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FORM CD-451 (REV 10/98)		U.S. DEPARTMENT OF COMMERCE			X GRANT	COOPERATIVE AGREEMENT
<b>AMENDMENT TO FINANCIAL ASSISTANCE AWARD</b>					ACCOUNTING CODE	
					**See Attached**	
					AWARD NUMBER	
RECIPIENT NAME					AMENDMENT NUMBER	
Regents of the University of Minnesota					2	
STREET ADDRESS					EFFECTIVE DATE	
200 Oak St., SE 450 McNamara Alumni Center					<b>AUG 17 2010</b>	
CITY, STATE ZIP					EXTEND WORK COMPLETION TO	
Minneapolis, MN 55455-2009					December 31, 2012	
CFDA NO. AND PROJECT TITLE:						
11.557 American Recovery and Reinvestment Act - PCC - Broadband Access Project						
COSTS ARE REVISED AS FOLLOWS:		PREVIOUS ESTIMATED COST	ADD	DEDUCT	TOTAL ESTIMATED COST	
FEDERAL SHARE OF COST		\$2,862,333.00	\$0.00	\$0.00	\$2,862,333.00	
RECIPIENT SHARE OF COST		\$740,687.00	\$0.00	\$0.00	\$740,687.00	
TOTAL ESTIMATED COST		\$3,603,020.00	\$0.00	\$0.00	\$3,603,020.00	
REASON(S) FOR AMENDMENT						
<p>This amendment is hereby amended to 1. Revised: SAC 3 FPO's Contact Information, SAC 5 Grants Specialist Contact Information, SAC 11 Incorporation of Requirements from the Notice of Funding Availability (NOFA), SAC 13 Whistleblower Protection Act Requirements; 2. Delete: SAC 15 Under-Served and Unserved Service Area, SAC 16 Security Interest in Real Property including Broadband Facilities and Equipment and SAC 17 Sale or Lease of Real Property Purchased with Award Funds; 3. Incorporate new SAC 20 Davis Bacon Act Requirements.</p> <p>ALL PREVIOUS TERMS AND CONDITIONS REMAIN IN EFFECT.</p>						
<p><b>This Amendment approved by the Grants Officer is issued in triplicate and constitutes an obligation of Federal funding. By signing the three documents, the Recipient agrees to comply with the Amendment provisions checked below and attached, as well as previous provisions incorporated into the Award. Upon acceptance by the Recipient, two signed Amendment documents shall be returned to the Grants Officer and the third document shall be retained by the Recipient. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally terminate this Amendment.</b></p>						
<input checked="" type="checkbox"/> Special Award Conditions  <input type="checkbox"/> Line Item Budget  Other:						
SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER					DATE	
Joyce Brigham 					AUG 16 2010	
TYPED NAME, TYPED TITLE, AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL					DATE	
 Kevin McKoskey, Senior Associate Director Office of Sponsored Projects Administration					09/13/10	

Award Number: 27-42-B10003, Amendment Number 2

Federal Program Officer: William Maguire

Requisition Number: 1158

Employer Identification Number: 416007513

Dun & Bradstreet No: 55-591-7996

Recipient ID: 2795491

Requestor ID: 2795491

Treasury Account Symbol (TAS): 0554

**Award ACCS Information**

Bureau Code	FY	Project Number	Activity Code	Activity Number	Allocation Amount
61	2010	4803011-300	06-10-0000-00-00-00-00	41-19-00-00	\$0.00

**Award Contact Information**

Contact Name	Contact Type	Email	Phone
Kevin J McKoskey	Administrative	awards@umn.edu	612-624-5599

**NIST Grants Officer:**

Joyce Brigham  
100 Bureau Drive, MS 1650  
Gaithersburg, MD 20899-1650  
(301) 975 - 6329

**NIST Grants Specialist:**

Jacqueline Roberts  
100 Bureau Drive, MS 1650  
Gaithersburg, MD 20899-1650  
(301) 975 - 2005

**AMERICAN RECOVERY AND REINVESTMENT ACT  
BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM  
SPECIAL AWARD CONDITIONS  
REGENTS OF THE UNIVERSITY OF MINNESOTA  
27-42-B10003**

**3. The Federal Program Officer's name, address, and telephone number are:**

George Brett  
National Telecommunications and Information Administration  
US Department of Commerce  
1401 Constitution Ave., NW  
Washington, DC 20230  
Phone: (202) 482-2029; Fax: (202) 501-8009  
Gbrett@ntia.doc.gov

**5. The Grant Specialist's name, address, telephone and fax number and email address:**

Jacqueline Roberts  
National Institute of Standards and Technology  
Grants and Agreements Management Division  
Bldg. 411, Room B-100  
100 Bureau Drive, Mail Stop 1650  
Gaithersburg, Maryland 20899-1650  
Phone: (301) 975-2005; Fax: (301) 840-5976  
E-mail: jaqueline.roberts@nist.gov

**11. Incorporation of Requirements from the Notice of Funding Availability (NOFA):**

The recipient shall comply with the requirements found in the Department of Commerce, National Telecommunications and Information Administration Broadband Technology Opportunities Program, 74 FR 33104, July 9, 2009

[http://www.ntia.doc.gov/frnotices/2009/FR\\_BBNOFA\\_090709.pdf](http://www.ntia.doc.gov/frnotices/2009/FR_BBNOFA_090709.pdf)

**13. Whistleblower Protection Act Requirement:**

The Recipient shall comply with the Whistleblower Protection requirements of the American Recovery and Reinvestment Act (Recovery Act), Section 553 of Division A, Title XV, Public Law 111-5 which provides protection for employees of non-federal employers including employees of state and local governments, contractors, subcontractors, recipients, and any other non-federal employers receiving Recovery Act fund recipients, making specified disclosures relating to possible fraud, waste, or abuse of Recovery Act funds. The act requires any non-federal employer receiving Recovery Act funds to post a notice of the rights and remedies provided under the Act. The Recipient shall post notice of employees rights and remedies for whistleblower protections

provided under section 1553 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) and shall include this notice requirement in all contracts with subrecipients, contractors, and subcontractors.

Recipients are reminded that the Office of Inspector General will verify the appropriate place of this poster as part of any field work conducted. Failure to display the poster may result in an audit finding. The poster can be downloaded from the following web site:

<http://www.oig.doc.gov/recovery/whistleblower.html>

15. **Delete: Under-Served and Unserved Service Areas**
16. **Delete: Security Interest in Real Property including Broadband Facilities and Equipment**
17. **Delete: Sale or Lease of Real Property Purchased with Award Funds**
21. **Davis-Bacon Act Requirement**

Consistent with U.S. Department of Commerce American Recovery and Reinvestment Act Award Term A.3., the Recipient shall obtain and maintain in its official records documentation of weekly certified payroll reports and the Statement of Compliance from itself and all subrecipients, contractors, and subcontractor(s) in accordance with Section 1606 of the American Recovery and Reinvestment Act of 2009 and the Davis-Bacon Act.

Davis-Bacon prevailing wage requirements apply to mechanics and laborers employed under federally assisted contracts or subcontracts in excess of \$2,000 for construction, alteration, or repair (including painting and decorating) of public buildings or public works, pursuant to Department of Labor regulations at 29 C.F.R. Parts 1, 3, and 5.

The Recipient is not required to submit this documentation to NIST, except in response to a request for this information from its Grants Officer. The authorized representatives and agents of NIST shall be permitted to inspect all work, materials, payrolls, personnel records, invoices of materials, and other relevant data and records.

Ten days prior to bid opening, any party soliciting a subrecipient, contractor, or subcontractor for work under this Award to which Davis-Bacon wage determinations apply must verify whether there have been any updates to the applicable Davis-Bacon wage determinations by reviewing the Department of Labor Wage Determinations OnLine website, free of charge, at [www.wdol.gov](http://www.wdol.gov). If there have been updates to the wage determinations, then these updated wage rates must be issued in a bid addendum. The Davis Bacon wage rates that are current ten days prior to the bid opening are the wage rates that will govern work performed under such solicitation.