



Rural Development

RUS Telecommunications
Program

December 3, 2024

1400 Independence Ave, SW
Room 4121 - Stop 1590
Washington, DC 20250

Voice 202.720.0800

Mr. Matthew Lindsey
Superintendent
Annette Island School District
89A 4th & Milton Street
Metlakatla, Alaska 99926-0007

Dear Mr. Lindsey:

We are enclosing the legal documents for a grant in the amount of \$979,921 under the Rural Utilities Service (RUS) Distance Learning and Telemedicine Loan and Grant Program (DLT). The documents consist of a DLT Grant Agreement (Agreement), certification of authority and approved budget. The certification of authority must be completed with the names and signatures of the persons authorized to requisition grant funds and signed by an authorized official of the grantee certifying to the persons, signatures, and that fidelity bond coverage is or is not required.

Fidelity bond coverage is required if your organization is not a unit of government, and the amount of financial assistance is \$100,000 or more. A list of the authorized surety bonding companies (Treasury Department Circular 570) can be found at the website listed below so that you can comply with this requirement in the Agreement, if applicable:

https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm

Note that RUS has digitally signed the Agreement. **The signatures you provide on the Agreement, certification of authority and all other required documents should also be digital signatures.** If you are unable to provide digital signatures, electronic signatures are acceptable, but digital signatures are preferred.

Also included is the Standard Form 270, Request for Advance or Reimbursement; this form must be used to draw down grant funds.

The advance of funds is conditioned upon the fulfillment of the requirements listed in the Agreement. Please indicate your organization's acceptance of the terms and conditions of the Agreement by signing and returning the Agreement along with a signed certification of authority in accordance with the Agreement. An opinion of counsel must be provided as well, if the amount of financial assistance is \$500,000 or more. A form of opinion is included for use, if appropriate. The documents must be returned and the prerequisites to

advance must be satisfied within 120 days from the date of the Agreement. Please note that failure to comply with these stipulations may result in the rescission of the grant commitment. A copy of the signed agreement should be retained in your records for future accountability purposes.

Please note Section 3.1(b) of the Agreement which discusses the expiration date of the grant.

Section 5.7 of the Agreement discusses project performance and financial reporting. Your entity will complete all of the required Telecommunications Reports through the Salesforce Reporting and Compliance (R&C) system. To ensure your entity is set-up in the portal, we must collect your entity's fiscal year closing date. Please provide the fiscal year closing date with the return of executed legal documents.

The executed documents and correspondence should be returned via email to Aylene Mafnas, the Deputy Assistant Administrator of the Portfolio Management and Risk Assessment Division at the following email address:

TelecomPMRA@usda.gov (with a copy to Timothy.Brooks@usda.gov)

As indicated in the Agreement, should there be any significant changes in the Scope of Work Plan (e.g., sites, budget, etc.), RUS approval in writing must be obtained. A revised Scope of Work Plan must be prepared and submitted to RUS for approval prior to the implementation of the proposed changes.

There are two issues we want to highlight with respect to approved budgets and advances of grant funds:

1. In accordance with 2 CFR 200.319, **contractors** that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals **must be excluded** from competing for procurements of equipment or services under the grant.
2. Notwithstanding the prior approval by RUS of the budget for the grant project, if the additional **documentation** accompanying a request for advance of grant funds demonstrates that the advance **is to fund a non-approved purpose** for grants in accordance with 7 CFR 1734.23, **that advance will not be made.**

In accordance with the Agreement, Section 4.1(g), advances must be made using the Automated Clearing House (ACH) Payment System. The ACH Payment System deposits funds directly into the bank account you designate. The enclosed Standard Form 3881 is used to enroll in the program. We have completed the "Agency Information" section of the form. Please complete the "Payee/Company Information" section of the form and have your bank complete the "Financial Institution Information" section. Return the completed form with the executed documents to the above email address.

Please be sure to review the “Common Errors to Avoid” document which outlines common errors to avoid related to the execution of your DLT Grant legal documents. If you have any questions regarding the conditions in the legal documents, the grant requisition process, or any other aspect of your grant, please feel free to contact us. Please refer to your grant designation, which is **AK0744-B16**, when inquiring about your grant.

Sincerely,

A handwritten signature in blue ink that reads "Randall Millhiser". The signature is written in a cursive style.

RANDALL MILLHISER
Deputy Assistant Administrator
Loan Origination & Approval Division

Enclosures

cc: Julia Hnilicka, Alaska State Director
Natalie Kovach , General Field Representative