



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

Notice of Award

Award# 5 NU90TP922054-03-00

FAIN# NU90TP922054

Federal Award Date: 05/20/2021

Recipient Information

1. Recipient Name

North Dakota Department of Health
600 E BOULEVARD AVE # 301
North Dakota Department of Health
BISMARCK, ND 58505-0602
[NO DATA]

2. Congressional District of Recipient

00

3. Payment System Identifier (ID)

1450309764B1

4. Employer Identification Number (EIN)

450309764

5. Data Universal Numbering System (DUNS)

067976824

6. Recipient's Unique Entity Identifier

7. Project Director or Principal Investigator

Timothy Wiedrich
twiedric@nd.gov
701-328-2270

8. Authorized Official

Mr. Dirk D. Wilke, JD, MBA
Chief of Staff
ddwilke@nd.gov
701-328-2372

Federal Agency Information

CDC Office of Financial Resources

9. Awarding Agency Contact Information

Ms. Rose Mosley
GMS
RMosley@cdc.gov
770-488-2450

10. Program Official Contact Information

Matthew C West
PHEP Specialist
DSLRL
wfg7@cdc.gov
(404) 639-7944

Federal Award Information

11. Award Number

5 NU90TP922054-03-00

12. Unique Federal Award Identification Number (FAIN)

NU90TP922054

13. Statutory Authority

319C-1 of the Public Health Service (PHS) Act (47 USC 247d-3a)

14. Federal Award Project Title

Public Health Emergency Preparedness (PHEP) Cooperative Agreement

15. Assistance Listing Number

93.069

16. Assistance Listing Program Title

Public Health Emergency Preparedness

17. Award Action Type

Non-Competing Continuation

18. Is the Award R&D?

No

Summary Federal Award Financial Information

19. Budget Period Start Date 07/01/2021 - **End Date** 06/30/2022

20. Total Amount of Federal Funds Obligated by this Action \$5,200,000.00

20a. Direct Cost Amount \$4,981,638.00

20b. Indirect Cost Amount \$218,362.00

21. Authorized Carryover \$0.00

22. Offset \$0.00

23. Total Amount of Federal Funds Obligated this budget period \$0.00

24. Total Approved Cost Sharing or Matching, where applicable \$520,000.00

25. Total Federal and Non-Federal Approved this Budget Period \$5,720,000.00

26. Project Period Start Date 07/01/2019 - **End Date** 06/30/2024

27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period Not Available

28. Authorized Treatment of Program Income

ADDITIONAL COSTS

29. Grants Management Officer - Signature

Ms. Shirley K Byrd
Grants Management Officer

30. Remarks



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BISMARCK, ND 58505-0602
[NO DATA]

Congressional District of Recipient

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Payment Account Number and Type

1450309764B1

Employer Identification Number (EIN) Data

450309764

Universal Numbering System (DUNS)

067976824

Recipient's Unique Entity Identifier

Not Available

31. Assistance Type

Cooperative Agreement

32. Type of Award

Other

33. 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

a. Salaries and Wages	\$1,054,176.00
b. Fringe Benefits	\$431,284.00
c. Total Personnel Costs	\$1,485,460.00
d. Equipment	\$8,613.00
e. Supplies	\$126,297.00
f. Travel	\$33,825.00
g. Construction	\$0.00
h. Other	\$1,058,863.00
i. Contractual	\$2,268,580.00
j. TOTAL DIRECT COSTS	\$4,981,638.00
k. INDIRECT COSTS	\$218,362.00
l. TOTAL APPROVED BUDGET	\$5,200,000.00
m. Federal Share	\$5,200,000.00
n. Non-Federal Share	\$520,000.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
1-921027R	19NU90TP922054	TP	41.51	\$200,000.00	75-21-0956
1-9213367	19NU90TP922054	TP	41.51	\$5,000,000.00	75-21-0956



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Direct Assistance

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

AWARD ATTACHMENTS

North Dakota Department of Health

5 NU90TP922054-03-00

1. Terms and Conditions

AWARD INFORMATION

Recipient: North Dakota

Award #: NU90TP922054

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at

<https://www.cdc.gov/grants/federalregulationspolicies/index.html>, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number **CDC-RFA-TP19-190103CONT21**, entitled **Public Health Emergency Preparedness (PHEP)**

Cooperative Agreement, and the submitted application, 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 **\$5,200,000** is approved for the Year 03 budget period, which is **July 1, 2021** through **June 30, 2022**. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

Additional Funding: The approved funding total includes **\$ 30,100** in additional funding placed in "Other". These funds will need to be redirected and included in the revised budget and workplan.

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

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

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

NOFO Component	Amount
PHEP Base	\$5,000,000
PHEP CRI	\$200,000

Financial Assistance Mechanism: Cooperative Agreement

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

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

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

Personnel: For those recipients with personnel vacancies: Please provide a plan to complete the activities associated with vacant positions to the Project Officer and GMS. Also, include information on how these vacancies impact the applicant's ability to execute the work plan. If these vacancies are not filled within 90 days after the start of the budget period, it is recommended that the recipient redirect the unused funds to other activities.

Budget Revision Requirement: By **August 31, 2021** the recipient must submit a revised budget with a narrative justification. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

Contractual: CRI

- Per the Budget Preparation Guidance. Approval by CDC to utilize funds and initiate program activities through the services of a contractor requires the submission of the following missing element information for each contract to CDC:
 - **Scope of Work:** Describe the specific services/tasks to be performed by the contractor and relate them to the accomplishment of program objectives. Deliverables should be clearly defined

Work Plan Revision Requirement (if applicable): By **August 31, 2021** the recipient must submit a revised work plan and budget. Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the assigned Program Project Officer and GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

Expanded Authority: The recipient is permitted the following expanded authority in the administration of the award.

- Carryover of unobligated balances from one budget period to a subsequent budget period. Unobligated funds may be used for purposes within the scope of the project as originally approved. Recipients will report use, or intended use, of unobligated funds in Section 12 "Remarks" of the annual Federal Financial Report. If the GMO determines that some or all of the unobligated funds are not necessary to complete the project, the GMO may restrict the recipient's authority to automatically carry over unobligated balances in the future, use the balance to reduce or offset CDC funding for a subsequent budget period, or use a combination of these actions.

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

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

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

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

FUNDING RESTRICTIONS AND LIMITATIONS

Notice of Funding Opportunity (NOFO) Restrictions:

- Recipients may not use funds for research.
- Recipients may not use funds for clinical care except as allowed by law.
- Recipients may use funds only for reasonable program purposes, including personnel, travel, supplies, and services.
- Reimbursement of pre-award costs generally is not allowed, unless the CDC provides written approval to the recipient.
- Other than for normal and recognized executive-legislative relationships, no funds may be used for:
 - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
 - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
- See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance <https://www.cdc.gov/grants/additional-requirements/ar-35.html>
- The direct and primary recipient in a cooperative agreement program must perform a substantial role in carrying out project outcomes and not merely serve as a conduit for an award to another party or provider who is ineligible.

General Restrictions

- Recipients may supplement but not supplant existing state or federal funds for activities described in the budget.
- Payment or reimbursement of backfilling costs for staff is not allowed.
- None of the funds awarded to these programs may be used to pay the salary of an individual at a rate in excess of Executive Level II or \$199,300 per year.
- Funds may not be used to purchase or support (feed) animals for labs, including mice. Funds may not be used to purchase a house or other living quarter for those under quarantine. Rental may be allowed with approval from the CDC OGS.

Lobbying

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

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

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

Construction and Major Renovations

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

Passenger Road Vehicles

- Funds cannot be used to purchase over-the road passenger vehicles.
- Funds cannot be used to purchase vehicles to be used as means of transportation for carrying people or goods, such as passenger cars or trucks and electrical or gas- driven motorized carts.
- Recipients can (with prior approval) use funds to lease vehicles to be used as means of transportation for carrying people or goods, e.g., passenger cars or trucks and electrical or gas- driven motorized carts during times of need.
- Additionally, PHEP grant funds can (with prior approval) be used to make transportation agreements with commercial carriers for movement of materials, supplies and equipment. There should be a written process for initiating transportation agreements (e.g., contracts, memoranda of understanding, formal written agreements, and/or other letters of agreement). Transportation agreements should include, at a minimum:
 - Type of vendor
 - Number and type of vehicles, including vehicle load capacity and configuration
 - Number and type of drivers, including certification of drivers
 - Number and type of support personnel
 - Vendor's response time
 - Vendor's ability to maintain cold chain, if necessary to the incident
 - This relationship may be demonstrated by a signed transportation agreement or documentation of transportation planning meeting with the designated vendor. All documentation should be available to the CDC project officer for review if requested.

Transportation of Medical Material

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

Procurement of Food and Clothing

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

Vaccines

- PHEP recipients can, with prior CDC approval, use funds to purchase caches of antibiotics for use by public health responders and their households to ensure the health and safety of the public health workforce during an emergency response, or an exercise to test response plans. Funds may not be used to supplant other funding intended to achieve this objective.
- PHEP recipients can, with prior CDC approval, use funds to purchase caches of vaccines for public health responders and their households to ensure the health and safety of the public health workforce.
- PHEP recipients can, with prior CDC approval, use funds to purchase caches of vaccines for select critical workforce groups to ensure their health and safety during an exercise testing response plans.
 - Recipients must document in their submitted exercise plans the use of vaccines for select critical workforce personnel before CDC will approve the vaccine purchase.
- Recipients may not use PHEP funds to supplant other funding intended to achieve these objectives.
- Recipients of PHEP-funded vaccines (within the context of the exercise) may include:
 - Persons who meet the criteria in the CDC-Advisory Committee on Immunization Practices (CDC/ACIP) recommendations www.cdc.gov/vaccines/acip/index.html for who should receive vaccine; and
 - Persons who are not eligible to receive the vaccine through other entitlement programs such as Medicare, Medicaid, or the Vaccines for Children (VFC) program.
 - VFC-eligible children or Medicare beneficiaries may participate in the exercise; however, they should be vaccinated with vaccine purchased from the appropriate funding source.
- PHEP funds may not be used to purchase vaccines for seasonal influenza mass vaccination clinics or other routine vaccinations covered by ACIP schedules.
- PHEP funds may not be used to purchase influenza vaccines for the general public.

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

Laboratory Supplies

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

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

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

Indirect Costs:

Indirect costs are approved based on the negotiated indirect cost rate agreement dated **March 19, 2020**, which calculates indirect costs as follows, a **Provisional** is approved at a rate of 14.70% of the base, which includes, **direct salaries and wages including all fringe benefits**. The effective dates of this indirect cost rate are from **July 01, 2021 to June 30, 2023**.

Matching Funds Requirement: The required level of non-federal participation for **PHEP \$500,000** and for **CRI \$ 20,000**

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

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

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

Match may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment or services. Amounts provided by the federal government or services assisted or subsidized to any significant extent by the federal government may not be included in determining the amount of such nonfederal contributions. Please refer to 45 CFR 75.306 for match requirements, including descriptions of acceptable match resources. Documentation of match, including methods and sources, must be included in the Budget Period 03 application for funds, follow procedures for generally accepted accounting practices and meet audit requirements.

Exceptions to Matching Funds Requirement

- The match requirement does not apply to the political subdivisions of Chicago, Los Angeles County, or New York City.
- Pursuant to department grants policy implementing 48 U.S.C. 1469a(d), any required matching (including in-kind contributions) of less than \$200,000 is waived with respect to cooperative agreements to the governments of American Samoa, Guam, the U.S. Virgin Islands, the Northern Mariana Islands (other than those consolidated under other provisions of 48 U.S.C. 1469), the Freely Associated States including the Republic of Palau, the Federated States of Micronesia and the Republic of Marshall Islands. For instance, if 10% (the match requirement) of the award is less than \$200,000, then the entire match requirement is waived. If 10% of the award is greater than \$200,000, then the first \$200,000 is waived, and the rest must be paid as match."

- Matching does not apply to future contingent emergency response awards that may be authorized under 311, 317(a), and 317 (d) of the Public Health Service Act unless such a requirement were imposed by statute or administrative process at the time.

Maintenance of Effort (MOE) Requirement: MOE represents an applicant/recipient historical level of contributions related to federal programmatic activities which have been made prior to the receipt of federal funds “expenditures (money spent).” MOE is used as an indicator of non- federal support for public health before the infusion of federal funds. These expenditures are calculated by the recipient without reference to any federal funding that also may have contributed to such programmatic activities in the past. Recipients must stipulate the total dollar amount in their grant applications. Recipients must be able to account for MOE separately from accounting for federal funds and separately from accounting for any matching funds requirement; this accounting is subject to ongoing monitoring, oversight, and audit. MOE may not include any matching funds requirement that includes non-state or non-jurisdiction funding.

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

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

REPORTING REQUIREMENTS

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
Rose Mosley, Grants Management Specialist
 Centers for Disease Control and Prevention

2939 Flowers Road
Atlanta GA 30341
Email: RMosley@cdc.gov

AND

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

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

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

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

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

PAYMENT INFORMATION

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

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

The grant document number identified on the bottom of Page 2 of the Notice of Award must be known in order to draw down funds.

CDC Roles & Responsibilities

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.

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.

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.