

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		GRANT NUMBER (FAIN): 97778701 MODIFICATION NUMBER: 0 PROGRAM CODE: M1	DATE OF AWARD 01/03/2020
			TYPE OF ACTION New	MAILING DATE 01/10/2020
			PAYMENT METHOD: ASAP	ACH# 77760
			RECIPIENT TYPE: State	
RECIPIENT: Missouri Department of Health and Senior Services 912 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570		PAYEE: Same as Recipient 920 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570		
PROJECT MANAGER Jeff Wenzel 920 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570 E-Mail: jeff.wenzel@health.mo.gov Phone: 573-522-2101		EPA PROJECT OFFICER Benita Hamilton 11201 Renner Boulevard, WD/GAR Lenexa, KS 66219 E-Mail: hamilton.benita@epa.gov Phone: 913-551-7685		EPA GRANT SPECIALIST Rachel Walters Grants Management Office, MSD/RFMB/GMO E-Mail: walters.rachel@epa.gov Phone: 913-551-7696
PROJECT TITLE AND DESCRIPTION 2019 Lead Testing in Schools and Child Care Programs Voluntary testing for lead in drinking water at local schools and child care programs.				
BUDGET PERIOD 10/01/2019 - 09/30/2021	PROJECT PERIOD 10/01/2019 - 09/30/2021	TOTAL BUDGET PERIOD COST \$719,000.00	TOTAL PROJECT PERIOD COST \$719,000.00	
NOTICE OF AWARD				
Based on your Application dated 09/10/2019 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$719,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$719,000. 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.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS Grants Management Office 11201 Renner Boulevard Lenexa, KS 66219			ORGANIZATION / ADDRESS U.S. EPA, Region 7 Water Division 11201 Renner Boulevard Lenexa, KS 66219	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official Deboraha K. Titus - Grants Management Officer				DATE 01/03/2020

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 719,000	\$ 719,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 719,000	\$ 719,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.444 - Lead Testing in School and Child Care Program Drinking Water (SDWA 1464(d))	Safe Drinking Water Act Section 1464(d)	2 CFR 200 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2007KBX014	19	E4	07KB	000BM1	4110			679,000
-	2007KBX014	19	E4C	07KB	000BM1	4110			40,000
									719,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$174,695
2. Fringe Benefits	\$104,817
3. Travel	\$11,004
4. Equipment	\$0
5. Supplies	\$33,838
6. Contractual	\$290,000
7. Construction	\$0
8. Other	\$44,831
9. Total Direct Charges	\$659,185
10. Indirect Costs: % Base <u>See NICA</u>	\$59,815
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$719,000
12. Total Approved Assistance Amount	\$719,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$719,000
15. Total EPA Amount Awarded To Date	\$719,000

Administrative Conditions

A. 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-october-1-2019-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:

<https://www.epa.gov/grants/grant-terms-and-conditions>.

B. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

- Federal Financial Reports (SF-425): RTPFC-grants@epa.gov and R7Grants@epa.gov.
- MBE/WBE reports (EPA Form 5700-52A): R7Grants@epa.gov.
- All other forms/certifications/assurances, Indirect Cost Rate Agreements, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: R7Grants@epa.gov.
- Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals: Contact the Project Officer identified on the front of the assistance agreement.
- Payment requests (if applicable): RTPFC-grants@epa.gov.
- Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: Contact the Project Officer identified on the front of the assistance agreement.

C. Disadvantaged Business Enterprise (DBEs)

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 except as described below based upon the associated class deviation.

EPA MBE/WBE CERTIFICATION, 40 CFR, Part 33, Subpart B

A class exception to the following provisions of Subpart B of 40 CFR Part 33 has been issued suspending the EPA MBE/WBE certification program: §33.204(a)(3) providing that an entity may apply to EPA MBE or WBE certification after unsuccessfully attempting to obtain certification as otherwise described in §33.204; and §33.205 through and including §33.211. The class exception was authorized pursuant to the authority in 2 CFR 1500.3(b).

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 (a)-(d) and (i).

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.

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

A class exception to the entire Subpart D of 40 CFR Part 33 has been authorized pursuant to the authority in 2 CFR 1500.3(b). Notwithstanding Subpart D of 40 CFR Part 33, recipients are not required to negotiate or apply fair share objectives in procurements under assistance agreements.

MBE/WBE REPORTING- SPECIFIC CHANGES PURSUANT TO CLASS DEVIATION, 40 CFR, Part 33, Subpart E

When required, the recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) on an annual basis. The current EPA Form 5700-52A can be found at the EPA Grantee Forms Page at <https://www.epa.gov/grants/epa-grantee-forms>.

Reporting is required for assistance agreements where funds are 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) with a cumulative total that exceed the threshold amount of \$250,000, including amendments and/or modifications. When reporting is required, all procurement actions are reportable, not just that portion which exceeds \$250,000.

Annual reports are due by October 30th of each year. Final reports are due by October 30th or 90 days after the end of the project period, whichever comes first.

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502.

D. Pre-Award Costs

In accordance with 2 CFR 1500.8, the grantee may charge otherwise allowable pre-award costs (both Federal and non-Federal matching shares) incurred from [October 1, 2019](#) to the actual award date provided that such costs were contained in the approved application and all costs are incurred within the approved budget period.

E. 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.

F. 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.

Programmatic Conditions

A. MAINTENANCE OF EFFORT REPORTING

SDWA § 1464(d)(7) requires: "If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources."

Accordingly, recipients must disclose the current level of funding or other resources available for the purpose of lead testing and sampling activities within their jurisdiction, excluding those in this grant award. Within 90 days of receipt of this agreement, the recipient must provide the following information to the EPA project officer identified on this award:

1. The sources and amounts of resources currently available from any other Federal agency, State, or private foundation for testing for lead contamination in drinking water; and
2. If different than 1., the level of such resources projected through the end of the current year of the award.

The recipient must provide updated information for each year of the award for the duration of the grant agreement. These updates must be included in the annual progress report due each October 31.

B. ADMINISTRATIVE COST LIMITATION

Under the WIIN Act §2107, amending SDWA 1464(d), recipients may use up to 4% of the amount of federal funding for this grant agreement for administrative costs, including indirect costs under 2 CFR § 200.414. The limit on administrative costs for this agreement is \$28,760. The total amount of indirect costs and any direct costs for the grant agreement administration by recipient paid for by EPA under the grant agreement may not exceed this amount. As required by 2 CFR § 200.403(d), the grant recipients must classify administrative costs as direct or indirect consistently and may not classify the same types of cost in both categories.

Eligible grant agreement administrative costs subject to the 4% limitation include direct costs for:

1. Costs incurred to comply with the following provisions of the Uniform Administrative Requirements for Cost Principles and Audit Requirements for Federal Awards at 2 CFR Parts 200 and 1500 other than those identified as programmatic.
 - A. Record-keeping associated with equipment purchases required under 2 CFR § 200.313;
 - B. Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 2 CFR § 200.308;

- C. Maintaining and operating financial management systems required under 2 CFR § 200.302;
- D. Preparing payment requests and handling payments under 2 CFR § 200.305;
- E. Financial reporting under 2 CFR § 200.327.
- F. Non-federal audits required under 2 CFR Part 200, Subpart F; and
- G. Closeout under 2 CFR § 200.343 with the exception of preparing the recipient's final performance report. Costs for preparing this report are programmatic and are not subject to the 4% limitation on direct administrative costs.

2. Pre-award costs for preparation of the proposal and application for this grant agreement (including the final workplan) are not allowable as direct costs but may be included in the recipient's indirect cost pool to the extent authorized by 2 CFR § 200.460.

A. The EPA has determined that the administrative cost limitation does not apply to "programmatic" costs, (i.e. costs for activities that are integral to achieving the purpose of the grant.

The limitation does not apply to direct costs of training. For example, costs for instructor salaries, program management salaries, materials (e.g. textbooks, equipment, and supplies), necessary travel and transportation expenses are programmatic, not administrative, to the extent that such costs are included in the scope of work as defined under the EPA's 3T's guidance.

B. Costs for performance reporting required under 2 CFR Parts 200 and 1500 and the terms and conditions of this agreement may be eligible programmatic costs as long as these costs are not included in the recipients indirect cost pool.

C. PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORT

1. Facility-Level Results Measures and Quarterly Reports

Grant recipients who provide testing and any technical assistance to facilities must report summaries of the results from each facility tested and the scope of the program coverage described below. The profile should include communications as well, including notification timing, audience notified, and type of results shared.

- A. On a quarterly schedule, recipients will report the following information for each facility receiving testing or technical assistance:
 - 1. The facility name, a contact name, the facility's city and state, the facility's National Center for Educational Statistics (NCES) ID number, or equivalent state issued ID (if applicable), as well as the public water system ID for the facility (if it is a public water system) or for the system that serves the facility (if the facility is not a public water system). If there are confidentiality concerns or legal constraints, provide the minimum of a generic identification (e.g., Facility A), the facility's city or county.
 - 2. The sampling plan and summary of results, including
 - a. dates of sampling,
 - b. total number of outlets used for consumption in the facility,
 - c. total number of outlets used for consumption sampled,
 - d. total number of samples taken in the facility,
 - e. total number and percent of samples that triggered action(s) to reduce exposure, and whether or not the facility implemented that action.

B. Quarterly Facility Information Reporting Schedule

Quarterly progress reports detailing the information above must be submitted to the EPA project officer no later than each **December 31, March 31, June 30 and September 30** for the duration of the agreement.

Recipient progress report submissions will be accepted via CSV, EXCEL, XML format. Procedures on how to comply with reporting elements on the WIIN grant webpage. For further details and instructions on the process for submitting progress reports, including the format in which the elements are organized, go to www.epa.gov/safewater/grants.

2. Notification of Results

As specified in the WIIN Act statute, recipients agree to make available a copy of the results of any testing for lead in drinking water carried out using grant funds, if applicable, in the school and child care program administration offices and, to the extent practicable, on the internet website of the local educational agency for inspection by the public; and notify parents, teachers, and employee organizations of the availability of the results. This notification will be made no more than 90 days from the completion of the initial lead testing conducted at each facility.

3. Annual Performance Reports

In addition to the quarterly facility reports, recipients must provide annual progress reports due to the EPA Project Officer each October 31. As noted above, these reports must include an update on the Maintenance of Effort. Further, in accordance with 2 CFR 200.328 and as specified in P.L.114-322, recipients agree to comply with the requests for data related to the use of the funds under Section 1464(d) of the Safe Drinking Water Act (SDWA). In addition, the States and the District of Columbia agree to provide in its report information regarding key project characteristics, milestones, and environmental/public health protection results in the following areas: 1) achievement of the outputs and outcomes established in the Implementation Workplan; 2) the reasons for delays if established outputs or outcomes were not met; 3) any additional pertinent information on environmental/public health results pertaining to test for lead in drinking water in schools or child care facilities. These activities include the development and provision of training courses, roundtables, webinars, tools, other products, and outreach materials. For each of these activities, recipients must report on their outputs and outcomes such as the types of actions taken to reduce lead in drinking water in the tested facilities; the number of communities with increased information about the health effects of lead, the number of facilities implementing drinking water routine maintenance programs, the number of school and child care personnel that received training on lead in drinking water, and other outcomes that support protecting children from exposure to lead in drinking water. For further details and instructions on the process for submitting annual reports, including the format in which the elements are organized, go to www.epa.gov/safewater/grants.

4. Final Report

The final project report will include all categories of information required for quarterly reporting, including a final, detailed program description of the testing conducted. The final project report will also include a narrative summary of the project or activity, project results (outputs and outcomes) including the successes and lessons learned for the entire project. The final report shall be submitted to the EPA Project Officer within 90 days after the project completion date or termination of the grant agreement. A format for the final report will be made available at www.epa.gov/safewater/grants

D. CYBERSECURITY CONDITION

State Grant Cybersecurity

- (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.

E. PROJECT COMPLETION

Expected project completion is two years from the start date of the award, with an extension up to one year pending Project Officer approval.

F. QUALITY ASSURANCE

Quality Assurance Project Plan

In accordance with 2 CFR 1500.11, the recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. Recipients implementing environmental programs within the scope of the assistance agreement must submit to the EPA Project Officer an approvable Quality Assurance Project Plan (QAPP) at least 30 days prior to the initiating of data collection or data compilation. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance, quality control, and technical activities that must be implemented to ensure that project objectives are met. Environmental programs include direct measurements or data generation, environmental modeling, compilation of data from literature or electronic media, and data supporting the design, construction, and operation of environmental technology.

The QAPP should be prepared in accordance with [EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans](#).

Prior to commencing any activities that include sample collection and analysis, first draw and flush sampling, the development of sampling plans, training in preparation of sampling, communication related to sampling efforts, and sampling after remediation may occur until the QAPP is approved by the EPA Project Officer and Quality Assurance Regional Manager. When the recipient is delegating the responsibility for an environmental data collection or data compilation activity to another organization, the EPA Regional Quality Assurance Manager may allow the recipient to review and approve that organization's QAPP. Additional information on these requirements can be found at the EPA Office of Grants and Debarment Web Site:

<https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epa-financial>

G. LABORATORY RESULTS

All lead testing and sampling activities will be conducted through an accredited EPA or State recognized lead laboratory.

H. Competency Policy

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 or a copy may also be requested by contacting the EPA project officer for this award.

I. Geospatial Data Standards

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at www.fgdc.gov.

J. Use of Logos

If the EPA logo is appearing along with logos from other participating entities on websites, outreach materials, or reports, it must **not** be prominently displayed to imply that any of the recipient or subrecipient's activities are being conducted by the EPA. Instead, the EPA logo should be accompanied with a statement indicating that the Missouri Department of Health and Senior Services received financial support from the EPA under an Assistance Agreement. More information is available at: <https://www.epa.gov/stylebook/using-epa-seal-and-logo#policy>