



ORANGEBURG DEPT OF PUBLIC UTILITIES
INV PROV 118-19, \$10,000.00
Orangeburg DPU Water Study Project
Funding: 5180110000 10,000.00 J0404AC308
J040X0120 10050023 NOT RELEVANT

GRANT AGREEMENT

BETWEEN

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

AND

Orangeburg Department of Public Utilities, SC

This Agreement by and between the South Carolina Department of Health and Environmental Control (DHEC) and the Orangeburg Department of Public Utilities, SC (Recipient) a local council of government existing under the laws of South Carolina, is to provide for the distribution of funds **\$10,000 (non-recurring funds)** appropriated in 2022 Act 239, Part IB, Proviso 118.19 ,(83)J040 (e).

The parties agree as follows:

A. STATEMENT OF PURPOSE:

The purpose of the Agreement is to provide funding to Recipient, in support of the **Orangeburg- DPU Water Study Project**. This Agreement furthers DHEC's statutory mission as authorized in South Carolina Code **Section 48-39-10 to 48-39-360** and serves the public purpose of **environmental protections and conservation**.

B. SCOPE OF SERVICES:

The Recipient shall utilize the funds for the activities and services ("the Orangeburg- DPU Water Study 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 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 **\$10,000** 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 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 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:

Warren Harley
Orangeburg Department of Public Utilities
PO BOX 1057
Orangeburg, SC 29116 1057
wharley@orbgdpu.com

6. Source of Funds: State funds made available in the **FY2023** Appropriations Act Proviso 118.19 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 30th, 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 II (Quarterly Expenditure Report) an expected completion date by which it anticipates all funds will be spend. Recipient shall also submit a final report with this information If the Project is not completed or the Funds have not been spent by **June 30, 2023**, Recipient shall include in its report an explanation why the Funds have not been spent or the Project is not complete and 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 templates(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: 11/30/2022

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

RECIPIENT NAME

BY: Warren T. Harley
Warren T. Harley
Manager, City of Orangeburg Department
of Public Utilities

DATE: 11/20/2022

MAILING ADDRESS:
Mr. Warren Harley
P.O. Box 1057
Orangeburg, SC 29116

Phone: (803) 268-4004
Fax: (803) 535-2218
Email: wharley@orbgdpu.com
REMITTANCE ADDRESS: (if applicable)

TAX/EMPLOYER ID # 57-6004460

TYPE OF ENTITY (check one):

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

Other Governmental body (specify)

- Municipality
- Individual/sole proprietor

_ Other (specify)

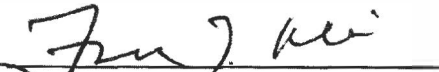
If a corporation or LLC:

State of incorporation/organization:

Registered agent and address in South Carolina:

SCDLLR or other license #

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



Francine Miller
DHEC Contracts Manager

DATE: 12-15-22

South Carolina
Secretary of State
(<https://sos.sc.gov/>)

Mark Hammond

Search Charities

Charities Search Home

<< Back to Search Results

County of Orangeburg

Public Id: P74719

Harold M Young , CEO

1437 AMELIA ST POST OFFICE DRAWER 9000

ORANGEBURG, SC 29115-6079

Status: Exempt. This organization is not required to file annual financial reports. For information about exemptions refer to the **Solicitation of Charitable Funds Act.**

(<http://www.scstatehouse.gov/code/t33c056.php>)

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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Please note: Text printed in *italic*, boldface indicates sections vetoed by the Governor on June 22, 2022.

**Indicates those vetoes overridden by the General Assembly on June 28, 2022.

(83) J040 Department of Health & Environmental Control

- (a) Aynor Stormwater Project \$ 650,000;
- (b) Harleyville Sewer Projects \$ 350,000;
- (c) Ridgeway Water Tower Maintenance \$ 100,000;
- (d) Impact fees for water/sewer construction \$ 500,000;
- (e) **Orangeburg - DPU Water Study \$ 10,000;**
- (f) York County York Upper and Lower Reservoir Dam Remediation \$ 200,000;
- (g) York County Elevated Storage Tank \$ 400,000;
- (h) York Water Filtration Plant Environmental Remediation \$ 700,000;
- (i) York County Fishing Creek Waste Water Treatment Plant Upgrades \$ 1,500,000;
- (j) York County Water Line Replacement \$ 1,500,000;
- (k) Catawba Wateree Water Supply Master Plan \$ 500,000;
- (l) Chester Wastewater Connection to Rock Hill \$ 10,000,000;
- (m) Windemere Basin Study and Outfall Maintenance \$ 1,500,000;
- (n) Sumter County Utility System Upgrades \$ 3,700,000;
- (o) James Island Watershed Restoration - Pollution Mitigation \$ 1,000,000;
- (p) Nursing Program Expansion and Retention \$ 2,000,000;
- (q) Wachesaw Outfall Project \$ 1,200,000;
- (r) Ocean Outfalls - Myrtle Beach \$ 30,000,000;
- (s) Ocean Outfalls - North Myrtle Beach \$ 10,000,000;
- (t) Town of Honea Path - Chiquola Mills Site Remediation \$ 1,000,000;
- (u) Clarendon County Abandonment of Wells \$ 82,500;
- (v) SCBio \$ 200,000;
- (w) EMS Association Recruitment and Retention \$ 1,600,000;
- (x) PFAS Remediation \$ 10,000,000;
- (y) New Morning Foundation \$ 1,875,000;
- (z) Conestee Dam Emergency Mitigation \$ 3,000,000;



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 |
|------------|---|-------------------------------------|
| \$9,800.00 | 1040 - Department of Health and Environmental Control | Orangeburg- DPU Water Study Project |

Organization Information

| | |
|----------------|---|
| Entity Name | Orangeburg Department of Public Utilities |
| Address | 1016 Russell Street |
| City/State/Zip | Orangeburg, SC 29115 |
| Website | Orbgdpu.com |
| Tax ID# | 57-6004460 |
| Entity Type | Municipality |

Organization Contact Information

| | |
|----------------|---------------------|
| Contact Name | Warren Harley |
| Position/Title | Manager |
| Telephone | (803)268-4004 |
| Email | wharley@orbgdpu.com |

Plan/Accounting of how these funds will be spent:

| Description | Budget | Explanation |
|---|--------------------|---|
| Preliminary Engineering Report from AECOM | \$9,800.00 | Preliminary design for providing wastewater for the Dash Street area presently served by septic tank. |
| Preliminary Engineering Report Review by E. Hasleden & Associates | \$200.00 | Independent Review of the PER. |
| | | |
| | | |
| | | |
| | | |
| Grand Total | \$10,000.00 | |

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

The purpose of this PER is to evaluate how to best serve the Dash Street area utilizing the DPU wastewater system. This area consists of approximately 86 homes that are currently using septic tanks for waste disposal.

Last updated: August 2022

J0404AC308 J040 X0120 10050023 Not relevant
5180110000 \$ 10,000 (34) 12/19/2022

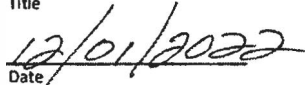
Organization Certifications

- 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.


Organization Signature

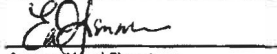
Manager
Title

Warren T. Harley
Printed Name


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

12-15-2022
Date

Edward Simmer
Printed Name

Michael C. Butler
MAYOR

Bernard Haire
Jerry Hannah
Dr. Kalu Kalu
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman
MEMBERS OF COUNCIL



Department of Public Utilities

Orangeburg, South Carolina

Warren Harley
MANAGER

November 28, 2022

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

RE: Orangeburg-DPU Water Study Project

Dear Mr. Busbee:

Enclosed you will find the executed documents for the Orangeburg-DPU Water Study Project (Dash Street Preliminary Engineering Report).

If you have any questions, please give me a call at (803) 268-4507.

Sincerely,

Ryan Etheridge, P. E.
Systems Superintendent
Wastewater Division

RME/dwc
WW-22-0289
Enclosure:
cc: R. Labrador
W. Harley
File 500-2.22-05



State of South Carolina Contribution Expenditure Report

This form is designed to collect the quarterly and annual expenditure reports 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 to the designation organization at the end of year quarter and by June 30, 2023.

Contribution Information

| Amount | State Agency Providing the Contribution | Purpose |
|------------|---|-------------------------------------|
| \$9,800.00 | J040 - Department of Health and Environmental Control | Orangeburg- DPU Water Study Project |

Organization Information

| | |
|----------------|--|
| Entity Name | Orangeburg Department of Public Utilites |
| Address | 1016 Russell Street |
| City/State/Zip | Orangeburg, SC 29115 |
| Website | Orbgdpu.com |
| Tax ID# | 57-6004460 |
| Entity Type | Municipality |

Organization Contact Information

| | |
|----------------|---------------------|
| Name | Warren Harley |
| Position/Title | Manager |
| Telephone | (803)268-4004 |
| Email | wharley@orbgdpu.com |

Reporting Period

| | |
|------------------|--|
| Reporting Period | Quarter 2: October 1, 2022 - December 30, 2022 |
|------------------|--|

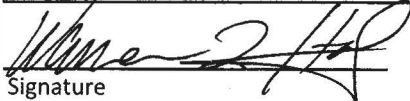
Accounting of how the funds have been spent:

| Description | Budget | Funding | | | | Total | Balance |
|---|--------------------|---------------|--------------------|---------------|---------------|--------------------|---------------|
| | | Quarter 1 | Quarter 2 | Quarter 3 | Quarter 4 | | |
| Preliminary Engineering Report from AECOM | \$9,800.00 | | \$9,800.00 | | | \$9,800.00 | \$0.00 |
| Preliminary Engineering Report Review by E. Haselden & Associates | \$200.00 | | \$200.00 | | | \$200.00 | \$0.00 |
| | | | | | | \$0.00 | \$0.00 |
| | | | | | | \$0.00 | \$0.00 |
| | | | | | | \$0.00 | \$0.00 |
| | | | | | | \$0.00 | \$0.00 |
| | | | | | | \$0.00 | \$0.00 |
| | | | | | | \$0.00 | \$0.00 |
| Grand Total | \$10,000.00 | \$0.00 | \$10,000.00 | \$0.00 | \$0.00 | \$10,000.00 | \$0.00 |

Explanation of any unspent funds (to be provided only if unspent funds remain at the end of the fiscal year):

Expenditure Certification

The Organization certifies that the funds have been expended in accordance with the Plan provided to the Agency Providing the Distribution and for a public purpose.


 Signature
 Warren T. Harley
 Printed Name

Manager
 Title
 12/01/2022
 Date