UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899-1650

November 17, 2023

Tommy Jacobson
Vice President / COO
MCNC
3021 E. Cornwallis Road
Research Triangle Park, NC 27709-2889

Subject: Partial Satisfaction of NIST General Terms #11 - Environmental Assessment & #12 - National Historic Preservation Act (6-month Expenditure Plan); Revision of SAC #20 Equipment
Award Number/FAIN: 37-40-MM177
Point of Contact/PI Name: Tommy Jacobson
Grants Specialist Name: Kimberly Shields
Program Officer Name: Elaine Sloan

Dear Tommy Jacobson,

The subject award action is approved by the NIST Grants Officer.

This notice serves as official approval of the requested action. By accepting this letter, the Recipient agrees to comply with the terms and conditions of the award, including any amendments thereto.

The initial 6-month expenditure plan submitted on 08/29/2023 was reviewed by the Federal Program Officer and Grants Officer and is approved.

As a result of this outcome, NIST General Terms #11 - Environmental Assessment and #12 - National Historic Preservation Act (6-month Expenditure Plan) are partially satisfied, and Special Award Condition (SAC) #5 Award Payments is revised as follows:

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 November 12, 2020.

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)
__X__ Maximum Draw Amount controls (see explanation below)
$_____ each month
$_____ each quarter
$424,165.50_ Max drawdown amount

Explanation:
Environmental Assessment & National Historic Preservation Act Compliance Requirements

restriction The remaining amount of Federal funding is hereby withheld until the requirements identified in the National Institute of Standards and Technology General Terms and Conditions for the NTIA Middle Mile Grant Program, Term #11 – Environmental Assessment and #12 – National Historic Preservation Act (completion of environmental review and issuance of decision documents), are satisfied.

In addition, Specific Award Condition (SAC) #20 Equipment section B. UCC-1 Filing & Attorney's Certification is revised to delete the following language:

"Pursuant to 2 C.F.R. § 200.316, within 30 calendar days of acquiring all or any portion of the equipment under this award, the recipient shall properly file a UCC-1 with the appropriate State office where the equipment will be located in accordance with the State's Uniform Commercial Code (UCC)."

and replace it with:

"Pursuant to 2 C.F.R. § 200.316, after acquiring all or any portion of the equipment under this award, the recipient shall properly file a UCC-1 with the appropriate State office where the equipment will be located in accordance with the State's Uniform Commercial Code (UCC). This security interest shall be executed in advance of any sale or lease and not later than closeout of the grant."

Questions may be directed to your assigned Grants Specialist, Kimberly Shields at kimberly.shields@nist.gov. Please retain a copy of this letter in your official award file.

ANDREW RITTGERS

Digitally signed by ANDREW RITTGERS
Date: 2023.11.17 16:05:24 -07'00'

Andrew Rittgers
Grants Officer

cc: NIST Grants Management Information System