

FLUORIDATION GRANT AGREEMENT

Ozark Mountain Regional Public Water Authority
PO Box 1020
Diamond City, AR 72630

Grant Title: **Ozark Mountain Regional Public Water Authority, Fluoride Treatment System – Phase 1**
Grant Amount: Up to \$30,000.00 (the “Phase 1 Grant Funds”)
Grant Purpose: Delta Dental of Arkansas Foundation grant shall be used to pay Engineering Service, Inc. (ESI) to develop a budget for the fluoridation of its community water system, along with necessary design work for submission and approval by the Arkansas Department of Health

Whereas, the Delta Dental of Arkansas Foundation, Inc. (the “Foundation”) provides funds to Arkansas community water systems to support reasonable capital start-up costs for water fluoridation equipment, including design work; and

Whereas, Ozark Mountain Regional Public Water Authority’s (the “Authority”) Board has approved implementation of fluoridation of its community water system consistent with Arkansas Department of Health (the “ADH”) rules (the “Project”); and

Whereas, the Authority has agreed to contract with Engineering Service, Inc. (ESI) to develop a budget for the Project, along with necessary design work for submission and approval by the Arkansas Department of Health at a cost not to exceed \$30,000 (the “ESI Preliminary Work”); and

Whereas, the Foundation has agreed to provide the Authority up to \$30,000 in funding necessary to cover the costs of the ESI Preliminary Work as described above;

Now, therefore, the Authority and the Foundation agree as follows:

1. The Phase 1 Grant Funds shall be used by the Authority solely for the purposes of paying ESI for the ESI Preliminary Work.
2. The Foundation agrees to fund the ESI Preliminary Work up to the Phase 1 Grant Funds amount subject to the Foundation’s receipt of:
 - i. This fully executed Grant Agreement duly authorized by the Authority’s Board; and
 - ii. A copy of a proposal from ESI to the Authority reflecting the total cost of ESI Preliminary Work
3. The Foundation will provide the funding described in Paragraph 2 above as follows:
 - i. Payment of 50% of the Phase 1 Grant Funds amount, not to exceed \$15,000.00, for ESI’s Preliminary Work up to and including submission of the plans to ADH; the Authority will furnish the Foundation copies of ESI’s invoice and a copy of the Authority’s check to ESI demonstrating payment to ESI.
 - ii. Payment of the balance of ESI’s fees for the ESI Preliminary Work after final Project approval by ADH, submission to the Foundation of ESI’s final invoice and copy of the Authority’s check to ESI demonstrating payment to ESI.
4. The Foundation reserves the right to audit all expenditures by the Authority for the ESI Preliminary Work to ensure spending is consistent with this Agreement.

5. The Authority agrees any portion of the Phase 1 Grant Funds paid to the Authority not used in accordance with the terms of this Agreement must be repaid to the Foundation promptly on receipt of a request from the Foundation. The Authority shall be responsible for any costs incurred by the Foundation required to obtain such refund.
6. The Authority agrees to comply with the provisions of Act 197 of 2011, including the fluoridation rules established by the Arkansas Department of Health.
7. If the ADH approves the Project but the Authority does not complete the Project within twenty-four (24) months of the date of the ADH's approval, the Authority agrees to promptly refund the full amount of the Phase 1 Grant Funds to the Foundation upon written request of the Foundation.
8. The Foundation is to be held harmless by the Authority for all acts of misfeasance, malfeasance and/or malpractice associated with the disbursement of grant funds and the services purchased using said funds. The Authority accepts all legal and fiduciary responsibility for the use of the Phase 1 Grant Funds.

The Ozark Mountain Regional Public Water Authority accepts this Delta Dental of Arkansas Foundation, Inc. grant under the above terms and conditions. *(Note: Must be signed by Executive Director or President of the Board as authorized by the Authority's Board of Directors)*

Ozark Mountain Regional Public Water Authority of the State of Arkansas

Printed Name of Authorized Representative

Title

Signature of Authorized Representative

Date

Delta Dental of Arkansas Foundation, Inc.

Printed Name of Authorized Representative

Title

Signature of Authorized Representative

Date