AWARD ATTACHMENTS

New Jersey Department of Health 1 NB01OT009257-01-00

1. FY19 BY01 New Award 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 OT19-1902, entitled Prevention Health and Health Services Block Grant, and application dated June 27, 2019 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 $4,503,038 is approved for the Year 01 budget period, which is October 1, 2018 through September 30, 2020. 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.

This action awards Base allotment in the amount of: $4,306,459 The Sex Offense allotment in the amount of: $196,579.

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

Financial Assistance Mechanism: Grant

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

Addition alternative**:** Under this alternative, program income is added to the funds committed to the project/program and is used to further eligible project/program objectives.

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

Indirect Costs: Limitation on administrative costs - USC Title 42, The Public Heath and Welfare Chapter 6A – Public Health Services Subchapter XVII Block Grants Part A – Preventive Health and Health Services Block Grants.

Of the amount paid to any State under section 300w–2 of this title, not more than 10 percent paid from each of its allotments under subsections (a) and (b) of section 300w–1 of this title may be used for administering the funds made available under section 300w–2 of this title. The State will pay from non-Federal sources the remaining costs of administering such funds.

Financial Management Requirements and Exceptions

Unallowable Costs

(A) Purchase of naloxone
(B) Purchase of syringes
(C) Drug disposal programs (drop-boxes, bags or other devices, and/or take-back events) are not permissible under this funding opportunity
(D) Clinical care (except as allowed by law)
(E) Publicity and propaganda (lobbying)

(i) Funds cannot be used for the preparation, distribution, or use of any material (publicity/propaganda) or to pay the salary or expenses of grants, contract recipients, or agents that aim to support or defeat the enactment of legislation, regulation, administrative action, or executive order proposed or pending before a legislative body, beyond normal, recognized executive relationships. See Section VI. Revised Work Plan and Budget Narrative Submission for more information.

prohibition and http://www.cdc.gov/ grants /documents/Anti- Lobbying _Restrictions_ for_CDC_July _2012.pdf

Maintenance of Effort (MOE) Requirement: MOE represents an applicant/grantee 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 security before the infusion of Federal funds. These expenditures are calculated by the grantee without reference to any Federal funding that also may have contributed to such programmatic activities in the past. Awardees must stipulate the total dollar amount in their grant applications. Grantees 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.

Block Grant Recipients: With respect to the activities authorized in Title 42, Chapter 6A, Subchapter XVII, Part A, Section 300w-3, the State agrees to maintain State expenditures for such activities at a level that is no less than the average level of such expenditures maintained by the State for the 2-year period preceding the fiscal year for which the State is applying to receive payments under section 300w–2.

Maintenance of Effort Example

NOA # 1NB1OT00888-01-00	FY17	FY18
Total Authorized Award Amount	$750,000	$750,000
Award Amounts Allocated for Health Objectives Receiving Block and non-federal Funding	$265,000 - Infant and Early Childhood Screening and Prevention	$347,000 - Infant and Early Childhood Screening and Prevention
MOE Calculations	Example - Maintenance of Effort (MOE) calculations: MOE for FY19 calculated below: Calculate the average from the prior 2 years (FY17 and FY18) for Health Objectives (HO) that receive both Block (federal) and non-federal funding	
Average = FY17 ($265,000) and /FY18 ($347,000) divided by 2 = $306,000	Average (FY17 + FY18)/2 = $306,000*	
*In the example, State must maintain effort at a level of $306,000 or higher for the HO-Infant and Early Childhood Screening and Prevention which is receiving both federal (Block) and non- federal funding.		

Section 300w-4(d) Application for payments; State plan

(d) State Advisory Committee

(1) In general
For purposes of subsection (c)(2) of this section, an advisory committee is in accordance with this subsection if such committee is known as the State Preventive Health Advisory Committee (in this subsection referred to as the "Committee") and the Committee meets the conditions described in the subsequent paragraphs of this subsection.

(2) Duties
A condition under paragraph (1) for a State is that the duties of the Committee are -

- (F) to hold public hearings on the State plan required in subsection (a) (2) of this section; and
- (G) to make recommendations pursuant to subsection (b) (1) of this section regarding the development and implementation of such plan, including recommendations on –
  - (i) the conduct of assessments of the public health;
  - (ii) which of the activities authorized in section 300w-3 of this title should be carried out in the State;
  - (iii) the allocation of payments made to the State under section 300w-2 of this title;
  - (iv) the coordination of activities carried out under such plan with relevant programs of other entities; and
  - (v) the collection and reporting of data in accordance with section 300w-5(a) of this title.

(3) Composition

- A condition under paragraph (1) for a State is that the Committee is composed of such members of the general public, and such officials of the health departments of political subdivisions of the State, as may be necessary to provide adequate representation of the general public and of such health departments.
- With respect to compliance with subparagraph (A), the membership of advisory committees established pursuant to subsection (c)(2) of this section may include representatives of community-based organizations (including minority community-based organizations), schools of public health, and entities to which the State involved awards grants or contracts to carry out activities authorized in section 300w-3 of this title.

(4) Chair; meetings
A condition under paragraph (1) for a State is that the State public health officer serves as the chair of the Committee, and that the Committee meets not less than twice each fiscal year.

PRIOR APPROVALS

All requests which require prior approval, must bear the signature (or electronic authorization) of the authorized organization representative. The recipient must submit these requests no later than 120 days prior to the budget period's end date. Additionally, any requests involving funding issues must include an itemized budget and a narrative justification of the request.

REPORTING REQUIREMENTS

Annual Federal Financial Report (FFR, SF-425): The Annual Federal Financial Report (FFR) SF-425 is required and must be submitted no later than 90 days after the end of the budget period. To submit the FFR, login to www.grantsolutions.gov, select "Reports" from the menu bar and then click on Federal Financial Reports.

The FFR for YR01 budget period is due by December 30, 2019. Reporting timeframe is October 1, 2018 through September 30, 2019. The FFR should only include those funds authorized and disbursed during the timeframe covered by the report. This report must be uploaded as a Grant Note in grantsolutions.

A Final FFR is required and is due on December 30, 2020. Reporting timeframe is October 1, 2018 through September 30, 2020. The FFR should only include those funds authorized and disbursed during the timeframe covered by the report.

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, the grantee is required to contact the Grants Officer listed in the contacts section of this notice before the due date.

Electronic versions of the form can be downloaded at:
https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1.

The Annual work plan is due no later than July 1, 2020 and serves as the continuing application.

Annual Performance Progress Reporting: The Annual Performance Progress and Monitoring Report (due no later than February 1, 2020). This report should include the information specified in **Title 42 Chapter 6A Part A: Section 300w-5(a)**.

Audit Requirement Domestic Organizations *(including US-based organizations implementing projects with foreign components)*: An organization that expends $750,000 or more in a fiscal year in federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of 45 CFR Part 75. The audit period is an organization's fiscal year. The audit must be completed along with a data collection form (SFSAC), and the reporting package shall be submitted within the earlier of 30 days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. The audit report must be sent to:

Federal Audit Clearing House Internet Data Entry System Electronic Submission:
https://harvester.census.gov/facides/(S(0vkw1zaelyzjibnahocga5i0))/account/login.aspx

AND
Office of Grants Services, Financial Assessment and Audit Resolution Unit Electronic Copy to:
OGS.Audit.Resolution@cdc.gov

CDC Clarification on Using the Single Audit to Comply with Section 1906(b) of the Public Health Service (PHS) Act (42 U.S. Code § 300w–5(b)) – Reports, Data and Audits Section 1906(b) of the PHS Act, as amended, provides as follows:

(1) Each State shall establish fiscal control and fund accounting procedures as may be necessary to assure theproper disbursal of and accounting for Federal funds paid to the State under section 1903 and funds transferred under section 1904(c) for use under this part.
(2) Each State shall annually audit its expenditures from payments received under section 1903. Such State audits shall be conducted by an entity independent of any agency administering a program funded under this part and, in so far as practical, in accordance with the Comptroller General's standards for auditing governmental organizations, programs, activities, and functions. Within 30 days following the date each audit is completed, the chief executive officer of the State shall transmit a copy of that audit to the Secretary.
(3) Each State shall, after being provided by the Secretary with adequate notice and opportunity for a hearing within the State, repay to the United States amounts found not to have been expended in accordance with the requirements of this part or the certification provided by the State under section 1905. If such repayment is not made, the Secretary shall, after providing the State with adequate notice and opportunity for a hearing within the State, offset such amounts against the amount of any allotment to which the State is or may become entitled under this part.
(4) The State shall make copies of the reports and audits required by this section available for public inspection within the State.
(5) The Comptroller General of the United States shall, from time to time, evaluate the expenditures by States of grants under this part in order to assure that expenditures are consistent with the provisions of this part and the certification provided by the State under section 1905.
(6) Not later than October 1, 1990, the Secretary shall report to the Congress on the activities of the States that have received funds under this part and may include in the report any recommendations for appropriate changes in legislation.

Recipients often submit audits pursuant to the Single Audit Act, 31 USC 7501 et seq., which includes the following provision:

An audit conducted in accordance with this chapter shall be in lieu of any financial audit of Federal awards which a non-Federal entity is required to undergo under any other Federal law or regulation. To the extent that such audit provides a Federal agency with the information it requires to carry out its responsibilities under Federal law or regulation, a Federal agency shall rely upon and use that information. 31 USC § 7503(a).

The Single Audit Act also authorizes agencies to "conduct or arrange for additional audits which are necessary to carry out its responsibilities under Federal law or regulation ... [so long as] such audits [are] not duplicative of other audits of federal awards." 31 USC § 7503(b). In addition, the applicable grants regulation for awards made under Section 1903, found at 45 C.F.R. 96.31 provides as follows:

(a) *Basic rule.* Grantees and subgrantees are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501–7507) and revised OMB Circular A–133, "Audits of State, Local Governments, and Non-Profit Organizations." The audits shall be made by an independent auditor in accordance with generally accepted Government auditing standards covering financial audits. Based upon the above, a Recipient may use an audit under the Single Audit Act to comply with
the audit provision in section 1906(b) if:

1) the audit is conducted annually;
2) meets the requirements of the Single Audit Act (31 USC 7501-7507) and 45 CFR 96.31;

3) submits that audit to, and receives acceptance of the audit by, the Federal Audit Clearinghouse; and,
4) ensures that applicable Block Catalog of Federal Domestic Assistance (CFDA) number 93.991 is listed on the Schedule of Expenditures of Federal Awards (SEFA) contained in that audit. The audit requirement at section 1906(b) does not:

a) Conflict with the Single Audit Act requirement.
b) Require an audit of the applicable CFDA in addition to the audit required by the Single Audit Act.
c) Require submission of the audit required by the Single Audit Act to CDC. 4) Mandate treatment of the applicable CFDA as a Major Program under the Single Audit Act. OMB Compliance Supplements for 2008 to 2017 are here under A-133 --https://www.whitehouse.gov/omb/information-for-agencies/circulars#numerical

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): 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
Brownie Anderson-Rana, Grants Management Officer
Centers for Disease Control and Prevention
2939 Flowers Road
MS TV2
Email: BAndersonRana@cdc.gov (Include "Mandatory Grant Disclosures" in subject line)

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))

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 newly established subaccount in the PMS, herein identified as the "B Account". Funds must be used in support of approved activities in the NOFO and the approved application. All award funds must be tracked and reported separately.

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.

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:
Brownie Anderson-Rana, Grants Management Specialist
Centers for Disease Control and Prevention
Office of the Director Environmental Health and Injury Prevention Services Branch
2939 Flowers Road
MS TV-2
Telephone: 770-488-2771
Email: BAndersonRana@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:
Jeffrey Brock, Project Officer
Centers for Disease Control and Prevention
Center for State, Tribal, Local and Territorial Support
1825 Century Center, MS E-19
Atlanta, GA 30345
Telephone: 404-498-0495
Fax: 404-498-0430
Email: ihu8@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:
Barbara (Rene') Benyard, Grants Management Officer
Centers for Disease Control and Prevention
Office of the Director Environmental Health and Injury Prevention Services Branch
2939 Flowers Road
MS TV-2
Telephone: 770-488-2757
Email: RBenyard@cdc.gov