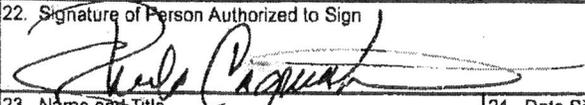


**ASSISTANCE AGREEMENT**

1. Award No. 693JK1840005PTAG		2. Modification No.	3. Effective Date 9/28/18	4. CFDA No. 20.710
5. Awarded To DANIELLE DAWN SMAILEY FOUNDATION INC 399 WEST HIGHWAY 175 CRANDALL TX 75114		6. Sponsoring Office Program Development 1200 New Jersey Avenue, SE E21-321 Washington DC 20590		7. Period of Performance 09/28/2018 through 09/27/2019
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority 49 U.S.C. 60130		10. Purchase Request or Funding Document No. PHSA-18-0026	
11. Remittance Address DANIELLE DAWN SMAILEY FOUNDATION INC ADDR: Unknown 399 WEST HIGHWAY 175 CRANDALL TX 75114		12. Total Amount Govt. Share: \$100,000.00  Cost Share : \$0.00  Total : \$100,000.00		13. Funds Obligated This action: \$100,000.00  Total : \$100,000.00
14. Principal Investigator Sheila Caguia 972-472-6500	15. Program Manager KAREN LYNCH Phone: 202-366-6855		16. Administrator Acquisition Services Division US DOT/PHNSA/PHF-20 1200 New Jersey Avenue, SE E22-317 Washington DC 20590-0001	
17. Submit Payment Requests To FAA/MMAC/PHMSA HQ 272F AMK 316 6500 S. MacArthur Blvd Oklahoma City OK 73169		18. Paying Office FAA/MMAC/PHMSA HQ 272F AMK 316 6500 S. MacArthur Blvd Oklahoma City OK 73169		19. Submit Reports To See Article VIII
20. Accounting and Appropriation Data 1400A18DE0.2018.OEGRT01020.50D0101000.41010.61000000.0000000000.0000000000.0000000000.0000000000				
21. Research Title and/or Description of Project TECHNICAL ASSISTANCE GRANTS				
For the Recipient		For the United States of America		
22. Signature of Person Authorized to Sign 		25. Signature of Grants/Agreements Officer 		
23. Name and Title SHEILA CAGUIA, EXECUTIVE DIR.	24. Date Signed 9-26-18	26. Name of Officer WARREN OSTERBERG	27. Date Signed 9/25/18	

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
693JK31840005PTAG

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2 28

NAME OF OFFEROR OR CONTRACTOR  
DANIELLE DAWN SMALLEY FOUNDATION INC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	FY2018 Technical Assistance Grants (TAG) Delivery: 1 Days After Award Delivery Location Code: PHMSA PHF-10 Budget & Finance Division US DOT/PHMSA/PHF-10 1200 New Jersey Avenue, SE 3rd Floor East Building Washington DC 20590-0001 US  FY2018 Technical Assistance Grants (TAG) for Danielle Dawn Smalley Foundation in Crandall, Texas Obligated Amount: \$100,000.00  The total amount of award: \$100,000.00. The obligation for this award is \$100,000.00.				100,000.00

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**Article I. Award Information**

**Section 1.01 Recipient Information**

Danielle Dawn Smalley Foundation  
DUNS: 136974586  
Sheila Caguiat  
sheilacaguiat@smalleyfnd.org

**Section 1.02 Awarding Agency Information**

U.S. Department of Transportation (US DOT)  
Pipeline and Hazardous Materials Safety Administration (PHMSA)  
Acquisition Services Division, PHF-20  
1200 New Jersey Avenue, SE, Room E22-317  
Washington, D.C. 20590

Primary Contact - Agreement Administrator (AA):  
Dwayne Cross  
Telephone: (202) 366-4429  
E-mail: Dwayne.Cross@dot.gov

**Section 1.03 Basic Award Information**

Funding Opportunity Title: Technical Assistance Grants (TAG)  
Funding Opportunity Number: 693JK31842A01  
CFDA Number: 20.710  
Award Type: Grant Agreement  
Award Number: **693JK31840005PTAG**  
Project Title: **Technical Assistance Grant for Danielle Dawn Smalley Foundation**  
Grant Period: Twelve (12) months from the effective date of award  
Grant Amount: **\$100,000.00**

**Article II. Background, Purpose, Authority**

**Section 2.01 Statute and Program Authority**

The TAG program was first authorized in the Pipeline Safety Improvement Act of 2002 (Public Law 107-355) and is codified at 49 U.S.C. 60130. This section, titled: "Pipeline Safety Information Grants to Communities" authorizes the Secretary of Transportation to make grants to local communities and groups of individuals (not including for-profit entities) for technical assistance relating to pipeline safety. The TAG program was reauthorized by the Pipeline Inspection, Protection, Enforcement and Safety Act of 2006 (Public Law 109-468), the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90), and the Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (Public Law 114-183).

**Section 2.02 Statement of Purpose**

Pipeline safety is a shared responsibility and informed communities play a vital role in the safety and reliability of pipeline operations. The Pipeline Safety Information Grants to Communities: Technical Assistance Grants (TAG) provides funding to local communities and groups of individuals for technical assistance related to pipeline safety. The program also provides opportunities that strengthen the depth and quality of public participation in the safe development

and operation of pipelines in and around communities. Technical assistance is defined as engineering or other scientific analysis of pipeline safety issues.

**Section 2.03 Background**

Since program inception in 2009, PHMSA has awarded almost \$8 million for 178 individual technical assistance projects. TAG awards have funded a broad range of activities, including: improvement of local pipeline emergency response capabilities; improvement of safe digging or damage prevention programs; development of pipeline safety information resources; implementation of local land use practices that enhance pipeline safety; community and pipeline awareness campaigns; and, public participation in official proceedings pertaining to pipeline safety. A summary of the TAG awards, including final reports from completed grant projects, is available at <http://primis.phmsa.dot.gov/tag>.

**Article III Expected Program Outputs**

DDSF’s first responder, County Connection website will strive to educate underserved first responders in geographic areas where pipeline infrastructure poses a significant risk to people. A look at multiple dynamics in Texas reveal that the state is at elevated need for increased outreach for pipeline emergency preparedness:

According to the U.S. Census, Texas is the second most populated state in the nation and continues to have the largest annual population growth. The Railroad Commission of Texas states that “Texas has the largest pipeline infrastructure in the nation, with more than 439,771 miles of pipeline representing about 1/6 of the total pipeline mileage of the entire United States.” Due to the rapid population growth of Texas, construction is on the rise. With this increased excavation activity, risks to pipelines and underground infrastructure are elevated. This can be demonstrated by looking at the Common Ground Alliances’ 2016 Damage Information Reporting Tool report (DIRT Report), which shows that in 2016 alone, Texas had over 50,000 damages to underground pipelines and utilities... leading the nation.

**Article IV Deliverables**

**Section 4.01 Incorporation of Recipient Application**

The Recipient’s application and project plan dated **June 29, 2018** are incorporated by reference into this Grant Agreement.

The Recipient is responsible for accomplishing the objectives, tasks and deliverables of this Grant Agreement, and for performing the tasks and the deliverables outlined in the Recipient’s project plan.

**Section 4.02 Reports**

The recipient must submit the following reports:

- Mid-Term Progress Report;
- Mid-Term Financial Status Report.
- Final Report;
- Final Financial Status Report.

*See Article VIII (Reports) for additional information about the reporting requirements.*

**Section 4.03 Dissemination of Technical Findings**

The Recipient must make available any technical findings to the relevant pipeline operators in the Recipient's area and have open communication with local pipeline operators, local communities and other interested parties.

**Article V Grant Officials**

Refer to the Award Terms and Conditions (Attachment 1), Item 1 (Definitions), for a detailed description of each official's responsibilities below.

**Agreement Officer (AO)**

Mr. Warren D. Osterberg  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
Acquisition Services Division, PHF-20  
1200 New Jersey Avenue, SE, E22-317  
Washington, D.C. 20590  
Telephone: (202) 366-6942  
Fax: (202) 366-7974  
E-mail: [warren.osterberg@dot.gov](mailto:warren.osterberg@dot.gov)

**Agreement Administrator (AA)**

Mr. Dwayne Cross  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
Acquisition Services Division, PHF-20  
1200 New Jersey Avenue, SE,  
Washington, D.C. 20590  
Telephone: (202) 366-4429  
E-mail: [dwayne.cross@dot.gov](mailto:dwayne.cross@dot.gov)

**Agreement Officer's Representative (AOR)**

Ms. Karen Lynch  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Avenue, SE, E22-105  
Washington, D.C. 20590  
Telephone: (202) 366-6855  
E-mail: [Karen.Lynch@dot.gov](mailto:Karen.Lynch@dot.gov)

**Principal Investigator (PI)**

Sheila Caguiat  
999 West Hwy 175  
Crandall, TX 75114  
[sheilacaguiat@smalleyfnd.org](mailto:sheilacaguiat@smalleyfnd.org)

**Article VI Terms and Conditions**

The Recipient must comply with, and spend funds consistent with all the terms and conditions of this award, including the Award Terms and Conditions in **Attachment 1** and any other terms and conditions specified in this document. Attachment 1, Award Terms and Conditions, is incorporated into this Agreement.

**Article VII Special Terms and Conditions**

**Section 7.01 Modifications**

Modifications to this Grant may be made only in writing and specifically referred to as a modification to this Grant. The Agreement Officer may unilaterally sign an administrative modification. All other modifications must be signed by both the Recipient and the Agreement Officer.

**Section 7.01 Travel**

Any travel necessary to carry out the objectives of this agreement must use the most economical form of transportation available. All travel is to be scheduled sufficiently in advance, to the extent practicable, to take advantage of offered discount rates. Travel and per diem authorized under this grant agreement must not exceed those in the Government Travel Regulations currently in effect. Current per diem rates can be found at: <http://www.gsa.gov/perdiem>.

**Section 7.03 Contractor/Sub-recipient Agreements**

If a contractor or sub-recipient (sub-awardee) performs a function on the Recipient’s behalf, then the terms and conditions of the contractual arrangement, or award, and the qualifications of the contractor or sub-recipient are subject to review by PHMSA. This information must be provided to PHMSA within 30 days after the date of awarded grant. The contract or sub-award must be made in accordance with the Recipient’s procurement procedures for obtaining outside services.

**Article VIII Reports**

**Section 8.01 Mid-Term Progress Report**

During the performance of the grant agreement the Recipient must provide a letter-type written report to the AOR and the AA. The report must include the following:

1. A comparison of actual accomplishments to the objectives established for the period.
2. Where the output of the project can be quantified, a computation of the cost per unit of output.
3. The reasons for slippage if established objectives were not met.

The Progress Report should cover all activities through the first 6 months of grant performance (March 2019) and this report must be submitted to the AOR and the AA via e-mail, no later than 30 days after the end of the initial 6<sup>th</sup> month (*See Attachment 2A “Sample Progress Report Template” for a sample template for submitting progress reports.*)

**Section 8.02 Mid-term Federal Financial Status Report**

During the performance of the grant, the Recipient must submit a mid-term Federal Financial Report, Standard Form 425 (SF-425), to report the status of funds. In addition to the SF-425, the Recipient should provide the breakdown of costs for each object class category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, Other, and Indirect Costs). The Mid-term Federal Financial Report should cover all activities through the first 6 months of grant performance and this report must be submitted to the AOR and the AA via e-mail, no later than 30 days after the end of the 6<sup>th</sup> month (March 2019).

**Section 8.03 Final Report**

At the end of the grant period, the Recipient must provide a letter-type *final* report to the AOR and the AA describing the results of all activities undertaken as a result of this grant. The report must include the following:

1. A comparison of actual accomplishments to the objectives established for the period.
2. Where the output of the project can be quantified, a computation of the cost per unit of output.
3. The reasons for slippage if established objectives were not met.

The Final Report must be submitted to the AOR and the AA via e-mail, no later than 90 days after the grant period end date (see Section 1.03). See *Attachment 2B "Sample Final Report Template" for a sample template for submitting final reports.*

#### **Section 8.04 Final Federal Financial Status Report**

At the end of the grant period, the Recipient must submit a *Final* Federal Financial Report, Standard Form 425 (SF-425), to report the status of all funds. In addition to the SF-425, the Recipient should provide the breakdown of costs for each object class category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, Other, and Indirect Charges). The Final Federal Financial Report must be submitted to the AOR and the AA via e-mail, no later than 90 days after the grant period end date (see Section 1.03). If possible this report should be submitted, along with the Final Report, within 30 days after the grant period end date.

### **Article IX Consideration and Payment**

#### **Section 9.01 Request for Advance/Reimbursement**

A request for an advance or reimbursement must comply with the requirements in 2 CFR 200.305. Each request **must** be submitted through the Delphi eInvoicing system and include a completed Standard Form 270 (SF-270), "*Request for Advance or Reimbursement*" as an attachment in the system. Upon execution of the grant award, recipients, in accordance with their project plan, may request up to 50% of the total federally funded amount of the award. The remaining amount may be requested, upon receipt and approval, (by the PHMSA Agreement Officer) of the "Mid-Term Progress Report."

**All Recipients must be registered in the System for Award Management (SAM) to receive payments on their invoices.** For information on how to register, visit SAM at:

<https://www.sam.gov/portal/public/SAM/>.

See Attachment 1 "Award Terms and Conditions" for additional payment requirements.

### **Article X American Materials Required (PHMSA August 2017)**

If articles, materials or supplies are required: Only unmanufactured articles, materials, and supplies that have been mined or produced in the United States, and only manufactured articles, materials, and supplies that have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, shall be acquired under this award unless PHMSA determines their acquisition to be inconsistent with the public interest or their cost to be unreasonable.

This requirement does not apply:

- 1) to articles, materials, or supplies for use outside the United States;
- 2) if articles, materials, or supplies of the class or kind to be used, or the articles, materials, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality; and
- 3) to manufactured articles, materials, or supplies procured under any contract with an award value that is not more than the micro-purchase threshold.

**Article XI Attachments**

- Attachment 1 – Award Terms and Conditions
- Attachment 2A – Template: Mid-Term Progress Report
- Attachment 2B – Template: Final Report