



**Financial Assistance
Award**

DENALI COMMISSION
510 L Street, Suite 410
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www.denali.gov

Award Number	01608-00
Award Title	2.5 GHz Rural Tribal Window FCC License Submittal
Performance Period	July 1, 2020 through October 31, 2020

Authority Denali Commission Act of 1998, as amended: PL 105-277, 42 U.S.C. 3121	CFDA Number 90.100	Recipient Organization & Address Alaska Tribal Spectrum 402 L St Ste 400 Anchorage, AK 99501-1925 Phone: 907-465-7845 Recipient DUNS # 117593245 TIN # 851863326
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Denali Commission Finance Officer Certification	
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Cost Share Distribution Table

Accounting Code	New Funding		Prior Period Funding		Total
	Denali Commission	Other Contributors	Denali Commission	Other Contributors	
95670000	\$100,000.00		\$0.00		\$100,000.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
Total	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00

This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.

This award is not for Research and Development.

Signature of Authorized Official - Denali Commission Electronically Signed	Typed Name and Title Joseph Stovall Chief Operating Officer	Date 08/18/2020
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AWARD ATTACHMENTS

Alaska Tribal Spectrum

01608-00

1. Terms and Conditions
2. Attachment A
3. Budget and Funding Summary

**Financial Assistance Award Terms and Conditions
Between the Denali Commission and
Alaska Tribal Telecom
For 2.5 GHz Rural Tribal Window FCC License Submittal
Award No. 1608**

1. Project Summary

- a. Scope of Work: This project will conduct outreach to tribal entities that have not yet applied for the FCC 2.5 GHz spectrum license and invite them to participate in the Alaska Tribal Spectrum Consortium non-profit. The ownership of the Alaska Tribal Spectrum Consortium will be the tribes that sign up. The scope is to conduct outreach, legal activities, education, and assistance, for the submission of an FCC consortium application to increase participation in this program.
- b. Deliverables:
- Tribal Outreach Database
 - List of Consortium Members, represented through Agent Authorizations
 - Submitted FCC 2.5 GHz Tribal Spectrum License
 - Consortium Website – www.AkTribalSpectrum.org
- c. Budget: The Commission is making \$100,000 available for the project via this Financial Assistance Award (FAA). This amount includes all direct and indirect costs pursuant to [2 CFR 200.458](#). The total budget for this project is \$100,000. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with [2 CFR 200.345](#).
- d. Delivery Method: The scope of work will be overseen by Alaska Tribal Spectrum, with technical oversight provided by contractors and partners. See additional details in Attachment A – Scope and Budget
- e. Performance Period: The Performance Period for this FAA is July 1, 2020, through October 31, 2020. In accordance with [2 CFR 200.309](#), Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 15 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the *Commission's [Recipient Guidelines and Requirements \(RGR\)](#) document dated September 2018, available at www.denali.gov.*

More detailed information on scope, deliverables, budget, funding, project delivery method, and/or management plan, schedule and key milestones are included in Attachment A, dated July 9, 2020.

2. Project Reporting and Commission Site Visits

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions. The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at www.denali.gov/dcpdb.

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Performance Period. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits. Refer to the [Recipient Guidelines and Requirements](#) document for further information related to reports and site visits.

3. Payments

Payments under this FAA will be made in accordance with [2 CFR 200.305](#) by electronic transfer in response to a [Standard Form 270 \(SF-270\)](#) "Request for Advance or Reimbursement," submitted by the Recipient. At a minimum, all 270s must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. If Pre-Award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the [Recipient Guidelines and Requirements](#) document for further information about submitting SF-270s.

4. Modifications

In accordance with [2 CFR 200.308](#), the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the [Recipient Guidelines and Requirements](#) document for further information about modifying a Financial Assistance Award.

5. Financial Management, Record Keeping, Internal Controls, and Audits

The Recipient must have financial management and record-keeping systems that are consistent with [2 CFR 200.302](#). If the Recipient is a State organization, it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with [2 CFR 200.303](#).

In accordance with [2 CFR 200.501](#), Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year. Refer to the [Recipient Guidelines and Requirements](#) document for further information about financial management, record keeping, internal controls, and audits.

6. Direct and Indirect Costs

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to [2 CFR 200 Subpart E \(Cost Principles\)](#) and the [Recipient Guidelines and Requirements](#) document for further information on direct and indirect costs.

7. Sub-Awards

All sub-awards and contracts issued by the Recipient under this FAA must comply with [2 CFR 200.331](#) and [200.332](#).

8. Procurements

- a. States: In accordance with [2 CFR 200.317](#), when procuring property and services under this FAA, a State Recipient must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State Recipient must also comply with [2 CFR 200.322](#), and ensure that every purchase order or contract includes any clauses and provisions required by [2 CFR 200.326](#).
- b. Other Non-Federal Entities: All other non-Federal Recipients, including subrecipients of a State, must follow their own documented procurement procedures, provided that the procedures conform to applicable Federal law and the standards in [2 CFR 200.318](#) through [200.326](#). Refer to the [Recipient Guidelines and Requirements](#) document for further information on this subject.

9. Acknowledgment of Support

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site that acknowledges the Commission's support. Refer to the [Recipient Guidelines and Requirements](#) document for further information on this subject.

10. Real Property and Equipment

The Disposition requirements and restrictions set forth in [2 CFR 200.310](#) through [200.316](#) apply unless specifically altered in the Special Provisions to this FAA. Any Real Property reporting requirements apply in accordance with [2 CFR 200.329](#) will be stipulated in the Special Provisions to this FAA.

11. Conflict of Interest

In accordance with [2 CFR 200.112](#), the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, [2 CFR 200.318](#) requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the [Recipient Guidelines and Requirements](#) document for further information on this subject.

12. Denali Commission Policies

Recipients may be required to comply with published Denali Commission policies covering topics such as cost match, sustainability, private enterprise, competitive bidding, cost containment, etc. Any specific requirements or deliverables related to these policies will be stipulated in the Special Provisions to this FAA.

13. Laws and Regulations

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the [Recipient Guidelines and Requirements](#) document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

14. Other Provisions

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or Subrecipients for the actions of the Recipient or Subrecipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any Subrecipient under this FAA.

- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to [2 CFR 200.207](#). This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient's eligibility for future Federal awards.

15. Special Provisions

Progress Reports:

- Denali Commission Database Reports -- Upload quarterly; the first report shall cover the period July 1 through September 30, 2020, and quarterly thereafter in accordance with the [Recipient Guidelines and Requirements](#).
- Funding Request Reports -- Submit a written report covering costs in the current funding request. The dialog must correspond with Tasks listed in Attachment A – Scope, and speak to actual vs. estimated Schedule, Deliverables, and Milestones.
- Detailed Expense Report – The applicant must provide a simple explanation of each general expense category or contract and may have to share additional detail upon the request of the program manager.

Pre-Award Costs: n/a

Advance Payments: n/a

Key Staff:

Jim Berlin, Principal

Christopher J. Slottee, Principal

Subcontracts: Subcontracts issued pursuant to this FAA in excess of \$30,000 must be pre-approved by the Commission.

Denali Commission Policies:

- *Investment Guidance Policy:* Initiatives and projects developed pursuant to this FAA must maximize both match funding and long-term benefits to Alaska
- *Sustainability Policy:* Initiatives and projects developed pursuant to this FAA must include analysis that shows the initiative/project will be sustainable
- *Community Planning Policy:* Initiatives and projects developed pursuant to this FAA must be consistent with local and regional planning documents
- *Open Door Policy:* Any facilities developed pursuant to this FAA shall be available to all potential users
- *Private Enterprise Policy:* Initiatives and projects developed pursuant to this FAA shall not compete with private interests

- *Competitive Bid Policy:* Where multiple Alaska-based vendors can complete the required work, Recipients are encouraged to pursue a competitive bid; price competition is required for all contracts over \$1 million

NEPA: Type A7 Categorical Exclusion per Denali Commission National Environmental Policy Act (NEPA) Implementing Procedures published in [45 CFR Part 900](#) on October 1, 2016; therefore, no further NEPA documentation required.

Cooperative Agreement: Recipient agrees to cooperate and collaborate with the Denali Commission during the project. The Commission will participate in those specific activities stipulated in Attachment A – Scope and Budget.

Equipment Disposition: n/a

Ownership and Site Control: n/a

Real Property Disposition: n/a

Real Property Reporting: n/a

16. Contact Information

Denali Commission	Alaska Tribal Spectrum
Erik Obrien Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-1542 Email: eobrien@denali.gov	Jim Berlin Manager 420 L Street, Suite 400 Anchorage, AK 99501 Phone: 907-465-7845 Email: jim.berlin@aktribalspectrum.org
Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3036 Email: jdavis@denali.gov	Christopher J. Slottee General Council 420 L Street, Suite 400 Anchorage, AK 99501 Phone: 907-339-7130 Email: cslottee@schwabe.com

Financial Assistance Award 1608
Between the Denali Commission
and
Alaska Tribal Spectrum (ATS)
Attachment A - Scope of Work
July 9, 2020

Project Title: 2.5 GHz Rural Tribal Window FCC License Submittal

Period of Performance: Jul 1, 2020 – Oct 31, 2020

Background: The FCC has provided an opportunity for all tribal entities to receive a free license to own 2.5 GHz frequency spectrum. Obtaining this valuable license will allow tribes to enable fixed or mobile radio frequency to enable enhanced communications services over their lands. This is a one time only opportunity for rural Alaska to enhance the last mile broadband network, through control of a potentially valuable asset.

Problem and Need: The Tribal opportunity window is opened Feb 3, 2020 to Sep 3, 2020. To date, only 8 of a possible 229 Alaska tribal applicants have completed the application process. The FCC defines the 2.5 GHz tribal priority window a “*once-in-a-lifetime*” opportunity, and many tribes are about to miss out. Tribes need additional support to receive the license before the window closes. It is highly likely that without intensive and sustained outreach and assistance, the majority of tribal entities are likely to miss this valuable enabling tool for rural Alaska. The consortium statewide application strategy will simplify requirements on tribes and increases the likelihood of uptake, as advised by the FCC.

Purpose: This project will conduct outreach to tribal entities that have not yet applied for the FCC 2.5 GHz spectrum license and invite them to participate in the Alaska Tribal Spectrum Consortium non-profit. The ownership of the Alaska Tribal Spectrum Consortium will be the tribes that sign up. The scope is to conduct outreach, legal activities, education, and assistance, for the submission of an FCC consortium application to increase participation in this program. ATS has been established for the benefit of the tribal members who will be responsible for the long term management and control of the non-profit and by extension the 2.5 GHz spectrum over tribal lands. The Consortium will act as their agent and make one unified application before the window closes. This plan follows FCC guidance to allow for a consortium of tribal entities to apply as one entity (Alaska Tribal Spectrum) with one collective shape file claiming access to all lands in Alaska not already claimed by individual tribal applications. The Consortium will exist for the benefit of all of its members, run by its members, to help take advantage of deployment and leasing opportunities for the benefit of all. Tribes will be asked to join the Consortium, or if the tribal entity prefers to complete their own application, will receive needed assistance to meet the deadline. A perfectly successful project would result in 229 tribes owning a piece of 2.5 GHz spectrum, covering the entire state of Alaska (except urban areas of Anchorage and Fairbanks).

Tasks

- 1. Develop Tribal Outreach Database** **July – Aug 2020**
Tracking information will be critical to this project, and the Outreach Database (spreadsheet) will be used to identify the geographic organization of tribes, license stage, and levels and schedule of outreach.

- 2. Develop Agent Authorization and Consortium** **July 2020**
With the assistance of the Law Firm of Schwabe, Williamson & Wyatt, a combined Agent Authorization Agreement and Consortium membership form will be created for multiple methods of signature, including web, fax, mail, email. This form will enable tribal applications as part of the Alaska Tribal Spectrum for combined statewide application.

- 3. Develop Interactive Website.** **July 2020**
The website at www.aktribalspectrum.org will provide guidance an interactive form for tribal entities to self-provision and sign the necessary documents as well as direct those desiring to complete their own application. The site will direct to additional resources that will assist and file the Agent Authorization agreement, required to apply on behalf of tribes.

- 4. Conduct Outreach, Gather Application Information** **July – Oct 2020**
The outreach team will conduct intensive outreach following the Tribal Outreach Database tracking all 229 Alaska tribal entities (excepting those that have already applied) with a provided script. The web site will act as a tool to sign up interested tribal entities with phone assistance of the call center rep from the Alaska Tribal Spectrum. In addition to the phone interview, the tribal entities must submit limited documentation on tribal governance. The reps will gather this information and it will be submitted as part of the consortium collective application.

- 5. Develop FCC application** **July 2020**
The application will be prepared and entities added as they are contacted and sign the Agent Authorization Consortium Agreement. Tribal entities who sign will be the sole owners of the Alaska Tribal Spectrum consortium, proportional to all tribes involved.
The shapefile will start with all of Alaska and subtract out unavailable urban areas (Anchorage and Fairbanks) and the tribal lands already claimed by any individual tribe.

- 6. Provide Tribal Technical Assistance** **July – Oct 2020**
Technical Assistance will be available to tribal entities which may require more assistance than others, and work to provide a suitable outcome for all entities whether they apply through the Consortium or individually. Any additional resources available following the close of the open application period will be applied to support to the newly formed Alaska Tribal Spectrum consortium.

Deliverables:

1. Tribal Outreach Database
2. List of Consortium Members, represented through Agent Authorizations
3. Submitted FCC 2.5 GHz Tribal Spectrum License
4. Consortium Website – www.AkTribalSpectrum.org

Budget:

The Denali Commission is making \$100,000 available via this Award. The funds are intended to be used to support the Alaska Tribal entities success receiving the FCC's 2.5 GHz Tribal Spectrum License. More detailed information on budget and funding is included on page 4.

Project Overview:

1. Develop Agent Authorization for Consortium
2. Conduct Tribal Outreach and Collect Signatories to Consortium
3. Apply to FCC 2.5 GHz Spectrum License for Alaska Tribal Spectrum Consortium

Delivery Method:

Alaska Tribal Spectrum will manage the project contractors and administer the grant. Contractors will be used to attain technical tasks, such as the development of the Agent Authorizations, and increase outreach workforce in order to reach all 229 tribes in the short time left. An FCC Consortium Application will be submitted prior to the deadline.

Schedule:

Key milestones with the delivery of:

1. Tribal Outreach Database_____ August 2020
2. List of Consortium Members_____ August 2020
3. Submitted FCC 2.5 GHz Tribal Spectrum License_____ August 2020
4. Consortium Website – www.AkTribalSpectrum.org_____ August 2020

Alaska Tribal Spectrum - Award Budget - By Category				
Line	Item/Activity	Provided By	Amount	Basis/Notes
1	Personnel & Fringe	ATF	\$ 30,000	Principal @ 150 per hour for 200 hours
2	Travel	na	\$ -	na
3	Equipment	na	\$ -	na
4	Supplies	na	\$ -	na
5	Contractors	See Details Below	\$ 70,000	Outreach Activities Call Center, Legal,, Creative, Web site, Database and Application Services]
6	Indirect	na	\$ -	na
7	TOTAL		\$ 100,000	

ATS - Award Budget - By Task						
Line	Item/Activity	Denali	na	na	na	TOTAL
8	Task 1 - Develop Tribal Outreach Database	\$ 4,000	\$ -		\$ -	\$ 4,000
9	Task 2 -Develop Agent Authorization and Consortium□	\$ 20,000				\$ 20,000
10	Task 3 - Develop Interactive Website.	\$ 6,000				\$ 6,000
11	Task 4 - Conduct Outreach, Gather Application Information	\$ 44,000				\$ 44,000
12	Task 5 - Develop FCC application□	\$ 21,000				\$ 21,000
13	Task 6 - Provide Tribal Technical Assistance □	\$ 5,000				\$ 5,000
14	TOTAL	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000

ATS - Award Budget - Funding Source				
Line	Source	Reference	Amount	Basis/Notes
15	Denali Commission	This Action	\$ 100,000	Cash, 2.5 GHz Rural Tribal Window Assistance
16	TOTAL		\$ 100,000	

ATS - Award Budget - Contractors Table			
Line	Contractor	Amount	Basis/Notes
17	Scwabe Williamson & Wyatt	\$ 17,000	Legal, development of Agent Authorization Forms
18	Tourism Sector TBD	\$ 24,000	Outreach to tribes
19	Kathy Mayo	\$ 5,000	Outreach to tribes
20	Berlin Advisors	\$ 24,000	Outreach, website, database, Application Submittal
21	TOTAL	\$ 70,000	