

1. DATE ISSUED MM/DD/YYYY 06/06/2020		1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded	
2. CFDA NO. 93.069 - Public Health Emergency Preparedness			
3. ASSISTANCE TYPE Cooperative Agreement			
4. GRANT NO. 5 NU90TP922019-02-00 Formerly		5. TYPE OF AWARD Other	
4a. FAIN NU90TP922019		5a. ACTION TYPE Non-Competing Continuation	
6. PROJECT PERIOD MM/DD/YYYY From 07/01/2019		Through MM/DD/YYYY 06/30/2024	
7. BUDGET PERIOD MM/DD/YYYY From 07/01/2020		Through MM/DD/YYYY 06/30/2021	
8. TITLE OF PROJECT (OR PROGRAM) MISSOURI PHEP COOPERATIVE AGREEMENT			

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Disease Control and Prevention**

2939 Brandywine Road
Atlanta, GA 30341

NOTICE OF AWARD
AUTHORIZATION (Legislation/Regulations)
319C-1 of the Public Health Service (PHS) Act (47 USC 247d-3a)

9a. GRANTEE NAME AND ADDRESS HEALTH AND SENIOR SERVICES, MISSOURI DEPARTMENT OF 920 Wildwood Dr Health and Senior Services Jefferson City, MO 65109-5796	9b. GRANTEE PROJECT DIRECTOR Paula Nickelson 920 Wildwood Dr Jefferson City, MO 65109-5796 Phone: 5737515264
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10a. GRANTEE AUTHORIZING OFFICIAL Ms. Marcia A Mahaney 920 Wildwood Drive Jefferson City, MO 65109-5796 Phone: 573-751-6014	10b. FEDERAL PROJECT OFFICER Brandi Jordan 1600 Clifton Rd Atlanta, GA 30333 Phone: (404) 639-7856
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ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)		12. AWARD COMPUTATION	
I Financial Assistance from the Federal Awarding Agency Only		a. Amount of Federal Financial Assistance (from item 11m) 10,681,850.00	
II Total project costs including grant funds and all other financial participation I		b. Less Unobligated Balance From Prior Budget Periods 0.00	
a. Salaries and WageS 1,514,715.00		c. Less Cumulative Prior Award(s) This Budget Period 0.00	
b. Fringe Benefits 826,649.00		d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION 10,681,850.00	
c. Total Personnel Costs 2,341,364.00		13. Total Federal Funds Awarded to Date for Project Period 21,641,317.00	
d. Equipment 0.00		14. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):	
e. Supplies 102,743.00		YEAR	TOTAL DIRECT COSTS
f. Travel 46,960.00		a. 3	d. 6
g. Construction 0.00		b. 4	e. 7
h. Other 7,689,725.00		c. 5	f. 8
i. Contractual 0.00		15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:	
j. TOTAL DIRECT COSTS → 10,180,792.00		a. DEDUCTION	
k. INDIRECT COSTS 501,058.00		b. ADDITIONAL COSTS	
l. TOTAL APPROVED BUDGET 10,681,850.00		c. MATCHING	
m. Federal Share 10,681,850.00		d. OTHER RESEARCH (Add / Deduct Option)	
n. Non-Federal Share 1,069,180.00		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:			
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)

GRANTS MANAGEMENT OFFICIAL:

Shicann Phillips, Lead Grants Management Specialist
2939 Flowers Road
TV2
Atlanta, GA 30341-5509
Phone: 770.488.2809

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. 0-921027R	b. 19NU90TP922019	c. TP	d. \$865,181.00	e. 75-20-0956
22. a. 0-9213367	b. 19NU90TP922019	c. TP	d. \$9,816,669.00	e. 75-20-0956
23. a.	b.	c.	d.	e.

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 2	DATE ISSUED 06/06/2020
GRANT NO. 5 NU90TP922019-02-00	

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$9,952.00	\$9,952.00
Total	\$0.00	\$9,952.00	\$9,952.00

AWARD ATTACHMENTS

Missouri Department of Health

5 NU90TP922019-02-00

1. Terms and Conditions

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at <https://www.cdc.gov/grants/federalregulationspolicies/index.html>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number **CDC-RFA-TP19-190102CONT20**, entitled **Public Health Emergency Preparedness (PHEP) Cooperative Agreement**, and application dated April 13, 2020, as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Approved Funding: Funding in the amount of **\$10,681,850** is approved for the Year 02 budget period, which is July 1, 2020 through June 30, 2021. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

Component/Project Funding: The NOFO provides for the funding of multiple components under this award. The approved component funding levels for this notice of award are:

NOFO Component	Amount
PHEP Base	\$ 9,816,669
PHEP CRI	\$ 865,181
PHEP Laboratory	\$ 0.00

Financial Assistance Mechanism: Cooperative Agreement

Substantial Involvement by CDC: This is a cooperative agreement and CDC will have substantial programmatic involvement after the award is made. Substantial involvement is in addition to all post-award monitoring, technical assistance, and performance reviews undertaken in the normal course of stewardship of federal funds.

CDC program staff will assist, coordinate, or participate in carrying out effort under the award, and recipients agree to the responsibilities therein, as detailed in the NOFO.

- Provide ongoing guidance, programmatic support, training, and technical assistance related to public health emergency preparedness;
- Provide ongoing guidance, programmatic support, training, and technical assistance related to activities outlined in this funding opportunity. Technical assistance resources include PHEP supplemental guidance and resources, funding application instructions, quarterly spend plan templates, and other resources as needed;
- Facilitate communication among recipients to advance the sharing of expertise on preparedness and response activities;
- Facilitate technical assistance through CDC's online technical assistance portal;
- Regional technical assistance meetings for medical countermeasure planning and administration.

Direct Assistance (DA): DA is awarded in the amount of **\$9,952** for *Personnel* and/or *SAS* in this budget period. Consistent with the cited authority for this announcement, direct assistance may be available in the form of equipment, supplies and materials, and/or federal personnel. If DA is provided as a part of your award, CDC will reduce the financial assistance award amount provided directly to you as a part of your award. The amount by which your award is reduced will be used to provide DA; the funding shall be deemed part of the award and as having been paid to you, the awardee. Note that DA may be requested for personnel, such as public health advisors, Career Epidemiology Field Officers, informatics specialists, or other, technical consultants), provided the work is within scope of the cooperative agreements and is financially justified DA also may be requested for any Statistical Analysis Software (SAS) licenses desired for future budget periods.

NOTE: Direct Assistant amounts awarded are estimated as of time of award and may be adjusted later.

Technical Review Response Requirement: A response to the weaknesses in the technical review must be uploaded into GrantSolutions as a Grant Note, within 30 days of this Notice of Award. Failure to submit the required information by the due date will cause delay in programmatic progress and will adversely affect the future funding of this project.

Budget Revision Requirement: By **August 4, 2020** the recipient must submit a revised budget with a narrative justification. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

Personnel

- All vacancies must be filled within **60 days** for the BASE and/or CRI components. Once determined please upload all pertinent information (new employees name and job title/s) in Grant Solutions – **grant note module**.

Contractual - BASE and CRI components

- The six elements are provided below per the Budget Preparation Guidance. Approval by CDC to utilize funds and initiate program activities through the services of a contractor requires the submission of the following information for each contract to CDC:
 - 1. Name of Contractor:** Identify the name of the proposed contractor and indicate whether the contract is with an institution or organization.
 - 2. Method of Selection:** State whether the contract is sole source or competitive bid. If an organization is the sole source for the contract, include an explanation as to why this institution is the only one able to perform contract services.
 - 3. Period of Performance:** Specify the beginning and ending dates of the contract.
 - 4. Scope of Work:** Describe the specific services/tasks to be performed by the contractor and relate them to the accomplishment of program objectives. Deliverables should be clearly defined.
 - 5. Method of Accountability:** Describe how the progress and performance of the contractor will be monitored during and on close of the contract period. Identify who will be responsible for supervising the contract.
 - 6. Itemized Budget and Justification:** Provide and itemized budget with appropriate justification. If applicable, include any indirect cost paid under the contract and the indirect cost rate used.

Consultant Costs

- The seven elements are provided below per the Budget Preparation Guidance. Approval to initiate or continue program activities through the services of a consultant requires submission of the following information to CDC for each consultant:
 1. **Name of Consultant:** Identify the name of the consultant and describe his or her qualifications.
 2. **Organizational Affiliation** (if applicable): Identify the organization affiliation of the consultant.
 3. **Nature of Services to Be Rendered:** Describe the consultation that will be provided, including the specific tasks to be completed and specific deliverables. A copy of the actual consultant agreement should not be sent to CDC.
 4. **Relevance of Service to the Project:** Describe how the consultant services relate to the accomplishment of specific program objectives.
 5. **Number of Days of Consultation** (basis for fee): Specify the total number of days of consultation.
 6. **Expected Rate of Compensation:** Specify the rate of compensation for the consultant (e.g., rate per hour, rate per day). Include a budget showing other costs (e.g., travel, per diem, supplies, and other related expenses) and list a subtotal.
 7. **Method of Accountability:** Describe how the progress and performance of the consultant will be monitored. Identify who is responsible for supervising the consultant agreement.

- ***All funds have been reallocated to the “Other” cost category until the required elements have been submitted.***

Travel

- Provide approximate dates and who will be making the trips once determined submit with the budget revisions, or upload all pertinent information in Grant Solutions – grant note module.

Expanded Authority: In accordance with 45 CFR Part 75.308 (d), the recipient is given expanded authority to carryover unobligated balances to the successive budget period with receiving prior approval from the Office of Grants Services. The following restrictions apply with this authority:

1. The expanded authority can only be used to carry over unobligated balances from one budget period to the next successive budget period. Any unobligated funds not expended in the successive budget period must be deobligated and returned to Treasury as required.
2. The recipient must report the amount carried over on the Federal Financial Report for the period in which the funds remained unobligated.
3. This authority does not diminish or relinquish CDC administrative oversight of the PHEP. CDC program offices will continue to provide oversight and guidance to e with statutes, regulations, and internal guidelines.
4. The roles and responsibilities of the CDC Program/Project Officers will remain the same as indicated in the Terms and Conditions of the Award.
5. The roles and responsibilities of the CDC, Office of Grants Services, Grants Management Specialist, will remain the same as indicated in the Terms and Conditions of the Award.
6. All other terms and conditions remain in effect throughout the budget period unless changed in writing, by the Grants Management Officer.

Note: Awardees are responsible for ensuring that all costs allocated and obligated are reasonable, allocable, applied consistently for all work of the organization under similar circumstances, and in line with the goals and objectives outlined in CDC-RFA-TP19-1901 and approved work plans.

Program Income: Any program income generated under this grant or cooperative agreement will be used in accordance with the Cost sharing or matching alternative.

Cost sharing or matching alternative: Under this alternative, program income is used to finance some or the entire non-federal share of the project/program.

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

FUNDING RESTRICTIONS AND LIMITATIONS

Notice of Funding Opportunity (NOFO) Restrictions:

- Recipients may not use funds for research.
- Recipients may not use funds for clinical care except as allowed by law.
- Recipients may use funds only for reasonable program purposes, including personnel, travel, supplies, and services.
- Generally, recipients may not use funds to purchase furniture or equipment. Any such proposed spending must be clearly identified in the budget.
- Reimbursement of pre-award costs generally is not allowed, unless the CDC provides written approval to the recipient.
- Other than for normal and recognized executive-legislative relationships, no funds may be used for:
 - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
 - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
- See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance <https://www.cdc.gov/grants/additional-requirements/ar-35.html>
- The direct and primary recipient in a cooperative agreement program must perform a substantial role in carrying out project outcomes and not merely serve as a conduit for an award to another party or provider who is ineligible.
- In accordance with the United States Protecting Life in Global Health Assistance policy, all non-governmental organization (NGO) applicants acknowledge that foreign NGOs that receive funds provided through this award, either as a prime recipient or subrecipient, are strictly prohibited, regardless of the source of funds, from performing abortions as a method of family planning or engaging in any activity that promotes abortion as a method of family planning, or to provide financial support to any other foreign non-governmental organization that conducts such activities. See Additional Requirement (AR) 35 for applicability: <https://www.cdc.gov/grants/additional-requirements/ar-35.html>

General Restrictions

- Recipients may supplement but not supplant existing state or federal funds for activities described in the budget.
- Payment or reimbursement of backfilling costs for staff is not allowed.
- None of the funds awarded to these programs may be used to pay the salary of an individual at a rate in excess of Executive Level II or \$192,300 per year.
- Funds may not be used to purchase or support (feed) animals for labs, including mice.
- Funds may not be used to purchase a house or other living quarters for those under quarantine. Rental may be allowed with approval from the CDC OGS.
- Recipients may (with prior approval) use funds for overtime for individuals directly associated (listed in personnel costs) with the award with prior approval from CDC OGS.

Lobbying

Other than for normal and recognized executive-legislative relationships, PHEP funds may not be used for:

- Publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body;
- The salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body

See additional requirements (AR 12) for detail guidance on the prohibition and additional guidance on lobbying for CDC recipients https://www.cdc.gov/grants/documents/anti-lobbying_restrictions_for_cdc_grantees_july_2012.pdf

Construction and Major Renovations

- Recipients may not use funds for construction or major renovations.
- Generally, recipients may not use funds to purchase furniture or equipment. Any such proposed spending must be clearly justified in the budget.

Passenger Road Vehicles

- Funds cannot be used to purchase over-the road passenger vehicles.
- Funds cannot be used to purchase vehicles to be used as means of transportation for carrying people or goods, such as passenger cars or trucks and electrical or gas-driven motorized carts.
- Recipients can (with prior approval) use funds to lease vehicles to be used as means of transportation for carrying people or goods, e.g., passenger cars or trucks and electrical or gas-driven motorized carts during times of need.
- Additionally, PHEP grant funds can (with prior approval) be used to make transportation agreements with commercial carriers for movement of materials, supplies and

equipment. There should be a written process for initiating transportation agreements (e.g., contracts, memoranda of understanding, formal written agreements, and/or other letters of agreement). Transportation agreements should include, at a minimum:

- Type of vendor
- Number and type of vehicles, including vehicle load capacity and configuration
- Number and type of drivers, including certification of drivers
- Number and type of support personnel
- Vendor's response time
- Vendor's ability to maintain cold chain, if necessary to the incident
- This relationship may be demonstrated by a signed transportation agreement or documentation of transportation planning meeting with the designated vendor. All documentation should be available to the CDC project officer for review if requested.

Transportation of Medical Material

- Funds can (with prior approval) be used to procure leased or rental vehicles for movement of materials, supplies and equipment.
- Recipients can (with prior approval) use funds to purchase material-handling equipment (MHE) such as industrial or warehouse-use trucks to move materials, such as forklifts, lift trucks, turret trucks, etc. Vehicles must be of a type not licensed to travel on public roads.
- Recipients may purchase basic (non-motorized) trailers with prior approval from the CDC OGS.

Procurement of Food and Clothing

- Funds may not be used to purchase clothing such as jeans, cargo pants, polo shirts, jumpsuits, sweatshirts, or T-shirts. Purchase of vests to be worn during exercises or responses may be allowed.
- Generally, funds may not be used to purchase food.

Vaccines

- PHEP recipients can, with prior CDC approval, use funds to purchase caches of antibiotics for use by public health responders and their households to ensure the health and safety of the public health workforce during an emergency response, or an exercise to test response plans. Funds may not be used to supplant other funding intended to achieve this objective.
- PHEP recipients can, with prior CDC approval, use funds to purchase caches of vaccines for public health responders and their households to ensure the health and safety of the public health workforce.
- PHEP recipients can, with prior CDC approval, use funds to purchase caches of vaccines for select critical workforce groups to ensure their health and safety during an exercise testing response plans.
 - Recipients must document in their submitted exercise plans the use of vaccines for select critical workforce personnel before CDC will approve the vaccine purchase.

- Recipients may not use PHEP funds to supplant other funding intended to achieve these objectives.
- Recipients of PHEP-funded vaccines (within the context of the exercise) may include:
 - Persons who meet the criteria in the CDC-Advisory Committee on Immunization Practices (CDC/ACIP) recommendations www.cdc.gov/vaccines/acip/index.html for who should receive vaccine; and
 - Persons who are not eligible to receive the vaccine through other entitlement programs such as Medicare, Medicaid, or the Vaccines for Children (VFC) program.
 - VFC-eligible children or Medicare beneficiaries may participate in the exercise; however, they should be vaccinated with vaccine purchased from the appropriate funding source.
- PHEP funds may not be used to purchase vaccines for seasonal influenza mass vaccination clinics or other routine vaccinations covered by ACIP schedules.
- PHEP funds may not be used to purchase influenza vaccines for the general public.

Recipients may not use funds for clinical care except as allowed by law. For the purposes of this NOFO, clinical care is defined as "directly managing the medical care and treatment of individual patients." PHEP-funded staff may administer MCMs such as antibiotics or vaccines as a public health intervention in the context of an emergency response or an exercise to test response plans. CDC does not consider this clinical care since it is not specific to one.

Laboratory Supplies

Instruments, reagents and supplies for the following are not generally purchased with PHEP funding:

- Instruments, reagents and supplies for testing seasonal influenza;
- Instruments, reagents and supplies for testing rabies;
- Instruments, reagents and supplies for routine food testing (surveillance);
- Instruments, reagents and supplies for testing vaccine preventable diseases (e.g. measles, mumps, etc.)
- Instruments, reagents and supplies for routine testing of vector-borne illnesses (both clinical and vector surveillance);
- Routine drug screening of laboratory staff; and
- Influenza vaccines (for the general public).

Because recipients receive substantial assistance from CDC through other programs, recipients see line items are funded under the appropriate program.

Indirect Costs: Indirect costs are approved based on the negotiated indirect cost rate agreement dated January 24, 2019, which calculates indirect costs as follows, a Provisional is approved at a rate of 21.40% of the base, which includes, Direct salaries and wages including all fringe benefits . The effective dates of this indirect cost rate are from July 1, 2018 to June 30, 2022.

Matching Funds Requirement: The required level of non-federal participation for PHEP **\$982,662**, and for **CRI \$86,518**

Matching is generally calculated on the basis of the federal award amount and is comprised of

recipient contributions proposed to support anticipated costs of the project during a specific budget period (confirmation of the existence of funding is supplied by the recipient via their Federal Financial Report). The recipient must be able to account separately for stewardship of the federal funding and for any required matching; it is subject to monitoring, oversight, and audit. The recipient may not use matching expenditures to count toward any Maintaining State Funding requirement.

When a recipient requests a carryover of unobligated funds from prior year(s), matching funds equal to the new requirement must be on record in the CDC grant file, or the recipient must provide evidence with the carryover request.

CDC may not award a cooperative agreement to a state or consortium of states under this program unless the awardee agrees that, with respect to the amount of the cooperative agreement awarded by CDC, the state will make available nonfederal contributions in the amount of 10% (\$1 for each \$10 of federal funds provided in the cooperative agreement) of the award.

Match may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment or services. Amounts provided by the federal government or services assisted or subsidized to any significant extent by the federal government may not be included in determining the amount of such nonfederal contributions. Please refer to 45 CFR 75.306 for match requirements, including descriptions of acceptable match resources. Documentation of match, including methods and sources, must be included in the Budget Period 02 application for funds, follow procedures for generally accepted accounting practices, and meet audit requirements.

Exceptions to Matching Funds Requirement

- The match requirement does not apply to the political sub divisions of Chicago, Los Angeles County, or New York City.
- Pursuant to department grants policy implementing 48 U.S.C. 1469a(d), any required matching (including in-kind contributions) of less than \$200,000 is waived with respect to cooperative agreements to the governments of American Samoa, Guam, the U.S. Virgin Islands, the Northern Mariana Islands (other than those consolidated under other provisions of 48 U.S.C. 1469), the Freely Associated States including the Republic of Palau, the Federated States of Micronesia and the Republic of Marshall Islands. For instance, if 10% (the match requirement) of the award is less than \$200,000, then the entire match requirement is waived. If 10% of the award is greater than \$200,000, then the first \$200,000 is waived, and the rest must be paid as match."
- Matching does not apply to future contingent emergency response awards that may be authorized under 311, 317(a), and 317 (d) of the Public Health Service Act unless such a requirement were imposed by statute or administrative process at the time.

Maintenance of Effort (MOE) Requirement: MOE represents an applicant/recipient historical level of contributions related to federal programmatic activities which have been made prior to the receipt of federal funds "expenditures (money spent)." MOE is used as an indicator of non-federal support for public health before the infusion of federal funds. These expenditures are calculated by the recipient without reference to any federal funding that also may have

contributed to such programmatic activities in the past. Recipients must stipulate the total dollar amount in their grant applications. Recipients must be able to account for MOE separately from accounting for federal funds and separately from accounting for any matching funds requirement; this accounting is subject to ongoing monitoring, oversight, and audit. MOE may not include any matching funds requirement that includes non-state or non-jurisdiction funding.

Awardees must maintain expenditures for health care preparedness and public health security at a level that is not less than the average level of such expenditures maintained by the awardee for the preceding two-year period. This represents an awardee's historical level of contributions or expenditures (money spent) related to federal programmatic activities that have been made prior to the receipt of federal funds. The maintenance of effort (MOE) is used as an indicator of nonfederal support for public health security and health care preparedness before the infusion of federal funds. These expenditures are calculated by the awardee without reference to any federal funding that also may have contributed to such programmatic activities in the past. The definition of eligible state expenditures for public health security and health care includes:

- Appropriations specifically designed to support health care or public health emergency preparedness as expended by the entity receiving the award; and
- Funds not specifically appropriated for health care or public health emergency preparedness activities but which support health care or public health emergency preparedness responsibilities or supplies or equipment purchased for health care or public health emergency preparedness from general funds or other lines within the operating budget of the entity receiving the award.

Prostitution and Sex Trafficking (Items 1 through 6):

1. Consistent with Section 7631(e) of the U.S. Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, 22 USC §§ 7601 et seq. (“the Leadership Act”), the U.S. Government is opposed to prostitution and related activities, which are inherently harmful and dehumanizing, and contribute to the phenomenon of trafficking in persons. None of the funds made available under this agreement may be used to promote or advocate the legalization or practice of prostitution or sex trafficking. Nothing in the preceding sentence shall be construed to preclude the provision to individuals of palliative care, treatment, or post-exposure pharmaceutical prophylaxis, and necessary pharmaceuticals and commodities, including test kits, condoms, and, when proven effective, microbicides.
2. Additionally, consistent with Section 7631(f) of the Leadership Act, a prime recipient that is a non-U.S. nongovernmental organization acknowledges that, by accepting this award, it agrees that it is opposed to the practices of prostitution and sex trafficking because of the psychological and physical risks they pose for women, men, and children.
3. Contractors and subcontractors are exempt from the above requirements if the contract or subcontract is for commercial items and services as defined in FAR 2.101, such as pharmaceuticals, medical supplies, logistics support, data management, and freight forwarding.
4. Notwithstanding the contract exemption above, not exempt from these provisions are recipients, subrecipients, contractors, and subcontractors that implement HIV/AIDS programs under this assistance award, any subaward, or procurement contract or subcontract by:
 - i. Providing supplies or services directly to the final populations receiving such supplies

- or services in host countries;
- ii. Providing technical assistance and training directly to host country individuals or entities on the provision of supplies or services to the final populations receiving such supplies and services; or
- iii. Providing the types of services listed in FAR 37.203(b)(1)-(6) that involve giving advice about substantive policies of a recipient, giving advice regarding the activities referenced in (i) and (ii), or making decisions or functioning in a recipient's chain of command (e.g., providing managerial or supervisory services approving financial transactions, personnel actions).

5. Subrecipients

- i. Prime recipient shall insert the following provision in subawards or subcontracts: "None of the funds made available under this agreement may be used to promote or advocate the legalization or practice of prostitution or sex trafficking. Nothing in the preceding sentence shall be construed to preclude the provision to individuals of palliative care, treatment, or post-exposure pharmaceutical prophylaxis, and necessary pharmaceuticals and commodities, including test kits, condoms, and, when proven effective, microbicides."
- ii. Prime recipients shall insert the following provision in subawards or subcontracts subject to Section 7631(f) (i.e., those to non-U.S. nongovernmental organizations): "By accepting this award, the subrecipient/ subcontractor agrees that it is opposed to the practices of prostitution and sex trafficking because of the psychological and physical risks they pose for women, men, and children."

6. The following definitions apply for purposes of the above provisions:

- i. "Commercial sex act" means any sex act on account of which anything of value is given to or received by any person.
- ii. "Prostitution" means procuring or providing any commercial sex act and the "practice of prostitution" has the same meaning.
- iii. "Sex trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act. 22 U.S.C. 7102(9).

This provision includes express terms and conditions of the award and any violation of it shall be grounds for unilateral termination of the award by (HHS OPDIV) prior to the end of its term.

Any enforcement of this provision is subject to courts' orders in Alliance for Open Society International v. USAID (See, e.g., S.D.N.Y. 05 Civ. 8209, Orders filed on January 30, 2015 and June 6, 2017, granting permanent injunction).

REPORTING REQUIREMENTS

The awardee is responsible for reviewing the CDC General Terms ns for Non-Research Grant and Cooperative Agreement at <https://www.cdc.gov/grants/federalregulationspolicies/index.html>.

After the award is accepted, the recipient must comply with all applicable terms and conditions of the award, federal laws, regulations, and policies including but not limited to the Food and Meals, Prior Approvals, Federal Financial Report (FFR), Public Performance and Management Review (PPMR), Federal Funding Accountability and Transparency Act (FFATA), Federal Information Security Management Act (FISMA), Federal Awardee Performance and Integrity

Information System (FAPIS), audit reporting, Automatic Drawdown (Direct/Advance Payments), and Closeout requirements.

Prior Approval: In addition to the Prior Approval requirements under the CDC General Terms and Conditions for Non Research Grant and Cooperative Agreements, the following request also requires prior approval:

- **OVERTIME/COMPENSATORY TIME:** Must be submitted to your GMS as a prior approval of the proposed cost. Requests should clearly state the following: name of staff; percentage of effort on current award; number of hours working; what will be accomplished during the overtime.

Performance Progress and Monitoring: The Annual Performance Progress and Monitoring Report (is due no later than 120 prior to the end of the budget period, March 30, 2021, and serves as the continuation application for the follow-on budget period. This report should include the information specified in the solicitation from the GMS/GMO via www.grantsolutions.gov. This report must not exceed 45 pages excluding administrative reporting. Attachments are not allowed, but web links are allowed.

In addition to the Annual Performance Report (APR), recipients must submit annual progress The end-of-year progress reports are due no later than 90 days after the end of the budget period.

Performance information collection initiated under this grant/cooperative agreement has been approved by the Office of Management and Budget under **OMB Number 0920-1132** “**Performance Progress and Monitoring Report,**” **Expiration Date 10/31/2022.** The components of the PPMR are available for download at: <https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html> .

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services
Rose Mosley, Grants Management Specialist
Centers for Disease Control and Prevention
Global Health Security Branch
District at Chamblee
2nd Floor
2939 Flowers Road, TV-2
Atlanta GA 30341
Email: Rmosley@cdc.gov

AND

U.S. Department of Health and Human Services
Office of the Inspector General
ATTN: Mandatory Grant Disclosures, Intake Coordinator
330 Independence Avenue, SW
Cohen Building, Room 5527
Washington, DC 20201

Fax: (202)-205-0604 (Include "Mandatory Grant Disclosures" in subject line) or
Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

PROGRAM OR FUNDING GENERAL REQUIREMENTS

The final programmatic report format required is the following

Final Performance Progress and Monitoring Report (PPMR): This report should include the information specified in the NOFO and is submitted 90 days following the end of the period of performance via www.grantsolutions.gov. At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Additional guidance may be provided by the GMS and found at:

<https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html>

Information collection initiated under this cooperative agreement has been approved by the Office of Management and Budget under **OMB Number 0920-1132, "Performance Progress Monitoring Report", Expiration Date 8/31/2020.**

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhstips@oig.hhs.gov or by mail to Office of the Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as

sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified on the bottom of Page 1 of the Notice of Award must be known in order to draw down funds.

PROGRAM OR FUNDING SPECIFIC CLOSEOUT REQUIREMENTS

The final programmatic report format required is the following.

Final Performance Progress and Evaluation Report: This report should include the information specified in the NOFO and is submitted 90 days following the end of the period of performance via www.grantsolutions.gov. At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Additional guidance may be provided by the GMS and found at:

<https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html>

Information collection initiated under this grant/cooperative agreement has been approved by the Office of Management and Budget under **OMB Approval Number: 0920-1132 see Progress and Monitoring Report," Expiration Date 8/31/2019.**

CDC Staff Contacts

Grants Management Specialist: The GMS is the federal staff member responsible for the day-to-day management of grants and cooperative agreements. The GMS is the primary contact of recipients for business and administrative matters pertinent to grant awards.

GMS Contact:

Rose Mosley, Grants Management Specialist
Centers for Disease Control and Prevention
Global Health Security Branch
District at Chamblee
Building 2939 2nd Floor, MS.TV-2
Atlanta GA 30341
Telephone: 770-488-2450
Email: Rmosley@cdc.gov

Program/Project Officer: The PO is the federal official responsible for monitoring the programmatic, scientific, and/or technical aspects of grants and cooperative agreements, as well as contributing to the effort of the award under cooperative agreements.

Programmatic Contact:

Brandi Jordan, Project Officer
Centers for Disease Control and Prevention
Division Of State And Local Readiness, DSLR
Program Implementation Branch, PIB
1600 Clifton Rd., NE., Roybal Building 21
Atlanta, GA 30333
Telephone: 404.639.7856
Email: BMJordan@cdc.gov

Grants Management Officer: The GMO is the federal official responsible for the business and other non-programmatic aspects of grant awards. The GMO is the only official authorized to obligate federal funds and is responsible for signing the NoA, including revisions to the NoA that change the terms and conditions. The GMO serves as the counterpart to the business officer of the recipient organization.

GMO Contact:

Randolph Williams, Grants Management Officer
Centers for Disease Control and Prevention
Global Health Security Branch
District of Chamblee
Building 2939 2nd Floor
Atlanta GA 30341
Telephone: 770-488-8382
Email: gur2@cdc.gov