

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

915



FROM: Department of Public Health

SUBMITTAL DATE:
September 18, 2013

SUBJECT: Approve the agreement (#OP1403) between the State of California Office of Traffic Safety and the County of Riverside, Department of Public Health – Injury Prevention Services (IPS) for the County-wide Car Seat Education and Encouragement Expansion grant beginning October 1, 2013 – September 30, 2014 in the amount of (\$214,854.00).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Agreement with the State of California, Office of Traffic Safety and the County of Riverside, Department of Public Health - Injury Prevention Services for the period of October 1, 2013 through September 30, 2014 in the amount of \$214,854.00; and
2. Authorize the Chairperson of the Board to sign five (5) originals of the Agreement on behalf of the County.

BACKGROUND:(On page 2)

JA:ys

Susan D. Harrington

Susan D. Harrington, Director
Department of Public Health

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 161,141	\$ 57,713	\$ 214,854	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: 100% Federal Funds	Budget Adjustment: No
	For Fiscal Year: 13/14

C.E.O. RECOMMENDATION: APPROVE

BY: *Debra Cournoyer*
Debra Cournoyer

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: October 1, 2013
 xc: Public Health

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

Prev. Agn. Ref.: _____ **District:** All **Agenda Number:** _____

3-11

FORM APPROVED COUNTY COUNSEL
BY: *Neal R. Kipnis*
DATE: 9/18/13
Departmental Concurrence

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

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

DATE:

PAGE: 2 OF 2

SUBJECT: Approve the agreement (#OP1403) between the State of California Office of Traffic Safety and the County of Riverside, Department of Public Health – Injury Prevention Services (IPS) for the County-wide Car Seat Education and Encouragement Expansion grant beginning October 1, 2013 – September 30, 2014 in the amount of (\$214,854.00).

BACKGROUND:

Summary (continued)

The County of Riverside, Department of Public Health-Injury Prevention Services received funding from the Office of Traffic Safety (OTS) in collaboration with law enforcement agencies county-wide, to develop a bilingual Car Seat Education and Distribution Program. Through this program IPS will conduct bilingual Child Passenger Safety education classes and will coordinate with participating law enforcement agencies to provide bilingual fitting stations and distribute car seats to Riverside County families in need.

Impact on Citizens and Businesses

Program will benefit County residents by insuring children are fitted and appropriately using car seats through education and disbursement of no-cost car seats.

1. GRANT TITLE
Riverside County Car Seat Education and Encouragement Expansion Program

2. NAME OF APPLICANT AGENCY
County of Riverside

4. GRANT PERIOD

3. AGENCY UNIT TO HANDLE GRANT
Riverside County Department of Public Health

From: 10/1/13
To: 9/30/14

5. GRANT DESCRIPTION
Riverside County Department of Public Health – Injury Prevention Services, will, in collaboration with law enforcement agencies county-wide, develop a bilingual (English/Spanish) car seat education and distribution program. Through this program, we propose to conduct bilingual child passenger safety education classes and will coordinate with participating law enforcement agencies to provide bilingual fitting stations and distribute car seats to families in need.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 214,854.00

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

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

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

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

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

8. APPROVAL SIGNATURES

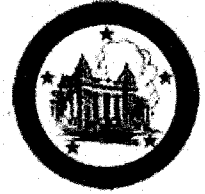
A. GRANT DIRECTOR
NAME: MICHAEL OSUR PHONE: 951-358-5074
TITLE: DEPUTY DIRECTOR FAX: 951-358-5120
ADDRESS: 4065 COUNTY CIRCLE DRIVE RIVERSIDE, CA 92503
E-MAIL: MOSUR@RIVCOCHA.ORG
[Signature] 9/18/13
(Signature) (Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY
NAME: SUSAN HARRINGTON PHONE: 951-358-7036
TITLE: DIRECTOR FAX: 951-358-4529
ADDRESS: 4065 COUNTY CIRCLE DRIVE RIVERSIDE, CA 92503
E-MAIL: SHARRING@RIVCOCHA.ORG
[Signature] 9/18/13
(Signature) (Date)

C. FISCAL OR ACCOUNTING OFFICIAL
NAME: ISABEL MICHAELIS PHONE: 951-358-5054
TITLE: FISCAL MANAGER FAX: 951-358-5292
ADDRESS: 4065 COUNTY CIRCLE DRIVE RIVERSIDE, CA 92503
E-MAIL: ISABEL MICHAELIS
[Signature] 9/18/13
(Signature) (Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS
NAME: DEPT. OF PUBLIC HEALTH
ADDRESS: PO BOX 7849 RIVERSIDE, CA 92503

9. DUNS NUMBER
DUNS #: 072514789
REGISTERED ADDRESS & ZIP: 4080 Lemon St., 11th Floor Riverside, CA 92501



County of Riverside

John J. Benoit

**John J. Benoit, Chairman
Board of Supervisors**

Date: OCT 01 2013

FORM APPROVED COUNTY COUNSEL
BY: Neal R. Kipnis 10/1/13
NEAL R. KIPNIS DATE

ATTEST:

Kecia Harper-Ihem

**Kecia Harper-Ihem
Clerk of the Board**

Date: OCT 01 2013

GENERAL OCCUPANT PROTECTION
SCHEDULE A

GRANT NO: OP1403

GRANT DESCRIPTION

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PROBLEM STATEMENT AND METHOD OF PROCEDURE

PROBLEM STATEMENT

Age Patterns:

SWITRS data for 2008 - 2010 indicate that 341 children under age 19 died and another 14,996 were injured due to motor vehicle collisions (MVC) on Riverside County's roadways.

SWITRS - Persons Killed and Injured Ages 0 - 19, 2008 through 2010

Age Groups	Fatal Victims	Percentage of Fatalities	Injury Victims	Percentage of Injury	Total Victims Fatal & Injury
0-3 years	61	3.0%	1,984	97.0%	2,045
4-9 years	69	2.1%	3,206	97.9%	3,275
10-13 years	43	1.8%	2,360	98.2%	2,403
14-19 years	168	2.2%	7,446	97.8%	7,614
TOTAL	341	2.2%	14,996	97.8%	15,337

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.
3. To reduce the number of vehicle occupants killed under the age of nine.
4. To reduce the number of vehicle occupants injured under the age of nine.
5. To reduce the number of children 0-8 years riding as front seat passengers.
6. To increase child safety seat usage.

GRANT OBJECTIVES

1. To conduct pre and post seat belt usage surveys during the months of October (start of the grant) and September (end of the grant). A pre-survey will be required to determine the base year seat belt use rate and a post-survey will be required to determine the operational rate.

**GENERAL OCCUPANT PROTECTION
SCHEDULE A**

GRANT NO: OP1403

GRANT DESCRIPTION

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2. To conduct 22 educational traffic safety presentations impacting 220 people. The presentations include seat belts, air bags, and child safety seats.
3. To work closely with community based organizations to promote traffic safety programs at both the neighborhood and community level.
4. To host 1 NHTSA Child Passenger Safety Technician certification training(s) and successfully train 16 individuals.
5. To conduct 36 highly publicized child safety seat fitting stations to promote correct usage at community events, parks, shopping centers, car dealers, preschools, or open houses at police or fire departments, impacting 220 parents or caregivers.

Note: Car seat checkers must: be NHTSA-certified Child Passenger Safety Technicians (CPST); use proper forms for documentation; have complete car seat instructions and resource materials available; and have on-site supervision by a NHTSA CPST as a lead checker.

6. To properly fit 220 children in child safety seats.
7. To distribute at least 440 no cost child safety seats to people in need.

Note: Car seat recipients must receive proper training from a NHTSA certified Child Passenger Safety Technician or Instructor as a mandatory component of this program.

9. To issue a press release announcing the kick-off of the grant by November 15. 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.
10. 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.
11. 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.
12. 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.

**GENERAL OCCUPANT PROTECTION
SCHEDULE A**

GRANT NO: OP1403

GRANT DESCRIPTION

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13. 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.
14. To include the OTS logo, space permitting, on grant funded print materials; consult your OTS Coordinator for specifics relating to this grant.

METHOD OF PROCEDURE

Phase 1 – Program Preparation (1st Quarter of the Grant)

- Complete and route all necessary forms to the Riverside County Public Health administration and Board of Supervisors for approval of grant activities.
- Update all CPS materials (in English & Spanish) distributed through Injury Prevention Services (IPS).
- Create a master calendar that schedules four (4) activities per month for the entire grant cycle.
- Identify (3) law enforcement agencies to participate in the program.
- Identify a liaison from each participating agency that will communicate with IPS on all B2B activities.
- Obtain commitment from law enforcement agencies to conduct Fitting Station activities every 3 months utilizing their own NHTSA certified car seat technicians.
- Research available vendors for quotes on materials needed for the grant activities.
- Develop MOU's with all subcontracting agencies for the duration of the grant period.
- Update Injury Prevention website listing new traffic safety programs available to county residents.
- Identify media outlets in Riverside County.
- Develop a filing system to monitor all grant activities. This will help to ensure adequate reporting to the funding source.
- Develop a database to track all demographic/statistical information relevant to grant activities.
- Purchase all necessary equipment (car seats, related supplies, educational materials) to conduct grant related activities.

GENERAL OCCUPANT PROTECTION
SCHEDULE A

GRANT NO: OP1403

GRANT DESCRIPTION

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Phase 2 – Program Operations (1st, 2nd, and 3rd Quarters of the Grant)

- Establish a program conducted by law enforcement agencies and IPS county-wide.
- Establish and conduct fitting stations at various law enforcement agencies county-wide.
- Conduct community education presentations county-wide.
- Provide car seat education to family's county-wide.
- Distribute car seats through activities county-wide.
- Participate in community events promoting the program county-wide.
- Compile all post evaluation forms of program activities.
- To maintain all demographic/ statistical data related to grant activities.

Phase 3 – Data Gathering & 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. 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.

The final QPR, Data Form, Claim and Executive Summary are due to OTS 30 days following the end of the grant period.

Reports shall be completed and submitted in accordance with OTS requirements specified in the Grant Program Manual.

GENERAL OCCUPANT PROTECTION
SCHEDULE A

GRANT NO: OP1403

GRANT DESCRIPTION

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METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will prepare an Executive Summary to accompany the final cumulative QPR. It 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 related 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. OP1403 Riverside OP

Fund Number	CFDA #	Program Title		
405b OP	20.616	National Priority Safety Program		
COST CATEGORY	FISCAL YEAR ESTIMATES		TOTAL COST TO GRANT	
	CFDA	10/1/13 thru 9/30/14		
A. PERSONNEL COSTS				
Positions and Salaries				
Full-Time				
Program Coordinator				
1 X 12 MO X \$4931.00 X 30%	20.616	\$ 17,752.00	\$ 17,752.00	
Benefits @ 46.00%	20.616	\$ 8,166.00	\$ 8,166.00	
Health Services Assistant				
2 X 12 MO X \$3265.00 X 75%	20.616	\$ 58,770.00	\$ 58,770.00	
Benefits @ 46.00%	20.616	\$ 27,034.00	\$ 27,034.00	
Office Assistant				
1 X 12 MO X \$2947.00 X 75%	20.616	\$ 26,523.00	\$ 26,523.00	
Benefits @ 46.00%	20.616	\$ 12,200.00	\$ 12,200.00	
Category Sub-Total		\$ 150,445.00	\$ 150,445.00	
B. TRAVEL EXPENSE				
In-State	20.616	\$ 2,800.00	\$ 2,800.00	
Out-of-State	20.616	\$ 5,000.00	\$ 5,000.00	
Category Sub-Total		\$ 7,800.00	\$ 7,800.00	
C. CONTRACTUAL SERVICES				
None			\$ -	
Category Sub-Total		\$ -	\$ -	
D. EQUIPMENT				
None			\$ -	
Category Sub-Total		\$ -	\$ -	
E. OTHER DIRECT COSTS				
Office Supplies	20.616	\$ 1,400.00	\$ 1,400.00	
Check-Up Supplies	20.616	\$ 2,000.00	\$ 2,000.00	
Training Meetings	20.616	\$ 3,000.00	\$ 3,000.00	
Training Materials	20.616	\$ 2,000.00	\$ 2,000.00	
Child Safety Seats	20.616	\$ 34,240.00	\$ 34,240.00	
Printing/Duplication	20.616	\$ 3,000.00	\$ 3,000.00	
Office Space 222 SF x \$2.859 x 12 mos	20.616	\$ 7,618.00	\$ 7,618.00	
Communications 530 x \$2.55 x 12 mos	20.616	\$ 1,351.00	\$ 1,351.00	
Fleet & Van Services	20.616	\$ 2,000.00	\$ 2,000.00	
Category Sub-Total		\$ 56,609.00	\$ 56,609.00	
F. INDIRECT COSTS				
None			\$ -	
Category Sub-Total		\$ -	\$ -	
GRANT TOTAL		214,854.00	214,854.00	

SCHEDULE B-1

GRANT NO. OP1403

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

The Program Coordinator will act as a liaison between the Riverside County Health Department, sub-contractors, participating organizations, and OTS. The PC will be a NHTSA-certified car seat technician and will assist in all activities.

The two Health Services Assistants will provide clerical support to program coordinator directly on grant funded activities. This includes, but is not limited to developing educational materials, setting up meetings, and preparing informational materials.

The Office Assistant II will work directly on grant funded activities. This includes filing, ordering supplies (office, car seat materials and car seats), education materials, and answering phone calls for grant staff.

Benefit Rates

Social Security/FICA/OASDI	5.00%
Worker's Compensation	0.02%
Medicare	1.45%
State Disability/SDI	0.90%
Health Insurance	13.51%
Life Insurance	0.12%
Retirement	25.00%
Total Benefit Rate	46.00%

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 Vehicular Homicide Seminar, OTS Leadership and Training Seminar, and occupant restraint related training/events. *All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS.*

Out-of-State - Appropriate staff may attend Lifesavers (Nashville, TN) in support of the grant goals and objectives. *All out-of-state travel not specifically identified in the Schedule B-1 (Budget Narrative) must receive written approval from the OTS Director.*

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.

SCHEDULE B-1
GRANT NO. OP1403

BUDGET NARRATIVE

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CONTRACTUAL SERVICES

None

EQUIPMENT

None

OTHER DIRECT COSTS

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

CPS Check-Up Supplies - On-scene supplies to conduct child passenger safety seat check-up events. Costs may include cones, pop-up tents, pool noodles, shelf grip liner, child safety seat clips, tot carriers and check-up signage to advertise fitting station activities

Training Meetings - Meetings in which the primary purpose is the dissemination of traffic safety-related technical information. Costs may include meals, transportation, rental of meeting facilities, audio/visual equipment rental, printing and awards such as pins and plaques.

Training Materials - Car Seat supply kits will be provided to attendees of each class which will include supplies such as forms, gripper liner, scissors, clip boards, Latch manuals, and signage. Plastic bins will be used to package the items. Adequate records including an agenda must be maintained to document that the primary purpose of the meeting was for dissemination of traffic safety technical information.

440 Child Safety Seat(s) - Child safety seats (including booster and special needs seats) to be distributed during CPS checkups, appointments, fitting stations and traffic safety presentations.

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

Office Space - Costs include rent, utilities and storage associated with grant goals and objectives. Charges to the grant will be in accordance with the following formula or rate: 222 SF \$2.859 x 12 months. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the space.

Communications - Costs of telephone, cell phone, mail/messenger service (excluding overnight priority mail) and communications services.

Fleet and Van Services - Costs include van rental from the county motor pool for transportation of child safety seats to grant-related events. Costs also include mileage charges.

SCHEDULE B-1
GRANT NO. OP1403

BUDGET NARRATIVE

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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

NONDISCRIMINATION

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

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

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

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

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

RESTRICTION ON STATE LOBBYING

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

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

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

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

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

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

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

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

Instructions for Lower Tier Certification

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

**EXHIBIT A
CERTIFICATIONS AND ASSURANCES**

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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

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