

**WV BTOP – NT10BIX5570031
SACM-01**

**Whistleblower Protection Act
Interest-Bearing Account
Sale or Lease of Real Property
Davis-Bacon Act
For-Profit Recipient Audit Requirement
Environmental Assessment**

9 August 2010

All BTOP grant actions must adhere to the following SACs:

Whistleblower Protection Act Requirement (New): The recipient shall comply with the Whistleblower Protection requirements of the American Recovery and Reinvestment Act (Recovery Act), Section 553 of Division A, Title XV, Public Law 111-5. This SAC is informational with no specific due date.

Interest-Bearing Account – Applied to those subject to 15 CFR 14.22 (New): If the award is subject to 15 CFR 14.22, it requires recipients of Federal financial assistance that receive more than \$120,000 in Federal awards per year to maintain advances of Federal funds in interest bearing accounts. This SAC is informational with no specific due date.

Sale or Lease of Real Property Purchased with Award Funds (New): Recipients may not sell or lease any portion of the award-funded broadband facilities or equipment during their life, except as otherwise approved by NTIA. This SAC is informational with no specific due date.

Davis-Bacon Act (New): Recipients shall obtain and maintain in its official records documentation of weekly certified payroll reports and the Statement of Compliance from itself and all sub-recipients, contractors, and subcontractor(s) in accordance with Section 1606 of the American Recovery and Reinvestment Act of 2009 and the Davis-Bacon Act and related acts. This SAC is informational with no specific due date.

For-Profit Recipient Audit Requirement (Revised): A for-profit organization receiving a BTOP award exceeding \$100,000 in Federal funding shall have a program-specific audit performed based on the recipient's BTOP program year, beginning with the date of the issuance of the BTOP award. Please check your individual amendment for due date.

Environmental Assessment (Revised): The allowable use of funds for limited, preliminary procurements prior to beginning project implementation includes, but is not limited to, the initiation of activities necessary to meet the project completion requirements as specified in the award. To take advantage of this change, please submit an expenditure plan within 10 days of receipt of this SAC.

Released by Cabinet Secretary Kelley M. Goes, West Virginia Department of Commerce

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