



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Sorsha Anderson, Senior Staff Associate
Date: November 23, 2022
Subject: Grant Request – JFO #3130

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the Administration.

JFO Request #3130: \$518,154.00 to the Vermont Agency of Administration, Public Service Department from the National Institute of Standards and Technology. Funds to support digital equity planning costs for the Communications Union Districts established under the Vermont Community Broadband Board created through Act 71 of 2021.

[Received November 14, 2022]

Please review the enclosed materials and notify the Joint Fiscal Office (Sorsha Anderson: sanderson@leg.state.vt.us) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by December 9, 2022, we will assume that you agree to consider as final the Governor's acceptance of this request.

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION			
1. Agency:	Agency of Administration		
2. Department:	Public Service Department		
3. Program:	Vermont Community Broadband Board (VCBB)		
4. Legal Title of Grant:	Vermont Digital Equity Plan		
5. Federal Catalog #:	11.032 State Digital Equity Planning Grants		
6. Grant/Donor Name and Address:			
National Institute of Standards and Technology 100 Bureau Drive, MS 1650 Gaithersburg, MD 20899-1650			
7. Grant Period:	From:	10/1/2022	To: 9/30/2023
8. Purpose of Grant:			
<p>Through Act 71, the Vermont Legislature established the Vermont Community Broadband Board (VCBB) to ensure every under and unserved Vermont address gets connected to 100/100 Internet service. As part of that commitment, \$245 million in Capital and ARPA funds have already been committed to achieve this goal. As the lead for deploying universal high-speed internet service, Governor Scott directed the VCBB to close the digital divide along with support from Doug Farnham, Deputy Secretary of Vermont's Agency of Administration, as the Administering Entity for developing the State Digital Equity Plan. Included in Act 71 is the requirement that the Board "support low-income or disadvantaged communities". To accomplish that goal, with support from the Vermont Legislature, the VCBB approved an additional five positions to supplement the capacity the VCBB Staff including a Digital Equity Officer to manage the one-year collaborative planning process, building support and implementing strategy.</p> <p>Vermont established 9 Communication Union Districts (CUDs) with membership from 209 of Vermont's 251 towns to carry out the goals established in Act 71. The towns that are not members of the CUDs are mainly those that are already served. Act 71 requires that the VCBB provide the leadership, support, and funding to ensure success of the CUDs. The VCBB is working with the CUDs to develop connectivity plans that are as low cost as possible as well as ensuring that a process is in place to help qualified individuals to access the Affordability Connect Program. According to the Vermont Public Service Department, as of October 2021, there are approximately 64,000 addresses that are under (25/3 or below) or unserved (4/1 or below). According to census data, Vermont has 331,000 residences. Currently the VCBB is working with the CUDs and towns to develop Universal Service Plans with a goal of getting 100% of the addresses connected to 100/100 service in five years. Included in the construction grant requirements that the VCBB is currently issuing for the towns and CUDs are specific requirements to protect user information as well as requirements to construct secure networks. The Digital Equity Planning Grant will be used to develop and recommend user protocols and education to be included as part of a comprehensive Digital Literacy training program. The CUDs have proved to be an effective way for towns to be involved in Vermont's digital transformation and the CUDs will take an active role in the Digital Equity planning and implementation.</p> <p>Prior to the release of the IJJA NOFA, the VCBB reached out to state agencies who have addressed equity and affordability to determine status. It was clear from these conversations that a central coordinating agency is needed to address digital access, literacy, and affordability. Currently, Vermont has not developed a comprehensive accounting of the accessibility of online public resources and services along with the level of digital literacy of the current and potential users of these services. The Digital Equity Planning grant will be used to provide this data.</p>			

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Vermont has been working on developing detailed maps of telecommunications and energy infrastructure and has each E911 address identified with its broadband status (availability and speed). The data shows that the most rural and disadvantaged Vermonters are disproportionately represented in the locations that are under or unserved. These Vermonters also have the highest energy burden – high costs due to distances required to travel, along with older and higher percentage of poorly insulated homes. In addition to these availability maps, the VCBB proposes to work with the Public Service Department, Vermont Center for Geographic Information (VCGI), Regional chapters of Code for America, and Stone Environmental to provide strategies to engage community members around access and conduct physical and community resource asset mapping to continue building interactive public maps for planning and program implementation.

The VCBB will serve as an intermediary for accessing funds and manage a collaborative effort of developing the statewide Digital Equity Plan and overall coordination of resulting programs. Priorities of managing the Digital Equity planning process will be coalition building and implementation of a Results-Based Accountability framework and feedback loop to inform and improve programs and adjust policy and compliance requirements to accommodate support to ensure underrepresented groups can overcome the barriers they face.

Through a statewide engagement process led by the Digital Equity Officer (to be hired) and statewide community partners, the VCBB will identify trusted organizations like AARP, Head Start Chapters, Vermont Libraries and parties within communities including leaders and volunteers from schools, community health centers, faith-based organizations, and senior centers that can help provide implementation of the plan for addressing affordability and access to broadband and technology, and digital literacy programs to ensure effective use of the improved accessibility. Additionally, residents can fill a critical role in highlighting stories, disseminating information about access to technology, and advocating for broadband policies to support households in need.

An interagency workgroup is being formed with the goals of aligning state and municipal-led equity programs and coordinating communication around the new initiatives being established. Vermont Department of Health and the Agency of Natural Resources have established platforms for social vulnerability and environmental justice mapping that the VCBB can partner with to identify interrelated policy issues critical to successful broadband access outcomes. Additional interagency collaboration will include: the Vermont Center for Independent Living and Vermont Program for Quality Healthcare to contribute input and lessons learned from providing devices and technical support during the COVID emergency; the Vermont Department of Education and regional school districts to establish educational goals and measures that will define success for the Digital Equity program; and Vermont Department of Libraries to strengthen the role libraries have in their communities. During the COVID crisis, some of the libraries provided device distribution and technical support to help rural Vermonter's access tele-health and tele-education services. This proved to be effective, however the fact that many of those libraries are part-time meant that support was often unavailable when it was needed. The Digital Equity planning grant will be used to evaluate how to use the library system throughout the state to provide device distribution and training as well as 16-hour centralized support for users. By aligning equity efforts across the state, Vermont will be better situated to address the intersectionality and multiple interlocking systems of oppression that interfere with equitable access to resources.

Additionally, VCBB has been in conversations with Equal Access to Broadband (EAB) and the Vermont Council on Rural Development (VCRD) to assist with developing the statewide plan using their proven model for community engagement and high level of trust among government entities, organizations, businesses, and individuals across the state. VCBB will rely on VCRD to help develop a collective vision for what Digital Equity means for Vermont and define working principals to create a space for people to collaborate that includes intentional listening, clear communication, and ensures inclusion of ground level participants while managing expectations from various stakeholders to address competing needs and outcomes from different sectors. VCBB will rely on EAB's proven success at assisting low-income households in gaining access to high-speed internet, equipment, and tech services. Their experience providing one-on-one assistance to families and individuals will be critical in defining the structure of the plan and increasing their capacity will be crucial for program success.

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

In the 2022 session, the Vermont Legislature committed significant funding for workforce development in multiple economic sectors, including the digital trades. As part of this funding, the legislature defined economic and workforce development goals, plans, and outcomes. The Digital Equity planning funds will be used to work with these sectors to develop plans to achieve these goals and outcomes.

In addition to the partners mentioned above, the VCBB will work with the following organizations to develop the Digital Equity Plan:

- VT Community Foundation
- State Director for Equity and Inclusion
- Rural Economic Development Corporations
- Regional Planning Commissions
- Veterans Affairs
- Communications Workers of America
- International Brotherhood of Electrical Workers
- State Universities, Technical Colleges, & Career Technical Education

9. Impact on existing program if grant is not Accepted:

If received, this grant would result in an infusion of capital for digital equity planning costs, which would otherwise have to be allocated from other finite funding sources that would be better utilized for build costs by the Communications Union Districts. Inflation and rising interest rates/borrowing costs are increasing the expected build costs for the Communications Union District networks. The more grant funds towards the build that can be provided; the lower the cost of service will be for Vermonters.

10. BUDGET INFORMATION

	SFY 1 FY 23	SFY 2 FY 24	SFY 3 FY 25	Comments
Expenditures:				
Personal Services	\$131,740	\$	\$	
Operating Expenses	\$181,080	\$	\$	
Grants	\$205,334	\$	\$	
Total	\$518,154	\$	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$518,154	\$	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$	\$	\$	

Appropriation No:	2240020000	Amount:	\$518,154
			\$
			\$
			\$
			\$
			\$
			\$
		Total	\$518,154

PERSONAL SERVICE INFORMATION

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

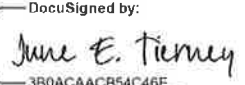

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.
 Appointing Authority Name: _____ Agreed by: _____ (initial)

12. Limited Service Position Information:	# Positions	Title
Total Positions		

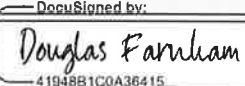
12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

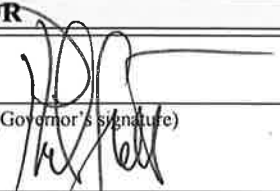
I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):

Signature:	DocuSigned by:  <small>3B0ACAACB54C46E...</small>	Date: 12/2/2022
Title:	Commissioner, Public Service Department	
Signature:		Date:
Title:		

14. SECRETARY OF ADMINISTRATION

<input type="checkbox"/>	Approved:	(Secretary or designee signature)  <small>41948B1C0A36415</small>	Date: 11/4/2022
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15. ACTION BY GOVERNOR

<input checked="" type="checkbox"/>	Check One Box: Accepted	(Governor's signature) 	Date: 11/10/22
<input type="checkbox"/>	Rejected		



16. DOCUMENTATION REQUIRED

Required GRANT Documentation

<input checked="" type="checkbox"/> Request Memo <input type="checkbox"/> Dept. project approval (if applicable) <input checked="" type="checkbox"/> Notice of Award <input checked="" type="checkbox"/> Grant Agreement <input checked="" type="checkbox"/> Grant Budget	<input type="checkbox"/> Notice of Donation (if any) <input type="checkbox"/> Grant (Project) Timeline (if applicable) <input type="checkbox"/> Request for Extension (if applicable) <input type="checkbox"/> Form AA-1PN attached (if applicable)
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End Form AA-1

(*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).

FORM CD-450 (REV. 10/18)	U.S. DEPARTMENT OF COMMERCE	X GRANT	COOPERATIVE AGREEMENT
FINANCIAL ASSISTANCE AWARD		FEDERAL AWARD ID NUMBER	
		50-30-DP137	
RECIPIENT NAME Vermont Department of Public Service		PERIOD OF PERFORMANCE 10/01/2022 - 09/30/2023	
STREET ADDRESS 112 State ST		FEDERAL SHARE OF COST \$518,154.20	
CITY, STATE ZIP Montpelier, VT 05620-2601		RECIPIENT SHARE OF COST \$0.00	
AUTHORITY Section 60304(c) of Public Law 117-58		TOTAL ESTIMATED COST \$518,154.20	
CFDA NO. AND NAME 11.032 State Digital Equity Planning Grants			
PROJECT TITLE: Vermont Digital Equity Plan			
<p>This Award Document (Form CD-450) signed by the Grants Officer constitutes an obligation of Federal funding. By signing this Form CD-450, the Recipient agrees to comply with the Award provisions checked below and attached. Upon acceptance by the Recipient, the Form CD-450 must be signed by an authorized representative of the Recipient and returned to the Grants Officer. If not signed and returned without modifications by the Recipient within 30 days of receipt, the Grants Officer may unilaterally withdraw this Award offer and de-obligate the funds.</p> <p>X DEPARTMENT OF COMMERCE FINANCIAL ASSISTANCE STANDARD TERMS AND CONDITIONS</p> <p>R & D AWARD</p> <p>FEDERAL-WIDE RESEARCH TERMS AND CONDITIONS, AS ADOPTED BY THE DEPT. OF COMMERCE</p> <p>X SPECIFIC AWARD CONDITIONS</p> <p>X LINE ITEM BUDGET</p> <p>X 2 CFR PART 200, UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS, AS ADOPTED PURSUANT TO 2 CFR § 1327.101</p> <p>48 CFR PART 31, CONTRACT COST PRINCIPLES AND PROCEDURES</p> <p>MULTI-YEAR AWARD. PLEASE SEE THE MULTI-YEAR SPECIFIC AWARD CONDITION.</p> <p>OTHER(S):</p>			
SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER		DATE	
Yongming Qiu 		Digitally signed by YONGMING QIU Date: 2022.09.30 07:14:16 -04'00'	
PRINTED NAME, PRINTED TITLE, AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL		DATE	
Douglas R. Farnham 		Digitally signed by Douglas R. Farnham Date: 2022.10.26 09:38:17 -04'00'	

Award Number: 50-30-DP137, Amendment Number 0

Federal Program Officer: Michell Morton

Requisition Number: DE137

Employer Identification Number: 036000264

UEI Number: FXRGN76HPMF3

Recipient ID:

Requestor ID:

Award ACCS Information

Bureau	FCFY	Project-Task	Organization	Object Class	Obligation Amount
61	2022	4710001-000	06-00-0000-00-00-00-00	41-19-00-00	\$518,154.20

Award Contact Information

Contact Type	Contact Name	Email	Phone
Administrative	Robert Fish	robert.fish@vermont.gov	8025222617

NIST Grants Officer:

Mercedes Ernest Martinez
100 Bureau Drive, MS 1650
Gaithersburg, MD 20899-1650
(301) 975-0000

NIST Grants Specialist:

Kimberly Campbell Shields
100 Bureau Drive, MS 1650
Gaithersburg, MD 20899-1650
(301) 975-0000

NIST Financial Assistance Award Number: 50-30-DP137

Amendment: NEW

Recipient: Vermont Department of Public Service

**NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
STATE DIGITAL EQUITY PLANNING GRANT PROGRAM
FINANCIAL ASSISTANCE
SPECIFIC AWARD CONDITIONS**

1. Introduction:

The National Institute of Standards and Technology (NIST), servicing for the National Telecommunications and Information Administration (NTIA), hereby enters into this Grant, number 50-30-DP137 with Vermont Department of Public Service to support the work described in the proposal entitled “Vermont Digital Equity Plan” dated 7/6/2022 and any revisions received during the application review, which are hereby incorporated into this award by reference. Where the terms of this award and the proposal differ, the terms of this award shall prevail.

2. Recipient Contact Information:

Administrative:

Robert Fish
Deputy Director Vermont Department of Public Service
112 State ST Montpelier, VT 05620-2601
Telephone: 802-522-2617
Email: robert.fish@vermont.gov

3. NTIA Contact Information:

Federal Program Officer:

Nicole Ugarte Swanson
National Telecommunications and Information Administration
US Department of Commerce
1401 Constitution Ave., NW, Ste. 4078
Washington, DC 20230
Email: nugarte@ntia.gov

4. NIST Contact Information:

Grants Officer:

Mercedes Martinez
National Institute of Standards and Technology
100 Bureau Drive, Mail Stop 1650
Gaithersburg, MD 20899-1650
Email: mercedes.martinez@nist.gov

Grants Specialist:

Kimberly Campbell Shields
National Institute of Standards and Technology
100 Bureau Drive, Mail Stop 1650

NIST Financial Assistance Award Number: 50-30-DP137

Amendment: NEW

Recipient: Vermont Department of Public Service

Gaithersburg, MD 20899-1650

Email: kimberly.shields@nist.gov

5. 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)
- Maximum Draw Amount controls (see explanation below)
 - \$ _____ each month
 - \$ _____ each quarter
 - \$ _____ Max drawdown amount

6. Return Payments for Funds Withdrawn through ASAP:

Funds that have been withdrawn through ASAP may be returned to ASAP via the Automated Clearing House (ACH) or via FEDWIRE. The ACH or FEDWIRE transaction may only be completed by the Recipient's financial institution. Full or partial amounts of payments received by a Payment Requestor/Recipient Organization may be returned to ASAP. All funds returned to the ASAP system will be credited to the ASAP Suspense Account. The Suspense Account allows the Regional Financial Center to monitor returned items and ensure that funds are properly credited to the correct ASAP account. Returned funds that cannot be identified and classified to an ASAP account will be dishonored and returned to the originating depository financial institution (ODFI). The Payment Requestor/Recipient Organization should notify the NIST Grants Office and provide a reason whenever return payments are made.

It is essential that the Payment Requestor/Recipient Organization provide its financial institution with ASAP account information (ALC, Recipient ID and Account ID) to which the return is to be credited. Additional detailed information is accessible at:

<https://www.fiscal.treasury.gov/asap/>.

NIST Financial Assistance Award Number: 50-30-DP137

Amendment: NEW

Recipient: Vermont Department of Public Service

7. Administering Entity:

By accepting this award, the Vermont Department of Public Service agrees that Vermont Community Broadband Board (VCBB) will serve as the Administering Entity and as co-recipient of this award in accord with Section 60304(b) of the Infrastructure Investment and Jobs Act of 2021. Incorporated by reference into this award are the written assurances pursuant to Section 60304(e) of the Infrastructure Investment and Jobs Act of 2021, which were provided to NTIA by the Vermont Department of Public Service as part of its application and which assure Vermont Community Broadband Board's programmatic and fiscal performance under this award.

Any change to the Administering Entity designated by Vermont Department of Public Service in its application and approved under this award requires prior written approval by the Grants Officer.

8. Period of Performance and Funding Limitations:

The period of performance and budget incorporated into this award cover a 1-year period of performance and provide for a maximum total amount of \$518,154.20 in Federal funding. 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.

Extensions

NTIA has set the initial award period as no more than one year from the award start date. The award period may be extended by NTIA, in consultation with the NIST Grants Officer, for up to 180 days based on a written request from the recipient and prior written approval from the NIST Grants Officer.

Petition for Extension

The recipient may submit a request for an extension of the one-year award period not later than ninety (90) calendar days before the end of the award period.

Recipients that wish to request an extension must submit such requests via email to UGAM@nist.gov in accordance with specific award condition no. 20. Unfunded Grant Actions Mailbox.

9. Notice of Funding Opportunity - State Digital Equity Planning Grant Program:

The Department of Commerce, National Telecommunications and Information Administration Notice of Funding Opportunity (NOFO) No. [NTIA-DE-PLAN-2022](#), dated May 13, 2022, is incorporated by reference into this award.

NIST Financial Assistance Award Number: 50-30-DP137

Amendment: NEW

Recipient: Vermont Department of Public Service

It is accessible at: <https://www.grants.gov/web/grants/view-opportunity.html?oppld=340301> (under the Related Documents tab). If the application period is closed, select “Closed” or “Archived” Opportunity Status to view the NOFO.

10. Infrastructure Investment and Jobs Act:

The recipient must comply with the requirements of the Infrastructure Investment and Jobs Act, Public Law 117-58, 135 Stat. 429 (November 15, 2021), including Section 60304(c) thereof, which establishes the State Digital Equity Planning Grant Program.

11. Uniform Administrative Requirements, Cost Principles and Audit Requirements:

As indicated on the Form CD-450 for this award, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200 are incorporated by reference into this award. Through 2 C.F.R. § 1327.101, the Department of Commerce adopted the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <https://www.ecfr.gov/on/2022-01-19/title-2/subtitle-A/chapter-II/part-200> and <https://www.ecfr.gov/on/2022-01-19/title-2/subtitle-B/chapter-XIII/part-1327>. Awards issued pursuant to this program may be subject to specific award conditions as authorized by 2 C.F.R. § 200.208.

12. Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements:

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements, as published in the *Federal Register* on December 30, 2014 (79 FR 78390), are incorporated by reference into this award.

They are accessible at: <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

13. 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 November 12, 2020, 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: https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf.

14. Allowable Uses of State Digital Equity Planning Grant Funds:

The purpose of the planning funds is to create the required State Digital Equity Plan and grant funds must be used **only** for the following purposes as set forth in Section IV.C.1 of the NOFO:

- 1) To develop the State Digital Equity Plan of the State; and
- 2) To make subgrants to any of the following entities to assist in the development of the State Digital Equity Plan of the State:
 - a. Community anchor institutions;

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Amendment: NEW

Recipient: Vermont Department of Public Service

- b. County and municipal governments;
- c. Local educational agencies;
- d. Indian Tribes, Alaska Native entities, or Native Hawaiian organizations;
- e. Nonprofit organizations;
- f. Organizations that represent—
 - i. Individuals with disabilities, including organizations that represent children with disabilities;
 - ii. Aging Individuals;
 - iii. Individuals with language barriers, including—
 - 1. Individuals who are English learners; and
 - 2. Individuals who have low levels of literacy;
 - iv. Veterans; and
 - v. Individuals in the State who are incarcerated in facilities other than Federal correctional facilities;
- g. Civil rights organizations;
- h. Entities that carry out workforce development programs;
- i. Agencies of the State that are responsible for administering or supervising adult education and literacy activities in the State;
- j. Public housing authorities in the State; and
- k. A partnership between any of the entities described above.

15. Ineligible Costs:

Profits, fees, or other incremental charges above actual cost are not allowable costs under this Program.

Additionally, grant funds awarded pursuant to this Program may not be used, whether directly or indirectly as an offset for other funds, to support or oppose collective bargaining.

16. State Digital Equity Plan:

Within one year of the date on which a State is awarded State Digital Equity Planning Grant Program funds, that State must develop a State Digital Equity Plan that includes elements outlined in the statute, Section IV.C.1 of the NOFO, and stated herein, solicit and respond to public comments on the draft plan, and finalize that plan. The only exception is for Recipients who receive an extension of the period of performance in accordance with specific award condition no. 8, in which case the State Digital Equity Plan is due by the end of the extended period of performance. Each State's State Digital Equity Plan will be a key component of any application the State may later submit seeking a State Digital Equity Capacity Grant. Recipients must submit their State Digital Equity Plan in the NTIA Grants Portal, within the prescribed timeframes identified in the terms and conditions of the award.

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Amendment: NEW

Recipient: Vermont Department of Public Service

17. Department of Commerce Financial Assistance Standard Terms and Conditions, Section A.01 “Reporting Requirements”:

The Recipient must submit a Federal Financial Report (SF-425) and Performance Progress Report on a semi-annual basis for the periods ending March 31 and September 30, or any portion thereof.

Reports are due no later than 30 calendar days following the end of each reporting period. A final SF-425 and Performance Progress Report must be submitted within 120 days after the expiration of the period of performance.

All SF-425 and Performance Progress Reports must be submitted to GReports@nist.gov, within the prescribed timeframes identified in the terms and conditions of the award.

The Recipient organization name, award number, and reporting period must be included in the email subject line. The Recipient contact information should be included in the body of the message. To the greatest extent possible, SF-425 and Performance Progress Reports should be submitted together in the same email.

Reports must not be sent directly to NIST or NTIA personnel (e.g., Grants Specialist, Grants Officer, Administrative Assistant, GMD Division Chief, Federal Program Officer, etc.). Any SF-425 or Performance Progress Reports sent directly to NIST/NTIA personnel will be returned to the sender with instructions on how to submit through the GReports@nist.gov mailbox.

No other correspondence may be sent through this mailbox; timely responses to any other inquiries received in this mailbox are not guaranteed. The mailbox will not be used for any other purpose *except* for purposes identified above.

18. Programmatic Reporting Requirements:

Annual Report Requirements – For each year during the period of performance, any entity to which a grant, including a subgrant, is awarded under this program shall be required to publicly report, in a format to be specified by the Assistant Secretary, on:

- 1) The use of State Digital Planning grant by the entity;
- 2) The progress of the entity toward fulfilling the objectives for which the grant was awarded; and
- 3) The implementation of the State Digital Equity Plan of the State.

Submit the Annual Report via email to the NTIA Federal Program Officer listed in the recipient’s award documents with a copy to GReports@nist.gov.

The Assistant Secretary may establish additional reporting and information requirements for any recipient of a grant as necessary to fulfil the requirements of the Infrastructure Act.

NIST Financial Assistance Award Number: 50-30-DP137

Amendment: NEW

Recipient: Vermont Department of Public Service

**19. Department of Commerce Financial Assistance Standard Terms and Conditions
Section B.06 Indirect or Facilities and Administrative Costs:**

The Recipient will be reimbursed for indirect or F&A costs in accordance with 2 C.F.R. § 200.414 and Section B.06. of the Department of Commerce Financial Assistance Standard Terms and Conditions, dated November 12, 2020.

If an indirect cost rate has not been established, and the Department of Commerce is identified as the cognizant agency for indirect costs in accordance with 2 C.F.R. § 200.1, “Cognizant agency for indirect costs,” within 90 calendar days of the award start date, the Recipient must electronically submit to gmdaudit@nist.gov the documentation (indirect cost rate proposal, cost allocation plan, etc.) necessary to allow the Department of Commerce (through NIST or through another Commerce agency) to perform an indirect cost rate proposal review. Organizations that have previously established indirect cost rates with the Department of Commerce, including with one its agencies, must submit a new indirect cost rate proposal for indirect costs within six months after the end of the organization’s fiscal year.

If your submission includes Personally Identifiable Information (PII) or Business Identifiable Information (BII), please send an email to gmdaudit@nist.gov to request a secure link.

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 C.F.R. § 200.414 and in Appendices III-VII to 2 C.F.R. Part 200. For additional guidance on preparing indirect cost proposals, please review the Department of Labor’s Guide for Indirect Cost Determination at: <https://www.dol.gov/oasam/boc/dcd/np-comm-guide.htm> Section I.B and I.C lists the various types of indirect cost rates and the circumstances under which such rates would apply. The guide also addresses common indirect cost problems and contains useful FAQs.

20. Unfunded Grant Actions Mailbox (UGAM):

Requests for unfunded award actions, which include, but are not limited to, requests for no-cost extension, change in key personnel, change in scope of work, budget revisions, award transfer, and novation, must be submitted to UGAM@nist.gov, within the prescribed timeframes identified in the terms and conditions of the award.

Unfunded award action requests and related correspondence, including justification to support the request, sent to the mailbox **must** contain the following information in the email subject line: (1) Recipient name; (2) NIST award number; (3) Principal Investigator/Project Director; and (4) Action being requested (e.g., no cost extension, change in key personnel, etc.).

Unfunded award action requests must not be sent directly to NIST personnel (e.g. Grants Specialist, Grants Officer, Administrative Assistant, GMD Division Chief, Federal Program Officer, etc.).

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Amendment: NEW

Recipient: Vermont Department of Public Service

Any requests sent directly to NIST personnel will be returned to the sender with instructions on how to submit through the UGAM@nist.gov mailbox.

No other correspondence may be sent through this mailbox; timely responses to any other inquiries received in this mailbox are not guaranteed. The mailbox will not be used for any other purpose except for purposes identified above.

Requests that are processed will be authorized via a Form CD-451 Amendment to the Financial Assistance Award or a Non-Funded Administrative Change Letter.

21. Domestic Preference for Procurements (Buy American):

Pursuant to 2 CFR § 200.322, as appropriate and to the extent consistent with law, the Recipient should, to the greatest extent practicable under the State Digital Equity Planning Program, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including, but not limited to, iron, aluminum, steel, cement, and other manufactured products). The requirements of this Section must be included in all subawards, including all contracts and purchase orders for work or products pursuant to this program.

22. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms:

Pursuant to 2 CFR § 200.321, the Recipient and its subrecipients must take all necessary affirmative steps (as described in 2 CFR § 200.321) to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

23. Protection of Whistleblowers:

Section F.05 of the DOC Financial Assistance Standard Terms and Conditions states that each award is subject to the whistleblower protections afforded by 41 U.S.C. § 4712 (Enhancement of contractor protection from reprisal for disclosure of certain information).

Generally, this law provides that an employee or contractor (including subcontractors and personal services contractors) of a non-Federal entity may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body information that the employee reasonably believes is evidence of gross mismanagement of a Federal award, subaward, or a contract under a Federal award or subaward, a gross waste of Federal funds, an abuse of authority relating to a Federal award or subaward or contract under a Federal award or subaward, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal award, subaward, or contract under a Federal award or subaward.

Non-Federal entities and contractors under Federal awards and subawards must inform their employees in writing of the rights and remedies provided under 41 U.S.C. § 4712, in the predominant native language of the workforce.

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Amendment: NEW

Recipient: Vermont Department of Public Service

A person that believes they have been the subject of retaliation for protected whistleblowing can contact the Department of Commerce, Office of Inspector General Hotline, as indicated at <https://www.oig.doc.gov/Pages/Hotline.aspx>, or the U.S. Office of Special Counsel, toll free at 1-800-872-9855.

24. Supplanting of Funds:

Pursuant to Section 60304(h) of the Infrastructure Act, the Recipient agrees that federal funds that it receives under this award will be used to supplement, not supplant, other federal or State funds that have been made available to carry out activities described in Section 60304 of the Infrastructure Act and the NOFO.

25. Restriction on Human Subjects Research Work and Costs Incurred:

State Digital Equity Planning Grant Program (DE) recipients must comply with Department of Commerce (DOC) regulations relating to the protection of human subjects for all research conducted or supported pursuant to an NTIA grant award. The DOC regulations related to the protection of human subjects are found in 15 C.F.R. Part 27.

The [Human Subjects Research Guidance](#) (posted August 29, 2022) (HSR) for DE is incorporated by reference into this specific award condition and identifies three HSR classification categories: Category 1 – Not Conducting Human Subjects Research Category 2 – Exemption Request, and Category 3 – Human Subject Research Non-Exempt.

To satisfy the DE HSR requirements, recipients must submit, no later than 45 calendar days after the award start date, (via email to UGAM@nist.gov with a copy to their DE FPO), a letter or memorandum addressed to the Grants Officer that provides the following information:

- a. Which HSR classification category is applicable; and
- b. Examples of planned DE project activities that justify inclusion in that category.

If a project requires a human subjects research exemption request (Category 2) or requires IRB review as non-exempt human subjects research (Category 3), research activities involving human subjects are not authorized to start under this award until the appropriate documentation, as set forth by the DOC Standard Terms & Conditions (dated November 12, 2020) Section G.05.i.3, is approved in writing by the Grants Officer.

If a recipient conducts human subjects research before receiving NTIA approval of an exemption or before receiving IRB approval for non-exempt research, recipients will be considered in material non-compliance with award terms and conditions, and any costs incurred to conduct the research may be disallowed and subject to recovery by NTIA (*see* 2 C.F.R. 200.346).

Notwithstanding the above prohibition on starting human subjects research, work may be initiated, or costs incurred and/or charged to the project for protocol or instrument development related to human subjects research.

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Amendment: NEW

Recipient: Vermont Department of Public Service

Sample HSR memos are available in the Human Subjects Research Guidance (posted August 29, 2022), *Guidance for Human Subjects Research Protection*.

(<https://broadbandusa.ntia.doc.gov/sites/default/files/2022-08/State-Digital-Equity-Planning-Grant-HSR-Guidance-8-29-2022.pdf>)

End of Specific Award Conditions

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

DocuSign Envelope ID: FEE69578-A796-427A-8BB3-0EA08AE0E634

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. State Digital Equity F	11.032	\$	\$	\$ 518,154.2	\$	\$ 518,154.2
2.						0
3.						0
4.						0
5. Totals		\$ 0	\$ 0	\$ 518,154.2	\$ 0	\$ 518,154.2

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) State Digital Equity Planr	(2)	(3)	(4)	
a. Personnel	\$ 83,512	\$	\$	\$	\$ 83,512
b. Fringe Benefits	48,228.18				48,228.18
c. Travel	6,880				6,880
d. Equipment	0				0
e. Supplies	4,200				4,200
f. Contractual	170,000				170,000
g. Construction	0				0
h. Other	164,376				164,376
i. Total Direct Charges (sum of 6a-6h)	477,196.18	0	0	0	477,196.18
j. Indirect Charges	40,958.02				40,958.02
k. TOTALS (sum of 6i and 6j)	\$ 518,154.2	\$ 0	\$ 0	\$ 0	\$ 518,154.2
7. Program Income	\$ 0	\$	\$	\$	\$ 0

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

Previous Edition Usable



State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

[phone] 802-828-2376
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Agency of Administration

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		Vermont Digital Equity Planning Grant- collaborative effort with community partners to connect most rural and disadvantaged Vermonters to broadband internet			
Date:		10/31/2022			
Department:		Public Service Department- VCBB			
Legal Title of Grant:		State Digital Equity Planning Grant			
Federal Catalog #:		50-30-DP137			
Grant/Donor Name and Address:		National Institute of Standards & Technology 100 Bureau Drive, MS1650 Gaithersburg, MD 20899-1650			
Grant Period:	From:	10/1/2022	To:	9/30/2023	
Grant/Donation		\$518,154			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$518,154	\$	\$	\$518,154	
Position Information:		# Positions	Explanation/Comments		
		0	No new positions necessary.		
Additional Comments:		Grant will allow setup of statewide digital equity network, as well as enable access to further BEAD funding.			
Department of Finance & Management		Adam Greshin- Digitally signed by Adam Greshin DN: cn=Adam Greshin, o=State of Vermont		(Initial)	
Secretary of Administration		Douglas Farnham 419403109A00615		(Initial)	
Sent To Joint Fiscal Office				Date	



Detailed Budget Template

	Unit Type	Unit Cost	No. of Units	Total Cost	Federal Funds Requested	Cash Match Amount	In Kind Contribution Value	Match Type (Cash/In-Kind/Both)	Match Percentage	Allowable Total	Notes/Comments
Budget Categories											
Personnel	Digital Equity Officer	Other	\$ 83,512.00	100%	\$ 83,512.00	\$ 83,512.00	\$0	\$0 N/A	0%	\$ 83,512.00	
Fringe Benefits	Digital Equity Officer	Other	57.75%	\$83,512	\$ 48,228.18	\$ 48,228.18	\$0	\$0 N/A	0%	\$ 48,228.18	
Travel	Local Travel	Other	\$ 77.00	36	\$ 2,772.00	\$ 2,772.00	\$0	\$0 N/A	0%	\$ 2,772.00	
	Domestic Travel	Other	\$ 1,246.00	2	\$ 2,492.00	\$ 2,492.00	\$0	\$0 N/A	0%	\$ 2,492.00	
	Unknown Travel	Other	\$ 404.00	4	\$ 1,616.00	\$ 1,616.00	\$0	\$0 N/A	0%	\$ 1,616.00	
Equipment	N/A	Other	\$ -	0.0	\$ -	\$ -	\$0	\$0 N/A	0%	\$ -	
Supplies	Printing	Other	\$ 5.00	600	\$ 3,000.00	\$ 3,000.00	\$0	\$0 N/A	0%	\$ 3,000.00	
	Office Supplies	Other	\$ 100.00	12	\$ 1,200.00	\$ 1,200.00	\$0	\$0 N/A	0%	\$ 1,200.00	
Contractual	Communications & Community Outreach	Other	\$ 85,000.00	1	\$ 85,000.00	\$ 85,000.00	\$0	\$0 N/A	0%	\$ 85,000.00	
	Data Analyst & Mapping	Other	\$ 85,000.00	1	\$ 85,000.00	\$ 85,000.00				\$ 85,000.00	
Construction	N/A	Other	\$ -	50	\$ -	\$ -	\$0	\$0 N/A	0%	\$ -	
Other	Stakeholder Mgmt Sub-Award	Other	\$ 50,000.00	1	\$ 50,000.00	\$ 50,000.00	\$0	\$0 N/A	0%	\$ 50,000.00	
	Planning Sub-Awards	Other	\$ 25,000.00	4	\$ 100,000.00	\$ 100,000.00				\$ 100,000.00	
	Community Member Participants	Other	\$ 29.95	480	\$ 14,376.00	\$ 14,376.00	\$0	\$0 N/A	0%	\$ 14,376.00	
Indirect	Indirect Charges	Other	31.09%	\$ 131,740	\$ 40,958.02	\$ 40,958.02	\$0	\$0 N/A	0%	\$ 40,958.02	
PROJECT TOTAL					\$ 318,154.20	\$ 318,154.20	\$0	\$0		\$ 318,154.20	