

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 98728514 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> K1	<b>DATE OF AWARD</b> 08/11/2017
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 08/18/2017
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 77760
<b>RECIPIENT TYPE:</b> State		<b>Send Payment Request to:</b> U.S. Environmental Protection Agency - Las Vegas Finance Center 4220 S. Maryland Pkwy., Building C, Room 503 Las Vegas, NV 89119 Phone Contact: 702-798-2467 email: LVFC-grants@epa.gov	
<b>RECIPIENT:</b> Missouri Department of Health and Senior Services 912 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570 <b>EIN:</b> ██████████		<b>PAYEE:</b> Same as Recipient 912 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570	
<b>PROJECT MANAGER</b> Jonathan Garoutte 912 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570 <b>E-Mail:</b> Jonathan.Garoutte@health.mo.gov <b>Phone:</b> 573-751-6102		<b>EPA PROJECT OFFICER</b> Steven Brown 11201 Renner Boulevard, AWMD/APDB Lenexa, KS 66219 <b>E-Mail:</b> Brown.Steven@epa.gov <b>Phone:</b> 913-551-7718	
<b>PROJECT TITLE AND DESCRIPTION</b> Missouri State Indoor Radon Program  The goal of this program is to provide radon risk reduction through activities that will result in increased radon testing, mitigation and radon resistant new construction.		<b>EPA GRANT SPECIALIST</b> Christine Schmaltz REG 07 PM RFMB, PM RFMB <b>E-Mail:</b> Schmaltz.Christine@epamail.epa.gov <b>Phone:</b> 913-551-7116	
<b>BUDGET PERIOD</b> 07/01/2017 - 09/30/2018	<b>PROJECT PERIOD</b> 07/01/2017 - 09/30/2018	<b>TOTAL BUDGET PERIOD COST</b> \$297,263.00	<b>TOTAL PROJECT PERIOD COST</b> \$297,263.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 06/08/2017 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$178,358. EPA agrees to cost-share 60.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$178,358. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> Grants Management Office 11201 Renner Boulevard Lenexa, KS 66219		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 7 Air and Waste Management Division 11201 Renner Boulevard Lenexa, KS 66219	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
<b>Digital signature applied by EPA Award Official</b> Deborah K. Titus - Grants Management Officer			<b>DATE</b> 08/11/2017

# EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 178,358	\$ 178,358
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$ 118,905	\$ 118,905
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 297,263	\$ 297,263

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.032 - State Indoor Radon Program	Indoor Radon Abatement Act: Sec. 306	2 CFR 200 2 CFR 1500 40 CFR 33 and 40 CFR 35 Subpart A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1707L47041	17	E1	07L3	102A05	4164			178,358
									178,358

## Budget Summary Page

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$131,152
<b>2. Fringe Benefits</b>	\$65,576
<b>3. Travel</b>	\$21,510
<b>4. Equipment</b>	\$0
<b>5. Supplies</b>	\$16,591
<b>6. Contractual</b>	\$0
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$20,334
<b>9. Total Direct Charges</b>	\$255,163
<b>10. Indirect Costs: % Base <u>See NICA</u></b>	\$42,100
<b>11. Total (Share: Recipient <u>40.00</u> % Federal <u>60.00</u> %.)</b>	\$297,263
<b>12. Total Approved Assistance Amount</b>	\$178,358
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$178,358
<b>15. Total EPA Amount Awarded To Date</b>	\$178,358

## **Administrative Conditions**

### **1. General Terms and Conditions**

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-april-27-2017-or-later>. These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at <http://www.epa.gov/grants/grant-terms-and-conditions>.

### **2. Payment Frequency**

Recipient agrees to submit, at a minimum, a quarterly billing (payment) request(s) to the EPA, for all eligible, allowable, allocable, necessary and reasonable costs which are incurred for this project/program. A payment request is not required to be submitted in the event that the recipient has not incurred such costs during the quarterly period, but more frequent payments may be requested as costs are incurred.

### **3. Indirect Costs**

Recipient agrees that if indirect costs are authorized in this award they will be charged at the approved indirect rate for the year in which the funds are actually expended and in accordance with the negotiated indirect cost agreement.

### **4. DBE Requirements**

#### **UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MBE/WBE)**

#### **GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

#### **REPORTING PROVISION**

MBE/WBE reporting is required annually for assistance agreements where there are funds budgeted for procuring construction, equipment, services and supplies, including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category, that exceed the threshold amount of \$150,000, including amendments and/or modifications.

**Based on EPA's review of the planned budget, this award does not meet the condition above and is not subject to the reporting requirements of the Disadvantaged Business Enterprise (DBE) Program. However, if during the performance of the award the total of all funds expended for direct procurement by the recipient and procurement under subawards or loans in the "Other" category exceeds \$150,000, annual reports will be required in accordance with the reporting paragraph below and you are required to notify your grant specialist for additional instructions.**

The recipient also agrees to request prior approval from EPA for procurements that may activate DBE Program reporting requirements.

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Good Faith Efforts requirements as described in 40 CFR Part 33 Subpart C and Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D and explained below.

**MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E**

When required, MBE/WBE reports must be submitted annually. The recipient agrees to complete and submit a “MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements” report (EPA Form 5700-52A) on an annual basis. All procurement actions are reportable, not just that portion which exceeds \$150,000.

Annual reports are due by October 30<sup>th</sup> of each year. Final reports are due by October 30<sup>th</sup> or 90 days after the end of the project period, whichever comes first. When completing the annual report, recipients are instructed to check the box titled “annual” in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the “last report” of the project in section 1B of the form.

The reporting requirement is based on total procurements. Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to R7Grants@epa.gov. The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program’s Home Page at [http://www.epa.gov/osbp/dbe\\_reporting.htm](http://www.epa.gov/osbp/dbe_reporting.htm).

**FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements as described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

**Accepting the Fair Share Objectives/Goals of Another Recipient**

The dollar amount of this assistance agreement, or the total dollar amount of all of the recipient’s financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the Missouri Department of Natural Resources, (MDNR) adopted as follows:

Missouri	MBE	WBE
Services	10%	5%
Supplies	10%	5%
Equipment	10%	5%
Construction	10%	5%

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as **MDNR** adopted as follows:

**Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404**

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

**SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- (e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

### **CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

### **BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the

recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

## **Programmatic Conditions**

### **1. Budget and Project Period Program Approval**

Recipient agrees that a three-year application was submitted and EPA is only approving and providing funds for a one-year program at this time.

### **2. Performance Reporting for FY2017 House Report 114-632**

#### **Performance Reports:**

- The recipient shall submit to the EPA Project Officer, a report utilizing the reporting template provided by your Project Officer; also available at <https://www.epa.gov/radon/state-indoor-radon-grant-sirg-program>. In accordance with 2 CFR Part 200.328, the recipient agrees to include this information in the template, and submit it with their annual progress report, but no later than September 30, 2018.

Instituting this reporting requirement is an important step in addressing the SIRG recommendations contained in the House Report (114-632) that accompanied the FY2017 EPA-SIRG appropriation. In accordance with 2 CFR 200.328(2)(d)(1), the recipient agrees to notify EPA of problems, delays, or adverse conditions which materially impairs their ability to satisfy this specific requirement.

### **3. SIRG Special Term and Condition**

The intent of this special condition is to clarify requirements for satisfying 15 U.S.C. §2666(h)(3) requiring that state grant recipients shall "...maintain, and make available to the public, a list of firms and individuals within the State that have received a passing rating under the Environmental Protection Agency proficiency rating program referred to in section 2665(a)(2) of this title." When EPA discontinued the Radon Proficiency Program, two organizations were identified to certify radon service providers -- the National Radon Proficiency Program (NRPP; formally affiliated with the National Environmental Health Association) and the National Radon Safety Board (NRSB). As specified in the "State and Tribal Indoor Radon Grants Program Guidance and Handbook (January 2005; page 11)," in the absence of an existing state-run process established under a state's regulatory requirements for credentialing of radon service providers (e.g., state license), the required public list shall only be satisfied

by referring consumers to the two currently-recognized, national radon proficiency programs, NRPP and NRSB. This information is available at:

National Radon Proficiency Program (NRPP)  
Website: [www.nrpp.info](http://www.nrpp.info)

National Radon Safety Board (NRSB)  
Website: [www.nrsb.org](http://www.nrsb.org)

The EPA Project Officer should be advised of any changes regarding how and to whom the state refers consumers.

#### 4. **COST SHARE:**

This award and the resulting federal funding share of **40%** as shown under "Notice of Award" above is based on estimated costs requested in the recipient's application dated 06-16-2017. While actual total costs may differ than those estimates, the recipient is required to provide no less than 40% of the final total allowable program/project costs (outlays). EPA's participation shall not exceed the total amount of federal funds awarded or the statutory limitation of 60%.

#### 5. **Cybersecurity Requirements**

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure.

For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

#### 6. **Quality Assurance Requirement**

Recipient agrees that no funds may be expended or requested for reimbursement for environmental data



generation or use until a Quality Assurance Project Plan (QAPP) is received and approved by the EPA Project Officer and the Regional Quality Assurance Manager. Recipient agrees to adhere to the approved QAPP for environmental data generation or use under this agreement in order for the environmental data activities to be eligible for reimbursement. Recipient agrees that any significant revisions to the QAPP must be reviewed and approved by the EPA Project Officer and Regional Quality Assurance Manager before implementation.

#### 7. **Competency of Organizations Generating Environmental Measurement Data**

In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Recipient agrees that if the total federal funding obligated on this award exceeds \$200,000 and will involve the use or generation of environmental data it will (unless it has otherwise done so) demonstrate competency prior to carrying out any activities involving the generation or use of environmental data under this agreement. Recipient shall then maintain competency for the remainder of the project period of this agreement. A copy of the Policy is available online at [http://www.epa.gov/fem/lab\\_comp.htm](http://www.epa.gov/fem/lab_comp.htm) or a copy may also be requested by contacting the EPA project officer for this award.