

Attachment B
U.S. DEPARTMENT OF COMMERCE
Economic Development Administration
SPECIFIC AWARD CONDITIONS

Recipient: **Sumter County**
 7375 Powell Road
 Sumter, Florida 34785

Award No.: 04-69-07709

1. **PROJECT:** This investment will complete a broadband feasibility study that assesses and identifies expansion opportunities for broadband access along an industrial corridor in the northeast part of the county, focusing on three industrial parks totaling about 418 acres of industrial-zoned land. This effort will require research and data collection as well as collaboration between public and private sectors to assess the current state of the area’s existing broadband infrastructure and identify innovative ways to enhance the infrastructure to attract high-skilled, high-wage employers.

2. **PROJECT DEVELOPMENT TIME SCHEDULE:** The Recipient agrees to the following Project development time schedule:

Time allowed in Financial Assistance Award after EDA Award date:

Award Period 6 months

Project Closeout- All Project closeout documents including the final financial information and any required program reports shall be submitted to the Government not more than 120 days after the date the Recipient accepts the completed project from the contractor(s).

The Recipient shall pursue diligently the development of the Project to ensure completion within this time schedule. Moreover, the Recipient shall notify the Government in writing of any event which could delay substantially the achievement of the Project within the prescribed time limits. The Recipient further acknowledges that failure to meet the development time schedule may result in the Government’s taking action to terminate the Award in accordance with the regulations set forth at 2 CFR §§ 200.338-342.

3. **PROCUREMENT:** The Recipient agrees that all procurement transactions shall be in accordance with Department of Commerce Regulations at 2 CFR §§ 200.317-326.

4. **GRANT ADMINISTRATOR:** The Grant Administrator for the Project is:

H. Philip Paradise, Jr.
Director, Atlanta Region
Economic Development Administration

5. The **FEDERAL PROGRAM OFFICER** is responsible for the programmatic, technical, and/or scientific aspects of this Award:

Priscilla A. Kittles
Administrative Director
Economic Development Administration

6. The **PROJECT OFFICER** is responsible for administrative coordination and liaison with the Recipient. This individual receives appropriate material from the Recipient for administrative processing. The Program Officer's name, address, telephone number, and email address are:

Jolene Hamm
Project Officer
Economic Development Administration
401 West Peachtree Street, NW, Suite 1820
Atlanta, Georgia 30308-3510
(404) 576-7515
Nonconstructionreports-payments@eda.gov

7. **AWARD DISBURSEMENTS: Reimbursable basis only:** EDA will make Award payments using the Department of Treasury's Automated Standard Application for Payments (ASAP) system. The recipient is required to furnish documentation as required by ASAP including but not limited to Recipient and Requestor Identification Numbers. Complete information concerning the ASAP system may be obtained by visiting www.fms.treas.gov/asap.

The "Request for Reimbursement" (SF-270) is used to request payment, which will be approved by the Project Officer. Please note that disbursements cannot be processed until the attached Standard Form 3881, ACH Vendor/Miscellaneous Payment Enrollment Form is completed and returned. The form must be completed by the respective parties (EDA, Recipient Bank, and Recipient). A new form is required for each Award. Return the completed form with the executed Award documents to the Project Officer at Economic Development Administration, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, Georgia 30308-3510.

8. **REAFFIRMATION OF APPLICATION:** Recipient(s) acknowledges that Recipient's application for this Award may have been submitted to the Government and signed by Recipient(s), or by an authorized representative of Recipient, electronically. Regardless of the means by which Recipient(s) submitted its application to the Government or whether Recipient or an authorized representative of Recipient submitted its application to the Government, Recipient(s) hereby reaffirms and state that a.) all data in said application and documents submitted with the application are true and correct as of the date of this Award and were true and correct as of the date of said submission, b.) said application was as of the date of this Award and as of the date of said application duly authorized as required by local law by the governing body of the Recipient(s) and c.) Recipient(s) confirms that it will comply with the Assurances and Certifications submitted with, or attached to, said application. The term "application" includes all documentation and any information provided to the Government as part of, and in furtherance to, the request for funding, including submissions made in response to information requested by the Government after submission of the initial application.

- 9. RECIPIENT'S DUTY TO REFRAIN FROM EMPLOYING CERTAIN GOVERNMENT EMPLOYEES:** For the two-year period beginning on the date the Government executes this Award, the Recipient(s) agrees that it will not employ, offer any office or employment to, or retain for professional services any person who, on the date the Government executes this Award or within the one-year period ending on that date:
- a. Served as an officer, attorney, agent, or employee of the Department; and
 - b. Occupied a position or engaged in activities that the Assistant Secretary determines involved discretion with respect to the Award of Investment Assistance under PWEDA.

The two-year period and associated restrictions referenced above also shall apply beginning on the date the Government executes any cost amendment to this Award that provides additional funds to the Recipient(s).

- 10. FREEDOM OF INFORMATION ACT (FOIA):** EDA is responsible for meeting its Freedom of Information Act (FOIA) (5 U.S.C. § 552) responsibilities for its records. DOC regulations at 15 CFR Part 4 set forth the requirements and procedures that EDA must follow in order to make the requested material, information, and records publicly available. Unless prohibited by law and to the extent required under the FOIA, contents of applications and other information submitted by applicants may be released in response to a FOIA request. Applicants should be aware that EDA may make certain application information publicly available. Accordingly, the applicant should notify EDA if it believes any application information to be confidential.

- 11. SCOPE OF WORK:** Recipient(s) agrees to undertake, prosecute and complete the Scope of Work (SOW) for this Project funded by this Award which SOW is approved and agreed to by the Government as subsequently amended in mutually agreed upon written change order(s) and/or SOW amendment(s), if any. The SOW shall be as set forth and described in a.) the application submitted by Recipient(s) and/or Recipient's authorized representative(s) to the Government for this Award together with b.) all enclosures, materials, documents and other submittals accompanying and supporting the application, c.) all additional materials, documents and/or correspondence requested by the Government and submitted by Recipient(s) and/or Recipient's authorized representative(s) in support and furtherance of the application and d.) such change(s) and/or SOW amendments, if any, requested in writing by the Recipient(s) and/or Recipient's authorized representative subsequent to the date of this Award and approved and agreed to in writing by the Government. To the extent such additional materials, documents and/or correspondence amends and/or clarifies the application, such amendment or clarification shall be controlling. It is agreed that the Recipient(s) and Government intend that the SOW describes a discrete, detailed and specific project that is funded and authorized by this Award and to that end the application and the above described additional information shall be fairly construed to and shall describe the SOW. As more particularly described in the item B-2 of the ED-900 of the grantee's application.

- 12. REFUND CHECKS, INTEREST OR UNUSED FUNDS:** Treasury has given the EDA two options for having payments deposited to our account with it:

The first one is Pay.Gov. This option allows the payee to pay EDA through the Internet. The payee will have the option to make a one-time payment or to set up an account to make regular payments.

The second option is Paper Check conversion. All checks must identify on their face the name of the DOC agency funding the award, award number, and no more than a two-word description to identify the reason for the refund or check. A copy of the check should be provided to the Federal Project Officer. This option allows the payee to send a check to NOAA's accounting office, who processes EDA's accounting functions at the following address: U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Finance Office, AOD, EDA Grants, 20020 Century Boulevard, Germantown, MD 20874. The accounting staff will scan the checks in encrypted file to the Federal Reserve Bank, and the funds will be deposited in EDA's account. While this process will not be an issue with most payees who are corporations, it could be an issue for individuals sending EDA funds. Please make note of the following.

Notice to Customers Making Payment by Check

If you send EDA a check, it will be converted into an electronic funds transfer by copying your check and using the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will appear on your regular account statement.

You will not receive your original check back. Your original check will be destroyed, but a copy of it will be maintained in our office. If the EFT cannot be processed for technical reasons, the copy will be processed in place of the original check. If the EFT cannot be completed because of insufficient funds, we will charge you a one-time fee of \$25.00, which will be collected by EFT.

- 13. WASTE, FRAUD AND ABUSE:** Consistent with 2 CFR part 200, Recipient personnel responsible for managing the Recipient's finances and overseeing any contractors, sub-contractors or sub-grantees, will complete the training PowerPoint entitled "Compliance with EDA Disaster Assistance Program Requirements" and return the signed Certificate of Training Completion (page 38 or subsequent certification pages if there are more than one of the training) to EDA along with the signed CD-450 within 30 days of receipt.

Further, Recipient will monitor award activities for common fraud schemes, such as:

- false claims for materials and labor,
- bribes related to the acquisition of materials and labor,
- product substitution,
- mismarking or mislabeling on products and materials, and
- time and materials overcharging.

Should Recipient detect any suspicious activity, Recipient will contact EDA staff listed above and the Office of Inspector General, as indicated at <https://www.oig.doc.gov/Pages/Contact-Us.aspx>, as soon as possible.

- 14. STANDARD TERMS AND CONDITIONS/UNIFORM GUIDANCE:** The Government promulgates regulations that are a.) in many instances Department of Commerce- or Bureau-specific and b.) also in more generic and government-wide in application. These regulations are codified and set out in the Code of Federal Regulations (CFR). Recently, the Office of Management and Budget revised the government-wide Uniform Guidance set forth in 2 CFR Part 200 – Uniform Administrative

Requirements, Cost Principals and Audit Requirements for Federal Awards. References and controlling language from 2 CFR Part 200 appear in the CD-450 Financial Assistance Award, these Specific Award Conditions, and in the Standard Terms and Conditions attached to all construction grants (Awards) made by the U.S. Department of Commerce, Economic Development Administration (EDA).

The most recent revisions to 2 CFR Part 200 governing EDA Awards became effective on November 12, 2020. Additional revisions to 2 CFR Part 200 are anticipated in the future. This Specific Award Condition (SAC) is provided to confirm that fact and advise the Recipient(s) that the version of 2 CFR Part 200 that took effect on November 12, 2020 currently applies to this award and supersedes conflicting provisions of 2 CFR Part 200 appearing in the SF-450 and/or Standard Terms and Conditions and this Exhibit (if any) attached to this Award. Future revisions to 2 CFR Part 200 may further supersede the version that took effect on November 12, 2020.

- 15. PERFORMANCE MEASURES: The Semi-Annual Program Outputs Questionnaire for EDA Grantees (Non-infrastructure programs) (Form ED-916)** must be submitted by Recipient to EDA on a semi-annual basis during the period of performance of this Award, or as otherwise directed by EDA. EDA will provide Recipient with the first electronic Outputs Questionnaire approximately six months after the date the period of performance starts, as set forth in Form CD-450. EDA will then provide Recipient subsequent electronic Outputs Questionnaires approximately every six months thereafter through the end of the period of performance, or any portion thereof if applicable. Recipient must complete and submit to EDA each electronic Outputs Questionnaire within 30 days of receipt.

The **Annual Capacity Outcomes Questionnaire for EDA Grantees Serving Clients (Non-Infrastructure Programs) (Form ED-917)** or the **Annual Capacity Outcomes Questionnaire for EDA Grantees not Serving Clients (Non-infrastructure programs) (Form ED-918)** must be submitted by Recipient to EDA on an annual basis for five years, or as otherwise directed by EDA. If Recipient will directly serve clients (i.e. beneficiaries) under the Authorized Scope of Work, Recipient must submit Form ED-917; if Recipient will not directly serve clients under the Authorized Scope of Work, Recipient must submit Form ED-918. (Recipient should consult the above-listed project officer if Recipient is unsure whether activities in the Authorized Scope of Work constitute serving clients.) Recipient will automatically receive whichever Outcomes Questionnaire is most appropriate, as determined by the EDA project officer, for the Authorized Scope of Work. EDA will provide Recipient with the first electronic Outcomes Questionnaire approximately one year after the date the period of performance starts, as set forth in Form CD-450. EDA will then provide Recipient subsequent electronic Outcomes Questionnaires approximately every 12 months thereafter for a total of five years, notwithstanding the end of the period of performance. Recipient must complete and submit to EDA each Outcomes Questionnaire within 30 days of receipt.

EDA may revise or replace the Outputs Questionnaire and/or the Outcomes Questionnaire at any time during or following the period of performance of this Award. Recipient agrees to report on program performance measures and program outcomes in such form and at such intervals as may be prescribed by EDA in compliance with the Government Performance and Results Act (GPRA) of 1993 and the Government Performance and Results Modernization Act of 2010 (collectively, GPRA Reports). Recipient must collect sufficient data and retain sufficient documentation to enable Recipient to complete required GPRA Reports. Failure to submit to EDA required GPRA Reports might adversely impact the ability of the Recipient to secure future funding from EDA.