

FDP Amendment Number 2

Pass-Through Entity (PTE) Subrecipient

The Regents of the University of California, San Francisco	Entity Name City and County of San Francisco
CGSubOutTeam@ucsf.edu	Email Address sajid.shaikh@sfdph.org
George W. Rutherford	Principal Investigator William McFarland

Project Title: Recent Infection Surveillance Consortium

PTE Federal Award No: 5 NU2GGH002170-03-00	Federal Awarding Agency: PHS Centers for Disease Control
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Revised Period of Performance: Start Date: August 1, 2019 End Date: Sep 29, 2021	Amount Funded This Action: \$ 43,173.00	Subaward No: 11580sc
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Total Amount of Federal Funds Obligated to Date: \$ 124,904.00	Cost Share: <input type="radio"/> Yes <input checked="" type="radio"/> No	Subject to FFATA: <input checked="" type="radio"/> Yes <input type="radio"/> No	Automatic Carryover: <input type="radio"/> Yes <input checked="" type="radio"/> No
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Amendment(s) to Original Terms and Conditions
This Amendment revises the above-referenced Subaward Agreement as follows:

- This is a No Cost Extension. The Period of Performance is hereby extended through:
- 09/30/2020 to 09/29/2021 is hereby added to the Period of Performance, which is revised to be consistent with the Period of Performance Start and End Date above.
- Additional funds in the amount of \$43,173 are hereby authorized for the current period.
- Carryover in the amount of is hereby authorized as shown below.
- Other (see below)

NOTE: As of September 30, 2019 the previous subaward 11408sc has changed to a new subaward number 11580sc.

The Scope of Work is modified to include those tasks in Attachment A to this Amendment.

For clarity: all amounts stated in this amendment are in United States Dollars.

All other terms and conditions of this Subaward Agreement remain in full force and effect.

By an Authorized Official of PTE: 10/9/2020 Name: Phillip De Biase Date Title: Associate Manager, Subcontracts	By an Authorized Official of Subrecipient: 10/07/2020 Name: Tomás Aragón Date Title: Director of Population Health Division
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Tracking with Recency Assays to Control the Epidemic (TRACE)

Cooperative Agreement Number: NU2GGH002170

University of California, San Francisco (UCSF)

Year 3 Budget Period: September 30, 2020 to September 29, 2021

SFDPH Subcontract SOW

We request a total of \$43,173 for a subaward with San Francisco Department of Public Health (SFDPH).

- 1. Name of Contractor:** San Francisco Department of Public Health (SFDPH)
- 2. Period of Performance:** 09/30/2020 to 09/29/2021
- 3. Scope of Work:** In close collaboration with UCSF, SFDPH will provide technical assistance and capacity building for rollout of HIV recency in multiple countries, including Burundi, Cambodia, Kenya, Malawi, Namibia, Thailand/Laos, Uganda, Vietnam, and Zambia.

San Francisco Department of Public Health Subcontract
Budget Period: 9/30/2020-9/29/2021
Budget Name: UCSF Recency YR3 (COP20) Budget

<u>A. Salaries and Wages</u>					(A)	(B)	
Personnel	Position Title	Current Salary	% effort	# mos.	Salary	Benefits	Total
McFarland, Willi	Director of Surveillance	\$197,300	15%	12	\$29,595	\$8,953	\$38,548
							\$0
							\$0
Total Personnel			15%		\$29,595	\$8,953	\$38,548
Total Direct Costs							\$38,548
Overhead at 12%							\$4,626
Grand Total							\$43,173

Tracking with Recency Assays to Control the Epidemic (TRACE)
Cooperative Agreement Number: NU2GGH002170
University of California, San Francisco (UCSF)
Year 3 Budget Period: September 30, 2020 to September 29, 2021
SFDPH Subcontract Budget Justification

- 1. Name of Contractor:** San Francisco Department of Public Health (SFDPH)
- 2. Period of Performance:** 09/30/2020 to 09/29/2021
- 3. Itemized Budget & Justification:** For SFDPH sub-agreement budget, see UCSF budget. Budget Justification included below.

We request a total of \$43,173 for a subaward with San Francisco Department of Public Health (SFDPH).

Personnel:

Willi, McFarland, *Director of Surveillance*, has several years of experience working on surveillance in general and key populations, in both domestic and international settings. He will provide high-level technical assistance on surveillance strategy for HIV recency. We request 15% (\$29,595) salary support for this position for 12 months.

Subaward Fringe Benefit and Indirect Cost Rates:

The fringe benefit rate is calculated as 30.37% of Willi McFarland' salary (\$8,953).

The indirect cost rate is 12% of total direct expenses (\$4,626).

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Disease Control and Prevention
CDC Office of Financial Resources

2939 Brandywine Road
 Atlanta, GA 30341

NOTICE OF AWARD
 AUTHORIZATION (Legislation/Regulations)
 301(A)&307PHA42USC241&242&104 22USC151B

1. DATE ISSUED MM/DD/YYYY 08/28/2020		1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded	
2. CFDA NO. 93.067 - Global AIDS			
3. ASSISTANCE TYPE Cooperative Agreement			
4. GRANT NO. 5 NU2GGH002170-03-00 Formerly		5. TYPE OF AWARD Service	
4a. FAIN NU2GGH002170		5a. ACTION TYPE Non-Competing Continuation	
6. PROJECT PERIOD MM/DD/YYYY From 11/01/2018		Through MM/DD/YYYY 09/29/2023	
7. BUDGET PERIOD MM/DD/YYYY From 09/30/2020		Through MM/DD/YYYY 09/29/2021	
8. TITLE OF PROJECT (OR PROGRAM) Recent Infection Surveillance Consortium			

9a. GRANTEE NAME AND ADDRESS
 Regents of the University of California, San Francisco, The
 3333 California St
 -DUP2
 San Francisco, CA 94118-1981

9b. GRANTEE PROJECT DIRECTOR
 Dr. George1147948 Rutherford
 3333 California Street
 San Francisco, CA 94118
 Phone: +1 415 476-5781

10a. GRANTEE AUTHORIZING OFFICIAL
 Lei-Lei Win
 1855 Folsom St Ste 425
 San Francisco, CA 94103-4249
 Phone: 415-987-1540

10b. FEDERAL PROJECT OFFICER
 Ms. Emily Stong
 12 Corporate Blvd NE
 Brookhaven, GA 30329-1909
 Phone: 404.718.8292

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 I	
a. Salaries and WageS	1,512,577.00
b. Fringe Benefits	545,832.00
c. Total Personnel Costs	2,058,409.00
d. Equipment	0.00
e. Supplies	180,864.00
f. Travel	360,587.00
g. Construction	0.00
h. Other	787,361.00
i. Contractual	1,091,363.00
j. TOTAL DIRECT COSTS	4,478,584.00
k. INDIRECT COSTS	1,072,200.00
l. TOTAL APPROVED BUDGET	5,550,784.00
m. Federal Share	5,550,784.00
n. Non-Federal Share	0.00

12. AWARD COMPUTATION	
a. Amount of Federal Financial Assistance (from item 11m)	5,550,784.00
b. Less Unobligated Balance From Prior Budget Periods	100,000.00
c. Less Cumulative Prior Award(s) This Budget Period	0.00
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	5,450,784.00
13. Total Federal Funds Awarded to Date for Project Period	18,295,622.00
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. 4		d. 7	
b. 5		e. 8	
c. 6		f. 9	

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
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16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDOING 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 OFFICIAL:

Tajsha LaShore
 2920 Brandywine Rd
 Mailstop K75
 Atlanta, GA 30341-5539
 Phone: 404.498.5696

17.OBJ CLASS 41.51	18a. VENDOR CODE 1946036493A6	18b. EIN 946036493	19. DUNS 094878337	20. CONG. DIST. 12
FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
21. a. 9-9390BJD	b. 19NU2GGH002170	c. GH	d. \$0.00	e. 75-19-1822-1031-001
22. a. 9-9390BKV	b. 19NU2GGH002170	c. GH	d. \$0.00	e. 75-19-1822-1031-001
23. a. 9-9390A1	b. 19NU2GGH00217019KECO	c. GH	d. \$0.00	e. 75-19-1721-1031-001

NOTICE OF AWARD (Continuation Sheet)

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DATE ISSUED
08/28/2020

GRANT NO. 5 NU2GGH002170-03-00

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
24.a. 9-9390BEF	b. 19NU2GGH00217019UGCO	c. GH	d. \$0.00	e. 75-1920-0955
25.a. 9-9390BHJ	b. 19NU2GGH00217019MWCO	c. GH	d. \$0.00	e. 75-19-1822-1031-001
26.a. 9-9390BHM	b. 19NU2GGH00217019NACO	c. GH	d. \$0.00	e. 75-19-1822-1031-001
27.a. 9-9390BHZ	b. 19NU2GGH00217019VNCO	c. GH	d. \$0.00	e. 75-19-1822-1031-001
28.a. 9-9390BJ0	b. 19NU2GGH00217019ZACO	c. GH	d. \$0.00	e. 75-19-1822-1031-001
29.a. 9-9390BL0	b. 19NU2GGH00217019ACCO	c. GH	d. \$0.00	e. 75-19-1822-1031-001
30.a. 9-9390BY2	b. 19NU2GGH002170	c. GH	d. \$0.00	e. 75-19-1519-1031-001
31.a. 0-9390BHG	b. 19NU2GGH00217019KECO	c. GH	d. \$0.00	e. 75-19-1822-1031-001
32.a. 0-9390DM2	b. 19NU2GGH00217019MWCO	c. GH	d. \$300,000.00	e. 75-19-1923-1031-001
33.a. 0-9390DM3	b. 19NU2GGH00217019NACO	c. GH	d. \$0.00	e. 75-19-1923-1031-001
34.a. 0-9390DM5	b. 19NU2GGH00217019UGCO	c. GH	d. \$0.00	e. 75-19-1923-1031-001
35.a. 0-9390BL0	b. 19NU2GGH00217019ACCO	c. GH	d. \$50,000.00	e. 75-19-1822-1031-001
36.a. 0-9390DNJ	b. 19NU2GGH00217019KECO	c. GH	d. \$0.00	e. 75-2021-0955
37.a. 0-9390DRU	b. 19NU2GGH00217019ATCO	c. GH	d. \$0.00	e. 75-2021-0955
38.a. 0-9390DMV	b. 19NU2GGH00217019VNCO	c. GH	d. \$137,400.00	e. 75-19-1923-1031-001
39.a. 0-9390DPD	b. 19NU2GGH00217019VNCO	c. GH	d. \$0.00	e. 75-2021-0955
40.a. 0-921ZHUP	b. 19NU2GGH002170	c. GH	d. \$26.00	e. 75-X-0943
41.a. 0-93909EG	b. 19NU2GGH002170	c. GH	d. \$230,000.00	e. 75-19-1620-1031-001
42.a. 0-9390AEB	b. 19NU2GGH002170	c. GH	d. \$1,778,742.00	e. 75-19-1822-1031-001
43.a. 0-9390AQ2	b. 19NU2GGH002170	c. GH	d. \$32.00	e. 75-1820-0943
44.a. 0-9390BJ9	b. 19NU2GGH00217020VNGC	c. GH	d. \$89,600.00	e. 75-19-1822-1031-001
45.a. 0-9390DMH	b. 19NU2GGH002170BUCO	c. GH	d. \$700,000.00	e. 75-19-1923-1031-001
46.a. 0-9390DP9	b. 19NU2GGH00217019UGCO	c. GH	d. \$200,000.00	e. 75-2021-0955
47.a. 0-9390E10	b. 19NU2GGH00217019KECO	c. GH	d. \$1,244,984.00	e. 75-19-1923-1031-001
48.a. 0-9390FKS	b. 19NU2GGH00217019NACO	c. GH	d. \$700,000.00	e. 75-19-2024-1031-001
49.a. 0-9390FKZ	b. 19NU2GGH00217019ZACO	c. GH	d. \$20,000.00	e. 75-19-2024-1031-001

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

Regents Of The University Of California, San Francisco, The

5 NU2GGH002170-03-00

1. terms 3
2. HQ chart
3. budgetary comments Uganda
4. budgetary comments Nambia
5. budgetary comments Kenya
6. budgetay comments Thailand

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 **GH19-1942**, entitled **Public Health Surveillance of Recent HIV Infection and Response**, and application dated June 2, 2020, 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 **\$ 29,875,476.00** is approved for the **Year 03** budget period, which is **September 30, 2020** through **September 29, 2021**. 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.

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
HOP	\$ 2,008,800
Burundi	\$700,000
Cambodia	\$50,000
Kenya	\$1,244,984
Malawi	\$300,000
Namibia	\$700,000
Thailand OFFSET	\$100,000
Uganda	\$200,000
Vietnam Q1	\$227,000
Zambia	\$20,000

The following component(s) are approved but unfunded:

Vietnam Q2-Q4	\$684,495
Kenya Performance	\$248,997
Vietnam Performance	\$100,000
COP Performance Q1	\$291,200
COP Performance Q2	\$1,000,000
COP Performance Q3	\$2,000,000
COP Performance Q4	\$2,000,000
Program Expansion Q1	\$2,000,000
Program Expansion Q2	\$2,000,000
Program Expansion Q3	\$2,000,000

Program Expansion Q4	\$2,000,000
Intensive Effort Q1	\$2,000,000
Intensive Effort Q2	\$2,000,000
Intensive Effort Q3	\$3,000,000
Intensive Effort Q4	\$3,000,000

Working Capital Method: Recipients are authorized to utilize a working capital method when drawing down funds under this award. The method authorizes recipients to draw down funds to cover obligations to be reconciled and the funds dispersed within 30 days of the date of the draw down

Financial Assistance Mechanism: Cooperative Agreement

Substantial Involvement by CDC: This is a cooperative agreement, as defined by the Federal Grant and Cooperative Agreement Act of 1977 (P.L. 95-224, 31 USC 6301 et seq.). 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 and is not intended to gain stricter controls. CDC will coordinate, facilitate, collaborate and/or intervene to programmatically effectuate performance under this award, and recipients agree to the substantial involvement responsibilities enumerated in the applicable NOFO and incorporated herein and further agree that additional substantial involvement responsibilities, not currently enumerated in the applicable NOFO, may be imposed.

Under a cooperative agreement, CDC is responsible for normal oversight and monitoring activities. Examples of normal oversight and monitoring activities are listed below:

1. Organize an orientation meeting with the recipient for a briefing on applicable U.S. Government, HHS/CDC, and PEPFAR expectations, regulations, and key management requirements, as well as report formats and contents. The orientation could include meetings with staff from HHS agencies and the Office of the U.S. Global AIDS Coordinator and Health Diplomacy (OGAC).
2. Review and approve recipient's annual work plan and detailed budget, as part of the PEPFAR COP review and approval process, managed by OGAC.
3. Review and approve the recipient's monitoring and evaluation plan, including for compliance with the strategic information guidance established by OGAC.
4. Meet on a regular basis with the recipient to assess expenditures in relation to approved work plan and modify plans as necessary.
5. Meet on a quarterly basis with the recipient to assess quarterly technical and financial progress reports and modify plans as necessary.
6. Meet on an annual basis with the recipient to review annual progress report for each U.S. Government Fiscal Year, and to review annual work plans and budgets for the subsequent year, as part of the PEPFAR COP review and approval process, managed by OGAC.
7. Provide technical oversight for all activities under this award.

Above and beyond the normal oversight and monitoring examples, CDC's substantial involvement includes, but is not limited to, the following activities:

1. Involvement in the review and selection of key personnel and/or post-award sub-contractors and/or sub-recipients to be involved in the activities performed under this agreement. This is solely limited to reviewing and making recommendations as necessary to the process used by the recipient to select key personnel and/or post-award sub-contractors and/or sub-recipients to be involved in the activities performed under this agreement, as part of the PEPFAR COP review and approval process, managed by OGAC.
2. Provide technical assistance, as mutually agreed upon, and revise annually in concert with the recipient during validation of the first and subsequent annual work plans. This could include expert technical assistance and targeted training activities in specialized areas, such as strategic information, project management, and confidential counseling and testing.
3. Provide in-country administrative support to help the recipient meet U.S. Government financial and reporting requirements approved by the Office of Management and Budget (OMB).
4. Collaborate with the recipient on designing and implementing the activities listed above, including, but not limited to: the provision of technical assistance to develop program activities, data management and analysis, quality assurance, the presentation and possibly publication of program results and findings, and the management and tracking of finances.
5. Provide technical assistance or advice on any data collections on 10 or more people that are planned or conducted by the recipient. All such data collections-- where CDC staff will be or are approving, directing, conducting, managing, or owning data-- must undergo OMB project determinations by CDC and may require OMB Paperwork Reduction Act of 1995 (PRA) clearance prior to the start of the project.
6. Provide continuous consultation and scientific and technical assistance based on appropriate HHS/CDC and OGAC documents to promote the use of best practices known at the time.
7. Assist the recipient in developing and implementing quality-assurance criteria and procedures.
8. Facilitate and/or participate in in-country planning and review meetings for technical assistance activities.
9. Conduct site visits through the Site Improvement through Monitoring System (SIMS), in compliance with PEPFAR requirements, to monitor and evaluate clinical and community service delivery site capacity to provide high-quality HIV/AIDS services in all program areas and 'above-site' capacity to perform supportive or systemic functions, by assessing and scoring key program area elements of site performance and collaborating strategically with the recipient on identified gaps and continuous quality improvement, which might include more thorough data quality or service quality assessments as indicated.
10. Coordinate with the recipient to ensure the recipient's Evaluation and Performance Measurement Plan is aligned with the strategic information guidance established by OGAC and other HHS/CDC requirements, including PEPFAR's Monitoring, Evaluation, and Reporting (MER) strategy, PEPFAR's Evaluation Standards of Practice, and CDC's Data for Partner Monitoring Program (DFPM).
11. Provide ethical reviews in order to direct and/or facilitate desired changes, as necessary, for evaluation activities, including from HHS/CDC headquarters. Evaluations can be process, outcome, or economic.
 - A. Process Evaluation: measures how the intervention was delivered, what worked/did not, differences between the intended population and the population served, and access to the intervention.
 - B. Outcome Evaluation: determines effects of intervention in target population(s)

(e.g., change in knowledge, attitudes, behavior, capacity, etc.).

C. Economic Evaluation: justifies the investment, and determines the efficiency and economic impact of interventions.

12. Supply the recipient with protocols for related evaluations.

As described in current Country Operational Plan (COP) guidance, quarterly performance thresholds should be monitored throughout the year. In addition to CDC's substantial involvement, the agency will conduct normal oversight and monitoring activities to effectuate program performance. Underperformance in achieving established programmatic targets may result in corrective action being taken as outlined in current COP guidance. Corrective action may include the implementation of a Target Improvement Plan (TIP) and/or a Corrective Action Plan (CAP) to assist recipients with meeting established programmatic targets. The agency will assess recipients' level of effort, including any preventative action taken, and any extenuating circumstances internal and external to the recipient when considering a TIP and/or CAP.

Be advised that any changes made to the COP guidance related to substantial involvement and the monitoring of quarterly and annual performance PEPFAR targets will become effective and implemented in accordance with the revised/new COP guidance. These changes may impact the agency's substantial involvement and/or how it ensures the achievement of recipients' quarterly and annual PEPFAR targets.

The use of a TIP and/or CAP does not replace or reduce the Federal regulations promulgated in 45 CFR § 75.371. If a recipient fails to comply with Federal statutes, regulations or the terms and conditions of its cooperative agreement, CDC or the pass-through entity may impose additional conditions, as described in 45 CFR § 75.207. If CDC or the pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, CDC or the pass-through entity may take one or more actions legally available.

Use of Unobligated Funds: This NoA includes use of Year 02 unobligated funds in the amount of **\$100,000**, which has been applied as an offset to the currently approved funding level for this budget period. The use of unobligated funds is approved based on the Year 02 Federal Financial Report (FFR) dated March 30, 2020. The amount of this NoA will be subject to reduction if the final amount of unobligated funds is less than the amount of unobligated funds reported on the referenced FFR.

Budget Revision Requirement: By October 30, 2020 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.

NOTE: A separate budget detail, budget narrative, and budget workplan is required for each individual approved component.

Program Income:

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.

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

FUNDING RESTRICTIONS AND LIMITATIONS

Administrative Note: There are significant changes in the amount and number of components from the project officer recommendations and the submitted budget. There are 25 approved components. Of the approved, there are 10 components funded in this action. Please refer to the attached budgetary recommendations and proposed component breakdown when revising your budget. If component budgets for all components cannot be provided in your resubmission, please ensure that revised budgets are supplied for the initial funded components that require revisions

There are many of the components that accurately match the project officer recommended components, however there are some that do not match.

Indirect costs: Indirect costs are based on the negotiated indirect cost rate agreement dated October 6, 2017. The rates in this agreement are to be used for the entire project period, including any approved extensions, in accordance with 45 CFR Part 75, Appendix III. Indirect cost/facilities and administration rates for subcontracts will be treated in the same manner as those for the recipient, if the subcontractor is covered by 45 CFR Part 75, Appendix III.

Foreign Taxes: Pursuant to applicable grant regulations, foreign taxes charged for the purchase of goods or services that a non-federal entity is legally required to pay in country are an allowable expense under federal awards. For purposes of this term, foreign taxes include value-added taxes (VAT), customs duties, and other similar charges levied on any transaction financed by HHS/CDC award funds in furtherance of program activities and objectives as set forth in the funding agreement, which may include the purchase, import, use or re-export of goods or services.

The determination of whether such foreign taxes are an allowable expense will depend on whether an exemption or effective reimbursement mechanism exists in country. Effective reimbursement is defined as a reimbursement mechanism that provides for no less than substantial reimbursement of USG funds. Generally such exemptions or rights to reimbursement are set forth in bilateral or other legal agreements between the United States Government (USG) and the host country.

1. **Countries where an exemption or right to reimbursement exists:**

In countries where a bilateral or other legal agreement sets forth an exemption, the recipient must take advantage of the exemption and may not pay taxes with award funds. If, however, the host country implements the exemption through a reimbursement mechanism, the recipient may pay the taxes with award funds but must request and receive the reimbursement, as those expenses are deemed an unallowable expense under the award. If the reimbursement mechanism is used, recipients should consult with the CDC project officer and the CDC grants management specialist to determine how the reimbursed funds should be handled. If reimbursement is requested but not received from the host country despite significant effort, so long as recipient provides sufficient documentation showing efforts to seek reimbursement to the CDC grants management specialist, the foreign tax payment will be an allowable expense.

2. **Countries where no exemption and/or no right to reimbursement exist:**

In countries where a) there is no bilateral or other legal agreement in force setting forth either an exemption or a right to reimbursement, b) a bilateral or other legal agreement

is in force but does not provide for an exemption or a right to reimbursement, the recipient may pay foreign taxes with award funds. Such payments would be deemed allowable expenses.

3. **Countries where a specific bilateral agreement between the US and the host country (e.g., 1951 Bilateral Agreement between the US and the UK applicable to former UK territories; 1989 bilateral between the US and Swaziland) applies (Bahamas, India, Kenya, Suriname, Swaziland, Trinidad and Tobago, and Zambia):** Consistent with the bilateral agreement, this Notice of Grant Award represents the implementing agreement required by the bilateral agreement for tax purposes. Pursuant to the specific bilateral agreement in force, the host country has agreed that USG funds (e.g., HHS/CDC funds, PEPFAR funds) provided to and utilized by recipient, as it carries out the program activities and objectives set forth in this implementing agreement, shall be free from taxes imposed under laws in effect in the host country. These tax exemptions on USG funds include, but are not limited to, the following:
- a. Taxes, customs duties, and other similar charges levied on any transaction financed by HHS/CDC award funds in furtherance of program activities and objectives as set forth in this agreement, which may include the purchase, import, use or re-export of goods or services, including value-added taxes (VAT). Goods include, but are not limited to, commodities, equipment and supplies, including automobiles, which have been imported for the purpose of the funded program activities and objectives.
 - b. Taxes of a non-Resident organization on income allowed by HHS/CDC to be derived from HHS/CDC funding of program activities and objectives set forth in this agreement.
 - c. Taxation on personal income paid from HHS/CDC funds to employees of Recipient who pay taxes on their income to the United States Government; and
 - d. Should any conflict or disagreement about the above exemptions arise, Recipient agrees to promptly notify CDC (project officer or grants management officer) to work to resolve such matters, guided by the principle that the funding furnished by HHS/CDC is free from taxation.

Prostitution and Sex Trafficking (Items 1 through 6):

1. Consistent with Section 7631(e) of the U.S. Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, 22 USC §§ 7601 et seq. ("the Leadership Act"), the U.S. Government is opposed to prostitution and related activities, which are inherently harmful and dehumanizing, and contribute to the phenomenon of trafficking in persons. None of the funds made available under this agreement may be used to promote or advocate the legalization or practice of prostitution or sex trafficking. Nothing in the preceding sentence shall be construed to preclude the provision to individuals of palliative care, treatment, or post-exposure pharmaceutical prophylaxis, and necessary pharmaceuticals and commodities, including test kits, condoms, and, when proven effective, microbicides.
2. Additionally, consistent with Section 7631(f) of the Leadership Act, a prime recipient that is a non-U.S. nongovernmental organization acknowledges that, by accepting this award, it agrees that it is opposed to the practices of prostitution and sex trafficking because of the psychological and physical risks they pose for women, men, and children.
3. Contractors and subcontractors are exempt from the above requirements if the contract or subcontract is for commercial items and services as defined in FAR 2.101, such as pharmaceuticals, medical supplies, logistics support, data management, and freight

forwarding.

4. Notwithstanding the contract exemption above, not exempt from these provisions are recipients, subrecipients, contractors, and subcontractors that implement HIV/AIDS programs under this assistance award, any subaward, or procurement contract or subcontract by:
 - i. Providing supplies or services directly to the final populations receiving such supplies or services in host countries;
 - ii. Providing technical assistance and training directly to host country individuals or entities on the provision of supplies or services to the final populations receiving such supplies and services; or
 - iii. Providing the types of services listed in FAR 37.203(b)(1)-(6) that involve giving advice about substantive policies of a recipient, giving advice regarding the activities referenced in (i) and (ii), or making decisions or functioning in a recipient's chain of command (e.g., providing managerial or supervisory services approving financial transactions, personnel actions).

5. Subrecipients
 - i. Prime recipient shall insert the following provision in subawards or subcontracts: "None of the funds made available under this agreement may be used to promote or advocate the legalization or practice of prostitution or sex trafficking. Nothing in the preceding sentence shall be construed to preclude the provision to individuals of palliative care, treatment, or post-exposure pharmaceutical prophylaxis, and necessary pharmaceuticals and commodities, including test kits, condoms, and, when proven effective, microbicides."
 - ii. Prime recipients shall insert the following provision in subawards or subcontracts subject to Section 7631(f) (i.e., those to non-U.S. nongovernmental organizations): "By accepting this award, the subrecipient/ subcontractor agrees that it is opposed to the practices of prostitution and sex trafficking because of the psychological and physical risks they pose for women, men, and children."

6. The following definitions apply for purposes of the above provisions:
 - i. "Commercial sex act" means any sex act on account of which anything of value is given to or received by any person.
 - ii. "Prostitution" means procuring or providing any commercial sex act and the "practice of prostitution" has the same meaning.
 - iii. "Sex trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act. 22 U.S.C. 7102(9).

This provision includes express terms and conditions of the award and any violation of it shall be grounds for unilateral termination of the award by (HHS OPDIV) prior to the end of its term.

Any enforcement of this provision is subject to courts' orders in *Alliance for Open Society International v. USAID* (See, e.g., S.D.N.Y. 05 Civ. 8209, Orders filed on January 30, 2015 and June 6, 2017, granting permanent injunction).

Special Provision for HHS Protecting Life in Global Health Assistance is applicable to this award. In accordance with the United States *Protecting Life in Global Health Assistance* policy, a non-governmental organization (NGO) recipient of this award acknowledges that foreign NGOs that receive funds provided through this award, either as a prime recipient or subrecipient, are strictly prohibited, regardless of the source of funds, from performing abortions

as a method of family planning or engaging in any activity that promotes abortion as a method of family planning, or to provide financial support to any other foreign non-governmental organization that conducts such activities. The link to the full text is at:

<https://www.cdc.gov/grants/federal-regulations-policies/index.html>

REPORTING REQUIREMENTS

Reporting of Foreign Taxes: The U.S. Department of State requires that agencies collect and report information on the amount of taxes assessed, reimbursed and not reimbursed by a foreign government against commodities financed with funds appropriated by the U.S. Department of State, Foreign Operations and Related Programs Appropriations Act (SFOAA) of 2011 (United States foreign assistance funds). Outlined below are the specifics of this requirement:

- a. Annual Report. The recipient must submit a report on or before November 16 for each foreign country on the amount of foreign taxes charged, as of September 30 of the same year, by a foreign government on commodity purchase transactions valued at \$500 USD or more financed with United States foreign assistance funds under this grant during the prior United States fiscal year (October 1 - September 30), and the amount reimbursed and unreimbursed by the foreign government. [Reports are required even if the recipient did not pay any taxes during the reporting period.]
- b. Quarterly Report. The recipient must quarterly submit a report on the amount of foreign taxes charged by a foreign government on commodity purchase transactions valued at \$500 USD or more financed with United States foreign assistance funds under this grant. This report shall be submitted no later than two weeks following the end of each quarter: April 15, July 15, October 15 and January 15.
- c. Terms: For purposes of this clause:
 - i. Commodity means any material, article, supplies, goods, or equipment;
 - ii. Foreign government includes any foreign government entity;
 - iii. Foreign taxes means value-added taxes and custom duties assessed by a foreign government on a commodity. It does not include foreign sales taxes.
- d. Where: Submit the reports as a Grant Note in GMM. For information on how to submit a Grant Note, please reference this job aid: <https://www.grantsolutions.gov/support/public/pdf/QuickSheetNotesGrantees.pdf>.
Contents of Reports. The reports must contain:
 - i. recipient name;
 - ii. contact name with phone, fax, and e-mail;
 - iii. agreement number(s) if reporting by agreement(s);
 - iv. reporting period;
 - v. amount of foreign taxes assessed by each foreign government;
 - vi. amount of any foreign taxes reimburse by each foreign government;
 - vii. amount of foreign taxes unreimbursed by each foreign government.
- e. Sub-agreements. The recipient must include this reporting requirement in all applicable subgrants and other sub-agreements.

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
Percy Jernigan, Grants Management Officer/Specialist
Centers for Disease Control and Prevention
Global Health Services Branch
Office: 770-488-2811
Email: ibj7@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))

PROGRAM OR FUNDING GENERAL REQUIREMENTS

PEPFAR Branding: All PEPFAR-funded programs or activities must adhere to PEPFAR branding guidance, which includes guidance on the use of the PEPFAR logo and/or written attribution to PEPFAR. PEPFAR branding guidance can be found at <http://www.pepfar.gov/reports/guidance/branding/index.htm>

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 1 of the Notice of Award must be known in order to draw down funds.

Document Number: 19NU2GGH00217019ACCO	Cambodia
Document Number: 19NU2GGH00217019KECO	Kenya
Document Number: 19NU2GGH00217019MWCO	Malawi
Document Number: 19NU2GGH00217019NACO	Namibia
Document Number: 19NU2GGH002170	HOP Thailand
Document Number: 19NU2GGH00217019UGCO	Uganda
Document Number: 19NU2GGH00217019VNCO	COP Vietnam
Document Number: 19NU2GGH00217020VNGC	Central Initiative Vietnam
Document Number: 19NU2GGH002170 ZACO	Zambia
Document Number: 19NU2GGH002170BUCO	Burndi
Document Number: 19NU2GGH002170	HOP/TLS
Document Number: 19NU2GGH002170	PMTCT
Document Number: 19NU2GGH002170	Royalty

Exchange Rate: All requests for funds contained in the budget, shall be stated in U.S. dollars. Once an award is made, CDC may not compensate foreign recipients for currency exchange fluctuations through the issuance of supplemental awards.

PROGRAM OR FUNDING SPECIFIC CLOSEOUT REQUIREMENTS

The Closeout terms are included in the General Terms and Conditions:

<https://www.cdc.gov/grants/federalregulationspolicies/index.html>.

The final programmatic report format required is the following.

Final Performance Progress and Evaluation Report: This report should include the information specified in the NOFO and is submitted 90 days following the end of the period of performance via www.grantsolutions.gov. At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Additional guidance may be provided by the GMS and found at:

<https://www.cdc.gov/grants/alreadyhavegrant/Reporting.html>

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:

Percy Jernigan, Grants Management Officer/Specialist
Centers for Disease Control and Prevention
Global Health Services Branch
Office: 770-488-2811
Email: ibj7@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:

Emily Stong,
Project Officer
Centers for Disease Control
Telephone: 404.718.8292
Email: wrs8@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:

Tajsha Lashore, Grants Management Officer

Centers for Disease Control and Prevention
Global Health Services Branch
Office: 404.498.5696
Email: okx5@cdc.gov

Cooperative Agreement Number:

Programmatic Budgetary Comments

Note: Programmatic budget restrictions, concerns, and comments should be addressed prior to the award being made. This will take place during the OGS Budget negotiations.

Marked-Up Budget Certification (select one)

This box signifies the Project Officer's official review of the applicant's proposed budget. This check box applies to all awards with new funding. PBEMB will consider this form to be incomplete if this box is left unchecked.

The recommended budget should be outlined in the GMM Budget Markup Spreadsheet for funding actions.

I certify that I support the recipient's proposed categorical budget submitted in this application as it relates to the technical aspects of the project. No changes are required and no restrictions are recommended.

I wish to make changes to the recipient's proposed categorical budget.

- *If additional space is needed to justify the recommended funding amount, please use this space below to provide detailed comments for the recipient:*

(Please use bullets and reference your comments with page numbers from the recipient budget)

International Travel: Current COVID-19 pandemic is likely to affect international travel this grantee will need to work with CDC Uganda to redirect funds towards other under funded priorities.

Programmatic Restrictions:

Indicate programmatic restrictions in table below (if applicable): Do not put potential human subjects or IRB restrictions or conditions in this section:

PLEASE NOTE BEFORE COMPLETING RESTRICTIONS:

- Recipients are not always funded at the level of the approved budget period ceiling, generally due to delays in CDC’s receipt of funds. As such, **do not penalize recipients for not completing unfunded activities.**
- When possible, the response to TR should be used as a management tool, as opposed to restricting funds. **Funds should only be restricted when absolutely necessary.**
- **REMEMBER:** Only include programmatic restrictions that should be put in place for the funding components that will be awarded at this time. If future restrictions are needed, they can be added once future funding components are awarded.

Object Classification	Programmatic Restriction Amount
Personnel	\$
Fringe Benefits	\$
Travel	\$
Equipment	\$
Supplies	\$
Contractual	\$
Facilities/Construction	\$
Other	\$
Total	\$ 0

If additional space is needed to justify the programmatic restrictions, please use this space below to provide detailed comments for the recipient:

(Please use bullets and reference your comments with page numbers from the recipient budget)

Cooperative Agreement Number:

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(Please use bullets and reference your comments with page numbers from the recipient budget)

As discussed previously, please clarify how \$140,000 USD can be aligned to support unique patient identifier development as part of recency activities.

Please budget for more cluster response investigations and routine data review with all HIV programmes.

Programmatic Restrictions:

Indicate programmatic restrictions in table below (if applicable): Do not put potential human subjects or IRB restrictions or conditions in this section:

PLEASE NOTE BEFORE COMPLETING RESTRICTIONS:

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Supplies	\$
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Other	\$
Total	\$ 0

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(Please use bullets and reference your comments with page numbers from the recipient budget)

Cooperative Agreement Number:

Programmatic Budgetary Comments

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I wish to make changes to the recipient's proposed categorical budget.

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(Please use bullets and reference your comments with page numbers from the recipient budget)

- At least one named staff may no longer be an employee of Global Programs in Kenya (Daniel Fedha). Update the staffing as applicable to best of knowledge at present.

- The budget is split into Component 6 (Q1&Q2) and Component 7 (Q3 & Q4). Within each component staff time is multiplied over 12 months. Why is this the case if the budget was only covering 6 months for each component? If we are covering a staff fully under this project, then shouldn't it be 100% for 6 month in both components for a total of 12 months staff support? Same applies for other LOE. Some staff appear to be correct in total, others appear to have doubled the salary amount. Example: Mary Mwangome was requested at 10% for 12 months, however she appears in both component budgets. Caroline Thaluliba was requested at 100% for 12 months, and appears as 50% in both components, which does add up to 100% of the salary. Revise the budget for Component 6 and 7 to reflect spending occurring in each quarterly in correct proportions, for staffing and activities.

- Similar to the staffing comment above, some activities are budgeted twice in Component 6 and 7, e.g. CHMT, CHD meetings, Trainings, Site Activations. These are budgeted at the full coverage needed overall in both components. In addition, the factor used is 35 counties, which was based on best available estimates at the time of writing. It is now more likely that no recency surveillance will have begun in FY20, therefore the FY21 budget should be for 40 counties. Revise the budget for Component 6 and 7 to reflect spending occurring in each quarterly in correct proportions, for staffing and activities. Revise the # county multiplier to 40 counties given low likelihood of starting even 5 counties FY20. If some are started then we will build on that in FY21.

- International travel appears in both Component 6 & 7, which could be okay however there is a low likelihood of "normal" international travel in FY21 therefore the number of trips could be reduced and furthermore there is no description of the trip purpose or traveler. Reduce the planned number of international trips and provide description of trip purpose/traveler proposed.

- Travel - Please provide the breakdown of \$31,315 allocated for local travel in the same way you have provided breakdown for the other travels.

- Under the other budget category you have included an allocation for Global Programs Kenya Rent at \$200pp/month but the totals are \$9,720. How are you arriving at this figure.

Programmatic Restrictions:

Indicate programmatic restrictions in table below (if applicable): Do not put potential human subjects or IRB restrictions or conditions in this section:

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- When possible, the response to TR should be used as a management tool, as opposed to restricting funds. **Funds should only be restricted when absolutely necessary.**
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Personnel	\$
Fringe Benefits	\$
Travel	\$
Equipment	\$
Supplies	\$
Contractual	\$
Facilities/Construction	\$
Other	\$
Total	\$ 0

If additional space is needed to justify the programmatic restrictions, please use this space below to provide detailed comments for the recipient:

(Please use bullets and reference your comments with page numbers from the recipient budget)

Cooperative Agreement Number:

Programmatic Budgetary Comments

Note: Programmatic budget restrictions, concerns, and comments should be addressed prior to the award being made. This will take place during the OGS Budget negotiations.

Marked-Up Budget Certification (select one)

This box signifies the Project Officer's official review of the applicant's proposed budget. This check box applies to all awards with new funding. PBEMB will consider this form to be incomplete if this box is left unchecked.

The recommended budget should be outlined in the GMM Budget Markup Spreadsheet for funding actions.

I certify that I support the recipient's proposed categorical budget submitted in this application as it relates to the technical aspects of the project. No changes are required and no restrictions are recommended.

I wish to make changes to the recipient's proposed categorical budget.

- *If additional space is needed to justify the recommended funding amount, please use this space below to provide detailed comments for the recipient:*

(Please use bullets and reference your comments with page numbers from the recipient budget)

- Component 1 & 2 budgets appear to be identical. Within each component staff time is multiplied over 12 months. This doesn't make sense, one would expect each Component to represent 6 months. Please resubmit HOP budget totaling \$2M, not budgeting for the same items twice.
- How will COVID-19 impact YR3 budget? Given that many recency activities have been scaled down or paused and travel is restricted, consider whether HQ staff time/salaries and travel and other aspects of budget need to be modified.
- \$100,000 has been approved from HOP funding as Offset for Thailand needs. The intent is to avoid a disruption of services. Once the country team has approval from OGAC, the Thailand ROP funds can be carried over.

Programmatic Restrictions:

Indicate programmatic restrictions in table below (if applicable): Do not put potential human subjects or IRB restrictions or conditions in this section:

PLEASE NOTE BEFORE COMPLETING RESTRICTIONS:

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Object Classification	Programmatic Restriction Amount
Personnel	\$
Fringe Benefits	\$
Travel	\$
Equipment	\$
Supplies	\$
Contractual	\$
Facilities/Construction	\$
Other	\$
Total	\$ 0

If additional space is needed to justify the programmatic restrictions, please use this space below to provide detailed comments for the recipient:

(Please use bullets and reference your comments with page numbers from the recipient budget)