



FM-3-565

GRANT AGREEMENT

BETWEEN

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

AND

SCBIO

This Agreement by and between the South Carolina Department of Health and Environmental Control (DHEC) and **SCBIO**, SC (Recipient) existing under the laws of South Carolina, is to provide for the distribution of funds **\$200,000** (the Funds) appropriated in **2022 Act 239, Part 1B, Proviso 118.19 (83) J040 (v)**.

The parties agree as follows:

A. STATEMENT OF PURPOSE:

The purpose of the Agreement is to provide funding, in support of SCBIO. This Agreement furthers DHEC's statutory mission as authorized in South Carolina Code **Section 44 and Section 48** and serves the public purpose of promoting and protecting the health of the public and the **environment in South Carolina**.

B. SCOPE OF SERVICES:

The Recipient shall utilize the funds for the activities and services (The SCBIO Project) as outlined in the attached Earmarked Appropriations Disbursement Request Form (Exhibit 1) as completed with supporting documents, which will be incorporated into this Agreement upon acceptance and approval under Paragraph D.

C. TERM:

This Agreement shall be effective upon signature, calendar year **2022** and shall terminate on **June 30, 2023**. Recipient's obligations under this Agreement shall survive termination.

D. PAYMENT:

1. Recipient shall submit a written request for payment not to exceed **\$200,000** and shall include with the request the information on the attached Earmarked Appropriations Disbursement Request Form (Exhibit I), including the following as required by **Proviso 117.21 and DHEC:**
 - a. An accounting of how the Funds will be spent (Planned Expenditure Summary),
 - b. Goals to be accomplished, and
 - c. Proposed measures to evaluate success in implementing and meeting the goals.
*(Per Proviso **117.21** no funds shall be released until the required plan of how the state funds will be spent and how the expenditures will provide a public benefit are filed with the agency.*
2. Upon acceptance and approval by DHEC, the request for payment will be incorporated into and made a part of this Agreement.
3. Recipient must register with SCEIS as a vendor and provide vendor information on the request for payment.
4. Payment is contingent on DHEC's receipt of Funds.
5. Upon receipt and review and approval of the Planned Expenditure Summary, Funds Budget, and financial statements, DHEC will transmit the funds to Recipient by check delivered to:

Erin Ford, EVP/COO
SCBIO
1140 Woodruff Road
Suite 106
Box 121
Greenville, SC 29607
Email: Info@scbio.org

6. Source of Funds: State funds made available in the FY2023 Appropriations Act from **state funds** as a nonrecurring distribution per legislative direction, effective July 1, 2022. DHEC's Point of Contact for financial information regarding payments made under this Agreement:

Bruce C. Busbee, Director
Budgets and Financial Planning
SCDHEC
2600 Bull Street
Columbia, South Carolina, 29201

E. REPORTING REQUIREMENTS: AUDITS:

1. By **June 30, 2023**, Recipient shall submit to DHEC a report containing a detailed accounting of its use of the Funds, the services completed, and the outcome measures used to determine the success of the stated goals in sufficient detail for DHEC to determine Recipient's compliance with the Scope of Services set forth in Paragraph B above. See Exhibit (**Quarterly Expenditure Report**) an expected completion date by which it anticipates all funds will have been spent. Recipient shall also submit a final report with this information within 90 days after project completion or exhaustion of Funds.
2. Recipient shall submit to DHEC by **June 30, 2023**, a detailed statement explaining the nature and function of its organization as well as a detailed statement explaining the use that was made of the Funds (**using attached template(s)**).
3. Recipient will allow the State Auditor to audit or cause to be audited the Funds.

F. PREVENTING AND REPORTING FRAUD, WASTE AND ABUSE:

1. DHEC has procedures and policies concerning the prevention and reporting of fraud, waste, and abuse (FWA) in agency-funded programs, including but not limited to those funded by federal grants such as Medicaid. No agency employee, agent, or Recipient shall direct, participate in, approve, or tolerate any violation of federal or State laws regarding FWA in government programs.
2. Federal law prohibits any person or company from knowingly submitting false or fraudulent claims or statements to a federally funded program, including false claims for payment or conspiracy to get such a claim approved or paid. The False Claims Act, 31 U.S.C. §3729-3733, and other "whistleblower" statutes include remedies for employees who are retaliated against in their employment for reporting violations of the Act or for reporting fraud, waste, abuse, or violations of law in connection with federal contracts or grants, or danger to public health or safety. Under State law, persons may be criminally prosecuted for false claims made for health care benefits, for Medicaid fraud, for insurance fraud, or for using a computer in a fraud scheme or to obtain money or services by false representations.
3. If Recipient or Recipient's agents or employees have reason to suspect FWA in DHEC programs, this information should be reported in confidence to DHEC. A report may be made by writing to the Office of Internal Audits, DHEC, 2600 Bull Street, Columbia, SC 29201; or by calling the DHEC Fraud, Waste and Abuse Hotline at 803-896-0650 or toll-free at 1-866-206-5202. Recipient is required to inform Recipient's employees of the existence of DHEC's policy prohibiting FWA and the procedures for reporting FWA to the agency. Recipient must also inform recipient's employees, in writing, of their rights and remedies under 41 U.S.C. §4712 concerning reporting FWA or violations of law in connection with federal contracts or grants, or danger to public health or safety, in the predominant native language of the workforce.

- G. USE OF FUNDS: Recipient will not use, expend, or allow use or expenditure of the Funds for any purpose not authorized in and consistent with this Agreement. Unexpended funds distributed pursuant to this Agreement may be carried forward to succeeding fiscal years and expended for the same purposes. Recipient shall continue the reporting and monitoring required under this Agreement until all Funds are spent.
- H. RETURN OF FUNDS: The State of South Carolina reserves the right to all remedies available to it under law for the enforcement of this Agreement including but not limited to the right to demand repayment of any Funds that remain unused at completion of the project or that were used for purposes not authorized in this Agreement.
- I. NON-DISCRIMINATION: Recipient represents and agrees that it does not and will not practice discrimination, or use the Funds for purposes which discriminate, against persons by virtue of race, religion, color, sex, age, national origin, disability, veteran status, pregnancy, gender identity, sexual orientation, or any other basis prohibited by law.
- J. RECORDKEEPING: Recipient shall create and maintain adequate records to document all matters covered by this Agreement. Recipient shall retain all such records for six (6) years or other longer period required by law after termination, cancellation, or expiration of the Agreement or after final expenditure of Funds, whichever is later, and make records available for inspection, copying, and audit by DHEC or other authorized agent of the State. If any litigation, claim, or audit has begun but is not completed or if audit findings have not been resolved at the end of the retention period, the records shall be retained until all litigation, claims, or audit findings involving the Funds have been resolved.
- K. REVISIONS OF LAW: The provisions of the Agreement are subject to revision of state or federal statutes and regulations and requirements governing (name of grant, etc.).
- L. PUBLIC INFORMATION: All information relating to distribution and use of the Funds, including all reports and documentation submitted to DHEC under this Agreement, is subject to public disclosure under the South Carolina Freedom of Information Act and may be published on DHEC's internet web site.
- M. ATTACHMENTS: Attachments to this Agreement are incorporated into and made part of this Agreement.

SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL

BY: Bruce C. Busbee
Bruce C. Busbee
Director of Budgets and Financial
Planning

DATE: 11-14-2022

MAILING ADDRESS:

SC DHEC - Office of Budgets and Financial
Planning
2600 Bull Street
Columbia, SC 29201
Phone: 803-898-3388
Fax: 803-253-7637

BY: Erin K. Ford
EVP/COO, SCBIO
ERIN Ford

DATE: 11/14/22

MAILING ADDRESS:

SCBIO
1140 Woodruff Road
Suite 106, Box 121
Greenville, SC 29607

Phone: (803) 864-238-7759

Fax: ()__-__

Email: efordWscbio.org

REMITTANCE ADDRESS: (if applicable)

TAX/EMPLOYER ID# 82-3758723

TYPE OF ENTITY (check one):

- Corporation
- LLC
- Partnership
- Nonprofit organization
- Government agency or political subdivision
- specify State if not SC:

Other Governmental body (specify)

Individual/sole proprietor

Other (specify)

If a corporation or LLC:

State of incorporation/organization: _____

South Carolina

Registered agent and address in South
Carolina

James Chappell

22 West Edge Street, Suite 400
Charleston, SC 29403

SCDLLR or other license#

THIS AGREEMENT IS NOT OFFICIAL AND
BINDING UNTIL SIGNED BY THE DHEC
CONTRACTS MANAGER



Francine Miller
DHEC Contracts Manager

DATE: 11-21-22



State of South Carolina Request for Contribution Distribution

This form is designed to collect the information required by South Carolina in accordance with Proviso 117.21 of the appropriations act of 2022 and Executive Order 2022-19. This form must be submitted to the state agency that is providing the contribution for the designated organization. The state agency providing the contribution should use this form to collect information from the designated organization. The information must be collected from the designated organization before the funds can be disbursed.

Contribution Information

Amount	State Agency Providing the Contribution	Purpose
\$200,000.00		To improve the life sciences industry and continue to support its growth in South Carolina.

Organization Information

Entity Name	SCBIO
Address	1140 Woodruff Road, Suite 106, Box 121
City/State/Zip	Greenville, SC 29680
Website	www.scbio.org
Tax ID#	82-3758723
Entity Type	Nonprofit Organization

Organization Contact Information

Contact Name	Erin Ford
Position/Title	EVP/COO
Telephone	864.238.7759
Email	eford@scbio.org

Plan/Accounting of how these funds will be spent:

Description	Budget	Explanation
Main Street Labs Development	\$75,000.00	Establishment of learning lab and informational programming K-12
Annual SCBIO Conference	\$25,000.00	Includes video production, event management
Workforce Development Initiatives	\$25,000.00	Skillsgap Workforce App, 2-year college programs, events and programs
Economic Development Recruitment	\$25,000.00	BIO Convention targeted events and booth, economic development
Marketing/Research for life sciences sector	\$50,000.00	website upgrades, marketing research
Grand Total	\$200,000.00	

Please explain how these funds will be used to provide a public benefit:

Main Street Labs Development: The measure of success will be the establishment of the SCBIO office with a learning lab and implementation of informational programming for life sciences companies as well as an educational program for K-12 students. Main Street Labs Development: The Main Street labs building located at 2 N. Main Street in Greenville is currently under development. Success measures for completing infrastructure updates and programming creation will include: 1.) Completed office with learning lab by June 30, 2023 2.) SCBIO to host one informational session for life sciences related companies. 3.) K-12 program available to schools, with 2 educational sessions held at the new learning lab. SCBIO Annual Conference: The measures of success will include the goal of 400 attendees at the conference and key discussions regarding life sciences companies growth and continued positive impact on the health of South Carolinians in a positive manner. SCBIO Annual Conference: It is estimated that the conference will be attended by 400 life sciences leaders from South Carolina, the United States and other parts of the world. Additional measurements will include:

- 1.) Introduction of at least three companies or investment firms, not based in South Carolina, to regional economic development officials and the SC Department of Commerce.
- 2.) Successful marketing and production of conference to both in-person and virtual attendees and speakers.
- 3.) Create opportunities for at least five life sciences companies to collaborate with research universities or funding partners.

Workforce Development Initiatives: The measure of success will be to effectively launch an additional SCBIO manufacturing pilot program at a 2-year SC technical college. Another measure of success will be to launch the RAD LAB app to middle school

J0402A701 J040X0137 10050023 Not Reviewed
 5180750000 \$1,200,000 (B) 11/29/2022

SCBIO RES ACH with SC State System
 Last updated: August 2022

Organization Certifications

- 1) Organization hereby gives assurance that no person shall, upon the grounds of race, creed, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity for which this organization is responsible.
- 2) Organization certifies that it will provide quarterly spending reports to the Agency Providing Contribution listed above.
- 3) Organization certifies that it will provide an accounting at the end of the fiscal year to the Agency Providing Contribution listed above.
- 4) Organization certifies that it will allow the State Auditor to audit or cause to be audited the contributed funds.

Erin K Ford
Organization Signature

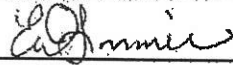
EVP/COO
Title

Erin K Ford
Printed Name

11/14/2022
Date

Certifications of State Agency Providing Contribution

- 1) State Agency certifies that the planned expenditure aligns with the Agency's mission and/or the purpose specified in the appropriations act of 2022.
- 2) State Agency certifies that the Organization has set forth a public purpose to be served through receipt of the expenditure.
- 3) State Agency certifies that it will make distributions directly to the organization.
- 4) State Agency certifies that it will provide the quarterly spending reports and accounting received from the organization to the Senate Finance Committee, House Ways and Means Committee, and the Executive Budget Office by June 30, 2023.
- 5) State Agency certifies that it will publish on their website any and all reports, accountings, forms, updates, communications, or other materials required by Proviso 117:21 of the appropriations act of 2022.
- 6) State Agency will certify to the Office of the Governor that it has complied with the requirements of Executive Order 2022-19 by June 30, 2023.


Agency Head Signature

28 Nov 2022
Date

Edward Simmer
Printed Name

South Carolina

Secretary of State

(<https://sos.sc.gov/>)

Mark Hammond

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SCBIO Foundation

Public Id: P11431

James Chappell Ph.D., CEO

22 WestEdge Street, Suite 400

Charleston, SC 29403

Status: Registered. Information from this organization's annual financial report is listed below.

The following financial information has been provided to the Secretary of State's Office by the above named organization. The Secretary of State's Office has not independently verified this financial information. If a charity has recently registered with the Secretary of State's Office for the first time, there may not be any financial data available. Below are figures for the organization's fiscal year **1/1/2021 - 12/31/2021**.

Financial Report

TOTAL REVENUE:	\$25,000.00
PROGRAM EXPENSES:	\$1,416.00
TOTAL EXPENSES:	\$4,933.00
NET ASSETS:	\$40,810.00
FUNDRAISER COSTS:	\$0.00

Financial Report File



p11431.pdf (/DisplayFinancialReport.aspx?
ReportType=Charity&CopyID=144934)

Next Report: 01/01/2022 - 12/31/2022 Due Date: 05/15/2023

According to the financial information filed with this office, this organization devoted **28.7%** of its total expenses to program services during the year reported.

Disclaimer: The South Carolina Secretary of State's Charities Search Webpage is provided as a service to customers to research charitable organizations on file with our office, or that have been the subject of an administrative action. Users are advised that the Secretary of State, the State of South Carolina, or any agency, office, or employee of the State of South Carolina do not guarantee the accuracy, reliability, or timeliness of the information provided, as it is the responsibility of the charity to inform the Secretary of State of any updated information. Furthermore, the information provided does not constitute legal advice.

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