

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

816



FROM: Riverside University Health System/Public Health

SUBMITTAL DATE:
February 10, 2016

SUBJECT: Ratify the Agreement PS 1610 between the State of California Office of Traffic Safety and the County of Riverside Department of Public Health for the performance period of November 1, 2015 through September 30, 2016. All Districts. [\$204,498 - State Funds].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the Agreement PS 1610 between the State of California Office of Traffic Safety (OTS) and the County of Riverside Department of Public Health (DOPH) in the amount of \$204,498 for the period of performance of November 1, 2015 through September 30, 2016; and
2. Authorize the Chairperson to sign five (5) originals of said Agreement on behalf of the County; and
3. Authorize the Director of Public Health or designee to sign subsequent Amendments that make only ministerial changes to the Agreement not to exceed the amount of \$204,498 nor extend the period of performance of November 1, 2015 through September 30, 2016.

BACKGROUND:

Summary
On Page 2

Sarah S. Mack

Sarah S. Mack, M.P.H.
Interim Director

JAS:vmf

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 148,720	\$ 55,778	\$ 204,498	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: 100% State Funds

Budget Adjustment: No

For Fiscal Year: 15/16 – 16/17

C.E.O. RECOMMENDATION: APPROVE

Christopher M. Hans

BY: Christopher M. Hans

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 2/23/16
Departmental Control/Finance

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

Prev. Agn. Ref.:

District: All

Agenda Number:

3-17

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

FORM 11: Ratify the Agreement PS 1610 between the State of California Office of Traffic Safety and the County of Riverside Department of Public Health for the performance period of November 1, 2015 through September 30, 2016. All Districts. [\$204,498 - State Funds].

DATE: February 10, 2016

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The County of Riverside Department of Public Health has received funding from the Office of Traffic Safety to provide a Student Safety Valet Program (SSVP) that will improve student pedestrian safety for grades K-6. The program will improve student safety during the morning drop off times by providing more fluid movement of vehicular traffic directly around school countywide. The program will help to alleviate traffic congestion around schools and prevent unsafe practices by parents and students alike. This program will be established in 15 schools countywide.

The Office of Traffic Safety agreement was received on December 23, 2015.



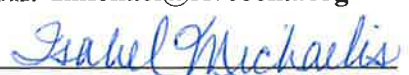
Impact on Citizens and Businesses


The program will address traffic congestion and traffic injuries near schools Countywide and help reduce the number of pedestrian traffic accidents.

SUPPLEMENTAL:

Additional Fiscal Information

Fiscal Year	Amount
2015-2016	\$148,720
2016-2017	\$55,778
	\$204,498

1. GRANT TITLE RIVERSIDE COUNTY PEDESTRIAN AND BICYCLE SAFETY EDUCATION PROGRAM	
2. NAME OF AGENCY RIVERSIDE COUNTY	4. GRANT PERIOD From: 11/1/15 To: 9/30/16
3. AGENCY UNIT TO ADMINISTER GRANT INJURY PREVENTION SERVICES	
5. GRANT DESCRIPTION County of Riverside Department of Public Health, Injury Prevention Services (IPS) seeks to reduce the number of children injured by motor vehicles as they walk or bike to and from school. The program focuses on 1) improving safety and traffic flow around schools through the implementation of a Student Safety Valet Program, which would result in the immediate reduction of traffic congestion and risk of pedestrian collisions around schools, and 2) educating children and parents, equipping them with knowledge and safety equipment to protect them from harm through a Teen-2-Teen program in partnership with Riverside Police Department (RPD).	
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 204,498.00	
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: <ul style="list-style-type: none"> • 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 <p>*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.</p> <p>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.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
8. APPROVAL SIGNATURES	
A. GRANT DIRECTOR NAME: Michael Osur PHONE: 951-358-5074 TITLE: Deputy Director FAX: 951-358-5120 ADDRESS: 4065 County Circle Dr. Riverside, CA. 92503 E-MAIL: mosur@rivcocha.org  _____ (Signature)	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Susan D. Harrington Sarah S. Mack, M.P.H. PHONE: 951-358-7036 TITLE: Director- Interim FAX: 951-358-4529 ADDRESS: 4065 County Circle Dr. Riverside, CA. 92503 E-MAIL: sharring@rivcocha.org ssmack@rivcocha.org  _____ (Signature)
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Isabel Michaelis PHONE: 951-358-5054 TITLE: Fiscal Manager FAX: 951-358-5292 ADDRESS: 4065 County Circle Dr. Riverside, CA. 92503 E-MAIL: Imichael@rivcocha.org  _____ (Signature)	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: Department of Public Health ADDRESS: P.O. Box 7849 Riverside, CA. 92503
9. DUNS NUMBER DUNS #: 072514789 REGISTERED ADDRESS & ZIP: 4080 Lemon Street Fl 3rd Riverside, CA 92501-3634	

FORM APPROVED BY COUNTY COUNSEL
 BY:  NEAL R. KIPNIS (DATE) 2/23/16

8. E. Approval Signatures continued for Authorizing Official of Agency

COUNTY OF RIVERSIDE

**John Benoit, Chairman
Board of Supervisors**

Date: _____

ATTEST: Kecia Harper-Ihem, Clerk of the Board

By _____

Date: _____

FORM APPROVED COUNTY COUNSEL
BY: *Neal R. Kipnis* DATE: *2/23/16*

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1610**

1. PROBLEM STATEMENT

According to the National Highway Traffic Safety Administration (NHSTA), in 2013, approximately one-fifth (21%) of children ages 14 and younger killed in traffic crashes were pedestrians. From 2011-2013, in Riverside County alone, there were a total of 282 pedestrian and bicycle victims between the ages of 5 and 13 (*SWITRS*). In Riverside County, traffic congestion and traffic injuries nearby schools continue to be a significant problem that affects children and their parents or guardians. From 2011-2013, there were 133 collisions involving pedestrians and bicyclists ages 5-13, within ½ mile radius of schools in Riverside County during the hours of 6:00 AM and 5:59 PM. (*Transportation Injury Mapping System, UC Berkley*).

The following table below shows total pedestrian and bicycle injuries and fatalities between 2011 and 2013, among children ages 5-13 years old in Riverside County.

**County of Riverside
Pedestrian and Bicycle Injuries and Fatalities**

PED/BIKE	Collision Year								Total Injuries and Fatalities
	2011		2012		2013		Total		
	INJURED	KILLED	INJURED	KILLED	INJURED	KILLED	INJURED	KILLED	
5-9 years	35	0	22	2	22	1	79	3	82
10-13 years	68	2	65	1	64	0	197	3	200
Total	103	2	87	3	86	1	276	6	282

Local data suggests that certain cities in the County of Riverside have a higher rate of child pedestrian and injuries than others. These high risk areas include: Moreno Valley, Riverside, Hemet, Indio, and Lake Elsinore. (*TIMS*)

From 1969 to 2001, the percentage of children being driven to school nearly tripled, from 20 percent to 55 percent. (*Journal of Physical Activity and Health, 2008*). In 2009, only 13 percent of children 5 to 14 years of age usually walked or bicycled to school (*National Center SRTS, 2011*). These changes in transportation modes to school have had a significant impact on traffic congestion and safety. Higher volumes of cars near schools also create greater traffic safety concerns for the children who do walk and bicycle.

As a result of this trend, children who attend elementary schools are at greater risk of injuries and fatalities, whether being dropped off or walking/bicycling to school. Students who are transported to school by family vehicle are often dropped off in the midst of traffic which increases the likelihood of being hit by a vehicle. Students who are walking or bicycling to school are also at higher risk of injury when traffic flow is not controlled.

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GRANT NO. PS1610

A. Traffic Data Summary:

Complete the table below using local data, do not use the OTS Rankings or SWITRS.

Collision Type	2011		2012		2013 (Data incomplete)	
	Collisions	Victims	Collisions	Victims	Collisions	Victims
Fatal	191	208	203	216	215	221
Injury	7,298	10,774	7,482	10,985	7,711	10,910

2. PERFORMANCE MEASURES

A. Goals:

- 1) To reduce the number of persons killed in traffic collisions.
- 2) To reduce the number of persons injured in traffic collisions.
- 3) To reduce the number of bicyclists killed in traffic collisions.
- 4) To reduce the number of bicyclists injured in traffic collisions.
- 5) To reduce the number of pedestrians killed in traffic collisions.
- 6) To reduce the number of pedestrians injured in traffic collisions.
- 7) To reduce the number of school aged children killed by motor vehicles.
- 8) To reduce the number of school aged children injured by motor vehicles.
- 9) To improve traffic flow around elementary schools.

B. Objectives:

1. To update Student Safety Valet Program curriculum and materials by November 30, 2015.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1610

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2. To update pre- and post-evaluation tools to assess program effectiveness including parent and student surveys by December 30, 2015.
3. To establish or re-establish an MOU with each law enforcement agency participating in the SSVP by January 31, 2016.
4. To contract with local police departments to train high school students to educate elementary students and families about Pedestrian Safety at a minimum of four (4) school assemblies and ten (10) community events.
5. To contract with local police departments to properly fit and distribute a total of 400 bicycle helmets during community events.
6. To conduct training for school personnel and other adult participants on Student Safety Valet Program implementation by June 30, 2016.
7. To establish the Student Safety Valet Program at fifteen (15) elementary schools, grades K-6.
8. To conduct pre- and post evaluation surveys (parent and student) to assess SSVP effectiveness at each participating school.
9. To contract with media production to produce 3 traffic safety awareness videos in English and Spanish by January 31, 2016.
10. To produce traffic safety awareness videos by June 30, 2016 (develop and obtain OTS approval of script/storyboard, recruit students, school personnel and law enforcement participation, secure locations, shoot, edit and field test videos).
11. To upload video to County websites and other online media by July 31, 2016.
12. To promote and increase viewership of pedestrian and bicycle safety videos by utilizing social media such as Twitter and Facebook.

3. METHOD OF PROCEDURE

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

- All internal staff training needed to implement the program should be conducted this quarter.
- Grant related purchases needed to implement the program should be made this quarter.

SCHEDULE A
GRANT DESCRIPTION
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- Complete and route all necessary forms to the County of Riverside Department of Public Health administration and Board of Supervisors for approval of grant activities.
- Establish a contract with Riverside Police Department to train high school students to implement Pedestrian Education at eight (8) school events and eight (8) community events.
- Update all SSVP materials in English and Spanish for the development of SSVP Toolkit.
- Develop outline, script and storyboard for Pedestrian and Bicycle Safety video production.
- Get approval for video outlines, scripts and storyboards from OTS.
- Identify all target areas where Student Safety Valet Program and Pedestrian/ Bicycle Safety Education events will be implemented, and where video will be filmed.
- Obtain commitment from local law enforcement agencies to assist with student training and traffic safety during the Student Safety Valet Program.
- Research available vendors for quotes on materials needed for the grant activities.
- Update Injury Prevention website listing new traffic safety programs available to county residents.
- Update list of media outlets in the County of Riverside.
- Update spreadsheets to monitor all grant activities to ensure adequate reporting to the funding source.
- Purchase necessary supplies (i.e. safety cones, vests, etc.) to conduct grant related activities.
- Conduct pre-evaluations of Student Safety Valet Program activities.
- Coordinate student recruitment for Student Safety Valet Program and video production at participating schools including parent permission slips and photo releases.
- Schedule Student Safety Valet Program training for selected students to serve as Student Valets and schedule video filming dates at determined locations.
- Assist Riverside Police Department in scheduling Pedestrian Safety Education and bicycle helmet fittings events targeting elementary students and families with school aged children.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information

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Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.

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

- Provide oversight on contract with Riverside Police Department (RPD) to conduct Pedestrian Safety Education events at school and community events targeting families with school aged children.
- Provide oversight for RPD to properly fit and distribute 400 bicycle helmets at a minimum of eight (8) community events countywide to raise traffic safety awareness.
- Coordinate, conduct and support Student Safety Valet Program events at all fifteen (15) participating schools.
- Film, edit and produce Pedestrian and Bicycle Safety video to upload to various websites.
- Finalize SSVP Toolkit for distribution and upload documents to County website for the widespread availability and sustainability of the program.
- Conduct post evaluations of SSVP activities.
- Track all activities in appropriate spreadsheets for reporting.

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.
 - 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 shall 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.
 - b) Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
 - c) Activities such as warrant service operations and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.

SCHEDULE A
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- 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.

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 of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

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

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PS1610

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS	20.600	State and Community Highway Safety	\$204,498

COST CATEGORY	FISCAL YEAR ESTIMATES 10/1/15 thru 9/30/16			TOTAL COST TO GRANT
	CFDA	FY-1		
A. PERSONNEL COSTS				
Positions and Salaries				
Program Coordinator 1 x 11 mo. x \$7,185/mo x 50%	20.600	\$ 39,518.00		\$ 39,518.00
Health Services Assistant 2 x 11 mo. x \$2,971/mo x 50%	20.600	\$ 32,680.00		\$ 32,680.00
Office Assistant 1 x 11 mo. x \$3,640/mo x 50%	20.600	\$ 20,020.00		\$ 20,020.00
Epidemiology Analyst 1 x \$37.84/hr x 208 hours	20.600	\$ 7,871.00		\$ 7,871.00
Benefits @ 46%	20.600	\$ 46,041.00		\$ 46,041.00
Category Sub-Total		\$ 146,130.00		\$ 146,130.00
B. TRAVEL EXPENSE				
In-State	20.600	\$ 4,488.00		\$ 4,488.00
Category Sub-Total		\$ 4,488.00		\$ 4,488.00
C. CONTRACTUAL SERVICES				
Law and Protective Services Program	20.600	\$ 12,000.00		\$ 12,000.00
Video Production	20.600	\$ 8,000.00		\$ 8,000.00
Graphics Production	20.600	\$ 2,000.00		\$ 2,000.00
Category Sub-Total		\$ 22,000.00		\$ 22,000.00
D. EQUIPMENT				
None				\$ -
Category Sub-Total		\$ -		\$ -
E. OTHER DIRECT COSTS				
Office Supplies	20.600	\$ 4,857.00		\$ 4,857.00
Event Supplies	20.600	\$ 10,000.00		\$ 10,000.00
Bicycle Helmet (400 x \$10 ea.)	20.600	\$ 4,000.00		\$ 4,000.00
Printing/Duplication	20.600	\$ 3,900.00		\$ 3,900.00
Office Space	20.600	\$ 5,645.00		\$ 5,645.00
Communications	20.600	\$ 3,478.00		\$ 3,478.00
Category Sub-Total		\$ 31,880.00		\$ 31,880.00
F. INDIRECT COSTS				
None				\$ -
Category Sub-Total		\$ -		\$ -
GRANT TOTAL		\$ 204,498.00		\$ 204,498.00

SCHEDULE B-1

GRANT NO. PS1610

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

Fulltime

Salaries - may include wages, salaries, special compensations, or authorized absences such as annual leave and sick leave provided the cost for the individual employee is (a) reasonable for the services rendered, and (b) follows an appointment made in accordance with state or local laws and rules and meets federal requirements.

Program Coordinator (PC) – Under the direction of the Program Director, the PC will act as a liaison between the County of Riverside Department of Public Health, the sub-contracted organizations, and the state OTS. The PC will oversee all grant objectives, fiscal responsibilities, and prepare all performance reports.

Health Services Assistant (HSA) – Under the direction of the PC, the Health Services Assistant will be responsible for assisting the PC with all grant funded activities.

Office Assistant (OA) – Under the direction of the PC, the OA will provide clerical support to staff working directly on the grant funded activities.

Epidemiology Analyst (EA) – As a part of the Epidemiology and Program Evaluation (EPE) Branch, assist IPS staff with survey development, statistical data analysis, and evaluation of program effectiveness.

Full -Time Benefit Rates

Health Insurance	15.61%
Life Insurance	.10%
Medicare	1.45%
Retirement	19.30%
Social Security/FICA/OASDI	6.20%
State Disability/SDI	1.44%
Workers Compensation	1.90%
TOTAL BENEFIT RATE	46.00%

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.

SCHEDULE B-1

GRANT NO. PS1610

BUDGET NARRATIVE

Page 2

TRAVEL EXPENSE

In State

Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the Lifesavers Conference. *All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.*

CONTRACTUAL SERVICES

Law and Protective Services Program - Riverside Police Department will implement the Law and Protective Services (LAPS) program where students from a local high school are trained to educate young children and families on pedestrian and bicycle safety at school and community events.

Video Production – Filming, editing and production of Pedestrian and Bicycle Safety videos to be uploaded online for widespread viewing.

Graphics Production – Creation of professional promotional materials for widespread online distribution of Pedestrian and Bicycle Safety video including online graphics.

EQUIPMENT

None

OTHER DIRECT COSTS

Office Supplies - used for standard office supplies to support grant related activities, grant monitoring and reporting. Costs may include paper, toner, ink cartridges, CDs/DVDs, USBs, and desk top supplies such as pens, pencils, binders, folders, flip charts, easels and clips. Excludes office furnishings and fixtures such as but not limited to the following: desk, chair, table, shelving, coat rack, credenza, book, filing cabinet, floor covering, office planter, storage cabinet, portable partition, picture, wall clock, draperies and hardware, and fixed lighting/lamp.

Event Supplies– traffic cones, signage, vests, badges, rain ponchos, plastic valet supply storage boxes, banners, A-frames, megaphones, reflective gloves, cone carriers, for Student Safety Valet Program *Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.*

Bicycle Helmets (400) – helmets to be properly fitted and distributed during pedestrian and bicycle safety related events.

Printing/Duplication - costs include the purchase of paper, production, printing and/or duplication of materials associated with daily grant operations.

SCHEDULE B-1

GRANT NO. PS1610

BUDGET NARRATIVE

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Office Space - costs include rent and utilities associated with grant goals and objectives. Charges to the grant will be in accordance with the following formula or rate: pro-rated at base fee x 2.1 FTE. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the space.

Communications - costs of telephone service, mail/messenger service (excluding overnight priority mail) and communications services. Reimbursement will be actual cost bases pro-rated at base fee x 2.1 FTE

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 Part 1200—Uniform Procedures for State Highway Safety Grant Programs

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 (Pub. L. 88-352), 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 (Pub. L. 101-336), 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 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), 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 (Pub. L. 91-616), 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.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

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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 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, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients 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.

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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 Grant Agency Official 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.
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

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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.

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

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- 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.

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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.