



## UTAH DEPARTMENT OF HEALTH CONTRACT AMENDMENT

PO Box 144003, Salt Lake City, Utah 84114  
288 North 1460 West, Salt Lake City, Utah 84116

2121903  
Department Log Number

212700251  
State Contract Number

1. **CONTRACT NAME:** The name of this contract is Tooele County Health Department Tobacco Contract FY21-FY25 Amendment 2.
2. **CONTRACTING PARTIES:** This contract amendment is between the Utah Department of Health (DEPARTMENT) and Tooele County Health Department (CONTRACTOR).
3. **PURPOSE OF CONTRACT AMENDMENT:** update workplan activities and add funding (\$296,177.65) for the FY22 state fiscal year.
4. **CHANGES TO CONTRACT:**
  1. Attachment B Special Provisions FY21-FY25 Amendment 2, effective 7/1/21, is replacing the Special Provisions dated 3/1/2021. Funding amounts have been established and the activities listed in Section IV Services have been updated.
  2. The contract amount is being changed. The original amount was \$295,791.65 (FY21 total funding). The funding amount will be increased by \$296,177.65 (FY22 total funding). New total funding is \$591,969.30 (FY21 + FY22 total funding). This total does not affect any previous year's contract or amendment amount.

DUNS: 094650249

Indirect Cost Rate: 0%

Add

Federal Program Name:	CDC-RFA-DP20-2001: National State Based Tobacco Control Program	Award Number:	5 NU58DP006806-02-00
Name of Federal Awarding Agency:	Centers for Disease Control and Prevention (CDC)/ Agency for Toxic Substances and Disease Registry (ATSDR)	Federal Award Identification Number:	NU58DP006806
CFDA Title:	NATIONAL STATE TOBACCO CONTROL PROGRAM	Federal Award Date:	4/21/2021

CFDA Number:	93.387	Funding Amount:	\$36052.00
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All other conditions and terms in the original contract and previous amendments remain the same.

5. EFFECTIVE DATE OF AMENDMENT: This amendment is effective 07/01/2021
  
6. DOCUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT ATTACHED:
  - A. All other governmental laws, regulations, or actions applicable to services provided herein.
  - B. All Assurances and all responses to bids as provided by the CONTRACTOR.
  - C. Utah Department of Health General Provisions and Business Associate Agreement currently in effect until 6/30/2023.
  
7. This contract, its attachments, and all documents incorporated by reference constitute the entire agreement between the parties and supersedes all prior written or oral agreements between the parties relating to the subject matter of this contract.

Contract with Utah Department of Health and Tooele County Health Department, Log # 2121903

IN WITNESS WHEREOF, the parties enter into this agreement.

CONTRACTOR

STATE

By: Jeff B. Coombs 8-6-21  
Jeff Coombs Date  
Health Officer

By: Shari A. Watkins 8/9/2021  
Shari A. Watkins, C.P.A. Date  
Director, Office Fiscal Operations

## ATTACHMENT B

### FY21 – FY25 AMENDMENT 2

#### SPECIAL PROVISIONS:

##### I. PARTIES

- A. This contract is between the Tobacco Prevention and Control Program acting by and through the Utah Department of Health, hereinafter referred to as "DEPARTMENT," and the Tooele County Health Department, hereinafter referred to as "SUB-RECIPIENT." Together the DEPARTMENT and the SUB-RECIPIENT shall be referred to as the "Parties".

##### II. DEFINITIONS

- A. Department means the Utah Department of Health.
- B. "SUB-RECIPIENT" means the Tooele County Health Department and the "Grantee" as defined and described in the agreement between the parties titled "Utah Department of Health General Provisions Business Associate Agreement" currently in effect until 6/30/2023.
- C. CDC means the Center for Disease Control and Prevention.
- D. MSA Grant Funding means funding allocated from the Master Settlement Agreement to the Tobacco Prevention and Control Program.
- E. CDC Funds mean funding that is awarded to the Tobacco Prevention and Control Program from the Center for Disease Control and Prevention.
- F. Tax Fund means funding that is allocated to the Tobacco Prevention and Control Program from the State Tobacco Tax.
- G. Catalyst means a web-based innovative technological solution that easily manages the collaborative linkages between evaluation, work plans, logic models, strategic/state plans, and other management documents. Catalyst is the reporting tool used by the Parties to determine progress in achieving the responsibilities of this contract.
- H. Compliance Checks mean routine checks of retailers conducted by the SUB-RECIPIENT where underage buyers attempt to purchase tobacco.
- I. TPCP means Tobacco Prevention and Control Program.

##### III. PAYMENTS

- A. The DEPARTMENT agrees to reimburse the SUB-RECIPIENT up to a maximum total of \$296,177.65 for expenditures in accordance to the funding categories listed below in Part B. The amount reimbursed is based on the number of services provided by the SUB-RECIPIENT as reported each month on the Monthly Expenditure Report submitted to the DEPARTMENT.
- B. The amounts listed below are the maximum amount the DEPARTMENT can reimburse the SUB-RECIPIENT. Funds can only be expended as follows:
  - 1. \$36,052.00 is available from the Comprehensive Tobacco (CDC) Grant for the Period of Performance of July 1, 2021 – June 30, 2022 (4378).



- a. Budget Period: July 1, 2021 – April 28, 2022 is \$30,043.34  
Budget Period: April 29, 2022 – June 30, 2022 is \$6,008.66
  - b. The source of funding is provided from the following program:  
Federal Award Project Title: CDC-RFA-DP20-2001: National and State Tobacco Control Program  
Federal Agency: Centers for Disease Control and Prevention (CDC)/ Agency for Toxic Substances and Disease Registry (ATSDR)  
Award Number: 5 NU58DP006806-02-00  
Assistance Listing Program Title: National and State Tobacco Control Program  
Assistance Listing Number: 93.387  
Assistance Listing Amount: \$ 1,256,406.00  
DUNS Number: 1424709  
Federal Award Date: 4/21/2021  
Indirect Cost Rate: 0%
  - c. Reimbursement shall be provided for expenditures directly related to activities set forth in Section IV excluding direct service activities. Direct service activities include, but are not limited to, objectives identified in Section IV as:
    - i. Compliance Checks
    - ii. Tobacco Retail Permitting
    - iii. Combined Retail Inspection – Observational Survey & E-Cigarette Inspection Materials
    - iv. UICAA
  - d. Closeout: SUB-RECIPIENT must submit to the pass-through entity, no later than 90 calendar days after the end date of the period of performance, all financial, performance and other reports as required by the terms and conditions of the Federal award.
2. \$82,686.00 is available from the state funded Tax Fund and MSA Grant for the period of July 1, 2021 - June 30, 2022 (4377 & 4379) and shall be allocated in accordance to the following:
    - a. Up to \$8,299.00 shall be reimbursed for Compliance Checks. The DEPARTMENT agrees to reimburse the SUB-RECIPIENT \$ 96.50 per compliance check. The compliance checks will be completed consistent with the activity found in Section IV, objective identified as Compliance Checks.
    - b. The remaining \$74,387.00 funds shall not be used for Compliance Checks, but may be used for any of the remaining objectives described in Section IV.
  3. \$70,975.86 is available from the state funded Electronic Cigarette Substance and Nicotine Product Tax Restricted Account for the period of July 1, 2021 - June 30, 2022 (4383) and shall use the money received in accordance with Utah Code 59-14-807 Subsection (3)(a) for enforcing:
    - a. The regulation provisions described in Section 26-57-103;
    - b. The labeling requirement described in Section 26-57-104; and
    - c. The penalty provisions described in Section 26-62-305.

4. \$106,463.79 is available from the state funded Electronic Cigarette Substance and Nicotine Product Tax Restricted Account for the period of July 1, 2021 - June 30, 2022 (4383) and shall be allocated in accordance with Subsection (3)(d) to issue grants under the Electronic Cigarette, Marijuana, and Other Drug Prevention Grant Program created in Utah Code 26A-1-129.

#### IV. SERVICES

The SUB-RECIPIENT shall participate in all of the following activities in accordance with the funding provided as outlined in Section III.

<i>Activity Title</i>	<i>SMART Objective</i>
Continuing Education	By June 30, 2022 1 staff funded by tobacco will attend at least 1 TPCP training per quarter.
Pilot Project	By June 30, 2022 will work with community coalition for prevention, since we work on the same risk and protective factors.
Priority Populations	By June 30, 2022 a priority population will be identified and a plan to collaborate with those populations will be developed.
Tobacco Retail Permitting	By June 30, 2022 ensure that 100% of retailers are permitted.
Compliance Checks	By June 30, 2022 2 tobacco compliance checks will be completed in each tobacco retail outlet.
Retail Education	By June 30, 2022 ensure that 100% of retailers are provided education materials.
Combined Retail Inspection – Observational Survey & E-Cigarette Inspection Materials	By June 30, 2022 conduct combined survey and inspections in 43 retailers.
School Policy	By June 30, 2022 provide resources, training and technical assistance to 1 school(s) to implement, improve and/or maintain comprehensive policies.  Connect 9 schools to evidence based prevention and cessation resources.
CBO Partnership	By June 30, 2022, establish 1 partnership with community based organizations.
Dental Partnerships	By June 30, 2022 collaborate with 5 dental professionals to screen for tobacco use and dependence when interacting with youth and young adults.
Youth Groups	By June 30, 2022 lead a local youth coalition in advocating for tobacco use prevention policies and programs.
Age 21 Law	By June 30, 2022 educate 7 municipalities and 100% retailers on both federal and state age 21 law. Educate the public where appropriate.
Quit Services	By June 30, 2022 increase Quit Line registered calls in local area from 66 in FY20 to 70 and E-Coach registered members from 46 in FY20 to

	50.
Low Income Cessation Services	By June 30, 2022 work with 3 local services that are utilized by low income individuals to promote tobacco cessation programs.
Healthcare Professionals	By June 30, 2022 provide training to 6 healthcare providers on culturally appropriate and evidence based practices for treating tobacco use and nicotine dependence.
Low Income MUH Policy	By June 30, 2022 provide resources, training & technical assistance to 1 low income MUH properties to implement, improve and/or maintain comprehensive policies.
MUH Policy	By June 30, 2022 provide resources, training & technical assistance to 1 MUH properties to implement, improve and/or maintain comprehensive policies.
Public Housing Rule	By June 30, 2022 collaborate with 1 local public housing authority(ies) to improve compliance with the HUD Smoke-Free Public Housing Rule.
Worksite Policy	By June 30, 2022 work with 1 worksites to utilize the CDC Worksite Health ScoreCard to implement, improve or maintain environmental and employee policies.
UICAA	By June 30, 2022 respond to 100% of UICAA complaints and provide education, signage and materials as appropriate.

#### **V. REPORTS**

- A. The SUB-RECIPIENT shall report on the progress report measures for each of their work plan activities as listed in Section IV, in the Catalyst web-based application system. Progress reports shall be submitted quarterly by the 15<sup>th</sup> of October, January, April, and July.

#### **VI. UTAH DEPARTMENT OF HEALTH PROGRAM ROLE**

- A. The DEPARTMENT through its Tobacco Prevention and Control Program agrees to provide written confirmation of receipt of reports within 10 working days.
- B. The DEPARTMENT through its Tobacco Prevention and Control Program agrees to provide written feedback on results/progress within 20 working days of receipt of report.
- C. The DEPARTMENT through its Tobacco Prevention and Control Program agrees to provide training and technical assistance as requested/needed.
- D. The DEPARTMENT through its Tobacco Prevention and Control Program agrees to conduct one (1) site visit during the contract period as mutually agreed upon times with jointly developed agenda during contract period.

#### **VII. MEDIA**

- A. When SUB-RECIPIENT has a DEPARTMENT approved media campaign in their jurisdiction, SUB-RECIPIENT staff will conduct that campaign according to the Utah Department of Health "Way To Quit Brand Guidelines." Media campaigns include: Public Service Ad (PSAs) scripts, produced PSAs, websites specifically created and included in SUB-RECIPIENT proposal for designated programming (not to include general SUB-RECIPIENT websites), brochures, flyers, posters, advertisements, incentive items and other marketing materials as detailed in the approved plan. SUB-RECIPIENT proposals must include media campaign deadlines that are subject to approval by the appropriate program staff.

#### **VIII. ADMINISTRATIVE REQUIREMENTS**



- A. SUB-RECIPIENT staff shall participate in at least one (1) site visit with Utah Department of Health program staff.
- B. SUB-RECIPIENT staff will attend at least one (1) Tobacco Prevention & Control Program training per quarter.
- C. SUB-RECIPIENT will collaborate with and coordinate program evaluation with the external evaluator contracted by the Department.
- D. SUB-RECIPIENT will separately track and report expenses for Compliance Checks which includes Retailer Education as part of the annual enforcement budget. Enforcement budget will be submitted annually or as requested by TPCP.



