

974



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

FROM: Probation Department

SUBMITTAL DATE:
December 11, 2012

SUBJECT: Acceptance and Approval of Grant Award Agreement with California State Office of Traffic Safety and Amend Ordinance No. 440 pursuant to Resolution 440-8920 submitted herewith.

RECOMMENDED MOTION: That the Board approves and:

1. Accepts the award of \$295,000 from the California State Office of Traffic Safety (OTS) for the Intensive Probation Supervision of High-Risk Felony and Repeat DUI Offenders grant;
2. Authorizes the Chief Probation Officer to execute the Grant Agreement;
3. Authorizes the Chief Probation Officer, or designee, to execute future ministerial amendments to this Grant Agreement;
4. Directs the Auditor-Controller to make the budget adjustments as outlined on the attached Schedule A for Fiscal Year 2012/13; and
5. Amends Ordinance No. 440 pursuant to Resolution 440-8920 submitted herewith.

BACKGROUND: In 2011, the California Office of Traffic Safety (OTS) invited eligible government agencies to submit applications for traffic safety grants for the federal fiscal year 2013.
(continued on page 2)

Mark A. Hake for

Alan M. Crogan Mark A. Hake for
Chief Probation Officer

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY: *Samuel Wong* 12/11/12
SAMUEL WONG

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 295,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	FY 12/13

SOURCE OF FUNDS: California State Office of Traffic Safety	Positions To Be Deleted Per A-30	<input checked="" type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Elizabeth J. Olson*
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-8920 is adopted as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: December 18, 2012
xc: HR, Probation, EO, Auditor(2)

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy
3.39

FORM APPROVED COUNTY COUNSEL
BY: *Barbara A. Olivier*
NEAL R. KIPNIS
DATE: 12/11/12
Departmental Chief of Human Resources Director
Approved by Barbara A. Olivier,
Asst. County Executive Officer/
Human Resources Director

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
Per Exec. Ofc.: Consent Policy

RE: Acceptance and Approval of Grant Award Agreement with California State Office of Traffic Safety and Amend Ordinance No. 440 pursuant to Resolution 440-8920 submitted herewith.

Date: December 11, 2012

Page 2

Background: *(continued from page 1)*

According to the California Highway Patrol Statewide Integrated Traffic Records System, statewide collisions in 2010 resulted in 2,520 fatalities and 161,094 injuries. Of those, 190 fatalities and 7,632 injuries occurred in Riverside County. Thirty-six percent (36%) of the fatalities and twelve percent (12%) of the injuries in Riverside County were the result of alcohol involved collisions. While the percentage of alcohol related fatalities is slightly below the state average of thirty-eight percent (38%), Riverside County exceeds the injury average of ten percent (10%). In an effort to reduce these numbers, the Probation Department submitted an application for funds through OTS to work towards reducing DUI related fatalities, injuries, and DUI recidivism.

With the statewide award announcement, OTS awarded the Probation Department \$295,000 in the category of Intensive Probation Supervision. The award of these OTS funds will enable the Probation Department to achieve program goals which include to: reduce the number of persons killed in traffic collisions; reduce the number of persons injured in traffic collisions; reduce the number of new DUI offenses by DUI probationers; reduce the number of DUI probationers arrested/cited for driving with a suspended or revoked license; and increase the percentage of DUI probationers in compliance with court-ordered probation. The high-risk, felony and repeat DUI offenders will be held accountable through intensive supervision to ensure compliance with court ordered conditions of probation and to prevent re-arrest on new DUI charges. Supervision activities will include monitoring of treatment and DUI program participation; conducting field and office visits, unannounced fourth waiver searches, and random alcohol/drug testing; distributing HOT Sheets reports to notify patrol and traffic officers to be on the lookout for repeat DUI offenders with suspended or revoked licenses as a result of DUI convictions; and participating with local law enforcement on anti-DUI efforts, including the Avoid The 30 program (a joint effort between law enforcement agencies, media advocacy, and community coalitions to reduce the number of people driving under the influence).

In addition, these funds will allow the Probation Department to add two Deputy Probation Officers and one Senior Probation Officer to staff and implement this program. All positions are 100% OTS funded. In accordance with Policy A-30, all positions in the attached resolution will be deleted upon termination of the funding.

This grant award and implementation has been reviewed by the Auditor-Controller's Office and the Department of Human Resources, and approved as to form by County Counsel.

A copy of the agreement will be returned to the Clerk of the Board upon final execution by OTS.

Schedule A

Riverside County Probation Department

Fiscal Year 2012/13

Increase Appropriations:

10000-2600200000-510040	Regular Salaries	\$ 206,391
10000-2600200000-518100	Budgeted Benefits	76,169
10000-2600200000-527880	Training - Other	2,000
10000-2600200000-529000	Misc Travel Expense	1,500
10000-2600200000-523700	Office Supplies	600
10000-2600200000-527720	Safety-Security Supplies	1,270
10000-2600200000-525440	Professional Services	1,419
10000-2600200000-527780	Special Program Expense	5,651
	Total	\$ 295,000

Increase Estimated Revenue:

10000-2600200000-755680	CA-Other Operating Grants	\$ 295,000
	Total	\$ 295,000

1 RESOLUTION NO. 440-8920

2
3 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in
4 regular session assembled on December 18, 2012, that pursuant to Section 4(a)(ii) of Ordinance
5 No. 440, the Assistant County Executive Officer/Human Resources Director is authorized to make the
6 following listed change(s), operative on the date of approval, as follows:

7 Job
8

<u>Code</u>	<u>+/-</u>	<u>Department ID</u>	<u>Class Title</u>
79532	+ 2	2600200000	Deputy Probation Officer II
79533	+ 1	2600200000	Senior Probation Officer

10
11 ROLL CALL:

12 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
13 Nays: None
14 Absent: None

15 The foregoing is certified to be a true copy of a resolution duly
16 adopted by said Board of Supervisors on the date therein set forth.

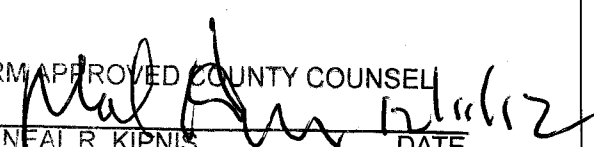
17 KECIA HARPER-IHEM, Clerk of said Board

18 By: _____
19 Deputy

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27 /kc

12/10/2012

28 440 Resolutions\KC

1. GRANT TITLE Intensive Probation Supervision for High-Risk Felony and Repeat DUI Offenders	
2. NAME OF APPLICANT AGENCY County of Riverside	4. GRANT PERIOD From: 11/15/2012 To: 9/30/2013
3. AGENCY UNIT TO HANDLE GRANT Probation Department	
5. GRANT DESCRIPTION County Probation Departments will work to reduce DUI related fatalities and injuries and to prevent DUI recidivism. The worst-of-the-worst, high-risk, felony and repeat DUI offenders will be held accountable through intensive supervision to ensure compliance with court-ordered conditions of probation and to prevent re-arrest on new DUI charges. Supervision activities include: monitoring of treatment and DUI program participation; conducting office visits; field contacts; unannounced fourth waiver searches and random alcohol/drug testing as well as distribution of HOT Sheets and participation with local law enforcement on anti-DUI efforts including the Avoid campaign.	
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$295,000.00	
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"> • Page 2 (OTS-38a) • Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B (OTS-38d) – Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable) • Schedule C (OTS-38g) – Quarterly Evaluation Data Form (if applicable) • Exhibit A – Federal 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: www.ots.ca.gov/Grants//Grant_Administration/Program_Manual.asp.</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>	
7. APPROVAL SIGNATURES	
A. GRANT DIRECTOR	B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY
NAME: Patricia Mendoza PHONE: 951-443-2278 TITLE: Division Director FAX: 951-443-2255 ADDRESS: Southwest Services Division 2560 N. Perris Blvd., Bldg. N1, Perris, CA PO Box 219, Perris, CA 92572 E-MAIL: PMendoza@rcprob.us	NAME: Alan M. Crogan PHONE: 951-955-2830 TITLE: Chief Probation Officer FAX: 951-955-2843 ADDRESS: 3960 Orange Street, Suite 600 Riverside, CA 92501 PO Box 833, Riverside, CA 92502-0833 E-MAIL: ACrogan@rcprob.us
_____ (Signature) _____ (Date)	_____ (Signature) _____ (Date)
C. FISCAL OR ACCOUNTING OFFICIAL	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS
NAME: Doug Moreno PHONE: 951-955-2983 TITLE: Admin. Manager III FAX: 951-955-2851 ADDRESS: 3960 Orange Street, Suite 600 Riverside, CA 92501 PO Box 833, Riverside, CA 92502-0833 E-MAIL: DEMORENO@RCPROB.US	NAME: Fiscal Services Division ADDRESS: PO Box 833 Riverside, CA 92502-0833
_____ (Signature) _____ (Date)	FORM APPROVED COUNTY COUNSEL BY:  NEAL R. KIPNIS DATE: 12/12/12

**GRANTS MADE EASY – Probation
(Overtime)**

**SCHEDULE A - GRANT DESCRIPTION
Grant No. PT1350
Page 1**

PROBLEM STATEMENT

Describe the traffic safety related problem/deficiency and how it was identified. Compare your county's DUI problem with statewide numbers, rates, and averages. Refer to the OTS Grant Program Manual for more detailed information regarding the Problem Statement.

Driving Under the Influence of alcohol continues to be problematic for the State of California and for the County of Riverside. Through the use of the Riverside County Probation Department's Juvenile and Adult Management System (JAMS), as of March 21, 2012, there were a total of 998 DUI offenders under the supervision of the probation department in Riverside County. Of these, 614 were on adult felony probation and were identified to be concentrated in two major areas of Riverside County- the Riverside area, and Southwest area of Riverside County. Additionally, 38 adult probationers have multiple misdemeanor DUI offenses and 47 have a felony DUI with a hit and run offense. Targeting these populations with increased probation supervision is consistent with the goals of this grant in reducing the number of persons killed and injured in traffic collisions, which is a major concern for Riverside County. According to the Statewide Integrated Traffic Records System, there were 87 fatal collisions in Riverside county and 986 injury collisions in 2009; the third highest in the state for fatalities and the fourth highest in the state for injury collisions. In 2007, Riverside County was 2nd in the state for fatal collisions, with 129.

According to the State of California, Department of Justice, Criminal Justice Statistics Center, felony arrests in Riverside County dropped from 27,557 in 2006 to 26,481 in 2007. In 2008, felony arrests dropped to 24,961, and then dropped again in 2009 to 24,099. However, misdemeanor offenses have shown a significant rise in the years 2005-2009. In 2005, Riverside County had 33,946 misdemeanor arrests and in 2006, that number rose to 37,078 misdemeanor arrests. In 2007, there were 40,098 arrests and in 2009, misdemeanor arrests totaled 40,087 for Riverside County.

Likewise, DUI arrests have also increased significantly from 2005-2009. In 2005, Riverside County had 8,501 misdemeanor DUI arrests, while in 2006, that number rose to 9,650, an increase of 1,149 or 13.5%. This number continued to rise in 2007 and 2008, with 10,019 DUI arrests in 2007 and 10,674 in 2008. In 2009, there was a slight decrease in Riverside County misdemeanor DUI arrests with 10,647. According to the Annual Report of the California DUI Management Information System (DUI-MIS), for the years of 2009, 2010, and 2011, Riverside County was listed among the five counties who had over 10,000 DUI arrests each, accounting for over 48% of all DUI arrests throughout the state of California.

**GRANTS MADE EASY – Probation
(Overtime)**

**SCHEDULE A - GRANT DESCRIPTION
Grant No. PT1350
Page 2**

Regarding the five counties identified in the 2011 DUI-MIS report, (Los Angeles, San Diego, Orange, San Bernardino and Riverside) with over 10,000 DUI arrests each, the report also reveals data regarding percentages of change. DUI arrest by county and annual percentage of change for 2008-2009 indicates that each of the five counties with the highest DUI arrests had a decrease in arrests for these years with the exception of Riverside County. Los Angeles County had a decrease of 3.1%; San Bernardino County, 3.4%; Orange County, 3.3%; San Diego, 4.7%; yet Riverside County experienced no change. It should be noted that within this same period, the statewide percent of change also showed a decrease with a 2.9% decrease. Additionally, it should be noted that DUI grant funding was not awarded to the Riverside County Probation Department within this same time period.

Given the significant amount of DUI fatalities, injury collisions and DUI arrests in Riverside County, the Riverside County Probation Department is interested in establishing specific DUI caseloads for high-risk offenders to reduce recidivism by employing innovative offender management strategies as well as assisting local law enforcement with proactive detection of new and repeat offenders, thus reducing fatalities, injury collisions, and saving lives.

Collision Type	2008				2009				2010			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	3,113		3,401		2,805		3,076					
Injury	170,496		241,873		163,524		232,777					
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	1,239	19,659	1,355	28,463	1,146	17,976	1,263	26,058				
Countywide Total DUI Arrests*	10,872				10,873							
Countywide Misdemeanor DUI Convictions*	8,827				8,674							
Countywide Felony DUI Convictions*	183				195							

*Countywide DUI arrest and conviction data are available in the "Annual Report of the California DUI Management Information System", Appendix B, Table B1 and B3.

**GRANTS MADE EASY – Probation
(Overtime)**

SCHEDULE A - GRANT DESCRIPTION

Grant No. PT1350

Page 3

	FFY 2009	FFY 2010	FFY 2011
Average Number of DUI Probationers Under Intensive Supervision	283	262	
Warrant Sweeps Conducted	*0	*0	
Field Contacts (Without Search) Conducted	890	744	
Office Contacts Conducted	1,955	1,693	
Home Searches Conducted	Note 1	Note 1	
Alcohol and Other Drug Tests Conducted	282	179	
HOT Sheets Distributed	0	0	
Multi-Agency Operations Participated In (Not including Warrant Sweeps Reported Above)	*0	*0	
SCRAM Probationer-Days	9,846	13,939	
Positive Reports from SCRAM	4	22	
Violations Resulting from SCRAM	4	6	
Known Violatable Acts	116	111	
Responses to Known Violatable Acts	Note 2	Note 2	
Court Actions Initiated for Violatable Acts	57	63	
Grant-Funded Full-Time DUI Probation Officers	0	0	
Non-Grant Full-Time DUI Probation Officers	0	0	

* For the years 2008, 2009 and 2010, the Riverside County Probation Department did not participate in any Warrant Sweeps or Multi-Agency Operations that targeted DUI offenders. However, the Gang Task Force, which Probation participates in, conducted 8 Warrant Sweeps in each of those years. Additionally, the SAFE task force, also which Probation participates, in conducted 18 Multi-Agency Operations in 2008; 24 in 2009 and 19 in 2010.

- Note 1: The Riverside County Probation Department was unable to capture this information using stored data from the Juvenile and Adult Management System (JAMS); however, if this is a future reporting requirement, modifications to the current system can be made so this data can be collected.
- Note 2: The Riverside County Probation Department was unable to capture this information using stored data from the Juvenile and Adult Management System (JAMS). Responses other than Court actions would normally include increased reporting, referrals and other similar actions. If this is a future reporting requirement, modifications to the current system can be made so this data can be collected.

PERFORMANCE MEASURES

GRANT GOALS

1. To reduce the number of persons killed in traffic collisions.
2. To reduce the number of persons injured in traffic collisions.

**GRANTS MADE EASY – Probation
(Overtime)**

SCHEDULE A - GRANT DESCRIPTION

Grant No. PT1350

Page 4

3. To reduce the number of new DUI offenses by DUI probationers.
4. To reduce the number of DUI probationers arrested/cited for driving with suspended or revoked license.
5. To increase the percentage of DUI probationers in compliance with court-ordered probation.

GRANT OBJECTIVES

1. To issue a press release announcing the kick-off of the grant by November 15 of the first grant year. The press releases and media advisories, alerts, and materials should be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. To 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. 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. Drafts should be sent for approval as early as possible to ensure adequate turn-around time. Optimum lead time would be 10-20 days prior to the operation. Media communications 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. Activities such as warrant or probation sweeps 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.
3. To 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.
4. To email the OTS Public Information Officer 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 that OTS has enough notice to arrange for attendance and/or participation in the event.
5. To submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.), which is meant for general public use, to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the production or duplication.
6. To include the OTS logo, space permitting, on grant funded print materials; consult your OTS Coordinator for specifics relating to this grant.

**GRANTS MADE EASY – Probation
(Overtime)**

SCHEDULE A - GRANT DESCRIPTION

Grant No. PT1350

Page 5

7. To develop and maintain a “Hot Sheet” program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions by December 31 of the first grant year. Updated Hot Sheets should be distributed to patrol and traffic officers every three to four weeks.
8. To develop (and submit by October 31) a written “Operational Plan” to establish the method of operation and the policies applicable to carry out the activities of the DUI Probationer Supervision grant program.
9. To obtain, or develop, and utilize a risk or needs assessment tool to identify high-risk DUI offenders for placement on formal probation by October 31.
10. To establish 3 caseloads of 50 high-risk DUI probationers per caseload for intensive supervision by October 31.
11. To establish all grant-funded positions and train staff on defined roles and duties, including data collection and reporting requirements by October 31.
12. To conduct 4 warrant service operations targeting informal and/or formal DUI probationers who fail to comply with the terms and conditions of probation and/or other DUI suspects who fail to appear in court.
13. To track the number of attempted field contacts (with and without search) of high-risk DUI probationers.
14. To make 1,800 announced field contacts with DUI probationers. *Note: Announced field (field, home, work-site) contacts are not recommended and should be used only in rare situations, such as initial home evaluations.*
15. To make 1,800 unannounced field contacts without search, with DUI probationers. *Note: Surprise contacts (field, home, work-site) with search are preferable to contacts without search. Field contacts without search should be reserved for situations when the individual does not have the search order as a condition of their probation or when other circumstances preclude conducting a search.*
16. To make 900 office contacts with DUI probationers.
17. To conduct 900 unannounced field contacts with search of DUI probationers’ body/property. *Note: Surprise home contacts with search are the preferred method for ensuring compliance with court-ordered terms of probation.*
18. To track and report SCRAM usage and resulting SCRAM violations of high-risk DUI probationers.

**GRANTS MADE EASY – Probation
(Overtime)**

**SCHEDULE A - GRANT DESCRIPTION
Grant No. PT1350
Page 6**

19. To conduct 1,800 alcohol and other drug tests of DUI probationers.
20. To collaborate with the county's "Avoid Coalition" by: participating in all planning and scheduling meetings and MADD/Avoid DUI Seminars; providing your county Avoid Coordinator (Host) with your agency's schedule of operations that occur during any Avoid operational campaign period; and reporting daily, during holiday Avoid efforts, to the county Avoid Coordinator your agency's DUI arrests & DUI fatality information for the Avoid media campaign.
21. To work with court officials and the prosecutor's office throughout the grant period to ensure the court establishes probation orders necessary to conduct and sustain intensive supervision of DUI probationers.
22. To track and report probation violations and probation revocation proceedings for program participants who fail to abide by the terms and conditions of probation throughout the grant period.
23. To submit in a timely manner all statistical data, financial reimbursement claims, and quarterly performance reports, as required by OTS, throughout the grant period.

METHOD OF PROCEDURE

Phase 1 – Program Preparation (October of the Grant Year)

- A news release will be distributed to the media to inform the public about the OTS grant awarded to the County Probation Department.
- The Probation Department will hire grant-funded staff positions responsible for conducting supervision and other related duties.
- Grant-related purchases of equipment and/or minor equipment, if any, will be initiated and other necessary equipment and supplies will be acquired.
- Staff will be trained in the use and calibration of portable alcohol screening (PAS) devices and on relevant statutes pertaining to DUI offenders.
- The Risk Assessment tool will be purchased or developed and staff will be trained on the use of the tool and the policies and procedures for identifying risk-levels and making caseload assignments.
- Staff will review the grant goals, objectives, and methods.

**GRANTS MADE EASY – Probation
(Overtime)**

SCHEDULE A - GRANT DESCRIPTION

Grant No. PT1350

Page 7

- The forms necessary to collect and record data for inclusion in the Quarterly Progress Reports to document the progress toward achievement of the grant goals and objectives will be provided to staff, along with training in their use.
- A timeline or schedule will be developed to ensure the timely completion of grant objectives.
- Contact will be initiated with the host agency for the countywide Avoid DUI campaign.
- Standardized Field Sobriety Test (SFST) training is recommended.
- Advance Roadside Impaired Driving Enforcement (ARIDE) training is recommended.
- Drug Recognition Evaluator (DRE) certification should be considered.
- Staff will receive training and orientation related to the Department's SCRAM program (if applicable) and will begin working closely with the SCRAM vendor to ensure a timely response to any violations by DUI offenders.
- A written operational plan will be developed. The plan will outline the Department's policies and procedures related to the DUI Probationer Intensive Supervision Program including participant criteria, how individuals are identified and selected for inclusion on the caseload, how risk assessment is conducted, how and why offenders are moved on and off the caseload, policies and procedures for office visits, drug/alcohol testing, field contacts, home searches, and court monitoring. The operational plan should include contact information for referrals to resources such as county mental health, treatment, Alcoholics Anonymous, vocational training, job search and placement. The operational plan should be written in a manner that allows it to serve as a manual for new or additional program staff working with the DUI supervision program.

Phase 2 – Program Operations (Throughout Grant Period)

- News releases highlighting program successes and high visibility programs, such as warrant service operations, will be developed, approved by OTS and issued to the media throughout the grant period.
- To ensure compliance with all court ordered conditions of probation, the Probation Department will conduct the intensive supervision activities specified in the grant objectives. Activities include: risk assessment and assignment; initial home evaluation; office visits; field contacts; warrant sweeps; surveillance; alcohol and drug tests; home searches; monitoring of treatment and other program participation; review and monitoring of SCRAM alerts (if applicable); and Ignition Interlock compliance.

**GRANTS MADE EASY – Probation
(Overtime)**

SCHEDULE A - GRANT DESCRIPTION

Grant No. PT1350

Page 8

- Staff should work with the court and District or City Attorney’s office to ensure appropriate terms of probation are ordered.
- Probation should maintain and distribute a “Hot Sheet” to local law enforcement and will perform necessary record keeping and reporting.
- Probation should respond to all known probation violations and initiate appropriate interventions up to and including court action.
- The DUI Unit should work with local law enforcement agencies and participate in the county Avoid DUI campaign.

Phase 3 – Data Collection & Reporting (Throughout Grant Period)

Agencies are required to collect and report quarterly, appropriate data that supports the progress of each goal and objective.

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. A separate quarterly data reporting form (Schedule C) will be completed each quarter and submitted as part of the QPR.

Reports will compare actual grant accomplishments with the planned accomplishments, and 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 the OTS requirements specified in the Grant Program Manual.

METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will prepare the Executive Summary to accompany the final QPR. The Executive Summary will: (1) briefly state the original problem; (2) specify the most significant goals and objectives; (3) highlight the most significant activities that contributed to the success of the program and the strategies used to accomplish the goals; and (4) describe the program’s accomplishments as they relate to the goals and objectives.

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. AL1350

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION		
164AL	20.608	MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED		
COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	CFDA	FY-1 10/1/12 thru 9/30/13		
A. PERSONNEL COSTS				
Positions and Salaries				
Fulltime				
Deputy Probation Officers				
2 x \$28.03 x 2080 hours				
	20.608	\$	116,605.00	\$ 116,605.00
Benefits @ 41.31%				
	20.608	\$	48,170.00	\$ 48,170.00
Senior Probation Officer				
1 x \$33.99 x 2080 hours				
	20.608	\$	70,699.00	\$ 70,699.00
Benefits @ 38.67%				
	20.608	\$	27,339.00	\$ 27,339.00
Overtime				
DUI Saturation Patrols				
	20.608	\$	6,475.00	\$ 6,475.00
Compliance Checks				
	20.608	\$	12,612.00	\$ 12,612.00
Benefits 3.46%				
	20.608	\$	660.00	\$ 660.00
Category Sub-Total			\$ 282,560.00	\$ 282,560.00
B. TRAVEL EXPENSE				
In-State				
	20.608	\$	3,500.00	\$ 3,500.00
Category Sub-Total			\$ 3,500.00	\$ 3,500.00
C. CONTRACTUAL SERVICES				
None				
		\$	-	\$ -
Category Sub-Total			\$ -	\$ -
D. EQUIPMENT				
None				
		\$	-	\$ -
Category Sub-Total			\$ -	\$ -
E. OTHER DIRECT COSTS				
Office Supplies				
	20.608	\$	600.00	\$ 600.00
Alcohol/Drug Testing				
	20.608	\$	1,270.00	\$ 1,270.00
Risk Assessment Tool				
	20.608	\$	1,419.00	\$ 1,419.00
PAS Device/Calibration				
	20.608	\$	5,651.00	\$ 5,651.00
Category Sub-Total			\$ 8,940.00	\$ 8,940.00
F. INDIRECT COSTS				
None				
		\$	-	\$ -
Category Sub-Total			\$ -	\$ -
GRANT TOTAL			\$ 295,000.00	\$ 295,000.00

SCHEDULE B-1

GRANT NO. AL1350

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

Deputy Probation Officer

The Probation Department will hire two additional Deputy Probation Officers responsible for achieving the goals and objectives described in the grant. The funds will be used to pay 100% of the salary for the Probation Officers. The salary category represents their estimated actual base salary plus the following established county benefits.

A Deputy Probation Officer will oversee a caseload of high risk offenders on probation for driving under the influence (DUI) of drugs and/or alcohol.

Maximum Benefit Rate

Retirement	29.08%
Retiree Medical	0.15%
Medicare	1.45%
Health Insurance	8.38%
Short Term Disability	0.57%
Unemployment Insurance	0.61%
Life Insurance	0.05%
Worker's Compensation	1.02%
TOTAL BENEFIT RATE	41.31%

Senior Probation Officer

The Probation Department will hire one Armed Senior Probation Officer to supervise and manage a caseload of 50 DUI offenders. The duties include the following: 1) intensive supervision of high-risk felony and misdemeanor offenders, 2) monitor probationer's compliance of terms and conditions of their probation, 3) conduct monthly alcohol/drug screening tests, and make unannounced/announced searches of the home, and work-sites of the probationers, 4) prepare progress reports, violation memos, and HOT sheets as required by law, 5) court appearances for violation and sentencing hearings, 6) Participate in the Avoid the 30, and conduct warrant sweeps. The Armed Senior Probation Officer will participate in ride-along warrant sweeps with law enforcement agencies.

SCHEDULE B-1

GRANT NO. AL1350

BUDGET NARRATIVE

Page 2

Maximum Benefit Rate

Retirement	29.08%
Retiree Medical	0.15%
Medicare	1.45%
Health Insurance	5.92%
Short Term Disability	0.40%
Unemployment Insurance	0.61%
Life Insurance	0.04%
Worker's Compensation	1.02%
TOTAL BENEFIT RATE	38.67%

Overtime

Overtime for grant funded law enforcement operations may be conducted by personnel such as a Lieutenant, Sergeant, Probation Officer, Deputy, Officer, Community Services Officer, Dispatcher, etc., depending on the titles used by the agency and the grantees overtime policy. Personnel will be deployed as needed to accomplish the grant goals and objectives.

Costs are estimated based on an overtime hourly rate range of \$42.04/hour to \$50.98/hour.

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

Overtime Benefit Rates

Unemployment Insurance	0.61%
Short Term Disability	0.38%
Workers Compensation	1.02%
Medicare	1.45%
TOTAL BENEFIT RATE	3.46%

TRAVEL EXPENSE

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 Governor's Highway Safety Association annual meeting. *All conferences, seminars or training not specifically identified in the SCH B1 budget, must be approved by OTS.*

SCHEDULE B-1

GRANT NO. AL1350

BUDGET NARRATIVE

Page 3

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

None

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 and desk top supplies such as pens, pencils, binders, folders, flip charts, easels and clips. *Additional items may be purchased if approved by OTS.*

Alcohol/Drug Testing- testing conducted to determine DUI probationers' compliance with terms and conditions of probation. Costs may include lab testing fees and testing supplies such as mouth pieces, cups and test kits.

3 Risk Assessment Tool(s) – to evaluate DUI probationer's risk level for reoffending and to assign individuals to the high-risk DUI probation caseload.

3 PAS Device/Calibration Unit(s) - preliminary alcohol screening devices to detect the presence of alcohol in a person's breath and calibration devices to ensure accuracy. Costs may include mouth pieces, gas and accessories.

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

**EXHIBIT A
CERTIFICATIONS AND ASSURANCES**

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

Certifications and Assurances

The Grantee Agency will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, including:

- National law enforcement mobilizations,
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,
- An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,
- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.

The Grantee Agency shall actively encourage all relevant law enforcement personnel in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 USC 402 (b) (1) (E))

Other Federal Requirements

Cash disbursements and balances will be reported in a timely manner as required by NHTSA. (49 CFR 18.21)

The same standards of timing and amount, including the reporting of cash disbursement and balances, apply to grantees as they do the State. (49 CFR 18.41)

Failure to adhere to these provisions may result in the termination of State drawdown privileges.

Equipment acquired under this Grant Agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the Grantee Agency; or the State, by formal agreement with appropriate

**EXHIBIT A
CERTIFICATIONS AND ASSURANCES**

officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes (23 CFR 1200.21);

The Grantee Agency will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20;

Federal Funding Accountability and Transparency Act

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010,

(https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; , and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if-- of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity;

(i) the entity in the preceding fiscal year received—

(I) 80 percent or more of its annual gross revenues in Federal awards; and(II) \$25,000,000 or more in annual gross revenues from Federal awards; and(ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;

- Other relevant information specified by OMB guidance.

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 (P.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 (42 USC § 12101, et seq. PL 101-336), 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 Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse and alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; The Civil Rights Restoration Act of 1987, which provides that any portion of a state or local entity receiving federal funds will obligate all programs or activities of that entity to comply with these civil rights laws; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

The Drug-free Workplace Act of 1988 (41 U.S.C. 702);):

The Grantee Agency will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace.
 2. The grantee's policy of maintaining a drug-free workplace.
 3. Any available drug counseling, rehabilitation, and employee assistance programs.
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace.
- c. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 1. Abide by the terms of the statement.
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- e. Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- f. Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:
 1. Taking appropriate personnel action against such an employee, up to and including termination.
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

**EXHIBIT A
CERTIFICATIONS AND ASSURANCES**

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, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit 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 Grantee Agency official 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 Grantee Agency official shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including sub-contracts, 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.

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

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 Grantee Agency official 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 Grantee 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, proposal, 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 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

**EXHIBIT A
CERTIFICATIONS AND ASSURANCES**

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/proposal 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 Grantee Agency official shall attach an explanation to this Grant Agreement.

Instructions for Lower Tier Certification

**EXHIBIT A
CERTIFICATIONS AND ASSURANCES**

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, proposal, 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 proposal 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

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

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.

Policy to Ban Text Messaging While Driving

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, Grantee Agencies are encouraged to:

1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted driving including policies to ban text messaging while driving-
 - a. Company-owned or –rented vehicles, or Government-owned, leased or rented vehicles; or
 - b. Privately-owned when on official Government business or when performing any work on or on behalf of the Government.
2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as-
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

Environmental Impact

The Grantee Agency official has reviewed the Grant Agreement and hereby declares that no significant environmental impact will result from implementing this traffic safety program. If, under a future revision, this program will be modified in such a manner that a program would be instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).