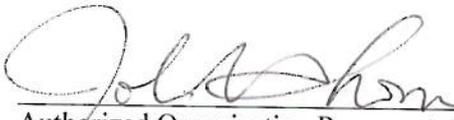

**U.S. Department of Commerce
Broadband Technology Opportunities Program
Authentication and Certifications**

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

07/07/2010

Date


Authorized Organization Representative Signature

John Thomas

Print Name

Executive Director

Title

BUDGET INFORMATION - Construction Programs

OMB Approval No. 4040-0008
Expiration Date 07/30/2010

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ 1,574,266.00	\$	\$ 1,574,266.00
2. Land, structures, rights-of-way, appraisals, etc.	\$ 80,000.00	\$	\$ 80,000.00
3. Relocation expenses and payments	\$ 0.00	\$	\$ 0.00
4. Architectural and engineering fees	\$ 1,765,733.00	\$	\$ 1,765,733.00
5. Other architectural and engineering fees	\$ 0.00	\$	\$ 0.00
6. Project inspection fees	\$ 0.00	\$	\$ 0.00
7. Site work	\$ 0.00	\$	\$ 0.00
8. Demolition and removal	\$ 0.00	\$	\$ 0.00
9. Construction	\$ 12,318,000.00	\$	\$ 12,318,000.00
10. Equipment	\$ 1,464,565.00	\$	\$ 1,464,565.00
11. Miscellaneous	\$ 76,959.00	\$	\$ 76,959.00
12. SUBTOTAL (sum of lines 1- 11)	\$ 17,279,523.00	\$ 0.00	\$ 17,279,523.00
13. Contingencies	\$	\$	\$ 0.00
14. SUBTOTAL	\$ 17,279,523.00	\$ 0.00	\$ 17,279,523.00
15. Project (program) income	\$ 0.00	\$	\$ 0.00
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 17,279,523.00	\$ 0.00	\$ 17,279,523.00
FEDERAL FUNDING			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.		Enter eligible costs from line 16c Multiply X <input type="text" value="0"/> %	\$ 889,573.15

INSTRUCTIONS FOR THE SF-424C

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0041), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.
SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

This sheet is to be used for the following types of applications: (1) "New" (means a new [previously unfunded] assistance award); (2) "Continuation" (means funding in a succeeding budget period which stemmed from a prior agreement to fund); and (3) "Revised" (means any changes in the Federal Government's financial obligations or contingent liability from an existing obligation). If there is no change in the award amount, there is no need to complete this form. Certain Federal agencies may require only an explanatory letter to effect minor (no cost) changes. If you have questions, please contact the Federal agency.

Column a. - If this is an application for a "New" project, enter the total estimated cost of each of the items listed on lines 1 through 16 (as applicable) under "COST CLASSIFICATION."

If this application entails a change to an existing award, enter the eligible amounts *approved under the previous award* for the items under "COST CLASSIFICATION."

Column b. - If this is an application for a "New" project, enter that portion of the cost of each item in Column a. which is *not* allowable for Federal assistance. Contact the Federal agency for assistance in determining the allowability of specific costs.

If this application entails a change to an existing award, enter the adjustment [+ or (-)] to the previously approved costs (from column a.) reflected in this application.

Column. - This is the net of lines 1 through 16 in columns "a." and "b."

Line 1 - Enter estimated amounts needed to cover administrative expenses. Do not include costs which are related to the normal functions of government. Allowable legal costs are generally only those associated with the purchases of land which is allowable for Federal participation and certain services in support of construction of the project.

Line 2 - Enter estimated site and right(s)-of-way acquisition costs (this includes purchase, lease, and/or easements).

Line 3 - Enter estimated costs related to relocation advisory assistance, replacement housing, relocation payments to displaced persons and businesses, etc.

Line 4 - Enter estimated basic engineering fees related to construction (this includes start-up services and preparation of project performance work plan).

Line 5 - Enter estimated engineering costs, such as surveys, tests, soil borings, etc.

Line 6 - Enter estimated engineering inspection costs.

Line 7 - Enter estimated costs of site preparation and restoration which are not included in the basic construction contract.

Line 9 - Enter estimated cost of the construction contract.

Line 10 - Enter estimated cost of office, shop, laboratory, safety equipment, etc. to be used at the facility, if such costs are not included in the construction contract.

Line 11 - Enter estimated miscellaneous costs.

Line 12 - Total of items 1 through 11.

Line 13 - Enter estimated contingency costs. (Consult the Federal agency for the percentage of the estimated construction cost to use.)

Line 14 - Enter the total of lines 12 and 13.

Line 15 - Enter estimated program income to be earned during the grant period, e.g., salvaged materials, etc.

Line 16 - Subtract line 15 from line 14.

Line 17 - This block is for the computation of the Federal share. Multiply the total allowable project costs from line 16, column "c." by the Federal percentage share (this may be up to 100 percent; consult Federal agency for Federal percentage share) and enter the product on line 17.

DETAIL OF PROJECT COSTS

PLEASE COMPLETE THE TABLE BELOW FOR THE DIFFERENT CATEGORIES OF EQUIPMENT THAT WILL BE REQUIRED FOR COMPLETING THE PROJECT. EACH CATEGORY SHOULD BE BROKEN DOWN TO THE APPROPRIATE LEVEL FOR IDENTIFYING UNIT COST

SERVICE AREA or COMMON NETWORK FACILITIES:		Match (Cash/In-kind)	Unit Cost	No. of Units	Total Cost	Last Mile Allocation	Middle Mile Allocation	Allocated Total	SF-424C Budget Category	Support of Reasonableness
NETWORK & ACCESS EQUIPMENT		\$367,215			\$1,184,565	\$0	\$1,184,565	\$1,184,565		
Switching					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Routing	Occam Routers and equipment		\$34,500.00	6	\$207,000		\$207,000	\$207,000	10. Equipment	price quote from DELCOM, inc
	Occam Routers and equipment	Cash Match	\$15,500.00	6	\$93,000		\$93,000	\$93,000	10. Equipment	price quote from DELCOM, inc
	Cisco router Upgrades		\$17,250.00	4	\$69,000		\$69,000	\$69,000	10. Equipment	estimate based on previous router upgrades
	Cisco router Upgrades	Cash Match	\$7,750.00	4	\$31,000		\$31,000	\$31,000	10. Equipment	estimate based on previous router upgrades
Transport	DWDM equipment for Occam routers		\$84,180.00	2	\$168,360		\$168,360	\$168,360	10. Equipment	price quote from Dell Telephone Company
	DWDM equipment for Occam routers	Cash Match	\$37,820.00	2	\$75,640		\$75,640	\$75,640	10. Equipment	price quote from Dell Telephone Company
	DWDM equipment for Occam routers		\$177,330.00	1	\$177,330		\$177,330	\$177,330	10. Equipment	price quote from Dell Telephone Company
	DWDM equipment for Occam routers	Cash Match	\$79,670.00	1	\$79,670		\$79,670	\$79,670	10. Equipment	price quote from Dell Telephone Company
Access					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Other	Wireless equipment for Mentone		\$66,779.93	2	\$133,560		\$133,560	\$133,560	10. Equipment	price quote from ThinRoute Technologies
	Wireless equipment for Mentone	Cash Match	\$30,002.58	2	\$60,005		\$60,005	\$60,005	10. Equipment	price quote from ThinRoute Technologies
	Wireless equipment for Marathon/Fort Stockton		\$31,050.00	2	\$62,100		\$62,100	\$62,100	10. Equipment	price quote from Big Bend Telephone Company
	Wireless equipment for Marathon/Fort Stockton	Cash Match	\$13,950.00	2	\$27,900		\$27,900	\$27,900	10. Equipment	price quote from Big Bend Telephone Company
OUTSIDE PLANT		\$3,818,580			\$12,318,000	\$0	\$12,318,000	\$12,318,000		
Cables	miles of Fiber (10 microns, 12 to 148 strands)		\$9,660	218	\$2,105,880		\$2,105,880	\$2,105,880	9. Construction	price quote from phone companies
	miles of Fiber (10 microns, 12 to 148 strands)	Cash Match	\$4,340	218	\$946,120		\$946,120	\$946,120	9. Construction	price quote from phone companies
					\$0		\$0	\$0	9. Construction	
Conduits	miles of Fiber Conduit		\$3,864	218	\$842,352		\$842,352	\$842,352	9. Construction	price quote from phone companies
	miles of Fiber Conduit	Cash Match	\$1,736	218	\$378,448		\$378,448	\$378,448	9. Construction	price quote from phone companies
					\$0		\$0	\$0	9. Construction	
Ducts	miles of Fiber Duct		\$5,796	218	\$1,263,528		\$1,263,528	\$1,263,528	9. Construction	price quote from phone companies
	miles of Fiber Duct	Cash Match	\$2,604	218	\$567,672		\$567,672	\$567,672	9. Construction	price quote from phone companies
					\$0		\$0	\$0	9. Construction	
Poles	50 foot Monopoles for Marathon and Fort Stockton		\$6,900	2	\$13,800		\$13,800	\$13,800	9. Construction	price quote from Big Bend Telephone Company
	50 foot Monopoles for Marathon and Fort Stockton	Cash Match	\$3,100	2	\$6,200		\$6,200	\$6,200	9. Construction	price quote from Big Bend Telephone Company
					\$0		\$0	\$0		
Towers	100 foot Wireless tower Mentone		\$31,050	2	\$62,100		\$62,100	\$62,100	9. Construction	price quote from ThinRoute Technologies
	100 foot Wireless tower Mentone	Cash Match	\$13,950	2	\$27,900		\$27,900	\$27,900	9. Construction	price quote from ThinRoute Technologies
					\$0		\$0	\$0		
Repeaters					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Other	miles of ditching, boring, etc		\$19,320	218	\$4,211,760		\$4,211,760	\$4,211,760	9. Construction	price quote from phone companies
	miles of ditching, boring, etc	Cash Match	\$8,680	218	\$1,892,240		\$1,892,240	\$1,892,240	9. Construction	price quote from phone companies
					\$0		\$0	\$0		

COMMON		Match (Cash/In-	Unit Cost	No. of	Total Cost	Last Mile	Middle Mile	Allocated Total	SF-424C Budget	Support of Reasonableness
BUILDINGS		\$24,800			\$80,000	\$0	\$80,000	\$80,000		
New Construction					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Pre-Fab Huts	Equipment Room for Mentone		\$20,700	2	\$41,400		\$41,400	\$41,400	2. Land, structures	price quote from ThinRoute Technologies
	Equipment Room for Mentone	Cash Match	\$9,300	2	\$18,600		\$18,600	\$18,600	2. Land, structures	price quote from ThinRoute Technologies
					\$0		\$0	\$0		
Improvements &					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Other	battery backup for Mentone		\$6,900	2	\$13,800		\$13,800	\$13,800	2. Land, structures	price quote from ThinRoute Technologies
	battery backup for Mentone	Cash Match	\$3,100	2	\$6,200		\$6,200	\$6,200	2. Land, structures	price quote from ThinRoute Technologies
					\$0		\$0	\$0		
CUSTOMER PREMISE EQUIPMENT					\$280,000	\$0	\$280,000	\$280,000		
Modems					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Set Top Boxes					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Inside Writing					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Other	HP ProCurve 6200yl Layer 3 Switches for Schools		\$4,830	40	\$193,200		\$193,200	\$193,200	10. Equipment	recent purchase order
	HP ProCurve 6200yl Layer 3 Switches for Schools	Cash Match	\$2,170	40	\$86,800		\$86,800	\$86,800	10. Equipment	recent purchase order
					\$0		\$0	\$0		
BILLING SUPPORT AND OPERATIONS SUPPORT SYSTEMS		\$66,650			\$215,000	\$0	\$215,000	\$215,000		
Billing Support Systems	Financial Agent AR/AP support for project @ \$200/hour.		\$138	1000	\$138,000		\$138,000	\$138,000	1. Admin and Legal	price quote estimate provided by GTS
	Financial Agent AR/AP support for project @ \$200/hour.	Cash Match	\$62	1000	\$62,000		\$62,000	\$62,000	1. Admin and Legal	price quote estimate provided by GTS
					\$0		\$0	\$0		
Customer Care					\$0		\$0	\$0		
					\$0		\$0	\$0		
					\$0		\$0	\$0		
Other Support					\$0		\$0	\$0		
	annual Advertising costs for public notices		\$3,450	3	\$10,350		\$10,350	\$10,350	1. Admin and Legal	estimate based on previous bid advertisements
	annual Advertising costs for public notices	Cash Match	\$1,550	3	\$4,650		\$4,650	\$4,650	1. Admin and Legal	estimate based on previous bid advertisements

COMMON		Match (Cash/In-	Unit Cost	No. of	Total Cost	Last Mile	Middle Mile	Allocated Total	SF-424C Budget	Support of Reasonableness
OPERATING EQUIPMENT										
Vehicles					\$0	\$0	\$0	\$0		
					\$0			\$0		
					\$0			\$0		
Office Equipment /					\$0			\$0		
					\$0			\$0		
					\$0			\$0		
Other					\$0			\$0		
					\$0			\$0		
					\$0			\$0		
PROFESSIONAL SERVICES		\$968,750	\$2,233,208		\$3,201,958	\$0	\$3,201,958	\$3,201,958		
Engineering Design	Telecom Company Engineering @ 13% of the sum of Network & Access Equipment, Outside Plant and Buildings. Requires INARTE certified engineer or equivalent		\$1,218,356	1	\$1,218,356		\$1,218,356	\$1,218,356	4. Architectural and engr.	estimate based on previous price quotes
	Telecom Company Engineering @ 13% of the sum of Network & Access Equipment, Outside Plant and Buildings. Requires INARTE certified engineer or equivalent	Cash Match	\$547,377	1	\$547,377		\$547,377	\$547,377	4. Architectural and engr.	estimate based on previous price quotes
							\$0			
Project Management	annual Salaries, administration for 2 employees (Casey Ritchie, project manager @ 50%; Jim Collett, project director @ 30%)		\$127,650	3	\$382,950		\$382,950	\$382,950	1. Admin and Legal	estimate based on current salaries
	annual Salaries, administration for 2 employees (Casey Ritchie, project manager @ 50%; Jim Collett, project director @ 30%)	Cash Match	\$57,350	3	\$172,050		\$172,050	\$172,050	1. Admin and Legal	estimate based on current salaries
Consulting/Project Management	Project Management @ 5.5% of the sum of Network & Access Equipment, Outside Plant, Buildings, Customer Premise Equipment, Billing Support and Operations Support Systems and Operating Equipment.		\$534,244	1	\$534,244		\$534,244	\$534,244	1. Admin and Legal	price quote provided by GTS
Consulting/Project Management	Project Management @ 5.5% of the sum of Network & Access Equipment, Outside Plant, Buildings, Customer Premise Equipment, Billing Support and Operations Support Systems and Operating Equipment.	Cash Match	\$240,022	1	\$240,022		\$240,022	\$240,022	1. Admin and Legal	price quote provided by GTS
							\$0	\$0		
Other	miles of Travel for region @ .50 per mile		\$0.35	60000	\$20,700		\$20,700	\$20,700	1. Admin and Legal	estimate based on experience traveling the region
	miles of Travel for region @ .50 per mile	Cash Match	\$0.16	60000	\$9,300		\$9,300	\$9,300	1. Admin and Legal	estimate based on experience traveling the region
	Indirect cost of admin and legal @ NICRA 5.1398%		\$76,959	1	\$76,959		\$76,959	\$76,959	11. Misc.	Indirect cost; admin and legal @ NICRA 5.1398%
TESTING										
Network					\$0	\$0	\$0	\$0		
					\$0			\$0		
					\$0			\$0		
IT System					\$0			\$0		
					\$0			\$0		
					\$0			\$0		
User Devices					\$0			\$0		
					\$0			\$0		
					\$0			\$0		
Test Generators					\$0			\$0		
					\$0			\$0		
					\$0			\$0		
Lab					\$0			\$0		

					\$0			\$0		
					\$0			\$0		
Servers/Computers					\$0			\$0		
					\$0			\$0		
					\$0			\$0		

COMMON		Match (Cash/In-	Unit Cost	No. of	Total Cost	Last Mile	Middle Mile	Allocated Total	SF-424C Budget	Support of Reasonableness
OTHER UPFRONT COSTS					\$0	\$0	\$0	\$0		
Site					\$0			\$0		
					\$0			\$0		
					\$0			\$0		
Other					\$0			\$0		
					\$0			\$0		
				0	\$0		\$0	\$0	11. Misc.	
PROJECT TOTAL:					\$17,279,523	\$0	\$17,279,523	\$17,279,523		

Cross-check Totals	
1. Admin and Legal	\$1,574,266
2. Land, structures	\$80,000
3. Relocation expenses	\$0
4. Architectural and engr.	\$1,765,733
5. Other archit. and engr.	\$0
6. Inspection fees	\$0
7. Site work	\$0
8. Demolition/removal	\$0
9. Construction	\$12,318,000
10. Equipment	\$1,464,565
11. Misc.	\$76,959

Contribution Cross-check Totals	
Federal Funding Request	\$11,946,728
Cash Match Contribution	\$5,332,795
In-kind Match Contribution	\$0
Indirect Cost @ 5.1398%	\$76,959

Approach to allocating Last Mile and Middle Mile costs:
Entire project is Middle Mile.

CERTIFICATION REGARDING LOBBYING LOWER TIER COVERED TRANSACTIONS

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

LOBBYING

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

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

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

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

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

Statement for Loan Guarantees and Loan Insurance

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

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

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

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

NAME OF APPLICANT	AWARD NUMBER AND/OR PROJECT NAME
Region 18 Education Service Center	5637

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE
John Thomas, Executive Director

SIGNATURE	DATE
	6-10-10

CERTIFICATION REGARDING LOBBYING

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

LOBBYING

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

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

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

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

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

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

Statement for Loan Guarantees and Loan Insurance

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

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

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

NAME OF APPLICANT

Region 18 Education Service Center

AWARD NUMBER AND/OR PROJECT NAME

Connecting Southwest Texas

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

John Thomas, Executive Director

SIGNATURE



DATE

6-10-10



Comprehensive Community Infrastructure **Budget Narrative Template**

Applicant Name: Region 18 Education Service Center

EasyGrants Number: 5637

Organization Type: Quasi-governmental Education Service Center

Proposed Period of Performance: Three years, 2010-2013

Total Project Costs: \$17,279,523

Total Federal Grant Request: \$11,946,728

Total Matching Funds (Cash): \$5,332,795

Total Matching Funds (In-Kind): \$0

Total Matching Funds (Cash + In-Kind): \$5,332,795

Total Matching Funds (Cash + In-Kind) as Percentage of Total Project Costs: %31.00

1. Administrative and legal expenses - \$1,574,266- Provide a breakout of position(s), time commitment(s) such as hours or level-of-effort, and salary information/rates with a detailed explanation, and additional information as needed.

\$555,000 of this category is estimated for salaries for two employees to manage and implement the program. This includes a Project Director, funded at 30% by the project over a three year period, and a Project Manager, funded at 50% by the project over a three year period. The Project Director and Project Manger will manage the acquisitions, deployment, coordination of all phases of the project activities and other administrative requirements of implementation to ensure meeting the goals and objectives of the project.

\$200,000 of this category will fund a Financial Agent, funded at 100% by the project. The Financial Agent will work in all phases with all partner organizations to maximize resources by ensuring that all available discounts, reimbursements, grants and other income opportunites are sought from all sources, including other governmental organizations as appropriate. The financial agent is estimated to be \$200 per hour for an estimated 1000 hours over the three year period.

The salary expenses for the Project Director and the Project Manager are listed in the Detail of Project Costs under Professional Services. The salary expenses for the Financial Agent are listed in the Detail of the Project Costs under the Billing Support and Operations Support Systems.



Staff Position	Total Annual Employee Cost (Salary + Fringe)	Per Cent of Time and Effort on Project and Annual Cost	Total Cost to Project for 3 year Grant Period
Project Director	\$133,333	30% = \$40,000	\$120,000
Project Manager	\$90,000	50% = \$45,000	\$135,000
Financial Agent	\$200 per hour for estimated 1000 hours	100%	\$200,000

\$30,000 of this category is for professional travel. This is listed in the Detail of Project Costs under Professional Services, Other. This amount is for three years and is for mileage and other travel expenses to make on-site visits to conduct project business. This is based on \$0.50 per mile for 20,000 per mile for three years. The region in which the project is being implemented covers over 37,000 square miles, an area about the size of the entire state of Indiana, so the travel required is extensive.

\$15,000 of this category is for advertising. There are legal requirements that require bids to be taken from vendors prior to purchase. These bids are published in the classified section local newspapers in accordance with purchasing policies. This is based on an estimated \$5,000 per year for three years. Additionally, construction projects, such as ditching and tower erection require public notices prior to beginning the project. These legal notices will be published in local newspapers by purchasing appropriate classified advertising. This line item is also under Billing Support and Operational Support Systems, Other Support.

\$774,266 of this category is for contracted Project Management. Region 18 ESC plans to contract with Global Technology Solutions for project management. This amount is calculated at 5.5% of the sum of Network & Access Equipment, Outside Plant, Buildings, Customer Premise Equipment, Billing Support and Operations Support Systems and Operating Equipment. GTS will work on all phases of the project. GTS will provide project oversight to ensure construction and installation meet local, state and federal codes. GTS will also provide financial oversight to ensure billing and payments are accurate. GTS will also ensure that all materials and equipment are purchased at the lowest possible price. GTS has years of experience providing this type of service to other government agencies.

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

The Cash Matching Funds source is from cash reserves from the accumulated fund balance of the applying organization. Region 18 ESC is matching 31% of each each category.

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

There are no In-Kind Matching Funds that will be considered toward the matching funds requirement of the grant. Although there will be many instances of In-Kind contributions to the project, the Matching Fund requirement is being met through cash funds.



2. Land, structure, rights-of-way, appraisals, etc. - \$80,000

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

\$60,000 of this category is for two pre-fab equipment rooms for wireless equipment for the Mentone wireless link. One equipment pre-fab room will be located in Mentone. The other pre-fab room will be located approximately 30 miles to the Southwest at the other tower location.

\$20,000 of this category is for two battery backup systems for the wireless equipment rooms. There will be one battery backup system installed in each of the two equipment rooms.

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

The Cash Matching Funds source is from cash reserves from the accumulated fund balance of the applying organization. Region 18 ESC is matching 31% of each each category.

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

There are no In-Kind Matching Funds that will be considered toward the matching funds requirement of the grant. Although there will be many instances of In-Kind contributions to the project, the Matching Fund requirement is being met through cash funds.

3. Relocation expenses and payment - \$0

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

N/A

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

N/A

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

N/A

4. Architectural and engineering fees - \$1,765,733

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

This amount in this category is found in the Detail of Project Costs under Professional Services, Engineering. The fees for this category are calculated at 13% of the sum of Network & Access Equipment, Outside Plant and Buildings. The five telecom companies partnering are all locally owned businesses or cooperatives and members of the Texas Lone Star Network, a consortium of independent telecommunications companies in Texas. They include: Wes Tex Telephone; Big Bend



Telephone; Hill Country Telephone; Poka Lambro Telephone and Dell City Telephone. The services provided for these fees are studies and designs for installing switches and equipment for interoperability of the network and the installation of approximately 218 miles of fiber optic cable. Additionally, the design and planning of four microwave towers. Although the typical cost of engineering fees for telecommunications companies is 17%, we do not anticipate that every piece of construction will require this level of engineering. For example, areas that will use aerial fiber will not require extensive engineering design.

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

The Cash Matching Funds source is from cash reserves from the accumulated fund balance of the applying organization. Region 18 ESC is matching 31% of each each category.

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

There are no In-Kind Matching Funds that will be considered toward the matching funds requirement of the grant. Although there will be many instances of In-Kind contributions to the project, the Matching Fund requirement is being met through cash funds.

5. Other architectural and engineering fees - \$0

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

The architectural and engineering costs will be included within the contracts for the construction projects, which will be turnkey projects.

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

N/A

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

N/A

6. Project inspection fees - \$0

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

The project inspection fees will be included within the contracts for the construction projects, which will be turnkey projects.

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

N/A



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

N/A

7. Site work - \$0

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

The site work costs will be included within the contracts for the construction projects, which will be turnkey projects.

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

N/A

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

N/A

8. Demolition and removal - \$0

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

The demolition and removal costs will be included within the contracts for the construction projects, which will be turnkey projects.

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

N/A

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

N/A



9. Construction - \$12,318,000

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

This line item is found under the Service Area or Common Network Facilities: Network and Access Equipment, Outside Plant, Cables. Most of the amount for Construction (\$12,318,000) is for the additional fiber optic cable necessary to complete the fiber optic network in the region.

\$3,052,000, or an estimated 25% of the total construction is for the purchase of the fiber optic cable. This is equivalent to \$14,000 per mile for 218 miles.

\$1,220,800, or an estimated 10% of the total construction will be used for fiber conduit. This is equivalent to \$5,600 per mile for 218 miles.

\$1,831,200, or an estimated 15% of the total construction will be used for fiber duct. This is equivalent to \$8,400 per mile for 218 miles.

\$20,000 is for two 50 foot monopole wireless towers. One wireless pole will be installed in Marathon and will provide a wireless link to an existing tower approximately 30 miles to the Southwest. The other wireless pole will be installed in Fort Stockton and will provide a wireless link to an existing tower approximately 2 miles to the East.

\$90,000 is for two 100 foot towers for the wireless link in Mentone. One tower will be installed in Mentone and the other will be installed approximately 30 miles to the Southwest.

\$6,104,000, or an estimated 50% of the total construction is for ditching, boring, etc of the fiber cable. This is equivalent to \$28,000 per mile for 218 miles.

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

The Cash Matching Funds source is from cash reserves from the accumulated fund balance of the applying organization. Region 18 ESC is matching 31% of each each category.

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

There are no In-Kind Matching Funds that will be considered toward the matching funds requirement of the grant. Although there will be many instances of In-Kind contributions to the project, the Matching Fund requirement is being met through cash funds.



10. Equipment - \$1,464,565

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

Item	Number units	Unit Cost	Lease or Purchase	Additional information
Occam Routers	6	\$50,000	Purchase	Telecom company routing equipment
Cisco Router Upgrades	4	\$25,000	Purchase	Upgrades to existing routers for Big Bend Telephone, Hill Country Telephone, Wes Tex Telephone and Poka Lambro Telephone to allow for additional fiber.
DWDM Equipment	2	\$122,000	Purchase	Equipment for Pine Springs and Van Horn, required for the connection to McDonald Observatory
DWDM Equipment	1	\$257,000	Purchase	Equipment for McDonald Observatory
Wireless Equipment	2	\$96,782.50	Purchase	Wireless equipment for Mentone link.
Wireless Equipment	2	\$45,000	Purchase	Wireless equipment for Fort Stockton and Marathon
HP 6200yl Layer 3 switches	40	\$7,000	Purchase	Layer 3 switches for school districts to connect the school to the fiber network

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

The Cash Matching Funds source is from cash reserves from the accumulated fund balance of the applying organization. Region 18 ESC is matching 31% of each each category.



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

There are no In-Kind Matching Funds that will be considered toward the matching funds requirement of the grant. Although there will be many instances of In-Kind contributions to the project, the Matching Fund requirement is being met through cash funds.

11. Miscellaneous - \$76,959

- This is for indirect costs. This is calculated from from Region 18 ESC existing NICRA at 5.1398% multiplied by the Admin and Legal expenses of \$1,574,266.

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

N/A

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

N/A

13. Contingencies - \$0

- Contingencies are an unallowable expenditures under BTOP.

15. Project (program) income - \$0

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

Addendum

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

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

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Approval No. 4040-0009
Expiration Date 07/30/2010

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

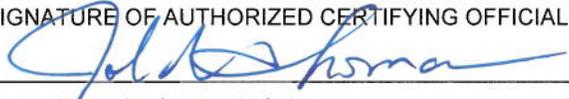
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

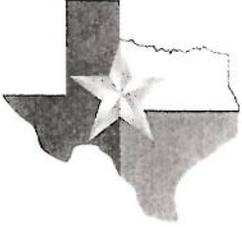
NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-1 33, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

*SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	*TITLE Executive Director
*APPLICANT ORGANIZATION Region 18 ESC	*DATE SUBMITTED July 8, 2010



TEXAS EDUCATION AGENCY

1701 North Congress Ave. • Austin, Texas 78701-1494 • 512/463-9734 • FAX: 512/463-9838 • <http://www.tea.state.tx.us>

Robert Scott
Commissioner

*Copy made
for Helen*

RECEIVED MAY 5 2010

April 29, 2010

TO THE REGIONAL EDUCATION SERVICE CENTER EXECUTIVE DIRECTOR ADDRESSED

SUBJECT: Approval of Federal Indirect Cost Rate for 2010-2011

Attached is the federal indirect cost rate approved for your center. The applicable period for this rate is July 1, 2010 through June 30, 2011.

This information has been provided to all program sections within the Texas Education Agency and will be used in approving your application for all state and federally funded programs administered by the agency.

If you have any questions on the rate approved for your center or the methodology applied in arriving at the rate, address them to Regional Services at 512/463-9371.

Sincerely,

Raymond F. Glynn, Ed.D., Deputy Commissioner
School District Leadership and Educator Quality

attachment

**EDUCATION SERVICE CENTER FUNDING
MAY 15, 2009**

XVIII
ESC Region No.

1650950
County-District No.

**CERTIFICATION OF RESTRICTED INDIRECT COST RATE FOR THE PERIOD
JULY 1, 2010 THROUGH JUNE 30, 2011**

The Restricted Indirect Cost Rate (ICR) contained herein is for use on grants and contracts for both state and federally supported programs and is subject to limitations of federal and state regulations and policies, and to the guidelines contained in the "Indirect Cost Proposal for Education Service Centers 2010-2011." The ICR was established by the Texas Education Agency in accordance with the authority granted by the Department of Education [34 CFR 76.561(b)].

SECTION 1: RATE

The Restricted Indirect Cost Rate for the period July 1, 2010 through June 30, 2011 is 5.1398%.

Note: Since the RESC Independent Audit is now being done in accordance with the single audit concept, the AUDIT cost will be treated as an INDIRECT COST for this period.

SECTION 2: GENERAL

- A. *LIMITATIONS:* Use of the indirect cost rate contained in this agreement is subject to any applicable statutory or policy limitations. Acceptance of the rate agreed to herein is predicated upon the following conditions: (1) that no costs other than those incurred by the service center were included in the indirect cost rate proposal, and that such costs are legal obligations of the service center; (2) that the same costs that have been treated as indirect costs have not been claimed as direct costs; and (3) that similar types of costs have been accorded consistent treatment. Indirect cost *is* allowed on any project funded from state sources of revenue unless otherwise prohibited by legislation or project requirements.
- B. *AUDIT OF THIS PROPOSAL:* Adjustments to amounts resulting from audit of the "Indirect Cost Proposal for Education Service Centers 2010-2011," Form ESC-017, will be compensated for in a subsequent negotiation.
- C. *CHANGES:* The rate contained in this agreement is based on the organization's structure and accounting system in effect at the time the proposal was submitted. Changes in the organization's structure or method of accounting for costs, which affect the reimbursement from use of the indirect cost rate contained in this agreement, will be adjusted for in the carry-forwarded provision of the rate in 2012-2013.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Region 18 ESC P.O. Box 60580 Midland, TX 79711 Congressional District, if known: 11	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency: Department of Commerce	7. Federal Program Name/Description: Broadband Technology Opportunities Program CFDA Number, if applicable: 11.557	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: John Thomas Title: Executive Director Telephone No.: 432-567-3210 Date: 6/11/2010	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.