO and other involved stakeholders.

An Undertaking is “a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license, or approval” (36 CFR Part 800). Any time a project uses Federal funds, a Federal permit and/or license is required, or Federal approval is required, and the project be vetted through the NHPA Section 106 process.

SECTION 106 RESPONSIBILITIES OF BTOP RECIPIENTS

The responsibility of the BTOP recipient is to gather detailed and defensible information on behalf of DOC/NTIA to initiate the Section 106 consultation. Consultation is initiated after the Area of Potential Effect (APE) is determined and a comprehensive project description of the proposed action is available. It is recommended that the BTOP recipient conduct an archeological records search of the project area as soon as the APE is delineated. If the recipient does not have in-house cultural resource professionals who meet the Secretary of the Interior's Professional Qualification Standards necessary to fulfill Section 106 responsibilities, qualified consultants should be engaged. This is particularly important for projects that include ground disturbance in previously undisturbed areas, or where there are potential historic buildings in the APE.

DOC/NTIA is the responsible government agency for initiating consultation with the consulting parties.

It is the responsibility of the BTOP recipient to provide DOC/NTIA the following details on the proposed action:

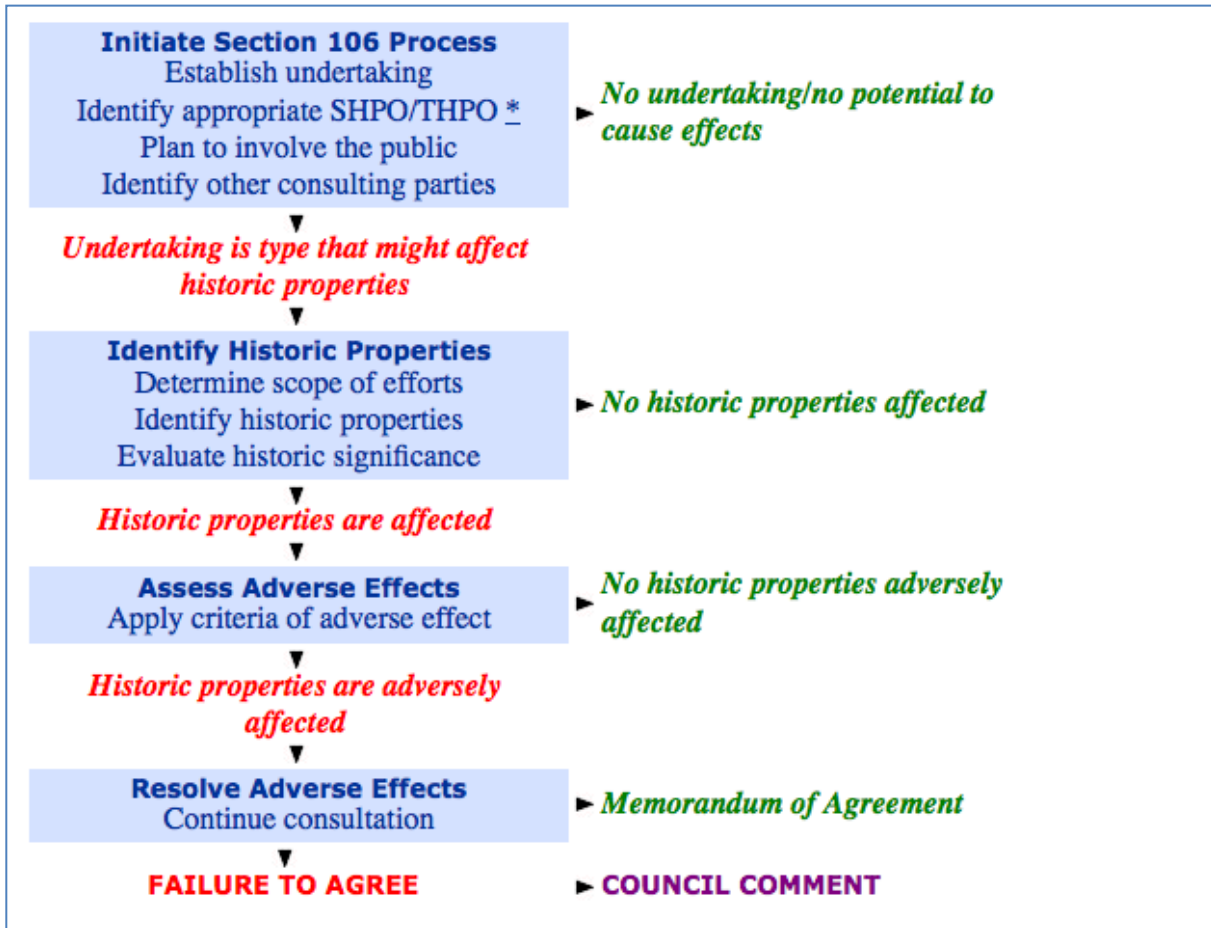
- Purpose, need, and scope of the project as part of a clear project description.
- Responsible parties and contact information.
- Maps and other visual documentation, including clear color photographs, with the APE clearly delineated.





This information provided by the BTOP recipient is used by DOC/NTIA to initiate the Section 106 consultation process with the SHPO and/or THPO, if applicable. The consultation letter is sent certified/return receipt requested, and the SHPO is allotted 30 days to respond to DOC/NTIA as the Federal agency. However, if the information provided to the SHPO is not sufficient to issue a comment, additional information may be requested. It is the recipient's responsibility to follow-up and work with the SHPO, once NTIA has sent the initial consultation letter, to determine what other information they will need to complete the Section 106 consultation process. The SHPO will then have an additional 30 days to respond to the supplementary information, once it is submitted. THPOs do not have a required response timeline.

Flowchart from the ACHP website (www.achp.gov):



MORE INFORMATION ON SECTION 106

- Section 106 of the National Historic Preservation Act (<http://www.achp.gov/106summary.html>).
- ACHP Section 106 Guidance (www.achp.gov/usersguide/html).
- ACHP List of SHPOs (www.achp.gov/shpo.html).
- Native American Tribal Historic Preservation Offices (NATHPO) List of THPOs (<http://www.nathpo.org/map.html>).





FACT SHEET Broadband Technology Opportunities Program Indirect Costs

OVERVIEW

Indirect costs are those recipient costs that are not directly associated with the recipient's execution of its BTOP project, but that are necessary to the operation of the organization and the performance of its programs. Indirect costs associated with all BTOP project categories generally are allowable if included as a line item in the approved budget and if the award recipient has (or obtains) an approved indirect cost rate. Note, however, that the recovery of indirect costs associated with Broadband Infrastructure projects (Middle Mile and Last Mile projects in BTOP Round One and Comprehensive Community Infrastructure (CCI) projects in Round Two) is limited. Because operating expenses are not an eligible cost for Broadband Infrastructure projects, indirect costs incurred in implementing these projects must generally be associated with the construction, deployment, or installation of facilities and equipment used to provide broadband service to be considered eligible for recovery with BTOP grant funds. As a result, an indirect cost rate that incorporates items that are typically considered to be operating expenses (e.g., office supplies, executive salaries, office rentals) will not be fully allowable for Broadband Infrastructure projects.

Indirect costs are usually expressed as percentage applied to a base. For example, indirect costs may be 10 percent of total direct costs.

Indirect Costs of BTOP Project

Common examples of indirect costs include:

- Salaries/expenses of executive officers
- Personnel administration
- Accounting
 - Fringe benefits
 - Office rent (the cost of renting facilities)
- Maintenance (the cost of maintaining facilities)
- Library expenses
- Office supplies (e.g., office equipment, computers printers, and copiers)

Indirect costs for Comprehensive Community Infrastructure (CCI) projects are limited to:

- Costs associated with the construction, deployment or installation of facilities and equipment used to provide broadband services as described in Section V.D.2 of the Round One Notice of Funds Availability (NOFA) and Section V.E.2 of the Round 2 NOFA.

Indirect costs for Public Computer Centers (PCC) and Sustainable Broadband Adoption (SBA) projects:

- Costs associated with eligible project activities as detailed in Section D.3 of the Round One NOFA and Sections V.E.3 and V.E.4 of the Round 2 NOFA.





INDIRECT COST RATE

An indirect cost rate is a ratio expressed as a percentage of an organization's total indirect costs (numerator) to its direct costs (denominator). If an award recipient has an existing approved negotiated indirect cost rate (NICRA), it may use that rate in its BTOP project. Note, however, that a Broadband Infrastructure award recipient may not apply its full NICRA if it reflects the organization's operating expenses. Instead, it must use only that portion that it can demonstrate it incurs in connection with the construction, deployment, or installation of facilities and equipment used to provision broadband services. If an award recipient does not have a current approved NICRA, and seeks to include indirect costs in its project budget, it will be required to submit to the Department of Commerce (DOC) an indirect cost rate proposal, no later than 90 days after its BTOP award date to the DOC Office of Acquisition Management (OAM). This proposal should be based on actual costs for the most recently completed and audited fiscal year. For example, Fiscal Year 2009 audited financial statements could produce a Fiscal Year 2010 rate proposal.

The indirect cost rate proposal should be submitted to:

- Office of Acquisition Management
- U.S. Department Of Commerce
- 14th Street and Constitution Avenue, N.W., Room 6412

Washington, DC 20230

DOC will negotiate and approve the NICRA, allowing the recipient to include indirect costs as allowable project expenses. Recipients can use the fixed rate proposed in the indirect cost plan until DOC provides a response to the submitted plan. Actual indirect cost rates must be calculated and submitted annually.

FREQUENTLY ASKED QUESTIONS:

What is the difference between direct and indirect costs?

Direct costs are those that can be identified specifically with a particular final cost objective, i.e., a particular award, project, service, or other direct activity of an organization. In the case of BTOP, direct costs are those specifically identified with the recipient's execution of its BTOP project.

Indirect costs are the costs incurred by an organization that are not readily identifiable with a particular project or program but are necessary to the operation of the organization and the performance of its programs.

How is the indirect cost rate negotiated?

DOC will review the indirect cost proposals submitted by the recipient organization and, based on those reviews, will negotiate appropriate indirect cost rates with the organization.

If additional information or an audit is deemed necessary, DOC or an auditor working for the DOC will notify the organization of the specific requirements necessary to complete the indirect cost rates proposal.

- Additional Resources:
- For additional information on indirect costs, please refer to the following resources:
- Round 2 NOFA: http://www.ntia.doc.gov/frnotices/2010/FR_BTOPNOFA_100115.pdf
- General Indirect Cost Rate Program Guidelines for Grantee Organizations, Department of Commerce:
- <http://oamweb.ossec.doc.gov/docs/Indirect%20Cost%20Rate%20Proposal%20Instructions%20-%20Sept%2009.pdf>





FACT SHEET
Broadband Technology Opportunities Program
Post-Award Modifications

OVERVIEW

The BTOP award recipient may request post-award modifications to its originally approved project plan. Modifications are allowed if the request meets the following criteria:

- The recipient proposing the post-award modifications demonstrates that the statutory purposes of BTOP are still served after the modification.
- The recipient and Federal Program Officer (FPO) follow the required procedural steps when seeking approval for the modification.

The recipient must comply with the general statutory and programmatic requirements of BTOP, and depending on the modification requested, the recipient has to fulfill additional obligations.

POST-AWARD MODIFICATIONS

The recipient can request post-award modifications for its award. The table below provides detail on permissible technical changes and associated recipient responsibilities.

Post-Award Modifications	
Categories	Recipient Responsibilities
1. Purchasing or Leasing New Fiber	<ul style="list-style-type: none"> ■ Provide a description of the fiber to be purchased and the capacity difference between the original fiber and new fiber. ■ Detail the type of fiber being purchased and state how it will comply with the Buy American provision of the Recovery Act and implementing regulations. ■ Provide a color-coded map of the project area that designates: <ul style="list-style-type: none"> - The approved route. - The unserved and underserved areas within the project area. - The areas along the map where the new fiber will be located.
2. Route Change	<ul style="list-style-type: none"> ■ Provide a color-coded map of the project area that designates: <ul style="list-style-type: none"> - The approved route. - The unserved and underserved areas within the project area. - The originally approved route contrasted with the proposed route change. ■ Provide a narrative describing the unserved and underserved areas in the project area. The narrative must demonstrate that the project area(s) continue to meet the definition of unserved or underserved.
3. Microwave System Location Change	<ul style="list-style-type: none"> ■ Provide a color-coded map of the project area that designates: <ul style="list-style-type: none"> - The approved route. - The unserved and underserved areas within the project area. - The originally approved microwave system locations within the proposed changed locations. ■ Provide a narrative describing the unserved and underserved areas in the project area. The narrative must demonstrate that the project area(s) continue to meet the definition of unserved or underserved.





4. Equipment Change	<ul style="list-style-type: none"> ■ Provide a description of the substitution equipment to be purchased. ■ Demonstrate the reasons that the substituted equipment is of equal or greater quality than the original equipment. ■ Describe the type of substitution equipment to be purchased and state how it will comply with the Buy American provision of the Recovery Act and implementing regulations.
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SUBMITTING A POST-AWARD MODIFICATION

To start the post-award modification process, recipients must follow the two-step process outlined in the table below.

Post-Award Modification Request Process
Recipient Actions
<p>Step One – Verify the following information:</p> <ul style="list-style-type: none"> ■ The proposed deviation(s) or change(s) will not increase the approved budget. Refer to: 15 CFR § 14.25 and 15 CFR § 24.30 for more guidance. ■ The proposed deviation(s) or change(s) will not delay or interfere with the timely completion of the project. ■ The proposed deviation(s) or change(s) is/are being proposed prior to the completion of the Environmental Assessment (EA). <ul style="list-style-type: none"> - If the deviation(s) or change(s) is/are proposed prior to the completion of the EA, no additional steps need to be taken. - If the deviation(s) or change(s) is/are proposed after the completion of the EA, an addendum to the EA will be necessary.
<p>Step Two – Contact the assigned FPO with the nature of the post-award modification requests.</p> <ul style="list-style-type: none"> ■ Request prior written approval of the deviation(s) or change(s) from the FPO. ■ Provide a narrative with a full explanation of the proposed deviation(s) or change(s). <ul style="list-style-type: none"> - The narrative must discuss how the deviation(s) or change(s) serve the BTOP statutory purposes established through the Recovery Act.

ADDITIONAL RESOURCES:

For additional guidance on post-award modification requests, refer to the following resources:

- 15 CFR § 14.25.
- 15 CFR § 24.30.





FACT SHEET
Broadband Technology Opportunities Program
Signage Requirements and Recipient Guidance

PURPOSE

The purpose of this document is to review recipient guidance for meeting Broadband Technology Opportunities Program (BTOP) signage requirements.

SIGNAGE REQUIREMENTS

All BTOP recipients from all funding rounds are required to display the Recovery Act logo on signage at construction sites. The July 2009 and January 2010 BTOP Notices of Funds Availability (NOFA) state the following requirement:

All projects that are funded by the Recovery Act shall display signage that features the Primary Emblem throughout the construction phase. The signage should be displayed in a prominent location on site. Some exclusions may apply. The Primary Emblem should not be displayed at a size less than six inches in diameter.

Recipients may satisfy the signage requirements above by using the Primary or BroadbandUSA Emblems shown here and following all guidelines for size, clear space, and color. Complete guidelines are provided in the Information and Tools sections of this document.



Primary Emblem



BROADBANDUSA
CONNECTING AMERICA'S COMMUNITIES

BroadbandUSA Emblem

SUMMARY: RECOVERY ACT LOGO REQUIREMENTS

- Recipients must meet the following minimum requirements when developing display signage for BTOP construction sites.
- Recipients must use the Primary Emblem or the BroadbandUSA Emblem in construction signage.
- The emblem must be at least six inches or larger in diameter.
- Recipients must not change proportions of the emblem.
- If using a color emblem, use the colors specified in the Information and Tools section.
- Always leave clear space surrounding the logo equal to half of the logo's radius.





INFORMATION AND TOOLS

BTOP recipients can use either of the two approved Recovery Act “marks” shown on page 1. The BroadbandUSA Emblem incorporates the basic Recovery Act logo and is acceptable to meet signage requirements.

Remember the following when using the emblems:

Provide this fact sheet to a graphic designer or signage vendor. These details and tools should provide the designer or signage vendor with everything they need to use the emblems correctly.

Altering, distorting or recreating the “marks” in any way weakens the power of the image and what it represents.

Layout and design of signs and communication materials will vary, so care must be taken when applying the emblem or logomark.

LOGO ARTWORK

Camera-ready, high-resolution emblem artwork is available for recipient use. The emblems are available in TIF, JPEG and EPS formats. To request the artwork, email the BTOP Help Desk at BTOP@ntia.doc.gov or call (202) 482-2048.





Do not alter, distort or recreate the emblems in any way.

COLOR SPECIFICATIONS

Use the exact colors listed below when reproducing the emblem in full color. CMYK values are used for print publications and RGB and HEX# values are used for on-screen applications.

Do not change the colors of either emblem or use screens or tints of any color in any part of the logo.

Recipients can also reproduce either emblem in black-and-white or in a one-color version. Use the “Navy” color indicated below when reproducing emblems in one color.

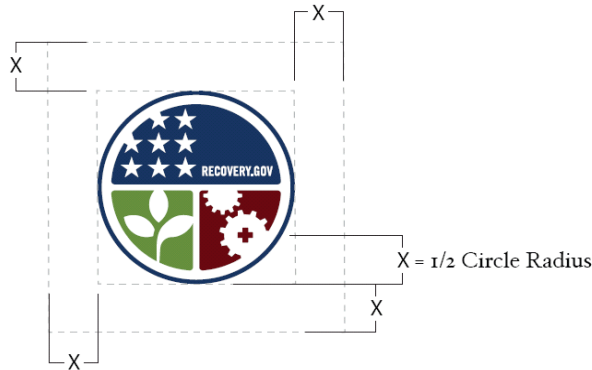
COLOR		CMYK	RGB	HEX#
	Navy	00 / 00 / 00 / 00	0 / 51 / 102	003366
	Red	30 / 100 / 100 / 50	102 / 0 / 0	660000
	Green	65 / 25 / 100 / 7	103 / 144 / 62	67903E
	Light Blue	67 / 37 / 6 / 00	89 / 141 / 192	598DC0

CLEAR SPACE

Primary Emblem

- Always leave blank space surrounding the logo equal to half of the logo’s radius.
- In the illustration below, the clear space is shown as the value “X,” where “X” is equal to half of the radius. The minimum clear space must always be at least “X” on all sides of the emblem.





BROADBANDUSA EMBLEM

Please provide an amount of space surrounding the emblem equal to or larger than the height of the 'BroadbandUSA' emblem lettering, as shown below.



FREQUENTLY ASKED QUESTIONS

Does NTIA state requirements regarding signage size?

NTIA does not specify sign size but does require that the Recovery or BroadbandUSA Emblem must be at least six inches in diameter.

Does NTIA state requirements regarding placement of the Recovery logo on signage OR the overall design of signage?

Recipients may adapt placement of the logos and may design signs to be suitable to the specific project on which they are displayed, but may not alter the design and colors of the logos themselves.

Can I use additional text on my signage?

Signs should be designed to maximize visibility of the logos and minimize any accompanying text. In addition, minimal text may be included on the sign, for example, "This project funded by" preceding the Recovery Act logo.

Am I required to use the Department of Commerce seal on signage?

No, the Commerce seal is not required.

Does NTIA state requirements regarding placement of signs?

Signs at construction projects should be placed where they are visible to passersby and to customers approaching the site.





Can I pay for signage costs with grant funds?

The cost of producing signage and displaying Recovery logos is an eligible project administration cost in BTOP grants.

I need to request exclusion to the signage requirements. What should I do?

Contact the assigned BTOP Officer to request exclusion.





FACT SHEET

Broadband Technology Opportunities Program Additional Uses of Recovery Logo

PURPOSE

Grantees can elect to use the American Recovery and Reinvestment Act (Recovery Act) logo in various materials they produce to promote their projects and for informational purposes. This document provides general guidelines and specifications for using the Recovery Act logo and the BroadbandUSA emblem in these materials.

POSSIBLE USES

Grantees are required to use the Recovery Act logo in display signage on construction sites. This is the only required use of the logo. (Refer to the Signage Guidance Fact Sheet for further information on signage requirements or paste the following URL into a browser - <http://www2.ntia.doc.gov/signage>).

Grantees are not required to use the Recovery Act logo in promotional and other project materials but may choose to do so. For example, grantees may decide to use the logo in:

- Banners to display in Public Computer Centers.
- Signage to display at Sustained Broadband Adoption (SBA) training classes.
- Decals to post on computers distributed through SBA programs.
- News releases used to announce project activities.
- Computer training materials.
- Materials to promote usage of broadband, e.g. fliers, brochures, videos, public service announcements.

GENERAL GUIDANCE

Grantees that choose to use the Recovery Act logo in project materials should review the following points:

The cost of producing materials that display Recovery logos may be an eligible project administration cost in BTOP grants.

Both grantees and subrecipients may use the Recovery logo in informational and promotional materials used to support projects.

Minimal text may be included with the logo, such as "This project funded by [logo]."





INFORMATION AND TOOLS

BTOP grantees can use two approved Recovery Act “marks” – the Primary Emblem and the BroadbandUSA Secondary Emblem shown below.



Primary Emblem



BROADBANDUSA
CONNECTING AMERICA'S COMMUNITIES

Secondary Emblem

Remember the following when using the emblems:

- Provide this fact sheet to a graphic designer. These details and tools should provide them with everything they need to use the Primary or Secondary Emblems correctly.
- Altering, distorting or recreating the “marks” in any way weaken the power of the image and what it represents.
- Layout and design of communication materials will vary, so care must be taken when applying the emblem or logomark.



LOGO ARTWORK

Emblem artwork is available on the BroadbandUSA.gov Website. Click here to access [camera-ready, high-resolution emblem artwork](http://www2.ntia.doc.gov/signage) suitable for use in materials or copy the following URL into a browser - <http://www2.ntia.doc.gov/signage>. The Primary Emblem and Secondary Emblem are available in TIF, JPEG and EPS formats.

Do not alter, distort or recreate either emblem in any way.

COLOR SPECIFICATIONS

Use the exact colors listed below when reproducing the emblem in full color. CMYK values are used for print publications and RGB and HEX# values are used for on-screen applications. Do not change the colors of either emblem or use screens or tints of any color in any part of the logo.

COLOR		CMYK	RGB	HEX#
	Navy	00 / 00 / 00 / 00	0 / 51 / 102	003366
	Red	30 / 100 / 100 / 50	102 / 0 / 0	660000







BROADBANDUSA

CONNECTING AMERICA'S COMMUNITIES

Made Possible by the Broadband Technology Opportunities Program

Funded by the American Recovery and Reinvestment Act of 2009

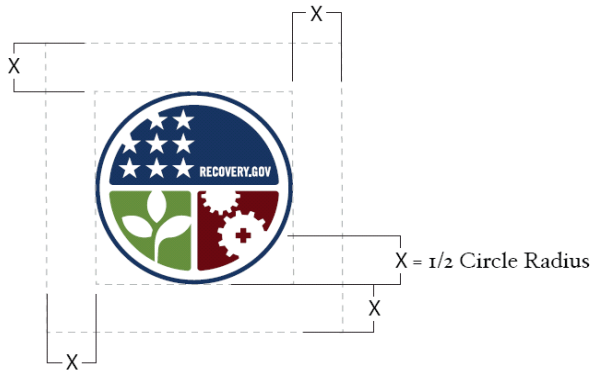
	Green	65 / 25 / 100 / 7	103 / 144 / 62	67903E
	Light Blue	67 / 37 / 6 / 00	89 / 141 / 192	598DC0

CLEAR SPACE

Primary Emblem

Always leave blank space surrounding the logo equal to half of the logo's radius.

In the illustration below, the clear space is shown as the value "X," where "X" is equal to half of the radius. The minimum clear space must always be at least "X" on all sides of the emblem.



Secondary Emblem

- Please provide an amount of space surrounding the emblem equal to or larger than the height of the 'BroadbandUSA' emblem lettering, as shown below.





FACT SHEET
Broadband Technology Opportunities Program
Subrecipients and Contractors

OVERVIEW

BTOP award recipients may work with subrecipients and contractors (also commonly referred to as vendor) for assistance throughout the course of the awarded projects. The roles of each entity in a Federal assistance award are characterized below:

- A subrecipient is involved in the substantive activities of the awarded project to accomplish BTOP purposes. Terms and conditions from the grant award flow down to the subrecipient.
- A contractor provides goods and services to benefit the grant recipient. A contractor does not seek to accomplish a public benefit; rather, it pursues its own commercial objectives.

SUBRECIPIENT AND CONTRACTOR DETERMINATIONS

The Office of Management and Budget (OMB) issued guidance in Section 210 of OMB Circular A-133 on determining whether a participant in a Federal assistance award may be characterized as a subrecipient or as a vendor.

Use the checklist below in determining whether grant payments expected to be made to a project participant constitute a Federal award or a payment for goods and services.

Subrecipient	Contractor
<p>Characteristics that indicate a federal award received by a subrecipient are when the organization:</p> <ul style="list-style-type: none"> ■ Determines who is eligible to receive what Federal financial assistance; ■ Has its performance measured against whether the objectives of the Federal program are met; ■ Has responsibility for programmatic decision-making; ■ Has responsibility for adherence to applicable Federal program compliance requirements; and ■ Uses the Federal funds to carry out a program of the organization as compared to providing goods or services for a program of the pass-through entity. 	<p>Characteristics that indicate a payment for goods and services received by a vendor are when the organization being paid:</p> <ul style="list-style-type: none"> ■ Provides the goods and services within normal business operations; ■ Provides similar goods or services to many different purchasers; ■ Operates in a competitive environment; ■ Provides goods or services that are ancillary to the operation of the Federal program; and ■ Is not subject to compliance requirements of the Federal program.





IMPORTANCE OF DEFINITIONS

Confusion about the terms and using them interchangeably may lead to erroneous recipient oversight, procurement and reporting requirements, ARRA reports, and financial audits. **The OMB guidance advises that the substance of the relationship is more important than the form of the agreement** and it is not expected that all of the characteristics of each entity will be present in a given situation.

Each situation must be evaluated on a case-by-case basis. A recipient should exercise its judgment when making the determination of whether a particular entity is appropriately characterized as a subrecipient or a contractor and should evaluate the activities the entity will be expected to perform on the project against the criteria enumerated above.

ROLES OF SUBRECIPIENTS VS. CONTRACTORS

More information on the roles and activities of each entity is captured in the following table.

Topic	Subrecipient	Contractor
ARRA Reporting	<ul style="list-style-type: none"> Prime recipient may delegate ARRA reporting to the subrecipient. 	<ul style="list-style-type: none"> Prime recipient cannot delegate ARRA reporting to the vendor.
Central Contractor Registration (CCR)	<ul style="list-style-type: none"> A first tier subrecipient (i.e., a recipient of a subaward directly from the prime award recipient) must maintain current registration in CCR at all times during which it has active federal awards funded with Recovery Act funds. 	<ul style="list-style-type: none"> Does not need to register on CCR.
DUNS	<ul style="list-style-type: none"> Each entity (except individuals) who receives ARRA funds directly or indirectly should have a DUNS number. 	<ul style="list-style-type: none"> Each entity (except individuals) who receives ARRA funds directly or indirectly should have a DUNS number.

FREQUENTLY ASKED QUESTIONS:

Are partners, including subrecipients and contractors, liable to fulfill the terms of the award to the same extent as the lead applicant?

A project partner's responsibilities depend upon whether it is a subrecipient working to accomplish the public purpose authorized by the grant award, or a contractor simply providing goods or services in its own commercial interest to benefit the grant recipient. A subrecipient must comply with programmatic requirements, administrative requirements in 15 CFR Part 14 or Part 24 (as applicable), cost principles, audit requirements, Department of Commerce Standard Terms and Conditions, and American Recovery and ARRA Award Terms, among other award conditions. In implementing sub-awards involving public-private partnerships, recipients should be aware that the uniform administrative requirements and cost principles applicable to subrecipients are based on the subrecipient's own type of organization, i.e., non-profit, university or commercial organization. As a result, the same uniform administrative requirements and cost principles may not apply to the prime recipient and the subrecipient.

What requirements do BTOP award recipients need to follow when selecting subrecipients and contractors for its project?

When selecting a subrecipient or contractor, the recipient must follow the procurement standards outlined in the Uniform Administrative Requirements, 15 CFR § 14.40-48 or 15 CFR § 24.35-37, as appropriate.

Among other requirements, recipients must maintain written procurement procedures and written codes of conduct governing the performance of employees engaged in the award and administration of contracts. The Department of Commerce applies this





requirement both to the selection of contractors and subrecipients. These standards are intended to prohibit employees, officers and agents from participating in the selection, award or administration of contracts supported by Federal funds if a conflict of interest would be involved. Violation of these procurement requirements could be a basis for suspension or termination of an award, or other appropriate action. Because unresolved conflicts of interest have the potential to undermine the integrity of the financial assistance process, it is important that such conflicts be brought immediately to the attention of the Program Officer for resolution.

Recipients must select contractors and subrecipients in a manner to provide, to the maximum extent practicable, open and free competition. The recipient must be alert to organizational conflicts of interest as well as other practices among contractors that may restrict or eliminate competition or otherwise restrain trade. In order to ensure objective contractor or subrecipient performance and eliminate unfair competitive advantage, contractors and subrecipients that develop or draft specifications, requirements, statements of work, invitations for bids and/or requests for proposals are excluded from competing for such contracts and subawards. The recipient must perform a cost or price analysis in connection with its award of each contract.

A recipient may use sole source selection based on a noncompetitive proposal only when justified, for example, when the award of a contract is infeasible under any other method and: (A) the item is available only from a single source; (B) there is a public exigency or emergency that will not permit a delay resulting from competitive solicitation; (C) the awarding agency authorizes noncompetitive proposals; or (D) after solicitation of a number of sources, competition is determined inadequate. In the case of sole source selection, cost analysis of the proposal is required and the recipient may be required to submit the proposed procurement to the awarding agency for an advance review.

ADDITIONAL RESOURCES:

For additional information and guidance on identifying, selecting, and working with subrecipients and contractors, please refer to the following resources:

- Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit and Commercial Organizations, 15 CFR Part 14, <http://oam.ocs.doc.gov/docs/GRANTS/15cfr14.pdf>
- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 15 CFR Part 24, <http://oam.ocs.doc.gov/docs/GRANTS/15cfr24.pdf>
- American Recovery and Reinvestment Act Award Terms: <http://oam.ocs.doc.gov/docs/ARRA%20DOC%20Award%20Terms%20Final%205-20-09PDF.doc.pdf>
- Department of Commerce Standard Terms and Conditions: <http://oamweb.osec.doc.gov/docs/GRANTS/DOC%20STCsMAR08Rev.pdf>
- Round 2 NOFA: http://www.ntia.doc.gov/frnotices/2010/FR_BTOPNOFA_100115.pdf
- OMB Circular A-133 sec. __.210: <http://www.whitehouse.gov/omb/rewrite/circulars/a133/a133.html>

