

1. DATE ISSUED MM/DD/YYYY 05/26/2015 2. CFDA NO. 93.817 3. ASSISTANCE TYPE Cooperative Agreement

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ASSISTANT SECRETARY FOR PREPAREDNESS & RESPONSE

ASPR/BARDA/AMS Office of Contracts and Grants

395 E Street, SW
Washington, DC 20201

NOTICE OF AWARD

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

1a. SUPERSEDES AWARD NOTICE dated
except that any additions or restrictions previously imposed remain
in effect unless specifically rescinded

4. GRANT NO. 1 U3REP150514-01-00 Formerly
5. ACTION TYPE New
6. PROJECT PERIOD MM/DD/YYYY From 05/18/2015 Through 05/17/2020
7. BUDGET PERIOD MM/DD/YYYY From 05/18/2015 Through 05/17/2020

8. TITLE OF PROJECT (OR PROGRAM)
Kentucky's Plan for Ebola Preparedness and Response Activities

9a. GRANTEE NAME AND ADDRESS
Kentucky Cabinet for Health & Family Services
275 E Main St
Epidemiology & Health Planning-DUP
Frankfort, KY 40601-2321

9b. GRANTEE PROJECT DIRECTOR
Ms. Rebecca Gillis
275 East Main Street
Epidemiology & Health Planning
Frankfort, KY 40601-0000
Phone: 502-564-7243

10a. GRANTEE AUTHORIZING OFFICIAL
Dr. Stehanie Mayfield Gibson MD, FCAP
275 EAST MAIN ST HS1WF
FRANKFORT, KY 40621-2321
Phone: 502-564-3970

10b. FEDERAL PROJECT OFFICER
Mr. Paul L Link
200 Independence Ave., S.W.
Room 638-G
ASPR/HPP
Washington, DC 20201-null
Phone: 404-989-4922

ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)

I Financial Assistance from the Federal Awarding Agency Only
II Total project costs including grant funds and all other financial participation ☒ II
a. Salaries and Wages 53,745.00
b. Fringe Benefits 36,825.00
c. Total Personnel Costs 90,570.00
d. Equipment 0.00
e. Supplies 0.00
f. Travel 0.00
g. Construction 0.00
h. Other 0.00
i. Contractual 1,216,143.00
j. TOTAL DIRECT COSTS → 1,306,713.00
k. INDIRECT COSTS 18,811.00
l. TOTAL APPROVED BUDGET 1,325,524.00
m. Federal Share 1,325,524.00
n. Non-Federal Share 0.00

12. AWARD COMPUTATION

a. Amount of Federal Financial Assistance (from item 11m) 1,325,524.00
b. Less Unobligated Balance From Prior Budget Periods 0.00
c. Less Cumulative Prior Award(s) This Budget Period 0.00
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION 1,325,524.00
13. Total Federal Funds Awarded to Date for Project Period 1,325,524.00

14. RECOMMENDED FUTURE SUPPORT

(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	

15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:

- a. DEDUCTION
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 AWARING 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 OFFICER: Brenda Cox, Grants Management Officer

17. OBJ CLASS	41.51	18a. VENDOR CODE	1610600439B2	18b. EIN	610600439	19. DUNS	927049767	20. CONG. DIST.	06
FY-ACCOUNT NO.		DOCUMENT NO.		ADMINISTRATIVE CODE		AMT ACTION FIN ASST		APPROPRIATION	
21. a.	5-1990501	b.	U3REP0514A	c.	HOS07	d.	\$1,325,524.00	e.	75-1315-0140
22. a.		b.		c.		d.		e.	
23. a.		b.		c.		d.		e.	

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 2	DATE ISSUED 05/26/2015
GRANT NO. 1 U3REP150514-01-00	

Federal Financial Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
05/18/2015	12/31/2015	Annual	03/30/2016
01/01/2016	12/31/2016	Annual	03/31/2017
01/01/2017	12/31/2017	Annual	03/31/2018
01/01/2018	12/31/2018	Annual	03/31/2019
01/01/2019	12/31/2019	Annual	03/30/2020
01/01/2020	05/17/2020	Final	08/15/2020

AWARD ATTACHMENTS

Kentucky Cabinet for Health & Family Services

1 U3REP150514-01-00

1. Terms and Conditions

Special Terms and Conditions: All Special Terms and Conditions should be submitted within 30 days for of receipt of NoA.

Conditions of Award (COA):

No funds shall be expended or obligated until all COA s are satisfied

Provide an official Negotiated Rate Agreement.

Provide the level of detail required by the FOA for Personnel.

Request for Additional Information:

Provide the percentage funds that will be spent on each of the four categories PPE, Training, Exercises, and Retrofitting.

Standard Terms and Conditions of award:

This grant is issued under the authority of Public Health Service Act, Section 311 (42 U.S.C. 243). 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 - **EP-U3R-15-002** , 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 award is subject to OMB 2 CFR Part 200 (subparts A through F)

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 74 or 92, 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 74; (4) HHS Grants Policy Statement.

Requests that require prior approval from the awarding office (See 45 CFR Part 74.25) 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 throughII-24) of the HHS GPS apply as appropriate. See FOA under which this award was issued for more information.

Title VI in Division G of the “Consolidated Appropriation Act, 2015”

Consistent with the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235), Division G, Title VI, Sec. 603, the grantee agrees to comply with existing and future guidance from the Secretary regarding control of the spread of the Ebola virus

GENERAL TERMS AND CONDITIONS:

Executive Level II Salary Cap

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 Executive Level II.

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.

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.

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.

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.

Reporting Requirements:

Progress Reporting: Awardees are required to electronically submit program progress reports via GrantSolutions. 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.

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.

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.

Federal Disbursement Reporting: The SF-425 will also be used for reporting of expenditure data to meet ASPR's annual financial reporting requirement. All other lines except 10.a through 10.c should be completed.

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.

Annual A-133 Audits: In accordance with the provisions of OMB Circular No. A-133 (Revised, June 27, 2003), "Audits of States, Local Governments, and Non-Profit Organizations," nonfederal entities that expend financial assistance of \$500,000 or more in Federal assistance awards will have a single or a program-specific audit conducted for that year. Nonfederal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted in Circular No. A-133.

Financial Capability Review

ASPR reserves the right to conduct a financial and management capability review. Awardees may be asked to provide financial and management documents to allow ASPR to complete this requirement.

Procurement

When procuring equipment, the recipient must comply with the procurement standards at 45 CFR Part 92.36 and 45 CFR 74.40 through 74.48, including 74.45, which requires the performance and documentation of some form of cost or price analysis with every procurement action.

Central Contractor Registration and Universal Identifier Requirements

The use of a Dun and Bradstreet (D&B) Universal Numbering System (DUNS) is required when applying for all IHS grants. This policy has been expanded to require all applicant and grantee organizations to obtain a DUNS number and maintain

an active registration in the System for Award Management (SAM) Central Contractor Registry (CCR) database. Additionally, all IHS grantees must notify potential first-tier subrecipients that no entity may receive a first-tier subaward unless the entity has provided its DUNS number to the prime grantee organization. These requirements will ensure use of a universal identifier and to enhance the quality of information available to the public when recipients report information on subawards, as required by the Federal Funding Accountability and Transparency Act of 2006, as amended ("the Transparency Act"). To implement these requirements, IHS Grantee and Applicant organizations should verify that they have a DUNS number or take steps to obtain one as soon as possible.

- Organizations that do not have a DUNS number can receive a DUNS number at no cost by calling the dedicated toll-free number request line at 1-866-705-5711 or by using the web-based form available at <http://fedgov.dnb.com/webform>. Registration is brief and can be completed immediately when requested by phone, or within 1-2 business days when requested through the webform.
- Organizations that have not registered with SAM will need to obtain a DUNS number first and then access the SAM online registration through the SAM home page at <https://www.sam.gov> (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2-5 weeks to become active). Completing and submitting the registration takes approximately one hour to complete and your SAM registration will take 3-5 business days to process. Additional information on implementing FFATA, including IHS and OMB FAQs and training resources, can be found on the IHS Grants Policy Website at: http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp_policy_topics

CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER REQUIREMENTS

A. Requirement for System for Award Management (SAM) Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) Numbers If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions For purposes of this award term:

1. System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - a. A Governmental organization, which is a State, local government, or Indian Tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization; and
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
 - a. 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.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. II.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
 - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
 - a. Receives a subaward from you under this award; and
 - b. Is accountable to you for the use of the Federal funds provided by the Subaward.

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 Suspension (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.

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.”

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."

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.

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.
- 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/bmbl5/BMBL_5th_Edition.pdf.
- Prudent Practices for Safety 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.

CLOSEOUT

All required closeout documents are due within 90 days of the end of the project period. At a minimum those documents will include the final progress report, final financial reports, final equipment and supply reports and invention reports. ASPR will convey final instructions.

Remarks:

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.

Contacts:

The Grants Management Specialist, LaVonne.Diallo@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, Paul.Link@hhs.gov is responsible for the programmatic and technical aspects.