



**Committee:** Directly to Council  
**Staff:** Dr. Costis Torgas, Council IT Adviser  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** #computers, #free computers, #getting online

AGENDA ITEM #4C  
June 14, 2022  
**Introduction**

## **SUBJECT**

Supplemental appropriation for Montgomery Connects Computers for You Emergency Connectivity Fund Grants, \$15,975,170

## **EXPECTED ATTENDEES**

None

## **COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION**

N/A

## **DESCRIPTION/ISSUE**

Resolution # 22-94 requests a supplemental appropriation to the FY22 Operating budget for the Technology and Enterprise Business Solutions department that will enable the County to purchase 40,048 laptop computers to be distributed to low-income residents who do not have access to a computer sufficient for their educational needs. There is a no match requirement for the (Emergency Connectivity Fund) ECF cost-reimbursable grant.

## **SUMMARY OF KEY DISCUSSION POINTS**

No discussion is planned; a Public Hearing and Action are scheduled for June 28, 2022

### **This report contains:**

Transmittal memo  
Resolution

### **Pages**

© 1-18  
© 19-20

**Alternative format requests for people with disabilities.** If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at [adacompliance@montgomerycountymd.gov](mailto:adacompliance@montgomerycountymd.gov)




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
*County Executive*

MEMORANDUM

June 2, 2022

TO: Gabe Albornoz, President  
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Supplemental Appropriation #22-94  
Montgomery County Government  
Technology and Enterprise Business Solutions  
Montgomery Connects Computer for You  
Emergency Connectivity Fund Grants, \$15,975,170

I am recommending a Supplemental Appropriation to the FY22 Operating Budget of the Department of Technology and Enterprise Business Solutions (TEBS) in the amount of \$15,975,170 for the Montgomery Connects Computer for You program. The source of funding is a Federal Emergency Connectivity Fund (ECF) grant, which will allow the County to purchase 40,048 laptop computers to be distributed to low-income residents who do not have access to a computer sufficient for their educational needs. There is a no match requirement for the ECF grant.

I appreciate your prompt consideration of this action.

ME:mh

Enclosure: Supplemental Appropriation #22-94

cc: Gail M. Roper, CIO and Director, Technology and Enterprise Business Solutions  
Jennifer R. Bryant, Director, Office of Management and Budget  
Ken Hartman, Director of Strategic Partnership, Office of the County Executive

Resolution No.: \_\_\_\_\_  
 Introduced: \_\_\_\_\_  
 Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND**

---

By: Council President at the Request of the County Executive

---

**SUBJECT:** Supplemental Appropriation #22-94 to the FY22 Operating Budget  
 Montgomery County Government  
 Technology and Enterprise Business Solutions  
 Montgomery Connects Computers for You  
 Emergency Connectivity Fund Grants, \$15,975,170

**Background**

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week’s notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
  
2. The County Executive has requested the following FY22 Operating Budget appropriation increases for Technology and Enterprise Business Solutions:

Personnel Services	Operating Expenses	Total	Source of Funds
\$0	\$15,975,170	\$15,975,170	Federal Grant

3. This increase is needed to provide spending authority to the Department of Technology & Enterprise Business Solutions (TEBS) Device Client Management (DCM) program to purchase and distribute computers to low-income County residents.
4. Upon receipt of computers, TEBS will submit invoices to the Universal Service Administrative Company (USAC) and be reimbursed within 90 days. Funding for the Emergency Connectivity Fund was established under Section 7402 of the American Rescue Plan and awarded to Montgomery County Public Libraries (MCPL). The TEBS DCM program is purchasing and distributing computers on behalf of MCPL.
5. Notice of public hearing was given, and a public hearing was held.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

A supplemental appropriation to the FY22 Operating Budget of the Technology and Enterprise Business Solutions is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$15,975,170	\$15,975,170	Federal Grant

This is a correct copy of Council action.

---

Judy Rupp  
Clerk of the Council

# ECF Revised Funding Commitment Decision Letter

2021

## Contact Information:

James Donaldson  
MONTGOMERY CO DEPT OF PUB LIB  
21 MARYLAND AVENUE, SUITE 310  
ROCKVILLE MD 20850 - 2330  
[james.donaldson@montgomerycountymd.gov](mailto:james.donaldson@montgomerycountymd.gov)

**ECF FCC Form 471:** ECF202110740

**Request Type:** PC Request

**Application Nickname:** Vendor change

**BEN:** 126362

**Obligation Adjustment File:** 6

## Totals

Original Commitment Amount	\$7,993,969.92
<b>Revised Commitment Amount</b>	<b>\$7,993,969.92</b>

## What is in this letter?

Thank you for submitting your post-commitment request for the Emergency Connectivity Fund (ECF) Program.

Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received.

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.



## Next Steps

### Submit Requests for Reimbursement to the Emergency Connectivity Fund (ECF) Portal.<sup>1</sup>

The Commission in the Emergency Connectivity Fund Report and Order provided two ways for applicants to be able to invoice for eligible equipment and services through the Emergency Connectivity Fund Program. Applicants and service providers, who agree to invoice on behalf of the applicant(s), are allowed to submit ECF Program requests for reimbursement.

- **If the applicant is invoicing:** After receiving the ECF-supported eligible equipment and/or services, the applicant will file the ECF FCC Form 472, the Billed Entity Applicant Reimbursement (BEAR) Form to invoice for reimbursement of the ECF-supported eligible equipment and/or services. If the applicant requests reimbursement prior to paying its service provider(s), the applicant will be required to provide verification that it paid its service provider(s) within 30 days of receipt of funds.
- **If the service provider is invoicing:** The service provider(s) must provide the ECF-supported eligible equipment and/or services and then file the ECF FCC Form 474, the Service Provider Invoice (SPI) Form, to invoice for reimbursement for the ECF-supported eligible equipment and/or services provided.

Applicants and service providers, who agree to invoice on behalf of the applicant(s), must provide invoices detailing the items purchased, along with the requests for reimbursement. In general, any request for reimbursement submitted without the necessary information will be rejected with an explanation as to the deficiency, and the funding recipient will need to timely resubmit its invoice submission in order to receive reimbursement.

## Notice on Rules and Requirements

The applicants' receipt of funding commitments is contingent on their compliance with all federal, statutory, regulatory, and procedural requirements of the ECF Program and the FCC's rules. This also includes the certifications under penalty of perjury contained in their funding application(s). Funding recipients are subject to audits and other reviews that the Commission and other appropriate authorities may undertake periodically to ensure that committed funds are being used in accordance with such requirements and for their intended purpose. Please see paragraphs 116-134 of the Commission's *Emergency Connectivity Fund Report and Order* for more information regarding the Program's documentation, certification, and audit requirements.

---

<sup>1</sup> The *Emergency Connectivity Fund Report and Order* directed USAC to make the invoicing system available 15 days after the issuance of the first wave of commitments for the Emergency Connectivity Fund Program. *Establishing the Emergency Connectivity Fund to Close the Homework Gap*, WC Docket No. 21-93, Report and Order, FCC 21-58, para. 98 (rel. May 11, 2021) (*Emergency Connectivity Fund Report and Order*) If your funding commitment was released as part of the first wave, you may need to wait 15 days prior to submitting your request for reimbursement. USAC will announce when the invoicing system is available and requests for reimbursement can be submitted.



**BEN Name:** MONTGOMERY CO DEPT OF PUB LIB    **ECF FCC Form 471:** ECF202110740

**BEN:** 126362

**Obligation File:** 6

As referenced in paragraph 101 of the *Emergency Connectivity Fund Report and Order*, attached to this letter is the full text of Appendix A to 2 CFR Part 170, which provides additional information about the reporting requirements for reporting executive compensation (through <https://www.sam.gov>) and subaward activity (through <http://www.fsrs.gov>) under the Federal Funding Accountability and Transparency Act of 2006 as amended by the Digital Accountability and Transparency Act of 2014 (collectively the Transparency Act or FFATA/DATA Act) for award and subaward payments that equal or exceed \$30,000.

On behalf of the FCC, USAC may be required to reduce or cancel funding commitments that were not issued in accordance with these requirements, whether due to action or inaction of USAC, the applicant, or the service provider. The Commission and other appropriate authorities may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.

## How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 30 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

**Please note that this is shorter than the deadline for appeals in the E-Rate Program.**

**Note:** The Federal Communications Commission (FCC) will not accept appeals of ECF Program decisions that have not first been submitted and addressed in the Emergency Connectivity Fund (ECF) Portal. However, if you are seeking a waiver of ECF Program rules, you must submit your request directly to the FCC and not in the ECF Portal. Waivers of the ECF Program rules cannot be addressed within the ECF Portal.

- **To submit an appeal that is not a waiver**, visit the Appeals section in the [Emergency Connectivity Fund \(ECF\) Portal](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit the ECF Program's [website](#) for additional information on submitting an appeal, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number WC Docket No. 21-93 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request, identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For all appeals and waivers, be sure to keep a copy of your entire appeal or waiver document, including any correspondence and documentation, and provide a copy to the affected service provider(s).



**BEN Name:** MONTGOMERY CO DEPT OF **ECF FCC Form 471:** ECF202110740

PUB LIB

**BEN:** 126362

**Obligation File:** 6

# ECF Revised Funding Commitment Decision Overview

## Revised Funding Commitment Decision Overview

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Commitment	Request Decision
ECF2190015055	CACI	PC Request	\$4,009,754.88	APPROVED
ECF2190015063	CACI	PC Request	\$3,984,215.04	APPROVED





<b>Request Number:</b> ECFPC202101589	<b>Request Type:</b> PC Request	<b>Request Decision:</b> APPROVED
--	------------------------------------	--------------------------------------

<b>FRN:</b> ECF2190015055	<b>Service Type:</b> Equipment	<b>Original Status:</b> Funded	<b>Revised Status:</b> Funded
------------------------------	-----------------------------------	-----------------------------------	----------------------------------

Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	11		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$4,009,754.88
<b>Revised Committed Amount</b>		<b>\$4,009,754.88</b>	

Dates	
Service Start Date	8/1/2021
Service End Date	6/30/2022
Service Delivery Date	6/30/2022
Invoice Deadline Date	8/29/2022

Service Provider Information	
Service Provider	CACI
SPIN (498ID)	

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

**Revised Funding Commitment Decision Comments:**

A SPIN change from TelaForce to CACI was requested. This request appears to be an Operational SPIN change. In consultation with the applicant, the service provider has been changed to CACI.

**Rationale:**

Your request to change the SPIN on FRN ECF2190015055 has been approved.



<b>Request Number:</b> ECFPC202101589	<b>Request Type:</b> PC Request	<b>Request Decision:</b> APPROVED
--	------------------------------------	--------------------------------------

<b>FRN:</b> ECF2190015063	<b>Service Type:</b> Equipment	<b>Original Status:</b> Funded	<b>Revised Status:</b> Funded
------------------------------	-----------------------------------	-----------------------------------	----------------------------------

Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	11		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$3,984,215.04
<b>Revised Committed Amount</b>		<b>\$3,984,215.04</b>	

Dates	
Service Start Date	8/1/2021
Service End Date	6/30/2022
Service Delivery Date	6/30/2022
Invoice Deadline Date	8/29/2022

Service Provider Information	
Service Provider	CACI
SPIN (498ID)	

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

**Revised Funding Commitment Decision Comments:**

A SPIN change from TelaForce to CACI was requested. This request appears to be an Operational SPIN change. In consultation with the applicant, the service provider has been changed to CACI.

**Rationale:**

Your request to change the SPIN on FRN ECF2190015063 has been approved.



## **Appendix A to Part 170—Award Term**

### **I. Reporting Subawards and Executive Compensation**

#### *a. Reporting of first-tier subawards.*

*Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).

#### *2. Where and when to report.*

- i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
- ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

*3. What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

#### *b. Reporting total compensation of recipient executives for non-Federal entities.*

*1. Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

- i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR § 170.320;
- ii. in the preceding fiscal year, you received—
  - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards), and
  - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and,
- iii. The public does not have access to information about the compensation of the executives through periodic reports filed under sections 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

*2. Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

- i. As part of your registration profile at <https://www.sam.gov>
- ii. By the end of the month following the month in which this award is made, and annually thereafter.

#### *c. Reporting of Total Compensation of Subrecipient Executives.*

*1. Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier non-Federal entity subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
  - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards) and,



(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under sections 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions.*

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. Federal Agency means a Federal agency as defined at 5 U.S.C. § 551(1) and further clarified by 5 U.S.C. 552(f).

2. Non-Federal entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization; and

iv. A domestic or foreign for-profit organization

3. *Executive* means officers, managing partners, or any other employees in management positions.

4. *Subaward:*

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR § 200.331).

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

5. *Subrecipient* means a non-Federal entity or Federal agency that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

6. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR § 229.402(c)(2)).

[2 CFR Part 170; 85 FR 49526, Aug. 13, 2020]

# ECF Revised Funding Commitment Decision Letter

2021

## Contact Information:

James Donaldson  
MONTGOMERY CO DEPT OF PUB LIB  
21 MARYLAND AVENUE, SUITE 310  
ROCKVILLE MD 20850 - 2330  
[james.donaldson@montgomerycountymd.gov](mailto:james.donaldson@montgomerycountymd.gov)

**ECF FCC Form 471:** ECF222120109

**Request Type:** PC Request

**Application Nickname:** Vendor Update

**BEN:** 126362

**Obligation Adjustment File:** 9

## Totals

Original Commitment Amount	\$7,981,200.00
<b>Revised Commitment Amount</b>	<b>\$7,981,200.00</b>

## What is in this letter?

Thank you for submitting your post-commitment request for the Emergency Connectivity Fund (ECF) Program.

Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received.

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.



## Next Steps

### Submit Requests for Reimbursement to the Emergency Connectivity Fund (ECF) Portal.<sup>1</sup>

The Commission in the Emergency Connectivity Fund Report and Order provided two ways for applicants to be able to invoice for eligible equipment and services through the Emergency Connectivity Fund Program. Applicants and service providers, who agree to invoice on behalf of the applicant(s), are allowed to submit ECF Program requests for reimbursement.

- **If the applicant is invoicing:** After receiving the ECF-supported eligible equipment and/or services, the applicant will file the ECF FCC Form 472, the Billed Entity Applicant Reimbursement (BEAR) Form to invoice for reimbursement of the ECF-supported eligible equipment and/or services. If the applicant requests reimbursement prior to paying its service provider(s), the applicant will be required to provide verification that it paid its service provider(s) within 30 days of receipt of funds.
- **If the service provider is invoicing:** The service provider(s) must provide the ECF-supported eligible equipment and/or services and then file the ECF FCC Form 474, the Service Provider Invoice (SPI) Form, to invoice for reimbursement for the ECF-supported eligible equipment and/or services provided.

Applicants and service providers, who agree to invoice on behalf of the applicant(s), must provide invoices detailing the items purchased, along with the requests for reimbursement. In general, any request for reimbursement submitted without the necessary information will be rejected with an explanation as to the deficiency, and the funding recipient will need to timely resubmit its invoice submission in order to receive reimbursement.

## Notice on Rules and Requirements

The applicants' receipt of funding commitments is contingent on their compliance with all federal, statutory, regulatory, and procedural requirements of the ECF Program and the FCC's rules. This also includes the certifications under penalty of perjury contained in their funding application(s). Funding recipients are subject to audits and other reviews that the Commission and other appropriate authorities may undertake periodically to ensure that committed funds are being used in accordance with such requirements and for their intended purpose. Please see paragraphs 116-134 of the Commission's *Emergency Connectivity Fund Report and Order* for more information regarding the Program's documentation, certification, and audit requirements.

---

<sup>1</sup> The *Emergency Connectivity Fund Report and Order* directed USAC to make the invoicing system available 15 days after the issuance of the first wave of commitments for the Emergency Connectivity Fund Program. *Establishing the Emergency Connectivity Fund to Close the Homework Gap*, WC Docket No. 21-93, Report and Order, FCC 21-58, para. 98 (rel. May 11, 2021) (*Emergency Connectivity Fund Report and Order*) If your funding commitment was released as part of the first wave, you may need to wait 15 days prior to submitting your request for reimbursement. USAC will announce when the invoicing system is available and requests for reimbursement can be submitted.



**BEN Name:** MONTGOMERY CO DEPT OF PUB LIB **ECF FCC Form 471:** ECF222120109

**BEN:** 126362

**Obligation File:** 9

As referenced in paragraph 101 of the *Emergency Connectivity Fund Report and Order*, attached to this letter is the full text of Appendix A to 2 CFR Part 170, which provides additional information about the reporting requirements for reporting executive compensation (through <https://www.sam.gov>) and subaward activity (through <http://www.fsrs.gov>) under the Federal Funding Accountability and Transparency Act of 2006 as amended by the Digital Accountability and Transparency Act of 2014 (collectively the Transparency Act or FFATA/DATA Act) for award and subaward payments that equal or exceed \$30,000.

On behalf of the FCC, USAC may be required to reduce or cancel funding commitments that were not issued in accordance with these requirements, whether due to action or inaction of USAC, the applicant, or the service provider. The Commission and other appropriate authorities may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.

## How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 30 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

**Please note that this is shorter than the deadline for appeals in the E-Rate Program.**

**Note:** The Federal Communications Commission (FCC) will not accept appeals of ECF Program decisions that have not first been submitted and addressed in the Emergency Connectivity Fund (ECF) Portal. However, if you are seeking a waiver of ECF Program rules, you must submit your request directly to the FCC and not in the ECF Portal. Waivers of the ECF Program rules cannot be addressed within the ECF Portal.

- **To submit an appeal that is not a waiver**, visit the Appeals section in the [Emergency Connectivity Fund \(ECF\) Portal](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit the ECF Program's [website](#) for additional information on submitting an appeal, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number WC Docket No. 21-93 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request, identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For all appeals and waivers, be sure to keep a copy of your entire appeal or waiver document, including any correspondence and documentation, and provide a copy to the affected service provider(s).



**BEN Name:** MONTGOMERY CO DEPT OF **ECF FCC Form 471:** ECF222120109

PUB LIB

**BEN:** 126362

**Obligation File:** 9

# ECF Revised Funding Commitment Decision Overview

## Revised Funding Commitment Decision Overview

<b>Funding Request Number (FRN)</b>	<b>Service Provider Name</b>	<b>Request Type</b>	<b>Revised Commitment</b>	<b>Request Decision</b>
ECF2190031875	CACI	PC Request	\$7,981,200.00	APPROVED





<b>Request Number:</b> ECFPC202200731	<b>Request Type:</b> PC Request	<b>Request Decision:</b> APPROVED
--	------------------------------------	--------------------------------------

<b>FRN:</b> ECF2190031875	<b>Service Type:</b> Equipment	<b>Original Status:</b> Funded	<b>Revised Status:</b> Funded
------------------------------	-----------------------------------	-----------------------------------	----------------------------------

Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	9		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$7,981,200.00
<b>Revised Committed Amount</b>		<b>\$7,981,200.00</b>	

Dates	
Service Start Date	10/13/2021
Service End Date	6/30/2022
Service Delivery Date	6/30/2022
Invoice Deadline Date	8/29/2022

Service Provider Information	
Service Provider	CACI
SPIN (498ID)	

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

**Revised Funding Commitment Decision Comments:**

A SPIN change from TelaForce, LLC to CACI was requested. This request appears to be an Operational SPIN change. In consultation with the applicant, the service provider has been changed to CACI.

**Rationale:**

Your service provider modification request is approved.



## **Appendix A to Part 170—Award Term**

### **I. Reporting Subawards and Executive Compensation**

#### *a. Reporting of first-tier subawards.*

*Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).

#### *2. Where and when to report.*

- i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
- ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

*3. What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

#### *b. Reporting total compensation of recipient executives for non-Federal entities.*

*1. Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

- i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR § 170.320;
- ii. in the preceding fiscal year, you received—
  - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards), and
  - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and,
- iii. The public does not have access to information about the compensation of the executives through periodic reports filed under sections 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

*2. Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

- i. As part of your registration profile at <https://www.sam.gov>
- ii. By the end of the month following the month in which this award is made, and annually thereafter.

#### *c. Reporting of Total Compensation of Subrecipient Executives.*

*1. Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier non-Federal entity subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
  - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards) and,



(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under sections 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions.*

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. Federal Agency means a Federal agency as defined at 5 U.S.C. § 551(1) and further clarified by 5 U.S.C. 552(f).

2. Non-Federal entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization; and

iv. A domestic or foreign for-profit organization

3. *Executive* means officers, managing partners, or any other employees in management positions.

4. *Subaward:*

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR § 200.331).

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

5. *Subrecipient* means a non-Federal entity or Federal agency that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

6. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR § 229.402(c)(2)).

[2 CFR Part 170; 85 FR 49526, Aug. 13, 2020]

Resolution No.: \_\_\_\_\_  
 Introduced: \_\_\_\_\_  
 Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

**SUBJECT:** Supplemental Appropriation #22-94 to the FY22 Operating Budget  
 Montgomery County Government  
 Technology and Enterprise Business Solutions  
 Montgomery Connects Computers for You  
 Emergency Connectivity Fund Grants, \$15,975,170

**Background**

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week’s notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
  
2. The County Executive has requested the following FY22 Operating Budget appropriation increases for Technology and Enterprise Business Solutions:

Personnel Services	Operating Expenses	Total	Source of Funds
\$0	\$15,975,170	\$15,975,170	Federal Grant

3. This increase is needed to provide spending authority to the Department of Technology & Enterprise Business Solutions (TEBS) Device Client Management (DCM) program to purchase and distribute computers to low-income County residents.
4. Upon receipt of computers, TEBS will submit invoices to the Universal Service Administrative Company (USAC) and be reimbursed within 90 days. Funding for the Emergency Connectivity Fund was established under Section 7402 of the American Rescue Plan and awarded to Montgomery County Public Libraries (MCPL). The TEBS DCM program is purchasing and distributing computers on behalf of MCPL.
5. Notice of public hearing was given, and a public hearing was held.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

A supplemental appropriation to the FY22 Operating Budget of the Technology and Enterprise Business Solutions is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$15,975,170	\$15,975,170	Federal Grant

This is a correct copy of Council action.

---

Judy Rupp  
Clerk of the Council