

Exhibit F - NOFA #009 (“NOFA”)
Certifications, Authorization, and Release of Information
Alterations to this document are prohibited

Attachment F-1: Release of Information

_____ (name of Applicant Organization) hereby authorizes any person or entity, public or private, having any information concerning the Applicant’s background, including but not limited to its performance history regarding its prior rendering of services similar to those detailed in this NOFA, to release such information to the Iowa Department of Management, Division of Information Technology (DOM).

The Applicant acknowledges that it may not agree with the information and opinions given by such person or entity in response to a reference request. The Applicant acknowledges that the information and opinions given by such person or entity may hurt its chances to receive a grant award from DOM or may otherwise hurt its reputation or operations. The Applicant is willing to take that risk. The Applicant agrees to release all persons, entities, DOM, and the State of Iowa from any liability whatsoever that may be incurred in releasing this information or using this information.

Printed Name of Applicant Organization

Signature of Authorized Representative

Date

Attachment F-2: Application Certifications

Applicant certifies that:

1. All statements made in the Application are true and accurate. Applicant has not knowingly made any false statements or representations in its Application.
2. No relationship exists or will exist during the Grant Agreement period between Applicant and DOM or any other State agency that interferes with fair competition or that constitutes a conflict of interest, the appearance of a conflict of interest, or that violates Iowa Code chapter 68B.
3. The Application is predicated upon the acceptance of all terms and conditions stated in the NOFA and Exhibit E (sample Grant Agreement) without change except as otherwise expressly stated in the Application. Objections or responses shall not materially alter the NOFA. All changes to proposed Grant Agreement language, including deletions, additions, and substitutions of language, must be addressed in the Application.
4. Applicant has reviewed the Additional Certifications (Attachment F-4), which are incorporated herein by reference, and by signing below represents that Applicant agrees to be bound by the obligations included therein.
5. Applicant has reviewed all amendments to this NOFA issued by DOM, and Applicant's submission is predicated on acceptance of the NOFA as amended.
6. Except as otherwise identified in Form 22 (Exhibit G) and solely to the extent permitted by the NOFA, the Application and all information therein may be treated as public, non-confidential records subject to public disclosure. Applicant waives any claims it may have against state or state personnel related to the confidential treatment of any information or materials submitted in connection with its Application. If Applicant requests confidential treatment of any information submitted in its Application, the Applicant expressly acknowledges and agrees that DOM's evaluation documents may reference information of which the Applicant requested confidential treatment in the Application. These DOM evaluation documents may then be in the public domain and be open to inspection by interested parties upon DOM's issuance of a Notice of Intent to Award. DOM will not redact information or references to information in evaluation documents even in instances which an Applicant requested confidential treatment in the Application.
7. Applicant is in sound financial condition and, if applicable, has received an unqualified audit opinion for the latest audit of its financial statements, has no outstanding liabilities, including tax and judgment liens, to the Internal Revenue Service, Iowa Department of Revenue, or any other government entity, is current in all amounts due for payments of federal and state taxes, has not, in the last three (3) years, undergone a sale or change of control of Applicant, including its business or substantially all of its assets, and is neither presently involved in, nor anticipates being

- involved in the near future, any case or other proceeding seeking or involving liquidation, reorganization, or other relief with respect to itself or its debts under any bankruptcy, insolvency, or other similar law now or hereafter in effect.
8. Applicant's organization has sufficient personnel and resources available to meet the Project objectives proposed in the Application, and such resources will be available on the date the Project is to begin.
 9. Applicant is currently registered to do business in Iowa or agrees to register if Applicant is awarded a Grant Agreement pursuant to this NOFA. Notwithstanding the foregoing, if Grantee is not obligated to register to do business in the state of Iowa under Applicable Law, this provision is waived.
 10. Applicant has obtained a Unique Entity Identifier (UEI). Applicants must have an active Federal System for Award Management (SAM) registration prior to requesting funds.
 11. Applicant is either: 1) registered or will become registered with the Iowa Department of Revenue to collect and remit Iowa sales and use taxes as required by Iowa Code chapter 423; or 2) not a "retailer" of a "retailer maintaining a place of business in this state" as those terms are defined in Iowa Code subsections 423.1(42) & (43). The Applicant also acknowledges that DOM may declare the Application void if this certification is false. Applicants may register with the Department of Revenue online at: <http://www.state.ia.us/tax/business/business.html>.
 12. Applicant will comply with any Davis-Bacon Act requirements if applicable to the resulting Grant Agreement.
 13. The person signing this certification is the person in the Applicant's organization responsible for, or authorized to make decisions regarding the prices quoted and, Applicant guarantees the availability of the services offered and that all Application terms, including price, will remain firm until a grant agreement has been executed for the Project.
 14. Applicant is authorized to provide Broadband service in the Eligible Service Areas identified in Exhibit B of the Core Application and forming the basis of the Project, and has or will obtain any necessary permits or licenses (federal, state, or local) required to do so. Upon request by DOM, Applicant shall provide further information to DOM related to its Project for which grant funds may be awarded, or other additional information as may be reasonably requested by DOM.
 15. Any award of funds under this NOFA is a subaward of the Broadband Equity, Access, and Deployment Program (BEAD), and Applicant will be, if awarded a NOFA grant, a subrecipient receiving a Fixed Amount Subaward as under 2 C.F.R. part 200 for purposes of compliance with federal regulatory requirements.
 16. During the Federal Interest Period, Applicant will continue to offer eligible subscribers access to the any FCC or NTIA federal affordability programs, as mandated under the BEAD NOFO and

Applicable Law. In accordance with federal BEAD program guidance, an eligible subscriber means a person meeting the eligibility requirements of the FCC Lifeline Program.

17. Applicant certifies, acknowledges, and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by the Applicant, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs and for statistical purposes. For this purpose, information and data may be accessed, reviewed, and evaluated by Department of Commerce employees, other federal employees, federal agents and contractors, and/or by non-federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. Applicants are expected to support Program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperation with the Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), Applicant is reminded that it must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.
18. Applicant is financially qualified to meet the obligations associated with the Project: available funds will be available for all project costs that exceed the amount of the award; and Program requirements will be complied with, including service milestones.
19. Applicant is technically qualified to complete and operate the Project and is capable of carrying out the funded activities in a competent manner.
20. Applicant has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the Applicant is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the Applicant is not yet providing service prior to the grant award; the plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 2.0) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented. The plan will be reevaluated and updated on a periodic basis and as events warrant.
21. Applicant has a Supply Chain Risk Management (SCRM) plan in place that is either: (a) operational, if the Applicant is already providing service at the time of the grant; or (b) ready to be operationalized, if the Applicant is not yet providing service at the time of grant award; the plan is based upon the key practices discussed in the NIST publication NIST IR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk



management controls being implemented. The plan will be reevaluated and updated on a periodic basis and as events warrant.

- 22. Applicant will comply with any National Environmental Policy Act and National Historic Preservation Act requirements if applicable to the resulting Grant Agreement.
- 23. Applicant will comply with any Build America, Buy America Act requirements if applicable to the resulting Grant Agreement.
- 24. Applicant certifies that it has a demonstrated record or and plans to be in compliance with Federal labor an employment laws.

By signing below, I certify that I have the authority to bind the Applicant to the specific terms, conditions and technical specifications required in the NOFA and offered in the Applicant’s Application.

Printed Name of Applicant Organization

Title of Authorized Representative

Printed Name of Authorized Representative

Signature of Authorized Representative

Date

NOFA Number

Attachment F-3: Certification and Disclosure Regarding Lobbying

The Applicant certifies, 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of 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.

Statement for Loan Guarantees and Loan Insurance

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

If 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.

The Disclosure Form to Report Lobbying is found on the next page.



Printed Name of Applicant Organization

Title of Authorized Representative

Printed Name of Authorized Representative

Signature of Authorized Representative

Date

NOFA Number



DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure)

Form with 11 numbered sections: 1. Type of Federal Action, 2. Status of Federal Action, 3. Report Type, 4. Name and Address of Reporting Entity, 5. If Reporting Entity in No. 4 is a Subawardee, 6. Federal Department/Agency, 7. Federal Program Name/Description, 8. Federal Action Number, 9. Award Amount, 10. Name and Address of Lobbying Entity, 11. Information requested through this form is authorized by title 31 U.S.C. section 1352. Includes checkboxes for Prime/Subawardee and a signature line.

Link to document: https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/disclosure.pdf

Attachment F-4: Additional Certifications

(Do not return this Attachment F-4 with the Application. This document is incorporated by reference into Attachment F-2.)

1. CERTIFICATION OF INDEPENDENCE AND NO CONFLICT OF INTEREST

By submission of an Application, the Applicant certifies (and in the case of a joint Application, each party thereto certifies) that:

1. The Application has been developed independently, without consultation, communication or agreement with any employee or consultant of the Agency who has worked on the development of this NOFA, or with any person serving as a member of the evaluation committee;
2. The Application has been developed independently, without consultation, communication or agreement with any other applicant or parties for the purpose of restricting competition;
3. Unless otherwise required by law, the information in the Application has not been knowingly disclosed by the Applicant and will not knowingly be disclosed prior to the award of the Grant Agreement, directly or indirectly, to any other applicant;
4. No attempt has been made or will be made by the Applicant to induce any other applicant to submit or not to submit an Application for the purpose of restricting competition;
5. No relationship exists or will exist during the Grant Agreement period between the Applicant and the Agency that interferes with fair competition or is a conflict of interest.
6. The Applicant and any of the applicant's proposed subcontractors have no other contractual relationships which would create an actual or perceived conflict of interest.

2. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION -- LOWER TIER COVERED TRANSACTIONS

By signing and submitting this Application, the Applicant is providing the certification set out below:

1. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government the Agency or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
2. The Applicant shall provide immediate written notice to the person to whom this Application is submitted if at any time the Applicant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principle, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this Application is submitted for assistance in obtaining a copy of those regulations.

4. The Applicant agrees by submitting this Application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Agency or agency with which this transaction originated.
5. The Applicant further agrees by submitting this Application that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
6. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. A participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
7. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for transactions authorized under paragraph 4 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the Agency or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND/OR VOLUNTARY EXCLUSION--LOWER TIER COVERED TRANSACTIONS

1. The Applicant certifies, by submission of this Application, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
2. Where the Applicant is unable to certify to any of the statements in this certification, such Applicant shall attach an explanation to this Application.

4. CERTIFICATION OF COMPLIANCE WITH PRO-CHILDREN ACT OF 1994

By signing and submitting this Application, the Applicant is providing the certification set out below:

The Applicant must comply with Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act). This Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by federal programs either directly or through State or local governments. Federal programs

include grants, cooperative agreements, loans or loan guarantees, and contracts. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such federal funds. The law does not apply to children's services provided in private residences; portions of facilities used for inpatient drug or alcohol treatment; service providers whose sole source of applicable federal funds is Medicare or Medicaid; or facilities (other than clinics) where WIC coupons are redeemed.

The Applicant further agrees that the above language will be included in any subawards that contain provisions for children's services and that all subgrantees shall certify compliance accordingly. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1000 per day.

5. CERTIFICATION REGARDING DRUG FREE WORKPLACE

1. **Requirements for Grantees Who are Not Individuals.** If the Applicant is not an individual, by signing and submitting this Application the Applicant agrees to provide a drug-free workplace by:
 - a. publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
 - b. establishing a drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the person's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) the penalties that may be imposed upon employees for drug abuse violations;
 - c. making it a requirement that each employee to be engaged in the performance of such contract be given a copy of the statement required by subparagraph (a);
 - d. notifying the employee in the statement required by subparagraph (a), that as a condition of employment on such contract, the employee will:
 - (1) abide by the terms of the statement; and
 - (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction;
 - e. notifying the contracting agency within 10 days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
 - f. imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by 41 U.S.C. § 703; and making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (a), (b), (c), (d), (e), and (f).
2. **Requirement for Individuals.** If the Applicant is an individual, by signing and submitting this Application the Applicant agrees to not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the Grant Agreement.
3. **Notification Requirement.** The Applicant shall, within 30 days after receiving notice from

an employee of a conviction pursuant to 41 U.S.C. § 701(a)(1)(D)(ii) or 41 U.S.C. § 702(a)(1)(D)(ii):

- a. take appropriate personnel action against such employee up to and including termination; or
- b. require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

6. NON-DISCRIMINATION

The Applicant does not discriminate in its employment practices with regard to race, color, religion, age (except as provided by law), sex, marital status, political affiliation, national origin, or handicap. Applicant agrees to abide by the non-discrimination requirements set forth in the following legal authorities, to the extent applicable, and acknowledges that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed:

- a. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and the Department of Commerce's implementing regulations, published at 15 C.F.R. Part 8, which prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving federal financial assistance;
- b. Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.) which prohibits discrimination on the basis of sex under federally assisted education programs or activities;
- c. The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 et seq.) which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by Eligible Entity and local governments or instrumentalities or agencies thereto, as well as public or private entities that provide public transportation;
- d. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and Department of Commerce implementing regulations published at 15 C.F.R. Part 8b, which prohibit discrimination on the basis of handicap under any program or activity receiving or benefiting from federal assistance;
- e. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Department of Commerce implementing regulations published at 15 C.F.R. Part 20, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance;
- f. Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., which provides that it is an unlawful employment practice for an employer to discharge any individual or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. Note in this regard that Title VII, 42 U.S.C. § 2000e-1(a), expressly exempts from the prohibition against discrimination based on religion "a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities;" and
- g. Any other applicable non-discrimination law(s). Application requirements, award terms, and conditions do not impose civil rights and nondiscrimination law compliance requirements on Indian Tribes or Native Entities beyond what would otherwise apply under federal law.