



Agenda
Health & Human Development Committee
Regular Meeting
St. Louis Board of Aldermen
Thursday, January 15, 2026 - 9:00 AM
Kennedy Room

President Megan Green
Alderwoman Pamela Boyd, Chair
Alderman Thomas Oldenburg, Vice Chair
Committee Members:
Alderwoman Sharon Tyus
Alderwoman Alisha Sonnier

Order of Business

I. Call to Order

II. Roll Call

III. Approval of Minutes

Minutes of the Tuesday, December 16, 2025, committee meeting

IV. Board Bills for Review

(The committee will discuss the following and take public comment on the following)

Item Number 1

Board Bill Number 124

Introduced by Alderwoman Sonnier

An ordinance recommended by the Board of Estimate and Apportionment authorizing the Commissioner of the Department of Health or her designee, on behalf of the City of St. Louis, to enter in the FY 2024 State Crisis Intervention Program Subaward Agreement and to accept funds awarded; appropriating said funds in the amount of up to Two Hundred Fifty-Five Thousand One Hundred Fifteen Dollars and Sixty-Nine Cents (\$255,115.69); and authorizing the Department of Health to expend the appropriated funds for allowed purposes; and containing an emergency clause.

V. Resolutions for Review

None

VI. Committee Discussions

(The committee will discuss the following and take public comment on the following)

Discussions Item Number 1

Mayoral Appointments to Mental Health Board

The committee will discuss the Mayoral re- appointments to the Mental Health Board:

Andrea Blaylock

VII. Acknowledgment of Any Written Testimony

VIII. Announcements

IX. Excused Members

X. Adjournment

Summary
Board Bill Number 124
Introduced by Alderwoman Alisha Sonnier
January 9, 2026

This Board Bill recommended by the Board of Estimate and Apportionment authorizes the Commissioner of the Department of Health or her designee, on behalf of the City of St. Louis, to enter in the FY 2024 State Crisis Intervention Program Subaward Agreement to accept funds awarded; appropriates said funds in the amount of Two Hundred Fifty-Five Thousand One Hundred Fifteen Dollars and Sixty-Nine Cents (\$255,115.69); authorizes the Department of Health to expend the appropriated funds for the allowed purposes; and contains an emergency clause.

BOARD BILL NUMBER 124 INTRODUCED BY ALDERWOMAN ALISHA SONNIER

1 An ordinance recommended by the Board of Estimate and Apportionment authorizing the
2 Commissioner of the Department of Health or her designee, on behalf of the City of St. Louis, to
3 enter in the FY 2024 State Crisis Intervention Program Subaward Agreement and to accept funds
4 awarded; appropriating said funds in the amount of up to Two Hundred Fifty-Five Thousand One
5 Hundred Fifteen Dollars and Sixty-Nine Cents (\$255,115.69); and authorizing the Department of
6 Health to expend the appropriated funds for allowed purposes; and containing an emergency
7 clause.

8 **WHEREAS**, the State Crisis Intervention Program is administered by the U.S. Department
9 of Justice, Office of Justice Programs, and Bureau of Justice Assistance; and

10 **WHEREAS**, the Crisis Intervention Program Grant is available to local governments
11 through the Missouri Department of Public Safety; and

12 **WHEREAS**, the City of St. Louis has applied for and has been awarded the FY 2024 State
13 Crisis Intervention Program Grant in the amount of Two Hundred Fifty-Five Thousand One
14 Hundred Fifteen Dollars and Sixty-Nine Cents (\$255,115.69) from the Missouri Department of
15 Public Safety (the “CIPG Award”).

16 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

17 **SECTION ONE.** The Commissioner of the Department of Health or her designee is hereby
18 authorized, on behalf of the City of St. Louis, to enter into the FY 2024 State Crisis Intervention
19 Program Subaward Agreement to accept the CIPG Award. Said Agreement shall be in
20 substantially the same form as the State Crisis Intervention Program Subaward Agreement
21 attached hereto as **Attachment A** and incorporated herein. The Commissioner of the Department
22 of Health or her designee is hereby authorized to make, negotiate, and execute any and all contracts
23 or other documents on behalf of the City as necessary or appropriate to receive the CIPG Award.

BOARD BILL NUMBER 124 INTRODUCED BY ALDERWOMAN ALISHA SONNIER

1 **SECTION TWO.** There is hereby appropriated the sum of up Two Hundred Fifty-Five Thousand
2 One Hundred Fifteen Dollars and Sixty-Nine Cents (\$255,115.69) in CIPG Award funds, solely
3 to the extent received, for the purposes allowed under the State Crisis Intervention Program
4 Subaward Agreement, which shall include funding for the Problem Properties Unit of the City
5 Counselor’s office to add up to three full-time personnel (two social worker case managers – Client
6 Service Coordinator I; and one full-time supervisory level social worker - Client Service
7 Coordinator II). Said personnel shall be assigned tasks consistent with the authorized purpose of
8 the CIPG Award, including but not limited to: developing processes and partnerships to connect
9 both nuisance actors and those in crisis to risk factor mitigating resources; engaging nuisance
10 offenders during the pre-arrest phase through pre-trial diversion; providing case management
11 services in order to track the use of referrals as well as regularly evaluate the effectiveness of the
12 Crisis Intervention Program on reducing re-offense among nuisance properties and offenders,
13 where often times gun related violence occurs; and providing screening, assessment, referral, and
14 follow-up services for people in crisis at the Special Assistance Docket, with an emphasis on
15 successful diversion results. The Commissioner of the Department of Health or her designee is
16 authorized and directed to oversee the administration of the CIPG Award, to transfer to the City
17 Counselor’s Office the portion of the CIPG Award funds necessary to support the personnel added
18 under this Section, and execute any other documents on behalf of the City to expend such funds,
19 and to expend such funds for allowed purposes. The Comptroller is authorized and directed to
20 issue warrants upon the City Treasury for payment of all expenditures authorized in this Section
21 provided that such warrants do not exceed the total amount of funds appropriated by this Section.

BOARD BILL NUMBER 124 INTRODUCED BY ALDERWOMAN ALISHA SONNIER

1 **SECTION THREE.** Emergency Clause. This being an ordinance for the preservation of the
2 public peace, health and safety, it is hereby declared to be an emergency measure within the
3 meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis, and therefore,
4 this ordinance shall become effective immediately upon its passage and approval by the Mayor.

BOARD BILL 124

FISCAL NOTE

Preparer's Name Craig Schmid

Phone Number or Email Address (will be available publicly) (314) 657-1534

Bill Sponsor Alderwoman Sonnier

Bill Synopsis:	<p>This Board Bill authorizes the Department of Health (the “DOH”) to accept a State Crisis Intervention Program Grant (CIPG) award of up to \$255,115.69 from the Missouri Department of Public Safety for the purpose of working with the Law Department of the City of St. Louis to hire three (3) full-time personnel (two (2) social worker case managers – Client Service Coordinator I; and one (1) full-time supervisory master’s level social worker - Client Service Coordinator II) who will develop processes and partnerships to connect both nuisance actors and those in crisis to risk factor mitigating resources, engaging nuisance offenders during the pre-arrest phase through pre-trial diversion; appropriating such funds to the Department of Health; authorizing the expenditure of such funds to fulfill the obligations of said grant; authorizing contracts and other documents to expend such funds, to the extent received; and containing an emergency clause</p>
Type of Impact:	<p>This is a State Crisis Intervention Program Grant award of up to \$255,115.69 from the Missouri Department of Public Safety for the purpose of working with the Law Department of the City of St. Louis to hire three (3) full-time personnel (two (2) social worker case managers – Client Service Coordinator I; and one (1) full-time supervisory master’s level social worker - Client Service Coordinator II) who will develop processes and partnerships to connect both nuisance actors and those in crisis to risk factor mitigating resources, engaging nuisance offenders during the pre-arrest phase through pre-trial diversion; provide case management in order to track the use of referrals as well as regularly evaluate the effectiveness of this program on reducing re-offense among nuisance properties and offenders, where often times gun related violence occurs; and provide screening, assessment, referral, and follow-up services for people in</p>

	crisis at the Special Assistance Docket, with an emphasis on successful diversion results
Agencies Affected:	Department of Health (the “DOH”) and Department of Law (the “DOL”)

SECTION A

Does this bill authorize:

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? ___X___Yes ___No
Costs covered entirely by CIPG award
- An undertaking of a new service for which no funding is provided in the current adopted city budget? _X___Yes ___No
Costs covered entirely by CIPG award
- A commitment of city funding in the future under certain specified conditions? ___Yes X___No
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget? ___Yes X___No
- An execution or initiation of an activity as a result of federal or state mandates or requirements? ___Yes X___No
- A capital improvement project that increases operating costs over the current adopted city budget? ___Yes X___No
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? ___Yes X___No

If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill. Complete Section B of the form below.

SECTION B

- Does the bill require the construction of any new physical facilities? ___Yes X___No
 - If yes, describe the facilities and provide the estimated cost:

- Is the bill estimated to have a direct fiscal impact on any city department or office? Yes No

- If yes, explain the impact and the estimated cost:

- Does the bill create a program or administrative subdivision? Yes No

- If yes, then is there a similar existing program or administrative subdivision?

Yes No

- If yes, explain the how the proposed programs or administrative subdivisions may overlap:

- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources: NA

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

Financial Estimate of Impact on General Fund			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	0	0	0
Additional Revenue	0	0	0
Net	0	0	0
Financial Estimate of Impact on Special Funds			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	0	0	0
Additional Revenue	0	0	0
Net	0	0	0

- Describe any assumptions used in preparing this fiscal note:
 Acceptance and expenditure of grant funds for the purposes authorized only.

- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note:

- Have the financial estimates of this bill been verified by the City Budget Division?
 _____ Yes X No
 - If yes, by whom? _____ .

MIKE KEHOE
Governor

MARK S. JAMES
Director



Lewis & Clark State Office Bldg.
Mailing Address: P.O. Box 749
Jefferson City, MO 65101-0749
Telephone: (573) 751-4905
Fax: (573) 751-5399

STATE OF MISSOURI
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DIRECTOR

October 27, 2025

Darlene Green, Comptroller
Department of Health - City of St. Louis
1520 Market St.
St. Louis, Missouri 63103

Award Number: 15PBJA-24-GG-02925-BSCI-02
Award Amount: \$255,115.69

Dear Ms. Green:

Thank you for applying for the FY 2024 State Crisis Intervention Program (SCIP). Your application has been approved for funding as listed above.

Enclosed is the FY 2024 SCIP Subaward Agreement. The Missouri Department of Public Safety (DPS)/Office of Homeland Security (OHS) asks you to carefully review and sign the documentation provided. By signing the Subaward Agreement and initialing each page of the Articles of Agreement and Special Conditions, you are certifying your acceptance of the agreement conditions. Once signed and initialed, please return the documents to our office via email.

Should you have questions or need additional information, do not hesitate to contact Maggie Glick at (573) 526-3510 or Maggie.Glick@dps.mo.gov.

Sincerely,

A handwritten signature in black ink that reads "Joni McCarter". The signature is written in a cursive, flowing style.

Joni McCarter, Program Manager
Missouri Department of Public Safety
Office of Homeland Security

The Missouri Department of Public Safety is an equal opportunity employer and agency. Those with limited English proficiency or who need auxiliary aids or other services can contact dpsinfo@dps.mo.gov. For Relay Missouri, please dial 711. For TTY/TDD please dial (800) 735-2966.

SUBAWARD AGREEMENT

P.O. Box 749, Jefferson City, MO 65101
 Telephone: 573-522-6125 Fax: 573-526-9012

DATE 10/27/2025	
FEDERAL IDENTIFICATION NUMBER 15PBJA-24-GG-02925-BSCI	CONTROL NUMBER 02

SUBRECIPIENT NAME Department of Health - City of St. Louis		UEI Number GQFJWBEUYBU1	
ADDRESS 1520 Market St.			
CITY St. Louis	STATE Missouri	ZIP CODE 63103	
TOTAL AMOUNT OF THE FEDERAL AWARD \$255,115.69		AMOUNT OF FEDERAL FUNDS OBLIGATED BY THIS ACTION \$255,115.69	
TOTAL AMOUNT OF FEDERAL FUNDS OBLIGATED TO THE SUBRECIPIENT \$255,115.69		TOTAL APPROVED COST SHARING OR MATCHING \$0.00	
PROJECT PERIOD FROM 10/01/2025	PROJECT PERIOD TO 06/30/2027	FEDERAL AWARD DATE 09/26/2024	
PROJECT TITLE FY 2024 SCIP - Department of Health - City of St. Louis		FUNDED BY FY 2024 State Crisis Intervention Program (SCIP)	
FEDERAL AWARDDING AGENCY Department of Justice	PASS THROUGH ENTITY Missouri Department of Public Safety	IS THIS AWARD R&D YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	INDIRECT COST RATE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> AMOUNT
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 16.738		METHOD OF PAYMENT (Reimbursement -- Advanced) Reimbursement	

CONTACT INFORMATION

DPS GRANT SPECIALIST		SUBRECIPIENT PROJECT DIRECTOR	
NAME Maggie Glick		NAME Matifadza Hlatshwayo Davis, Director of Health	
E-MAIL ADDRESS Maggie.Glick@dps.mo.gov		ADDRESS (If different from above) 1520 Market St.	
TELEPHONE (573) 526-3510		CITY, STATE AND ZIP CODE St. Louis, Missouri 63103	
PROGRAM MANAGER Joni McCarter	TELEPHONE 314-657-1290	E-MAIL ADDRESS hlatshwayo-davism@stlouis-mo.gov	

SUMMARY DESCRIPTION OF PROJECT
 Prevent or reduce crime and violence, with a particular focus on gun related violence and the programs and initiatives that target the risk factors that are likely to lead to this kind of violence. The funding will provide funding for communications, education and awareness for outreach to communities for state agencies regarding the creation and/or implementation of state crisis intervention court proceedings, and related gun violence reduction programs/initiatives.

AWARDING AGENCY APPROVAL

SUBRECIPIENT AUTHORIZED OFFICIAL

TYPED NAME AND TITLE OF DPS OFFICIAL Mark S. James, Director		TYPED NAME AND TITLE OF SUBRECIPIENT AUTHORIZED OFFICIAL Darlene Green, Comptroller	
SIGNATURE OF APPROVING DPS OFFICIAL	DATE	SIGNATURE OF SUBRECIPIENT AUTHORIZED OFFICIAL	DATE

THIS SUBAWARD IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS SUBAWARD AGREEMENT THE SUBRECIPIENT IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.

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Article 1 – Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this subaward from OJP.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the subaward that the subrecipient must retain - typically for a period of 3 years from the date of submission of the final expenditure report, unless a different retention period applies -- and to which subrecipient must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that a subaward-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the subrecipient is to contact the DPS/OHS/OJP promptly for clarification.

Article 2 – Assessments, National Evaluation Efforts, or Information or Data Collection

The subrecipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

Article 3 – Authorized Representative

The subrecipient understands that, in accepting this subaward, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the subaward on behalf of the subrecipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this subaward. The subrecipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the subaward without first ensuring that the individual has the requisite legal authority.

Article 4 – Avoidance of Duplication of Networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subrecipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

Article 5 – Behavioral Health Crisis Care Program

The subrecipient understands and agrees to operate any behavioral health crisis care program funded under this subaward in accordance with the Substance Abuse and Mental Health Services

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Administration National Guidelines for Behavioral Health Crisis Care:

<https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisiscare-02242020.pdf>.

Article 6 - Body Armor – Compliance with NIJ Standards and Other Requirements

Ballistic-resistant and stab-resistant body armor purchased with subaward funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>. In addition, if the subrecipient uses funds under this subaward to purchase body armor, the subrecipient must have a “mandatory wear” policy for all uniformed officers while on duty. The subrecipient will be required to forward a copy of such policy to the DPS/OHS at the time of claim submission.

Article 7 – Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this subaward, the subrecipient must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the subrecipient may be fined as per 34 U.S.C. 10231(c)-(d). The subrecipient may not satisfy such a fine with federal funds.

Article 8 - Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The subrecipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The subrecipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this subaward, the subrecipient is to contact the DPS/OHS for guidance.

Article 9 – Compliance with Applicable Rules Regarding Approval, Planning, and Reporting of Conferences, Meetings, Trainings, and Other Events

The subrecipient, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing

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the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this subaward appears in the DOJ Grants Financial Guide (currently, as section 3.10 of “Postaward Requirements” in the “DOJ Grants Financial Guide”).

Article 10- Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the “DOJ Grants Financial Guide” available at <https://www.ojp.gov/financialguide/DOJ/Indes.htm>), including any updated version that may be posted during the period of performance. The subrecipient agrees to comply with the DOJ Grants Financial Guide.

Article 11 – Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination – 28 C.F.R. Part 38

The subrecipient, must comply with all applicable requirements of 28 C.F.R. Part 38.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to subrecipient organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to subrecipients that are faith-based or religious organizations.

Subrecipients that provide social services under this subaward must give written notice to beneficiaries and prospective beneficiaries prior to the provision of services (if practicable) which shall include language substantially similar to the language in 28 CFR Part 38, Appendix C, sections (1) through (4). A sample written notice may be found at <https://www.ojp.gov/program/civil-rights-office/partnerships-faith-based-and-other-neighborhood-organizations>.

In certain instances, a faith-based or religious organization may be able to take religion into account when making hiring decisions, provided it satisfies certain requirements. For more information, please see <https://www.ojp.gov/funding/explore/legaloverview2024/civilrightsrequirements>.

Article 12 – Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination- 28 C.F.R. Part 42

The subrecipient, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

Among other items, 28 C.F.R. § 42.106(d), 28 C.F.R. § 42.405(c), and 28 C.F.R. § 42.505(f) contain notice requirements that covered subrecipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

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Article 13 – Compliance with DOJ Regulations Pertaining to Civil Rights and Nondiscrimination – 28 C.F.R Part 54

The subrecipient must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

Among other items, 28 C.F.R. § 54.140 contains notice requirements that covered subrecipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

Article 14 – Compliance with General Appropriations-Law Restrictions on the Use of Federal Funds (FY2024)

The subrecipient, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations act are indicated at <https://www.ojp.gov/funding/Explore/FY24AppropriationsRestrictions.htm> and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a subrecipient would or might fall within the scope of an appropriations-law restriction, the subrecipient is to contact the DPS/OHS/OJP for guidance, and may not proceed without the express prior written approval of the DPS/OHS/OJP.

Article 15 – Compliance with National Environmental Policy Act and Related Statues

Upon request, the subrecipient must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these subaward funds, directly by the subrecipient. Accordingly, the subrecipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the subaward, the subrecipient agrees to contact BJA.

The subrecipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these subaward funds. That is, as long as the activity is being conducted by the subrecipient, or any third party, and the activity needs to be undertaken in order to use these subaward funds, this condition must first be met. The activities covered by this condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

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- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The subrecipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The subrecipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bjg.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Subrecipient's Existing Programs or Activities: For any of the subrecipient's or its subrecipients' existing programs or activities that will be funded by these subaward funds, the subrecipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

Article 16 – Compliance with Restrictions on the Use of Federal Funds—Prohibited and Controlled Equipment Under OJP Subawards

Consistent with Executive Order 14074, “Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety,” OJP has prohibited the use of federal funds under this subaward for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the subrecipient (“subgrantee”) at any tier, to put in place specified controls prior to using federal funds under this subaward to acquire or transfer any property identified on the “controlled equipment” list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Subaward condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP subawards) and are incorporated by reference here.

Article 17 – Confidentiality of Data

The subrecipient must comply with all confidentiality requirements of 34 U.S.C.10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The subrecipient further agrees, as a condition of subaward approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

Article 18 – Cooperating with OJP Monitoring

The subrecipient agrees to cooperate with OJP monitoring of this subaward pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this subaward and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The subrecipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this subaward. Further, the subrecipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's

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monitoring activities may result in actions that affect the subrecipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the subrecipient's access to subaward funds; referral to the DOJ OIG for audit review; designation of the subrecipient as a DOJ High Risk grantee; or termination of a subaward(s).

Article 19 – Data Collection

The subrecipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.

Article 20 - Determination of suitability to Interact with Participating Minors

This condition applies to this subaward if it is indicated – in the application for the subaward (as approved by DOJ/DPS/OHS), the DOJ/DPS/OHS funding announcement (solicitation), or an associated federal statute – that a purpose of some or all of the activities to be carried out under the subaward is to benefit a set of individuals under 18 years of age.

The subrecipient must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual’s employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm>. (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

Article 21 – Drug Courts

All BJA-funded adult drug courts must be operated based on the 10 key components for drug courts, which are found in BJA’s and National Association of Drug Court Professional’s (NADCP) publication: Defining Drug Courts: The Key Components at <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>. During the grant period of performance, if BJA concludes that a funded drug court is not conforming to the 10 key components, it retains the right to place the subrecipient on a corrective action plan to bring the drug court into conformance. Continued failure to maintain conformance to the key components may result in a hold placed on subaward funds or suspension/termination of the grant subaward agreement.

Article 22 – Effect of Failure to Address Audit Issues

The subrecipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold subaward funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this subaward), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

Article 23 – Employment Eligibility Verification for Hiring Under the Subaward

1. The subrecipient must—

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- A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with subaward funds, the subrecipient properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).
- B. Notify all persons associated with the subrecipient who are or will be involved in activities under this subaward of both--
 - (1) this subaward requirement for verification of employment eligibility, and
 - (2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.
- C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the subaward requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).
- D. As part of the recordkeeping for the subaward (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this subaward condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, subaward funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

3. Rules of construction

- A. Staff involved in the hiring process for purposes of this condition, persons "who are or will be involved in activities under this subaward" specifically includes (without limitation) any and all subrecipient officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with subaward funds.
- B. Employment eligibility confirmation with E-Verify for purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the subrecipient may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the subrecipient uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with subaward funds.

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- C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.
- D. Nothing in this condition shall be understood to authorize or require any subrecipient, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.
- E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any subrecipient, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at EVerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to the DPS/OHS, before subaward acceptance.

Article 24 – Encouragement of Policies to Ban Text Messaging While Driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this subaward, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

Article 25 – ERPO Certification

Byrne SCIP subrecipients who plan to use funding to support ERPO programs must submit a principal legal officer signed Certification Relating to Pub. L. No. 90-351, Title I, Sec. 501(a)(1)(I)(iv) (Extreme-Risk Protection-Order Programs), certifying that the extreme risk protection-order program to be funded satisfies each of the listed requirements prior to the use of grant funds for ERPO programs.

Article 26 – Extreme Risk Protection Programs

Extreme risk protection programs funded under this subaward must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full

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protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

Article 27 – Justice Information Sharing

Information sharing projects funded under this subaward must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The subrecipient must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The subrecipient must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

Article 28 – Justification of Consultant Rate

Approval of this subaward does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

Article 29 – Limit on Use of Grant Funds for Grantees' Employees' Salaries

With respect to this subaward, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the subrecipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (A subrecipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this subaward may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this subaward is made.

Article 30 - Meaningful Access Requirement for Individuals with Limited English Proficiency

The subrecipient must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against Nation Origin discrimination Affecting Limited English Proficient Persons" (67 Fed. Reg. 41455-41472) (<http://www.federalregister.gov/d/02-15207>) and is incorporated by reference.

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Article 31 – Medication-Assisted Treatment (MAT)

Regarding medication-assisted treatment (MAT), the subrecipient understands and agrees to the following: 1) all clients in a BJA-funded drug court have a right to access MAT under the care and prescription of a physician to the extent MAT is clinically indicated; 2) BJA-funded drug courts must not deny any eligible client enrollment to the drug court program because of their use of FDA-approved medications for the treatment of substance abuse; 3) MAT must be permitted to be continued for as long as the prescriber determines that the FDA-approved medication is clinically beneficial; 4) while under no circumstances can a BJA-funded drug court program deny access to MAT under the care and prescription of a physician when it is clinically indicated, a judge retains judicial discretion to mitigate/reduce the risk of abuse, misuse, or diversion of these medications; and 5) federal funds shall not be used to support activities that violate the Controlled Substances Act, 21 U.S.C. 801-904.

Article 32 – OJP Training Guidance Principles

Any training or training materials that the subrecipient develops or delivers with OJP subaward funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

Article 33 – Potential Imposition of Additional Requirements

The subrecipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this subaward, if the subrecipient is designated as "highrisk" for purposes of the DOJ high-risk grantee list.

Article 34 – Protection of Human Research Subjects

The subrecipient must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

Article 35 – Publications

Any written, visual, or audio publications funded in whole or in part under this subaward, with the exception of press releases, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> subawarded by the Missouri Department of Public Safety, Office of Homeland Security, DPS Grants and the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the DPS/OHS or of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

Article 36 – Reclassification of Various Statutory Provisions to a New Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent

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to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this subaward document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in subaward conditions, references set out in material incorporated by reference through subaward conditions, and references set out in other subaward requirements.

Article 37 - Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The subrecipient, must promptly refer to the DPS/OHS/DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this subaward-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this subaward, should be reported to the DPS/OHS/OIG by—(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select “Submit Report Online”); (2) mail directed to: U.S. Department of Justice, Office of Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington DC 20530 and the Missouri Department of Public Safety, Office of the Director, Attn: DPS Grants, 1101 Riverside Drive, Jefferson City, MO 65102-0749 and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 and DPS/OHS Fax at (573) 526-9012.

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

Article 38 – Requirement for Data on Performance and Effectiveness Under the Award

The subrecipient must collect and maintain data that measure the performance and effectiveness of work under this subaward. The data must be provided to the DPS/OHS in the manner (including within the timeframes) specified by DPS/OHS in the program Notice of Funding Opportunity (NOFO) or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

Article 39 – Requirements Pertaining to Prohibited Conduct Related to Trafficking in Persons (including reporting requirements and OJP authority to terminate subaward)

The subrecipient must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of subrecipients or individuals defined (for purposes of this conditions) as “employees” of the subrecipient.

The details of the subrecipient’s obligations related to prohibited conduct related to trafficking in persons are posted on the OJP website at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by subrecipients related to trafficking in persons

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(including reporting requirements and OJP authority to terminate subaward)), and are incorporated by reference here.

Article 40 – Requirement to Report Actual or Imminent Breach of Personally Identifiable Information (PII)

The subrecipient must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The subrecipient's breach procedures must include a requirement to report actual or imminent breach of PII to the DPS/OHS no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

Article 41 – Requirement to Report Potentially Duplicative Funding

If the subrecipient currently has other active subawards of federal and/or state funds, or if the subrecipient receives any other award of federal and/or state funds during the period of performance for this subaward, the subrecipient promptly must determine whether funds from any of those other federal and/or state subawards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this subaward. If so, the subrecipient must promptly notify the DPS/OHS in writing of the potential duplication, and, if so requested by the DPS/OHS subawarding agency, must seek a budget-modification or change-of-project-scope Subaward Adjustment – Budget Revision to eliminate any inappropriate duplication of funding.

Article 42 – Requirements Related to System for Award Management and Universal Identifier Requirements

The subrecipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The subrecipient also must comply with applicable restrictions on subawards to first-tier subgrantees, including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the subrecipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to a subaward to an individual who received the subaward as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

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Article 43 – Requirements of the Subaward; Remedies for Non-Compliance or for Materially False Statements

The conditions of this subaward are material requirements of the subaward. Compliance with any assurances or certifications submitted by or on behalf of the subrecipient that relate to conduct during the period of performance also is a material requirement of this subaward.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the subaward. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular subaward conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqts.htm), and incorporated by reference into the subaward.

By signing and accepting this subaward on behalf of the subrecipient, the authorized subrecipient official accepts all material requirements of the subaward, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the subrecipient that relate to conduct during the period of performance.

Failure to comply with one or more subaward requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the subaward period -- may result in OJP taking appropriate action with respect to the subrecipient and the subaward. Among other things, the OJP may withhold subaward funds, disallow costs, or suspend or terminate the subaward. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this subaward (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this subaward be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or - unenforceable, such provision shall be deemed severable from this subaward.

Article 44 – Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters

No subrecipient under this subaward, or entity that receives a procurement contract or subcontract with any funds under this subaward, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (In accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

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The foregoing is not intended and shall not be understood by the agency making this subaward, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this subaward, the subrecipient—
 - a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of subaward funds, will provide prompt written notification to the federal agency making this subaward, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the subrecipient does or is authorized under this subaward to make subawards ("subgrants"), procurement contracts, or both
 - a. it represents that—
 - i. it has determined that no other entity that the subrecipient's application proposes may or will receive subaward funds (whether through a subaward, procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - ii. it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
 - b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this subaward is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of subaward funds to or by that entity, will provide prompt written notification to the state agency making this subaward, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

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Article 45 – Restrictions on “Lobbying”

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the subrecipient, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the subrecipient to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a subrecipient would or might fall within the scope of these prohibitions, the subrecipient is to contact the DPS/OHS for guidance, and may not proceed without the express prior written approval of the DPS/OHS.

Article 46 – Submission of Eligible Records Relevant to the National Instant Background Check System

Consonant with federal statutes that pertain to firearms and background checks -- including 18 U.S.C. 922 and 34 U.S.C. ch. 409 -- if the subrecipient uses this subaward to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or state law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the subrecipient, if applicable must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and -- when appropriate -- promptly must update, correct, modify, or remove such NICS relevant "eligible records".

In the event of minor and transitory non-compliance, the subrecipient may submit evidence to demonstrate diligent monitoring of compliance with this condition (including subrecipient compliance). DOJ will give great weight to any such evidence in any express written determination regarding this condition.

Article 47 – Subrecipient Integrity and Performance Matters: Requirement to Report Information on Certain Civil, Criminal, and Administrative Proceedings to SAM and FAPIIS

The subrecipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, subrecipients of OJP awards are

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required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIS"). The details of subrecipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIS.htm> (Subaward condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIS) and are incorporated by reference here.

Article 48 – UAS/UAV

The subrecipient agrees that no funds under this grant subaward may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

Article 49 – Missouri Department of Public Safety, Office of Homeland Security (DPS/OHS), DPS Grants, Specific:

- a) **Allowable Costs:** The subrecipient understands that only allowable and approved expenditures will be reimbursed under this subaward. These monies may not be utilized to pay debts incurred by other activities. The subrecipient agrees to obligate funds no later than the last day of the project period. (Funds are obligated when a legal liability to pay a determinable sum for services or goods is incurred and will require payment during the same or future period.) The subrecipient also agrees to expend funds no later than the end of the period of performance. (Funds are considered to be expended when payment is made.) Any funds not properly obligated and/or expended will lapse. Any deviation from the approved subaward must have prior approval from the DPS/OHS. The subrecipient shall fully coordinate all activities in the performance of the project with those of the DPS/OHS. The subrecipient certifies that all expendable and non-expendable property purchased funds under this subaward shall be used for approved project purposes only.
- b) **Body-Worn Camera Policy:** The subrecipient understands, if monies are requested and subawarded for the purchase of body-worn cameras, the law enforcement agency must have written policies and procedures in place related to equipment usage, data storage and access, privacy considerations, training, etc. The subrecipient will be required to forward a copy of such policy(s) the DPS/OHS at the time of claim submission.
- c) **Buy American:** The subrecipient acknowledges Sections 34.350-34.359 RSMo regarding the Missouri Domestic Products Procurement Act (or commonly referred to as the Buy American Act) and the requirement to purchase or lease goods manufactured or produced in the United States, unless exceptions to the Buy American Act mandate in Section 34.353 RSMo are met.
- d) **Buy Missouri:** The subrecipient also acknowledges Sections 34.070 and 34.073 RSMo regarding the preference given to all commodities and tangible personal property manufactured, mined, produced, or grown within the State of Missouri and to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or

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which maintain Missouri offices or places of business, when quality is equal or better and delivered price is the same or less, quality of performance promised is equal or better and the price quoted is the same or less, or when competing bids are comparable.

- e) **Change in Personnel:** The subrecipient agrees to notify, within a timely manner, the DPS/OHS if there is a change in or temporary absence as it affects the 'My Profile' module and the 'Contact Information' component within WebGrants. The notification shall be sent as a Subaward Adjustment – Program Revision through the 'Subaward Adjustment' component of WebGrants.
- f) **Compliance Workshop:** As a subrecipient of federal and/or state funds, the subrecipient is required to participate in any applicable Compliance Workshop hosted by the DPS/OHS. The Compliance Workshop may be hosted as a webinar to provide post-award information to include, but not limited to, subaward acceptance, project implementation, reporting requirements, subaward changes, civil rights compliance, monitoring responsibilities, record retention, internal controls, and accounting responsibilities.
- g) **Contractual Services:** For contractual services the following requirements will be followed when subcontracting for work or services contained in this grant subaward:
 - i. All consultant and contractual services shall be supported by written contracts stating the services to be performed, rate of compensation, and length of time over which the services will be provided.
 - ii. A copy of any contractual agreement made as a result of this award must be forwarded to the DPS/OHS for review or be readily available for review prior to the execution of the contract.
- h) **Criminal Activity:** The subrecipient assures to formally report to the DPS/OHS within 48 hours of notification if an individual funded, in whole, or in part, under this subaward is arrested for or formally charged with a misdemeanor or felony regardless of if the criminal offense is related to the individual's employment. The DPS/OHS reserves the right to suspend or terminate grant funding pending the adjudication of the criminal offense.
- i) **Data Reporting Requirements:** The subrecipient agrees to complete and submit any data or statistical reports required for this program. Failure to submit reports by the deadline dates may result in delay for reimbursement requests and/or cancellation of the subaward.
- j) **Discrimination in Public Accommodations:** The subrecipient assures compliance with Section 213.065 RSMo in regards to non-discrimination in public accommodations as it relates to accommodations, advantages, facilities, services, or privileges made available in place of public accommodations.
- k) **Duplication of Networks:** The subrecipient assures that all equipment/software requested and purchased under this subaward must be compatible with the statewide system. All software, if applicable, must be compatible with the statewide criminal records system. All communication

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devices, if applicable, must be capable of operating in accordance with the guidelines established by the Missouri Interoperability Center.

- l) **DPS Financial and Administrative Guide:** The subrecipient agrees to follow the grant program guidelines as stated in the DPS Financial and Administrative Guidelines as well as Information Bulletins released by the DPS/OHS to provide important updates, clarifications and policy statements related to the DPS/OHS Grants programs.
- m) **Employment of Unauthorized Aliens:** Pursuant to Section 285.530.1 RSMo, the subrecipient assures that it does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, the subrecipient shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

In accordance with Sections 285.525 to 285.550, RSMo a general contractor or subcontractor of any tier shall not be liable when such general contractor or subcontractor contracts with its direct subcontractor who violates subsection 1 of Section 285.530, RSMo if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection 1 of Section 285.530, RSMo and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.

- n) **Enforceability:** If a subrecipient fails to comply with all applicable federal and/or state requirements governing these funds, the State of Missouri may withhold or suspend, in whole or in part, funds awarded under the subaward, or recover misspent funds following an audit. This provision is in addition to all other remedies provided to the State of Missouri for recovery of misspent funds available under all applicable state and federal laws.
- o) **Equipment:** Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost, which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000. Expenditures for equipment shall be in accordance with the approved budget. The subrecipient shall use and manage equipment in accordance with its procedures as long as the equipment is used for its intended purposes. When original or replacement equipment acquired under this subaward is no longer needed for the original project or program or for other activities currently or previously supported by the DPS/OHS, you must request instructions from DPS/OHS to make proper disposition of the equipment following the DPS Financial and Administrative Guide.
- p) **Fair Labor Standards Act:** All subrecipients of state and/or federal funds will comply with the minimum wage and maximum hour's provisions of Section 290.502 RSMo.

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- q) **Federal Equitable Sharing Funds:** The subrecipient assures, where the project agency is a law enforcement agency, its law enforcement agency is in compliance with the state provisions of Section 513.653 RSMo relating to participation in the federal forfeiture system and the reporting of proceeds therefrom to the Missouri State Auditor.
- r) **Financial Reporting Requirements:** The subrecipient agrees to complete and submit any financial reports required for this program as requested by the Grant Specialist. Failure to submit reports by the deadline dates may result in delay for reimbursement requests and/or cancellation of the subaward.
- s) **Fund Availability:** The subrecipient understands all subawards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. It is understood and agreed upon that, in the event funds from federal and/or state sources are not appropriated and continued at an aggregate level sufficient to cover the costs under this subaward, or in the event of a change in federal and/or state law relevant to these costs, the obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice. The subrecipient further understands and agrees that neither the DPS/OHS nor the State of Missouri shall be liable for any costs, injuries, or other damages, liquidated or otherwise, caused by or related to a lack of funds or withholdings.
- t) **Governing Directives:** The subrecipient assures that it shall comply, and all its subcontractors/subrecipients as applicable shall comply, with the applicable provisions of the Notice of Funding Opportunity, the “DPS Financial and Administrative Guide”, the “DPS Subrecipient Travel Guidelines”, Information Bulletins released by the DPS/OHS, and other applicable state laws or regulations.
- u) **Grant Reporting:** Performance Measurement Tool (PMT) reports are required to be submitted quarterly at <http://bjaoja.gov>.
- v) **Interoperability Equipment:** To meet SAFECOM requirements all radios must comply with the Missouri Department of Public Safety, Office of the Director, DPS Grants Radio Interoperability Guidelines located at <https://dps.mo.gov/dir/programs/ohs/documents/radio-interoperability-guidelines.pdf>. The Missouri Interoperability Center will review all communications equipment to ensure they comply with the Radio Interoperability Guidelines.
- w) **Law Enforcement Agency Requirements:** Law enforcement agencies must be compliant with the requirements listed below and must maintain compliance throughout the period of performance.
 - i. **Section 43.505 RSMo - Uniform Crime Reporting (UCR):** Pursuant to [Section RSMo 43.505.3](#), each law enforcement agency in the state shall: (1) Submit crime incident reports to the department of public safety on forms or in the format prescribed by the department; and (2) Submit any other crime incident information which may be required by the department of public safety. Law enforcement agencies will be considered non-compliant if they have not

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submitted MIBRS reports for three or more months in the previous twelve months.

- ii. **Section 590.650 RSMo - Vehicle Stops Report:** Pursuant to [Section 590.650.3 RSMo](#), each law enforcement agency shall compile the data described in subsection 2 for the calendar year into a report to the attorney general and each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.
- iii. **Section 590.1265 RSMo - Police Use of Force Transparency Act of 2021:** Pursuant to [Section 590.1265 RSMo](#), each law enforcement agency shall report data submitted under subsection 3 of this section to the department of public safety. Law enforcement agencies will be considered non-compliant if they have not submitted Use of Force reports for three or more months in the previous twelve months.
- iv. **Section 43.544 RSMo - Written Policy on Forwarding Intoxication-Related Traffic Offenses:** Pursuant to [Section 43.544.1 RSMo](#), each law enforcement agency shall adopt a policy requiring arrest information for all intoxication-related traffic offenses be forwarded to the central repository as required by Section 43.503 RSMo.
- v. **Section 590.030 RSMo - Rap Back Program Participation:** Pursuant to [Section 590.030 RSMo](#), all law enforcement agencies shall enroll in the state and federal Rap Back programs on or before January 1, 2022 and continue to remain enrolled. The law enforcement agency shall take all necessary steps to maintain officer enrollment for all officers commissioned with that agency in the Rap Back programs. An officer shall submit to being fingerprinted at any law enforcement agency upon commissioning and for as long as the officer is commissioned with that agency.
- vi. **Section 590.700 RSMo - Custodial Interrogations:** Pursuant to [Section 590.700.4 RSMo](#), each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2.
- vii. **Death in Custody Reporting Act (DCRA):** Death in Custody Reporting Act (DCRA) - The Death in Custody Reporting Act of 2013 (DCRA; Pub. L. No. 113-242) requires states to report to the Attorney General information regarding the death of any person who is detained, under arrest, or in the process of being arrested, en route to be incarcerated, or incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility). State Administrative Agencies (SAAs) are responsible for collecting data on a

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quarterly basis from local entities including local jails, law enforcement agencies, medical examiners, and other state agencies. If an agency experiences a death in custody, timely submission of the information on the Death in Custody Reporting Act data collection template is requested to be sent to dpscjl@dp.s.mo.gov or via fax to (573) 526-9012. Examples of reportable and non-reportable death in custody scenarios can be found at <https://dps.mo.gov/dir/programs/dpsgrants/dcra.php>.

Death Occurred	DCRA due to MO DPS
January - March	April 15
April - June	July 15
July- September	October 15
October - December	January 15

- x) **License Plate Readers (LPRs):** Agencies purchasing license plate reader (LPR) equipment and technology with grant funds administered by the Missouri Department of Public Safety, must adhere to the following requirements:
- i. LPR vendors chosen by an agency must have an MOU on file with the MSHP Central Vendor File as developed and prescribed by the Missouri Department of Public Safety pursuant to 11 CSR 30-17.
 - ii. Prior to purchasing LPR services, the agency should verify the vendor’s MOU status with the MSHP CJIS Division by emailing mshphelpdesk@mshp.dps.mo.gov.
 - iii. Share LPR data through the MoDEx process with statewide sharing platforms (i.e., MULES).
 - iv. Enable LPR data sharing with other Missouri Law Enforcement agencies and enforcement support entities within the selected vendor’s software. Examples include, but are not limited to fusion centers, drug task forces, special investigation units, etc.
 - v. Connect to the Missouri State Highway Patrol’s Automated License Plate Reader (ALPR) File Transfer Protocol Access Program. This program provides the information necessary to provide a NCIC and/or MULES hit when used in conjunction with a License Plater Reader (LPR) device. An MOU must be on file with the Access Integrity Unit (AIU) for the vendor and the law enforcement agency and a registration process must be completed.
 - vi. Agency shall have a license plate reader policy and operation guideline prior to the implementation of LPRs. Reimbursements will not be made on the project until the policy has been provided to the Missouri Department of Public Safety.
 - vii. If LPR will be installed on Missouri Department of Transportation right-of-way(s) agency must request installation through the Missouri Department of Public Safety. Once approved, agency must adhere to the Missouri Department of Transportation’s guidelines regarding installation of LPR’s on Missouri Department of Transportation right-of-way(s).

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- y) **Lobbying:** The subrecipient understands and agrees that state funds cannot be used, either directly or indirectly, to support or oppose enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government.
- z) **Monitoring:** The subrecipient agrees to maintain the records necessary to evaluate the effectiveness of the project. In addition, the subrecipient assures that all documentation or records relating to this subaward shall be made available to monitoring representatives of the DPS/OHS, the Office of Missouri State Auditor, or any of their authorized representatives immediately upon request. The subrecipient assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the DPS/OHS shall prescribe, will be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this subaward.
- aa) **Non-Disclosure Agreements:** The subrecipient assures that it will not prohibit or otherwise restrict, or purport to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to the DPS/OHS or other agency authorized to receive such information.

In accepting this subaward, the subrecipient:

- i. Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - ii. Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to exercise agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of subaward funds, will provide prompt written notification to the DPS/OHS, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by the DPS/OHS.
- bb) **Non-Supplanting:** The subrecipient assures that federal and/or state funds made available under this subaward will not be used to supplant other federal, state, or local funds but will be used to increase the amount of funds that would, in the absence of these funds, be made available for the activities of this project.
 - cc) **Procurement:** The subrecipient assures that all procurement transactions whether negotiated or competitively bid and without regard to dollar value shall be conducted in a manner to provide maximum open and free competition. In addition, the subrecipient assures that all procurement transactions will meet the minimum standards set forth in the “DPS Financial and Administrative Guidelines” and identified here:

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- i. All quotations and the rationale behind the selection of a source of supply shall be retained, attached to the purchase order copy, and placed in the accounting files.
- ii. Purchases to a single vendor totaling less than \$10,000 may be purchased with prudence on the open market.
- iii. Purchases estimated to total between \$10,000 but less than \$100,000 to a single vendor, must be competitively bid, but need not be solicited by mail or advertisement.
- iv. Purchases with an estimated total of \$100,000 or over to a single vendor shall be advertised for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders at least five days before bids for such purchases are to be opened.
- v. Where only one bid or positive proposal is received, it is deemed to be sole source procurement.
- vi. Sole source procurement on purchases to a single vendor of \$10,000 and over requires prior approval from the DPS/OHS.

dd) **Reimbursement:** Expenditures shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the subaward was approved.

ee) **Relationship:** The subrecipient agrees that it will represent itself to be an independent subrecipient offering such services to the general public and shall not represent itself or its employees to be employees of the DPS/OHS. (This provision is not applicable to the Missouri Department of Public Safety or any of its divisions or programs.) Therefore, the subrecipient shall assume all legal and financial responsibility for taxes, FICA, employee fringe benefits, workers' compensation, employee insurance, minimum wage requirements, overtime, etc.

ff) **Release of Funds:** The subrecipient acknowledges no funds will be disbursed under this subaward until such time as all required documents are signed by the subrecipient Authorized Official and returned to the DPS/OHS for final review and signature by the Director or his/her designee.

gg) **Subaward Adjustments:** The subrecipient understands that any deviation from the approved subaward must have prior approval from the DPS/OHS. No additional funding shall be awarded to a subrecipient (unless specifically notified by the DPS/OHS of additional funding being awarded) but changes from one budget line to another budget line may be possible if the request is allowable and within the scope of the guidelines. Prior approval must be requested via the 'Subaward Adjustment' component of WebGrants.

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- hh) **Subaward Document Changes:** In the event DPS/OHS determines that changes are necessary to the subaward document after the subaward has been made, including changes to period of performance or Articles of Agreement, the subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate subrecipient acceptance of the changes to the subaward.
- ii) **Supplies/Operations:** Expenditures for equipment and supplies and operating expenses shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the contract was approved.
- jj) **Suspension/Debarment:** The subrecipient acknowledges, pursuant to debarment and suspension regulations implemented at [1 CSR 40-1.060](#), and to other related requirements, that the State does not consider bids submitted by a suspended or debarred vendor. The subrecipient therefore certifies that it will not consider bids submitted by a suspended or debarred vendor for procurements made as a result of this subaward.
- kk) **Suspension/Termination of Subaward:** The DPS/OHS reserves the right to suspend or terminate any contract entered into as a result of this subaward at its sole discretion and without penalty or recourse by giving a thirty (30) day written notice to the subrecipient of the effective date of suspension or termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the subrecipient under the subaward shall, at the option of the DPS/OHS, become property of the State of Missouri. The subrecipient shall be entitled to receive just and equitable compensation for that work completed prior to the effective date of termination.
- ll) **Time Records Requirement:** The subrecipient assures that, all project personnel funded through this subaward will maintain timesheets that detail 100% of their time along with the activities/services provided. The timesheets must be signed by both the employee and the appropriate approving official. These timesheets must be provided to the DPS/OHS at the time of claim submission.
- mm) **Unlawful Employment Practices:** The subrecipient assures compliance with Section 213.055 RSMo in regards to non-discrimination in employment practices as it relates to race, color, religion, national origin, sex, ancestry, age, or disability.

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