

AMENDMENT TO FINANCIAL ASSISTANCE AWARD

AWARD NUMBER
54-10-S18054

CFDA NO. AND NAME

11.549 - State and Local Implementation Grant Program

PROJECT TITLE

The State Of West Virginia will coordinate a program to assist in the implementation of the National Public Safety Broadband Network

RECIPIENT NAME

WV Division of Homeland Security and Emergency Management

AMENDMENT NUMBER

1

STREET ADDRESS

Building 1, Room EB 1900 Kanawa Blv East

EFFECTIVE DATE

11/20/2018

CITY, STATE ZIP

Charleston, WV 25305-0001

**EXTEND PERIOD OF PERFORMANCE TO
(IF APPLICABLE)**

COSTS ARE REVISED AS FOLLOWS:	PREVIOUS ESTIMATED COST	ADD	DEDUCT	TOTAL ESTIMATED COST
FEDERAL SHARE OF COST	\$250,000.00	\$450,000.00	\$0.00	\$700,000.00
RECIPIENT SHARE OF COST	\$62,500.00	\$112,500.00	\$0.00	\$175,000.00
TOTAL ESTIMATED COST	\$312,500.00	\$562,500.00	\$0.00	\$875,000.00

REASON(S) FOR AMENDMENT

This award is hereby amended to: [1] authorize the second increment of funding in the amount of \$450,000 (see Special Award Condition (SAC) #7 Multi-Year Award and Funding Limitations); [2] designate Michael L. Todorovich as SPOC and AOR for the award, per the recipient's correspondence dated 10/29/2018 (see SAC #2 Recipient Contact Information); [3] incorporate an agency review restriction on all payments (see SAC #5 Award Payments); [4] incorporate revised DoC Financial Assistance Standard Terms and Conditions, effective October 09, 2018 (see SAC #5, 10, 12, 16, and 19); and [5] indicate on the attached, those terms and conditions affected by these actions. With this amendment, this project is fully funded for the total project period.

ALL PREVIOUS TERMS AND CONDITIONS REMAIN IN EFFECT.

This Amendment Document (Form CD-451) signed by the Grants Officer constitutes an Amendment of the above-referenced Award, which may include an obligation of Federal funding. By signing this Form CD-451, the Recipient agrees to comply with the Amendment provisions checked below and attached, as well as previous provisions incorporated into the Award. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally withdraw this Amendment offer and de-obligate any associated funds.

SPECIAL AWARD CONDITIONS

LINE ITEM BUDGET

OTHER(S)

SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER

Nuria Martinez
Date: 2018.11.20
14:46:28 -05'00'

DATE

11/20/2018

TYPED NAME, TYPED TITLE, AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

Michael J Todorovich Michael L Todorovich Dir

DATE

Award Number: 54-10-S18054, Amendment Number 1

Federal Program Officer: Yuki Miyamoto-Mendez

Requisition Number: S19054

Employer Identification Number: 556001347

Dun & Bradstreet No: 192434900

Recipient ID: 5406982

Requestor ID: 5406982

Award ACCS Information

Bureau Code	FCFY	Project-Task	Org Code	Obj Class	Obligation Amount
61	2019	8150000-000	11-00-0000-00-00-00-00	41-19-00-00	\$450,000.00

Award Contact Information

Contact Name	Contact Type	Email	Phone
Mr. Michael L Todorovich	Administrative	michael.l.todorovich@wv.gov	304-558-5380

NIST Grants Officer:

Dean Iwasaki
100 Bureau Drive, MS 1650
Gaithersburg, MD 20899-1650
(301) 975-8449

NIST Grants Specialist:

Shiou Liu
100 Bureau Drive, MS 1650
Gaithersburg, MD 20899-1650
(301) 975-8245

NIST Financial Assistance Award Number: 54-10-S18054

Amendment: 01

Recipient: WV Division of Homeland Security and Emergency Management

**STATE AND LOCAL IMPLEMENTATION GRANT PROGRAM 2.0
FINANCIAL ASSISTANCE
SPECIAL AWARD CONDITIONS**

2. REVISED - Recipient Contact Information:

Administrative:

Michael L. Todorovich

Director

West Virginia Division of Homeland Security and Emergency Management

1703 Coonskin Drive

Charleston, WV 25311

Telephone: 304-558-5380

Email: michael.l.todorovich@wv.gov

5. REVISED - Award Payments:

This award is hereby funded through advanced payments using the Department of Treasury's Automated Standard Application for Payments (ASAP) system. Payments will be issued in accordance with 2 CFR § 200.305 and the Department of Commerce Financial Assistance Standard Terms and Conditions, B.02, dated October 09, 2018.

Payments for allowable costs may be drawn down as needed by the Recipient enrolled in ASAP. Funds may be requested through ASAP by the authorized *Payment Requestor* who is the individual designated by the Recipient to access Federal funds.

This award has the following control or withdrawal limits set in ASAP:

- None
- Agency Review required for all withdrawals (see explanation below)
- Agency Review required for all withdrawal requests over \$_____ (see explanation below)
- Maximum Draw Amount controls (see explanation below)
 - \$_____ each month
 - \$_____ each quarter
 - \$_____ Max drawdown amount control

Explanation:

The Recipient has been identified as a potential risk for proper management of funding based on a review of reported expenditures. As a result, the Recipient will remain under Agency Review until consistent compliance with the terms and conditions of the award is met, to include accurate recording of time and effort.

NIST Financial Assistance Award Number: 54-10-S18054

Amendment: 01

Recipient: WV Division of Homeland Security and Emergency Management

While on Agency Review status, the Recipient must submit all payment requests in accordance with the instructions below. Requests will be reviewed and approved by NTIA and NIST prior to releasing the funds through the ASAP system.

Each payment request must be submitted through the ASAP system before emailing the following documents to the Grants Specialist:

- 1) An accounting system report or spreadsheet that itemizes and compares the costs being claimed to the cost categories of the approved award budget. For non-

Federal entities who do not have a preexisting cost spreadsheet, an optional Excel spreadsheet called the Summary Schedule of Reimbursement / Costs Claimed (SSRCC) may be requested by contacting the assigned Grants Specialist. The completed electronic spreadsheet will be emailed to the Grants Specialist simultaneously with the submission of the Request for Reimbursement in ASAP, with a copy to the Federal Program Officer for review and comments.

- 2) Detailed source supporting documents (e.g., cancelled checks, paid bills, payrolls, time and attendance records, contract and subrecipient documents, etc.). Please ensure that all documentation corresponds with each cost category (e.g., personnel, fringe benefits, travel, equipment, supplies, etc.) being claimed in the cost spreadsheet or SSRCC referenced in the previous paragraph.

7. REVISED - Multi-Year Award and Funding Limitations:

The scope of work and budget incorporated into this award cover the period from 03/01/2018 to 02/29/2020 (referred to as the "project period"), for a total of \$700,000 in Federal funds. This amendment provides \$450,000 in Federal funding for the continued funding of this multi-year award for a total of \$700,000. This award is being fully funded via this award action.

The maximum amount of NIST funding in support of this award will not exceed the amount specified in the award documents, unless otherwise amended in writing by the NIST Grants Officer. The Department of Commerce is not liable for any obligations, expenditures, or commitments which involve any amount in excess of the Federal funds being made available pursuant to this award.

10. REVISED - Department of Commerce Financial Assistance Standard Terms and Conditions:

As indicated on the Form CD-450 for this award, the Department of Commerce Financial Assistance Standard Terms and Conditions (ST&C) issued October 09, 2018 are incorporated by reference into this award. The Department's ST&C, as well as a link to 2 CFR Part 200, are accessible at:

http://www.osec.doc.gov/oam/grants_management/policy/default.htm

NIST Financial Assistance Award Number: 54-10-S18054

Amendment: 01

Recipient: WV Division of Homeland Security and Emergency Management

12. REVISED - Indirect or Facilities and Administrative (F&A) Costs:

NIST will reimburse the Recipient for indirect or F&A costs in accordance with 2 CFR § 200.414 and Section B.06. of the Department of Commerce Financial Assistance Standard Terms and Conditions, dated October 09, 2018.

If an indirect cost rate has not been established, and NIST is identified as the cognizant agency for indirect costs in accordance with 2 CFR § 200.19, "Cognizant agency for indirect costs," within 90 days of the award start date, the Recipient must submit to the address listed below documentation (indirect cost rate proposal, cost allocation plan, etc.) necessary to allow NIST to perform the indirect cost rate proposal review.

The requirements for determining the relevant cognizant agency and for developing and submitting indirect (F&A) cost rate proposals and cost allocation plans are contained in 2 CFR § 200.414 and in Appendices III-VII to 2 CFR Part 200.

National Institute of Standards and Technology
Office of Acquisition and Agreements Management
100 Bureau Drive, Stop 1400
Gaithersburg, MD 20899
Attn: Indirect Cost Rate Proposal

16. REVISED - Matching Funds:

Recipient shall provide, from non-federal sources, not less than 20 percent of the total project cost. Matching funds can be in the form of either cash or in-kind contributions consistent with 2 CFR § 200.306. The Recipient may be asked to provide supporting documentation upon request from the Grants Officer or NTIA.

As provided in 48 U.S.C. § 1469a, NTIA waives the requirement for local matching funds under \$200,000 (including in-kind contributions) for the territorial governments in Guam, American Samoa, Northern Mariana Islands, and the U.S. Virgin Islands.

Match Proportionality Requirement:

Pursuant to Section B.03.b of the DOC Standard Terms and Conditions (October 2018), the non-federal share, whether in cash or in-kind, is expected to be paid out at the same general rate as the federal share. Exceptions to this requirement may be granted by the Grants Officer based on sufficient documentation demonstrating previously determined plans for, or later commitment of, cash or in-kind contributions. In any case, the recipient must meet its cost share commitment over the life of the award.

NIST Financial Assistance Award Number: 54-10-S18054

Amendment: 01

Recipient: WV Division of Homeland Security and Emergency Management

19. REVISED - Publication Disclaimers:

Pursuant to Section G.05.j of the DOC Standard Terms and Conditions (October 2018), the recipient is required to submit a copy(ies) to the funding agency and when releasing information related to a funded project include a statement that the project or effort undertaken was or is sponsored by DOC. The recipient is also responsible for assuring that every publication of material (including Internet sites) based on or developed under an award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer:

This [report/video/etc.] was prepared by [recipient name] using funds under award [number] from the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce (DOC). The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of the NTIA, DOC, or FirstNet.

This also applies to videos produced under DOC financial assistance awards.

End of Special Award Conditions