

## **Epic Communications Amendment**

### **E- Rate Year 16 (2013 - 2014)**

This Amendment (“Amendment”) is made and entered into as of \_\_\_\_\_, 2012, between Epic Communications, Inc. having its principal place of business at 31100 Solon Road, PO Box 39490, Solon, OH 44139 (“Epic”), and the Plum Borough School District (“District”).

#### **Recitals**

**WHEREAS**, the Agreement dated October 25, 2011 is amended so that the Agreement specifically includes E-Rate Year 16 (2013 – 2014).

**WHEREAS**, it is mandatory that the District execute a Letter of Authorization (**Schedule A - Letter of Authorization (LOA)**); and,

The ‘WHEREAS’ and ‘NOW THEREFORE’ clauses in this recitals section are part of this Amendment; and,

**NOW, THEREFORE**, in consideration of the mutual promises herein contained and intending to be legally bound hereby, the parties agree as follows:

#### **I. Scope of Work**

- A. Epic will perform all work associated with the 16<sup>th</sup> year of E-Rate (2013 – 2014).

#### **II. Term**

The term of this Amendment shall commence upon the date first set forth above and shall expire when the Universal Service Administrative Company or the Federal Communications Commission concludes Year 16. This contract is for Year 16 E-Rate only.

**III. Integration Clause**

The Agreement as amended contains the entire understanding of the parties with respect to the subject matter hereof and supersedes all prior oral or written agreements. Epic and the District stipulate that neither has made any representations with respect to the subject matter of the Agreement or any other representations except such representations as are specifically set forth herein. Epic and the District further acknowledge that any representations that may have heretofore been made by either to the other are of no effect and that none of them have relied thereon in connection with their dealings with the other.

**IV. Other Terms and Conditions**

**All other terms and conditions of the Agreement dated October 25, 2011 including fees, remain the same.**

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by duly authorized representatives all as of the date first above written.

**Plum Borough School District**

By:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name

**Epic Communications, Inc.**

By:

\_\_\_\_\_  
Authorized Signature

Rosemary Enos, President  
\_\_\_\_\_  
Print Name

**Schedule A for Year 16**

**Letter of Agency  
For the Year 2013 – 2014**

I hereby authorize **Epic Communications, Inc.** to submit FCC Form 470, FCC Form 471, and all other E-Rate forms for all E-Rate eligible services to the Schools and Library Division on behalf of the undersigned school district.

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted; by E-Rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that the services that our school district purchases using E-Rate discounts (as described in the law 47 U.S.C. Sec. 254) will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (f) I certify that our school district has complied with all E-Rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of the benefits from those services.
- (h) I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.
- (i) I certify that I am authorized to sign this letter of agency (LOA) for my District and, to the best of my knowledge, information, and belief, all information provided to Epic for E-Rate submission is true.

I understand that persons (including Epic, its employees and agents, and Independent Contractors) willfully make false statements on E-Rate forms or through this letter of agency can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Sec. 502, and 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

District: Plum Borough School District

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_, 2012

Title: \_\_\_\_\_