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|---|--|--|--|
| 1. DATE ISSUED MM/DD/YYYY<br>06/21/2019                                     |  | 1a. SUPERSEDES AWARD NOTICE dated<br>except that any additions or restrictions previously imposed remain in effect unless specifically rescinded |  |
| 2. CFDA NO.<br>93.889 - National Bioterrorism Hospital Preparedness Program |  |  |  |
| 3. ASSISTANCE TYPE Formula Grant  |  |  |  |
| 4. GRANT NO. 1 U3REP190554-01-00<br>Formerly                                |  | 5. TYPE OF AWARD<br>Other  |  |
| 4a. FAIN U3REP190554  |  | 5a. ACTION TYPE New  |  |
| 6. PROJECT PERIOD MM/DD/YYYY<br>From 07/01/2019                             |  | Through 06/30/2024   |  |
| 7. BUDGET PERIOD MM/DD/YYYY<br>From 07/01/2019                              |  | Through 06/30/2020   |  |
| 8. TITLE OF PROJECT (OR PROGRAM)<br>MISSOURI HPP COOPERATIVE AGREEMENT      |  |  |  |

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ASSISTANT SECRETARY FOR PREPAREDNESS & RESPONSE  
ASPR Acquisition Management Contracts and Grants**

200 C Street, SW  
Washington, DC 20024

**NOTICE OF AWARD**  
AUTHORIZATION (Legislation/Regulations)  
Pub. L. 109-148 119 Stat. 2680, 2786 (2005)

|  |   |
|--|---|
| 9a. GRANTEE NAME AND ADDRESS<br>HEALTH AND SENIOR SERVICES, MISSOURI DEPARTMENT OF<br>920 Wildwood Dr<br>Jefferson City, MO 65109-5796 | 9b. GRANTEE PROJECT DIRECTOR<br>Mr. HAROUN KAMARA<br>920 WILDWOOD DRIVE<br>GRANTS COORDINATION UNIT<br>JEFFERSON CITY, MO 65102-0570<br>Phone: 573-522-9152                 |
| 10a. GRANTEE AUTHORIZING OFFICIAL<br>Ms. Tonya Loucks<br>920 WILDWOOD DR<br>JEFFERSON CITY, MO 65109-5796<br>Phone: 573-751-601        | 10b. FEDERAL PROJECT OFFICER<br>Ms. Angela Krutsinger<br>200 C Street, S.W.<br>Assistant Secretary Preparedness and Response<br>Washington, DC 20024<br>Phone: 816-426-3290 |

**ALL AMOUNTS ARE SHOWN IN USD**

|  |                     |
|--|---------------------|
| <b>11. APPROVED BUDGET (Excludes Direct Assistance)</b>                            |                     |
| I Financial Assistance from the Federal Awarding Agency Only                       | <b>II</b>           |
| II Total project costs including grant funds and all other financial participation |                     |
| a. Salaries and WageS  | 302,339.00          |
| b. Fringe Benefits   | 163,263.00          |
| c. Total Personnel Costs   | 465,602.00          |
| d. Equipment   | 0.00                |
| e. Supplies  | 2,223.00            |
| f. Travel  | 10,803.00           |
| g. Construction  | 0.00                |
| h. Other   | 383,724.00          |
| i. Contractual   | 3,038,978.00        |
| j. TOTAL DIRECT COSTS  | 3,901,330.00        |
| k. INDIRECT COSTS  | 99,173.00           |
| <b>I. TOTAL APPROVED BUDGET</b>  | <b>4,000,503.00</b> |
| m. Federal Share   | 3,636,821.00        |
| n. Non-Federal Share   | 363,682.00          |

|   |                     |          |                    |
|---|---------------------|----------|--------------------|
| <b>12. AWARD COMPUTATION</b>  |                     |          |                    |
| a. Amount of Federal Financial Assistance (from item 11m)   | 3,636,821.00        |          |                    |
| b. Less Unobligated Balance From Prior Budget Periods   | 0.00                |          |                    |
| c. Less Cumulative Prior Award(s) This Budget Period  | 0.00                |          |                    |
| <b>d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION</b>  | <b>3,636,821.00</b> |          |                    |
| <b>13. Total Federal Funds Awarded to Date for Project Period</b>   | <b>3,636,821.00</b> |          |                    |
| <b>14. RECOMMENDED FUTURE SUPPORT</b><br>(Subject to the availability of funds and satisfactory progress of the project):   |                     |          |                    |
| YEAR  | TOTAL DIRECT COSTS  | YEAR     | TOTAL DIRECT COSTS |
| a. 2  |                     | d. 5     |                    |
| b. 3  |                     | e. 6     |                    |
| c. 4  |                     | f. 7     |                    |
| <b>15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:</b>   |                     |          |                    |
| a. DEDUCTION  |                     | <b>b</b> |                    |
| b. ADDITIONAL COSTS   |                     |          |                    |
| c. MATCHING   |                     |          |                    |
| d. OTHER RESEARCH (Add / Deduct Option)   |                     |          |                    |
| e. OTHER (See REMARKS)  |                     |          |                    |
| <b>16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:</b>  |                     |          |                    |
| a. The grant program legislation  |                     |          |                    |
| b. The grant program regulations.   |                     |          |                    |
| c. This award notice including terms and conditions, if any, noted below under REMARKS.   |                     |          |                    |
| d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.  |                     |          |                    |
| In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system. |                     |          |                    |

**REMARKS** (Other Terms and Conditions Attached -  Yes  No)  
This is a new award providing \$3,636,821.00 in Federal funds for the Hospital Preparedness Program Cooperative Agreement. Please check this Notice of Award for accuracy and read all terms and conditions to include any special award conditions listed below. If you have any questions, please contact your Grants Management Specialist or HHS Project Officer.

**GRANTS MANAGEMENT OFFICIAL:**  
Virginia Simmons, Chief Grants Management Officer  
200 Independence Ave., S.W.  
Room 638-G  
Washington, DC 20201  
Phone: 202-260-0400

|                    |                  |                     |                     |                    |
|--------------------|------------------|---------------------|---------------------|--------------------|
| 17.OBJ CLASS 41.51 | 18a. VENDOR CODE | 18b. EIN            | 19. DUNS 878092600  | 20. CONG. DIST. 03 |
| FY-ACCOUNT NO.     | DOCUMENT NO.     | ADMINISTRATIVE CODE | AMT ACTION FIN ASST | APPROPRIATION      |
| 21. a. 9-199TWQZ   | b. U3REP0554A    | c. HOS07            | d. \$3,636,821.00   | e. 75-19-0140      |
| 22. a.             | b.               | c.                  | d.                  | e.                 |
| 23. a.             | b.               | c.                  | d.                  | e.                 |

|                               |                           |
|-------------------------------|---------------------------|
| PAGE 2 of 2                   | DATE ISSUED<br>06/21/2019 |
| GRANT NO. 1 U3REP190554-01-00 |                           |

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**SPECIAL CONDITIONS**

**1. All Special Program Conditions must be submitted within 30 days of receipt of NoA.**

**No funds shall be expended until all COAs are satisfied.**

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1. The recipient must explain the rationale and provide additional details regarding the change from seven to three HCCs and the impacts on response. There are concerns related to moving to the coverage of such a large geographic area when MO's HCCs have been promising practice entities for so long.
2. The recipient must submit additional details regarding the SEMA budget line item of \$844,942 and provide a detailed description of activities related to the HPP cooperative agreement.
3. The recipient must submit additional justification and details regarding the MRC activities budgeted in the HPP cooperative agreement to ensure they are aligned with the MRC activities defined on page 66 of the FOA.
4. The recipient must clarify \$1,378 Travel budgeted for Out of State Civil Authorities Training for Hallman/Planner and provide a justification for how the travel supports the HPP cooperative agreement.

Recipient must respond in PERFORMS and/or GrantSolutions to address Conditions of Award, application weaknesses, and requests for additional information, as applicable. Contact your HPP Field Project Officer for further detail regarding programmatic COAs. Contact your ASPR Grants Management Specialist regarding terms and conditions of the Notice of Award.

# AWARD ATTACHMENTS

MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES

1 U3REP190554-01-00

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1. General Terms and Conditions

**Award Conditions-**

**Travel Cost:** In accordance with HHS Grants Policy Statement, travel costs are only allowable where such travel will provide direct benefit to the project or program. To prevent disallowance of cost, the recipient is responsible for ensuring that only allowable travel reimbursements are applied in accordance with their organization’s established travel policies and procedures. The recipients’ established travel policies and procedures must meet the requirements of 45 CFR Part 75.474.

**TRAVEL- Annual Expenditure Report**

All recipients of the HPP Cooperative Agreement must submit an annual expenditure report of *actual expenses* for all Travel charged to the HPP Award within **BP1** with the Annual FFR SF-425 Report Due 90 Days after the end of each budget period (12months). Please reference travel template for guidance in Figure 1.

In addition, recipients are required to maintain travel policies and procedures for all employees and contractors charged to the award in their agency standard policies and procedures. Policies and procedures must comply with Federal agency Travel and per-diem requirements. State related policies and procedures must be clearly identified in the policies and procedures. ASPR staff (Grants Management and Federal Project Officers) may request access to such policies and procedures in relation to the HPP award and at any time within the period of performance of award.

**Figure 1.**

**Travel - Federal funds requested for travel are for staff travel only (travel for consultants is listed in consultant category). Travel for other participants, committee members, etc. should be listed under the cost category “other”. Applicants are to use the lowest available commercial fares for coach or equivalent accommodations. Note that Applicants will be expected to follow federal travel policies found at <http://www.gsa.gov>.**

**Table 3: Travel**

| <b>Purpose of Travel</b> | <b>Location</b> | <b>Item</b> | <b>Rate</b>                  | <b>Federal Cost</b> | <b>Match</b> |
|--------------------------|-----------------|-------------|------------------------------|---------------------|--------------|
| Attend awardee meeting   | Washington, DC  | Air Fare    | \$350 X 4 people             | \$1,400             |              |
|                          |                 | Per Diem    | \$71/day X 4 days X 4 people | \$1,136             |              |
|                          |                 | Airport     | \$10/day X 4 days            | \$40                |              |
|                          |                 | Parking     | \$28/RT X 4 people           | \$112               |              |

| Purpose of Travel | Location | Item            | Rate                              | Federal Cost   | Match |
|-------------------|----------|-----------------|-----------------------------------|----------------|-------|
|                   |          | Airport Shuttle | \$211/night X 3 nights X 4 people | \$2532         |       |
|                   |          | Hotel           | <b>Subtotal</b>                   | <b>\$4,120</b> |       |
| Local travel      | Various  | POV             | .44/mile X 2,000 miles/year       | \$880          |       |
|                   |          |                 | TOTAL                             | \$5,000        |       |

**NARRATIVE JUSTIFICATION:** Explain the purpose for all travel and how costs were determined. List any required travel, funds for local travel that are needed to attend local meetings, project activities, and training events. Local travel rate should be based on agency’s personally owned vehicle (POV) reimbursement rate, which should correspond with the GSA rate found at <http://www.gsa.gov>.

**Request for extension of liquidation period:**

All requests for extension of liquidation periods must be submitted at least 30 days before the liquidation period begins (90 days after the budget period ends 6/30/20). Liquidation extensions are generally extended up to an additional 90 days. Any additional extensions will be considered on a case by case basis.

Extensions will not be allowed for the last 12 months of the budget/period of performance.

**Cost Sharing or matching alternatives:** Under this alternative, program income is used to finance some or the entire non-Federal share of the project/program. **Program income generated under this grant or cooperative agreement will be used in accordance with the cost sharing or matching alternative:**

Note: The disposition of program income must have written approval from the GMO.

## **General Terms and Conditions**

### **Standard Terms and Conditions of award:**

This grant is issued under the authority of Public Health Service Act, Section 319C-2 (Title 42 United States Code (U.S.C) Section 247d-3b) as amended. Section 311 of the PHS Act (Title 42 U.S.C Section 243), subject to available funding and other requirements and limitations. By receiving funds under this award, the recipient assures that it will carry out the project/program as authorized, adhere to requirements laid out in the funding opportunity announcement and will comply with the terms and conditions and other requirements of this award. The recipient must adhere to all applicable federal statutes, including appropriations act requirements including Title VI in Division G of the “Consolidated Appropriation Act, 2015”.

The terms and conditions of this Notice of Award and other requirements have the following order of precedence if there is any conflict in what they require:

- (1) Public Health Service Act, Section 311 (42 U.S.C. 243).
- (2) terms and conditions of the award
- (3) 45 CFR Part 75;
- (4) HHS Grants Policy Statement.

This grant is subject to the applicable requirements of the Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Nonprofit Organizations, and Commercial Organizations under Title 45 Code of Federal Regulations, Part 75. Any applicable statutory or regulatory requirements, including 45 CFR Part 75 and 2 CFR Part 200, directly apply to this award apart from any coverage in the HHS GPS. The terms and conditions of this Notice of Award and other requirements have the following order of precedence if there is any conflict in what they require: (1) Public Health Service Act, Section 311 (42 U.S.C. 243). (2) terms and conditions of the award (3) CFR Part 75; (4) HHS Grants Policy Statement.

Requests that require prior approval from the awarding office must be submitted in writing to the Grants Management Specialist via GrantSolutions. Only responses signed by the Grants Management Specialist or Grants Management Officer are to be considered valid. Grantees who take action on the basis of responses from other ASPR officials do so at their own risk. Such responses will not be considered binding by or upon ASPR.

### **Subaward Equal Treatment**

The recipient must comply with 45 CFR 75, including the provision that no State or local government recipient nor any intermediate organization with the same duties as a governmental entity shall, in the selection of service providers, discriminate for or against an organization’s religious character or affiliation.

### **Public Policy Requirements**

All public policy requirements included in “Public Policy Requirements” in Part I and Part II (pages II-2 through II-24) of the HHS GPS apply as appropriate. See FOA#: EP-U3R-19-001 under which this award was issued for more information.

- 1) **As required by the Federal Funding Accountability and Transparency Act of 2006**, this new award is subject to the subaward and executive compensation reporting requirement of 2 CFR Part 170. Although the full text of this regulation is attached, you may access the language online at <https://www.fsrs.gov/>.

#### Reporting Subawards and Executive Compensation

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

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. Where and when to report. i. You 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.

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 award is \$25,000 or more;

- 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 section 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, you must access the System for Award Management (SAM) at: <https://www.sam.gov/portal/public/SAM/> .

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 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 3 periodic reports filed under section 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. 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;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. 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 Sec. 11.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity 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.
5. 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)):
  - i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

v. Above-market earnings on deferred compensation which is not tax-qualified.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

**2) Mandatory disclosures.**

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180 and 31 U.S.C. 3321).

**3) English Language**

All Federal financial assistance announcements and Federal award information must be in the English language. Applications must be submitted in the English language and must be in the terms of U.S. dollars. If the Federal awarding agency receives applications in another currency, the Federal awarding agency will evaluate the application by converting the foreign currency to United States currency using the date specified for receipt of the application.

Non-Federal entities may translate the Federal award and other documents into another language. In the event of inconsistency between any terms and conditions of the Federal award and any translation into another language, the English language meaning will control. Where a significant portion of the non-Federal entity's employees who are working on the Federal award are not fluent in English, the non-Federal entity must provide the Federal award in English and the language(s) with which employees are more familiar.

4) As the recipient organization, you acknowledge acceptance of the grant terms and conditions by drawing down or otherwise obtaining funds from the Payment Management System. In doing so, your organization must ensure that you exercise prudent stewardship over Federal funds and that all costs are allowable, allocable and reasonable.

6) This grant is subject to the terms and conditions as stated in Section III (Terms and Conditions) of the NoA. Refer to the "order of precedence" that explains the laws and regulations that govern the award.

**7) Legal and Financial Responsibility-**The recipient organization is legally and financially responsible for all aspects of this grant, including funds provided to sub-recipients.

8) **Executive Level II Salary Cap For FY 2019**, the Consolidated Appropriations Act, 2015 (Public Law 113-76) signed into law on January 6, 2019, restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. The Executive Level II salary is \$192,300 annually. Funds made available by this award shall not be used by the grantee or subrecipient to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of current Executive Level II compensation requirements.

9) **Gun Control**

None of the funds made available through this award may be used, in whole or in part, to advocate or promote gun control.

10) **Pornography**

None of the funds made available through this award may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

11) **Lobby Restrictions**

The grantee must comply with 45 CFR Part 93. None of the funds made available through this award shall be used to pay 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 any of the following covered Federal actions: the awarding of any Federal contract, grant or cooperative agreement, the making of any Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. Influencing or attempting to influence means making, with the intent to influence, any communication to or appearance before 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 any covered action.

12) **Sterile Needle Distribution**

No funds made available through this award shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

13) **Accounting Records and Disclosure** - Awardees and sub-recipients must maintain records which adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to grant or subgrant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The awardee, and all its sub-recipients, should expect that A, or its designee, may conduct a financial compliance audit and on-site program review of grants with significant amounts of Federal funding.

#### **14) Procurement**

When procuring equipment, the recipient must comply with the procurement standards at 45 CFR Part 75.329 Procurement procedures, which requires the performance and documentation of some form of cost or price analysis with every procurement action.

#### **15) DUNS Number Annual Update**

The DUNS number recipients use on their application must be registered and active in the System for Award Management (SAM) which can be accessed at <https://www.sam.gov>. Recipients must update their SAM information at least every 12 months to maintain an active account.

#### **16) Trafficking In Persons**

a. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;

ii. Procure a commercial sex act during the period of time that the award is in effect; or

iii. Use forced labor in the performance of the award or subawards under the award.

2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity –

i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or

ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

A. Associated with performance under this award; or

B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and "uspension (Nonprocurement)," as implemented by our agency at 2 CFR part 376.

b. Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—

i. Associated with performance under this award; or

ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government wide Debarment and "Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 376

c. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph

a.1 of this award term 2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:

i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

ii. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

**17) Reducing Text Messaging While Driving** In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, contractors, subcontractors, and recipients and subrecipients are encouraged "to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Agencies should also encourage Federal contractors, subcontractors, and grant recipients and subrecipients as described in this section to conduct initiatives of the type described in section 3(a) of this order."

**18) Publications:** All grantee publications, including: research publications press releases other publications or documents about research that is funded by ASPR must include the following two statements: A specific acknowledgment of ASPR grant support, such as: "Research reported in this [publication/press release] was supported by [name of the program office(s), or other ASPR offices] the Department of Health and Human Services Office of the Assistant Secretary for Preparedness and Response under award number [specific ASPR grant number(s)]."A disclaimer that says: "The content is solely the responsibility of the authors and does not necessarily represent the official views of the Department of Health and Human Services Office of the Assistant Secretary for Preparedness and Response."

**19) Federal Information Security Management Act (FISMA):** If applicable, all information systems, electronic or hard copy which contain federal data need to be protected from unauthorized access. This also applies to information associated with ASPR grants. Congress and the OMB have instituted laws, policies and directives that govern the creation and implementation of federal information security practices that pertain specifically to grants and contracts. The current regulations are pursuant to the Federal Information Security Management Act (FISMA), Title III of the E-Government Act of 2002 Pub. L. No. 107-347.

## **20) Health and Safety Regulations and Guidelines**

Grantees are responsible for meeting applicable Federal, State, and local health and safety standards and for establishing and implementing necessary measures to minimize their employees' risk of injury or illness in activities related to ASPR grants. In addition to applicable Federal, State, and local laws and regulations, the following regulations must be followed when developing and implementing health and safety operating procedures and practices for both personnel and facilities:

- 29 CFR 1910.1030, Blood borne pathogens; 29 CFR 1910.1450, Occupational exposure to hazardous chemicals in laboratories; and other applicable occupational health and safety standards issued by the Occupational Health and Safety Administration (OSHA) and included in 29 CFR 1910. These regulations are available at [http://www.osha.gov/pls/oshaweb/owastand.display\\_standard\\_group?p\\_toc\\_level=1&p\\_part\\_number=1910](http://www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1910).
- Nuclear Regulatory Commission “standards and Regulations, pursuant to the Energy Reorganization Act of 1974 (42 U.S.C. 5801 et seq.). Copies may be obtained from the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The following guidelines are recommended for use in developing and implementing health and safety operating procedures and practices for both personnel and facilities:
- Biosafety in Microbiological and Biomedical Laboratories, CDC and NIH, HHS. This publication is available at [http://www.cdc.gov/OD/ohs/biosfty/bmb15/BMBL\\_5th\\_Edition.pdf](http://www.cdc.gov/OD/ohs/biosfty/bmb15/BMBL_5th_Edition.pdf).
- Prudent Practices for “afety in Laboratories (1995), National Research Council, National Academy Press, 500 Fifth Street, NW, Lockbox 285, Washington, DC 20055 (ISBN 0-309-05229-7). This publication can be obtained by telephoning 800-624-8373. It also is available at <http://www.nap.edu/catalog/4911.html>. Grantee organizations are not required to submit documented assurance of their compliance with or implementation of these regulations and guidelines. However, if requested by ASPR, grantees should be able to provide evidence that applicable Federal, State, and local health and safety standards have been considered and have been put into practice.

## **Reporting Requirements:**

### Program Reporting:

Progress Reporting: Awardees are required to electronically submit an end-of-year program progress report 90 days after the budget period ends.

Semi-Annual Federal Financial Report (SF-425) for Year 5 is due February 28, 2020. Annual Federal Financial Report (SF-425) is due September 30, 2020. The SF-425 is available via Grants.gov. Please submit the semi-annual and annual SF-425 via Grantsolutions.

Awardees are required to electronically submit semi-annual program progress reports. As part of the progress report, financial information will be reported both per major category of expense, and by objectives. Grantees will include sub-recipient monitoring activities that were completed during each quarter.

### **All reports must be submitted via GrantSolutions.**

- 1) **Federal Financial Report (FFR)** – Awardees are required to electronically submit an annual program progress report and Federal Financial Report (Standard Form 425) via grantsolutions. Both reports are due no later than 90 days after the end of the budget period.
- 2) **Federal Disbursement Reporting:** The SF-425 will also be used for reporting of expenditure data to meet A“PR’s quarterly financial reporting requirement. All other lines except 10.a through 10.c should be completed.
- 3) **Cash Transaction Reporting:** Recipients must report cash transaction data using the Federal Financial Report (FFR), SF-425. Recipients will utilize the SF-425 lines 10.a through 10.c to report cash transaction data to the Division of Payment Management. The FFR SF-425 (lines 10.a through 10.c) is due to the Payment Management System 30 days after the end of each calendar quarter. The FFR SF- 425 electronic submission and dates for the new quarters will be announced through the Payment Management/“smartLink Payment “system’s bulletin board. Funds will be frozen if the report is not filed on or before the due date.
- 4) **Subaward and Executive Compensation Reporting:** Awardees must ensure that they have the necessary processes and systems in place to comply with the sub-award and executive total compensation reporting requirements established under OMB guidance at 2 CFR Part 170, unless they qualify for an exception from the requirements, should they be selected for funding. CFDA number is to be included on all Subawards, including contracts and consultant agreements, so ASPR staff may track compliance.

5) **Tangible Property Report:** Awardees will be required to submit an annual (after each 12 month period) Tangible Property Report (SF 428). Final SF 428 reports are due 90 days after the end of the project period.

6) **Audit requirements** for Federal award recipients are detailed at [http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133\\_revised\\_2007.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf). Specifically, non-Federal entities that expend a total of \$750,000 or more in Federal awards, during each Fiscal Year, are required to have an audit completed in accordance with OMB Circular A-133. The Circular defines Federal awards as Federal financial assistance (grants) and Federal cost-reimbursement (contracts) received both directly from a Federal awarding agency as well as indirectly from a pass-through entity and requires entities submit, to the Federal Audit Clearinghouse (FAC), a completed Data Collection Form (SF-SAC) along with the Audit Report, within the earlier of 30 days after receipt of the report or 9 months after the fiscal year end. The Data Collection Forms and Audit Reports MUST be submitted to the FAC electronically at <http://harvester.census.gov/fac/collect/ddeindex.html> . For questions and information concerning the submission process, please visit <http://harvester.census.gov/sac/> or call the FAC 1-800-253-0696.

## 7) **Reporting of Matters Related to Recipient Integrity and Performance**

### 1. *General Reporting Requirement*

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110–417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111–212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

### 2. *Proceedings About Which You Must Report*

Submit the information required about each proceeding that: a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government; b. Reached its final disposition during the most recent five year period; and c. If one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;



(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;

(3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or

(4) Any other criminal, civil, or administrative proceeding if: (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition; (ii) It had a different disposition arrived at by consent or compromise with an acknowledgement of fault on your part; and (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

### *3. Reporting Procedures*

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

### *4. Reporting Frequency*

During any period of time when you are subject to this requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

### *5. Definitions*

For purposes of this award term and condition:

a. Administrative proceeding means a nonjudicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or (4) Any other criminal, civil, or administrative proceeding if:

- (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;
- (ii) It had a different disposition arrived at by consent or compromise with an acknowledgement of fault on your part; and
- (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. Reporting Frequency During any period of time when you are subject to this requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions For purposes of this award term and condition: a. Administrative proceeding means a non judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables. b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised

**Failure to comply with the above stated terms and conditions may result in suspension, classification as High Risk status, termination of this award or denial of funding in the future.**

**All previous terms and conditions remain in effect until specifically approved and removed by the Grants Management Officer.**

All responses to special terms and conditions of award and postaward requests must be electronically mailed to the ASPR Grants Management Specialist and to the Program Official as identified on your Notice of Award.

**Remarks:**

**PAYMENT INFORMATION**

**Automatic Drawdown (Direct/Advance Payments):** Payment under this award will be made available through the Department of Health and Human Services (HHS) Payment Management System (PMS). PMS will forward instructions for obtaining payments.

**PMS Access Procedures for New Grant Recipients:**

To obtain access to the Payment Management System (PMS), Recipients must complete the below forms

- [Direct Deposit Instructions and SF-1199A Form for Domestic Bank Accounts](#)
- [Direct Deposit Instructions and SF-1199A Form for International Bank Accounts](#)
- [PMS System Access Form](#)

The forms can be submitted to your [PSC Liaison Accountant](#) by emailing the forms directly to

If there is a change in the recipient's banking institution or account number, a new SF-1199A must be submitted to PSC.

PMS correspondence, mailed through the U.S. Postal Service, should be addressed as follows:

HHS/PSC Payment Management Services  
P.O. Box 6021  
Rockville, MD 20852  
Phone Number: (877) 614-5533  
Email: [PMSSupport@psc.gov](mailto:PMSSupport@psc.gov)  
Website: <https://pms.psc.gov/>

If a carrier other than the U.S. Postal Service is used, such as United Parcel Service, Federal Express, or other commercial service, the correspondence should be addressed as follows:

U.S. Department of Health and Human Services  
Division of Payment Management  
7700 Wisconsin Avenue, Suite 920  
Bethesda, MD 20814

To expedite your first payment from this award, attach a copy of the Notice of Grant/Cooperative Agreement to your payment request form.

**Note:** To obtain the contact information of PMS staff based on your organization type: Government, Tribal, Universities, Hospitals, Non-Profit, For-Profit; refer to the link for HHS accounts:  
[https://pms.psc.gov/contact\\_us/contactus.html](https://pms.psc.gov/contact_us/contactus.html)

**Payment Management System Subaccount:** Funds awarded in support of approved activities have been obligated in a newly established subaccount in the PMS, herein identified as the “P Account”. Funds must be used in support of approved activities in the NOA and the approved application. All award funds must be tracked and reported separately.

The grant document number (below) must be known in order to draw down funds from this P Account.

Grant Document Number:

**U3REP0554A**

Payment under this award will be made available through the HHS Departmental Payment Management System (PMS). PMS provides instructions for making withdrawals of Federal funds. Inquiries regarding payments should be directed to Program Support Center/Division of Payment Management (PSC/DPM), DHHS; Post Office Box 6021; Rockville, MD 20852; 1-877-614-5533; [PMSSupport@psc.gov](mailto:PMSSupport@psc.gov).

### **Contacts:**

The Grants Management Specialist, [Nancy.Brown@hhs.gov](mailto:Nancy.Brown@hhs.gov) is responsible for the negotiation, award and administration of this project and for interpretation of grants administration policies and provisions.

The Project Officer, [Angela.Krutsinger@hhs.gov](mailto:Angela.Krutsinger@hhs.gov) is responsible for the programmatic and technical aspects.