

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

812A



FROM: Transportation Department

SUBMITTAL DATE:
December 18, 2014

SUBJECT: Acceptance of the California Office of Traffic Safety Grant for the Development of a Countywide Collision Database System. All Districts; [\$340,000]; 100% Federal Funds

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the grant award from the California Office of Traffic Safety in the amount of \$340,000 for the grant period October 1, 2014, through September 30, 2015, and authorize the Assistant Director of Transportation to sign the Grant agreement; and
2. Authorize the Assistant Director of Transportation to submit applications for future California Office of Traffic Safety (OTS) grants on behalf of the County of Riverside and execute any needed documents for OTS grants in accordance with Board Policy A-30; and
3. Approve and direct the Auditor-Controller to make the budget adjustments as outlined in the attached Schedule A.

Patricia Romo

Patricia Romo
Assistant Director of Transportation
for Juan C. Perez
Director of Transportation and Land Management

LTT: sa

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 340,000	\$ 0	\$ 340,000	\$ 0	Consent <input checked="" type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Federal Funds 100%. Federal funds provided by the California Office of Traffic Safety.				Budget Adjustment: Yes	
				For Fiscal Year: 14/15	

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grant

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *[Signature]*
 Esteban Hernandez
 Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]*
 ANITA C. WILLIS
 DATE: 12-18-14

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.:

District: All

Agenda Number:

3-13

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Acceptance of the California Office of Traffic Safety Grant for the Development of a Countywide Collision Database System. All Districts; [\$340,000]; 100% Federal Funds

DATE: December 18, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

The Transportation Department has a Geographic Information System (GIS)-based traffic collision database that has been in use for several years now. The software needs to be upgraded to take advantage of the latest features and enhancements available in the industry. In early 2014, the Transportation Department applied for a grant that would allow the County of Riverside (County) to develop a countywide GIS collision record system that, through the OTS, would also benefit all the cities within the county. The County successfully competed for the OTS grant and was awarded \$340,000 for the development of a GIS-based countywide traffic records system.

The Transportation Department will develop a countywide collision record system that will collect traffic collision data from all cities (excluding collisions on state highways) and allow sharing of collision data among local agencies on shared intersections and roadways so as to coordinate decision making in directing and prioritizing limited resources for safety improvements to reduce fatalities, injuries, and property damages caused by traffic collisions.

The database software will include analytical tools, which will help local agencies to analyze high collision locations and identify counter measures.

The grant will provide upgraded collision software to the County and cities that have an existing collision database and new software to those cities that do not currently have collision software. The countywide database will reside on a remote server so that OTS will also have access to the database.

Impact on Residents and Businesses

The countywide collision database will assist the effort of cities and County staff in reducing traffic collisions resulting in safer travel for motorists in general.

SUPPLEMENTAL:

Additional Fiscal Information

All project costs will be funded by the OTS grant and no general funds will be used.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

- A. Budget Adjustments - Schedule A
- B. Grant Agreement

Attachment A -- Budget Adjustments

Schedule A

Increase Estimated Revenue:

20000-3130100000-751680	CA – State Grant Revenue	\$340,000
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Increase Appropriations:

20000-3130100000-525080	Temp. Assistance Pool Services	\$ 67,200
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20000-3130100000-529000	Misc. Travel Expense	\$ 4,800
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20000-3130100000-523640	Computer Equipment - Non Fixed Asset	\$ 8,000
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20000-3130100000-546080	Equipment - Computer	<u>\$260,000</u>
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Total:		\$340,000
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1. GRANT TITLE
GIS-BASED COUNTYWIDE TRAFFIC RECORDS SYSTEM

2. NAME OF APPLICANT AGENCY RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT	4. GRANT PERIOD
3. AGENCY UNIT TO HANDLE GRANT TRAFFIC ENGINEERING DIVISION	From: 10/1/14 To: 9/30/15

5. GRANT DESCRIPTION
 The County will develop a countywide collision record system that will collect traffic collision data from all cities (excluding collisions on state highways) and allow sharing of data to facilitate decision making in directing and prioritizing limited resources for safety improvements to reduce fatalities, injuries and property damages. The countywide database will allow the County and cities the ability to compare regional issues/trends to consider solutions that require coordination among agencies. Additional features will be included in the new countywide system to create an agency model of roadway classifications, speed limits, intersection controls and traffic volume data. The system will need to produce collision rates along with average collision rates by road class and intersection control. The records from the countywide system will be available to upload to a state level for use by OTS.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 340,000.00

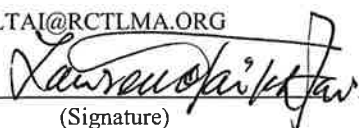

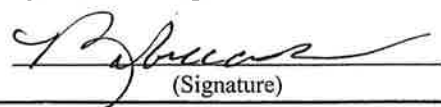
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement:

- Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure
- Schedule B (OTS-38d) – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)
- Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable)
- Exhibit A – Certifications and Assurances
- Exhibit B* - OTS Grant Program Manual

Items shown with an asterisk (), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.

We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

8. APPROVAL SIGNATURES	
A. GRANT DIRECTOR	B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY
NAME: Lawrence Tai PHONE: 951-955-6816 TITLE: County Traffic Engineer FAX: 951-955-3164	NAME: Patricia Romo PHONE: 951-955-6747 TITLE: Asst. Director of Transportation FAX: 951-955-3198
ADDRESS: Riverside County Transportation Dept. Annex 3525 14 th St Riverside, CA 92501	ADDRESS: Riverside County Transportation Dept. 4080 Lemon St. 8 th Floor, Riverside, CA 92501
E-MAIL: LTAI@RCTLMA.ORG	E-MAIL: PROMO@RCTLMA.ORG
 (Signature) 10/14/14 (Date)	 (Signature) 10-15-14 (Date)
C. FISCAL OR ACCOUNTING OFFICIAL	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS
NAME: Rebecca Carr PHONE: 951-955-6750 TITLE: Administrative Services Mgr. FAX: 951-955-3198	NAME: Admin. Division ADDRESS: 4080 Lemon St. 8 th Floor Riverside CA 92501 DUNS #: 079450075
E-MAIL: RCARR@RCTLMA.ORG	REGISTERED: County of Riverside, County Administrative Ctr ADDRESS & ZIP: 4080 Lemon St Riverside, CA 92501
 (Signature) 10/15/14 (Date)	

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. TR1503

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1. PROBLEM STATEMENT

The County of Riverside has a need for collision report data on a real-time basis for analytics that support all of our traffic safety efforts. In addition, it has been difficult or impossible to identify regional traffic collision problems and to coordinate possible solutions among separate agencies, such as on shared roadways between cities and county.

The County also desires the ability to analyze traffic collisions by collision rates based on intersection - controls and roadway classifications, and to be able to compare those rates to average regional rates as well as expected collision rates as defined by Caltrans.

The County of Riverside requires traffic collision records on a timelier basis and in addition, needs to have data accessible in a regional (county-wide) system. Having access to timely data provides the county Transportation Department the ability to make informed decisions in directing resources for traffic safety improvements. We can more effectively prioritize projects and budgets and be proactive in implementing safety improvements that will reduce fatalities, injuries and property damage.

Having county-wide data for all agencies in one database, and access available to all agencies in the county, provides cities and county the ability to compare regional issues and trends and to consider possible solutions that require coordination between agencies.

The County proposes to implement a collision database system with the back-end database hosted at a secure server that can be accessed by each agency in the county. A system with the ability to import collision reports, data-enter reports or create collision reports would be available to every agency in the county. The county would arrange when system is initially set up, for data-entry of reports for those not produced in a software system. Our goal is to have at least 90% of all collision reports taken county-wide input into the system on a real-time basis or input within 60 days (excluding those that are on freeways or state highways which are under Caltrans jurisdiction). Records from the county-wide system would be available to upload to a state-level database for use by the Office of Traffic Safety.

Additional features would be requested in the new regional system to provide the ability to create an agency model of roadway classifications, speed limits, intersection controls and traffic volume data. The ability for the system to produce collision rates along with average collision rates by road class and intersection control would be necessary.

Other system features would include:

- GIS Mapping and Google Earth mapping of collision locations
- The ability to import and export RMS files (where needed on an agency basis)
- Full-featured analysis functions for Collision and Citation reporting
- Licensing for all participating cities and county, along with installation and training

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. TR1503**

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2. PERFORMANCE MEASURES

A. Goals:

- 1) To develop and establish a countywide collision database to assist county and local cities in making informed decisions in directing limited resources for safety improvements that will have the most potential in reducing traffic collisions.

B. Objectives:

- 1) Develop a GIS based, collision record system that will incorporate the features and functionalities as described in Section 2 Strategies;
- 2) Coordinate with local cities and bring at least 90% of them on board to use the new system so that a countywide collision data base can be established for shared use;
- 3) Coordinate with the participating cities to obtain their support and concurrence to have the data provided to OTS for SWITRS use.

3. METHOD OF PROCEDURE

A. Phase 1 - Program Preparation, Training and Implementation (1st Quarter of Grant Year)

- Establish project number and accounts within RCTD.
- Prepare Request for Proposal to procure professional services and equipment.

B. Phase 2 - Program Operations (Throughout Grant Year)

- Select vendor for system development and implementation and to provide equipment.
- Reach out to local cities and stakeholders to obtain input for system/software development and implementation.
- Monitor and oversee progress of system/software development.

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at pio@ots.ca.gov, with a copy to your OTS Coordinator.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. TR1503

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- a) If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release should first be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
 - Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
 - Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
 - Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

- Agencies are required to collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Statistical data relating to the grant goals and objectives will be collected, analyzed, and incorporated in Quarterly Performance Reports (QPRs). QPRs for the quarter ending September 30 will include year-to-date comparisons of goals and objectives. If required, a separate quarterly data reporting form will be completed each quarter and submitted as part of the QPR.
- Reports will compare actual grant accomplishments with the planned accomplishments. They will include information concerning changes made by the Grant Director in planning and guiding the grant efforts.
- Reports shall be completed and submitted in accordance with OTS requirements as specified in the Grant Program Manual.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. TR1503

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full support of Riverside County. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. TR1503

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION		TOTAL AMOUNT
405c TR	20.616	National Priority Safety Programs		340,000.00
COST CATEGORY				
		FISCAL YEAR ESTIMATES		TOTAL COST TO GRANT
		CFDA	FY-1 10/1/14 - 9/30/15	
A. PERSONNEL COSTS				
Positions and Salaries				
Hourly				
Engineering Technician				
1 x \$39 per hour x 1,040 hours		20.602	\$ 40,560.00	\$ 40,560.00
Overtime				
Grant Activities		20.602	\$ 26,640.00	\$ 26,640.00
Category Sub-Total			\$ 67,200.00	\$ 67,200.00
B. TRAVEL EXPENSE				
In-State		20.602	\$ 4,800.00	\$ 4,800.00
Category Sub-Total			\$ 4,800.00	\$ 4,800.00
C. CONTRACTUAL SERVICES				
None			\$ -	\$ -
Category Sub-Total			\$ -	\$ -
D. EQUIPMENT				
Traffic Collision Database System		20.602	\$ 260,000.00	\$ 260,000.00
Category Sub-Total			\$ 260,000.00	\$ 260,000.00
E. OTHER DIRECT COSTS				
Computers		20.602	\$ 7,000.00	\$ 7,000.00
Office Supplies		20.602	\$ 1,000.00	\$ 1,000.00
Category Sub-Total			\$ 8,000.00	\$ 8,000.00
F. INDIRECT COSTS				
None			\$ -	\$ -
Category Sub-Total			\$ -	\$ -
GRANT TOTAL			\$ 340,000.00	\$ 340,000.00

PERSONNEL COSTS

Hourly

Engineering Technician - will act as a liaison between the Riverside County Transportation Department, local cities, contractors/vendors, and OTS. The position will also handle the majority of the outreach to cities, administrative tasks in preparing RFPs and in coordinating the awards of contracts for professional services and equipment acquisitions, as well as quarterly reports to OTS.

Supplanting Statement

Any non-grant funded vacancies created by reassignment to a grant-funded position must be filled at the expense of the grantee agency.

Overtime

Overtime for grant funded activity may be conducted by personnel such as a Senior Civil Engineer, Sr. Transportation Planner/Programmer, Accounting Technicians, or Clerical personnel as needed to accomplish the grant goals and objectives.

Costs are estimated based on an overtime hourly rate range of \$ 39.00/hour to \$ 89.00/hour.

Overtime reimbursement will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified.

Travel Expense

In-State - Costs are included for appropriate staff to attend conferences, meetings, and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included.

Contractual Services

None

Equipment

Traffic Collision Database System - An RFP for professional services will be prepared and issued to contract with a vendor to provide the necessary services needed to provide or upgrade software needed for the traffic collision database and geographic information (GIS) system which is to collect, analyze and display collision and enforcement data, including a full featured module for analysis, allowing queries for top ranking lists of high collision locations, breakdown by cause type, injuries, conditions and many other attributes. The system is to provide for collision mapping on Google Earth, ESRI GIS, or similar mapping products. Costs may include software and licenses, accessories, testing, implementation, training, a color plotter, and associated shipping and taxes. The vendor will develop and test/establish the system, and to implement the system for participating cities.

Other Direct Costs

2 Desktop Computer(s) - for use in tracking grant activities and producing required reports. Costs may include monitor, printer, software and accessories.

Office Supplies - Standard office supplies to support grant related activities, grant monitoring and reporting. Costs may include paper, toner, ink cartridges, CDs/DVDs and plotter supplies, and desk top supplies such as pens, pencils, binders, folders, flip charts, easels and clips. *Additional items may be purchased if approved by OTS.*

Indirect Costs

None

Program Income

There will be no program income generated from this grant.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Page 1

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

The officials named on the Grant Agreement, certify by way of signature on the Grant Agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended
- 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs
- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs
- Highway Safety Grant Funding Policy for Field-Administered Grants

NONDISCRIMINATION

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (88), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (101), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (100), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (92), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (91), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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BUY AMERICA ACT

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCH ACT)

The Grantee Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

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RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

1. By signing and submitting this Grant Agreement, the Grantee Agency official is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this Grant Agreement is submitted if at any time the Grantee Agency official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *Grant Agreement*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this Grant Agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency official agrees by submitting this Grant Agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

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7. The Grantee Agency official further agrees by submitting this Grant Agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

- (1) The Grantee Agency official certifies to the best of its knowledge and belief, that its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this Grant Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/Grant Agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the Grantee Agency official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this Grant Agreement.

EXHIBIT A

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Instructions for Lower Tier Certification

1. By signing and submitting this Grant Agreement, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this Grant Agreement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *Grant Agreement*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this Grant Agreement is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this Grant Agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this Grant Agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from

participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this grant agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant agreement.