

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

STATE OF IOWA
MATT BEHRENS, INTERIM DIRECTOR &
CHIEF INFORMATION OFFICER

Exhibit F - NOFA #007 ("NOFA")
Certifications, Authorization, and Release of Information
Alterations to this document are prohibited

Attachment F-1: Release of Information

Estherville Communications (name of Applicant) 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 Office of the Chief Information Officer.

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 the Office or may otherwise hurt its reputation or operations. The Applicant is willing to take that risk. The Applicant agrees to release all persons, entities, the Office, and the State of Iowa from any liability whatsoever that may be incurred in releasing this information or using this information.

Estherville Communications
Printed Name of Applicant Organization


Signature of Authorized Representative

11/21/21
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. Except as otherwise permitted by the NOFA, the Application has been developed independently without consultation, communication, or agreement with any employee, agent, independent contractor, consultant, or other third parties acting on behalf of the Office or with any person serving as a member of any review or evaluation committee or any other applicant or parties for the purpose of restricting competition. No attempt has been made or will be made by Applicant to induce any other applicant to submit or not to submit an application for the purpose of restricting competition.
3. No relationship exists or will exist during the Grant Agreement period between Applicant and the Office 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.
4. 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.
5. 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.
6. Applicant has received any amendments to this NOFA issued by the Office.
7. 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 the Office's evaluation documents may reference information of which the Applicant requested confidential treatment in the Application. These Office evaluation documents may then be in the public domain and be open to inspection by interested parties upon the Office's issuance of a Notice of Intent to Award. The Office will not redact information or references to information in evaluation documents even in instances which a Applicant requested confidential treatment in the Application.
8. 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.
9. 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.
10. 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 register to do business in the state of Iowa under Applicable Law, this provision is waived
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 the Office 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 the Office, Applicant shall be available to provide further information to the Office related to its Project for which grant funds may be awarded, or other additional information as may be reasonably requested by the Office.
- 15. Any award of funds under this NOFA is a subaward of State and Local Fiscal Recovery Funds (SLFRF), and Applicant will be, if awarded a NOFA grant, a subrecipient as defined in 2 C.F.R. part 200 for purposes of compliance with federal regulatory requirements.

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.


Authorized Representative's Signature

11/21/21
Date

Doug Boone
Name (Printed)

President
Title

Estherville Communications
Entity

#007
NOFA Number

Attachment F-3: Certification and Disclosure Regarding Lobbying

Instructions:

Title 45 C.F.R., part 93 requires the Applicant to include a certification form, and a disclosure form, if required, as part of the Applicant's proposal. Award of the federally funded contract from this NOFA is a Covered Federal action.

1) The Applicant shall file with the Office this certification form, as set forth in Appendix A of 45 C.F.R. part 93, certifying the Applicant, including any subcontractor(s) at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) have not made, and will not make, any payment prohibited under 45 C.F.R. § 93.100.

2) The Applicant shall file with the Office a disclosure form, set forth in Appendix B of 45 CFR Part 93, in the event the Applicant or subcontractor(s) at any tier (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) has made or has agreed to make any payment using non-appropriated funds, including profits from any covered Federal action, which would be prohibited under 45 C.F.R. § 93.100 if paid for with appropriated funds. All disclosure forms shall be forwarded from tier to tier until received by the Applicant and shall be treated as a material representation of fact upon which all receiving tiers shall rely.

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned 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 for each such failure.

I certify that the contents of this certification are true and accurate and that the Applicant has not made any knowingly false statements in the Bid Proposal. I am checking the appropriate box below regarding disclosures required in Title 45 of the Code of Federal Regulations, Part 93.

Please check the appropriate box below:

The Applicant is NOT including a disclosure form as referenced in this form’s instructions because the Applicant is NOT required by law to do so.

The Applicant IS filing a disclosure form with the Office as referenced in this form’s instructions because the Applicant IS required by law to do so. If the Applicant is filing a disclosure form, place the form immediately behind this document in the Application.


Authorized Representative’s Signature

11/21/21
Date

Doug Boone
Name (Printed)

President
Title

Estherville Communications
Entity

#007
NOFA Number