

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

103



FROM: Department of Public Health

SUBMITTAL DATE:
October 7, 2014

SUBJECT: Ratify the Agreement between the County of Riverside Department of Public Health, Injury Prevention Services and the State of California Office of Traffic Safety, Students Valet grant (PS1508) for the performance period of October 1, 2014 through September 30, 2015. All Districts. [\$181,360] 100% Federal funds.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the Agreement between #PS1508 the County of Riverside Department of Public Health (DOPH) Injury Prevention Services and the State of California Office of Traffic Safety (OTS) for the performance period of October 1, 2014 through September 30, 2015 in the amount of \$181,360;
2. Authorize the Chairperson of the Board to sign five (5) originals of the Agreement on behalf of the County; and
3. Authorize the Purchasing Agent to sign subsequent amendments not to exceed the approved amount and performance period.

BACKGROUND:
(continued on Page 2)

JAS/mv

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	\$ 136,020	\$ 45,340	\$ 181,360	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$	

SOURCE OF FUNDS: 100% Federal Funds
Budget Adjustment: No
For Fiscal Year: 14/15

C.E.O. RECOMMENDATION: APPROVE
BY: *Jennifer L. Sargent*
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: November 4, 2014
xc: Public Health, Purchasing

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

FORM APPROVED COUNTY COUNSEL 10/7/14
BY: GREGORY P. PRIAMOS DATE

Purchasing: *Mark Seiler*
Mark Seiler, Assistant Director

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

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

SUBJECT: Ratify the Agreement between the County of Riverside Department of Public Health, Injury Prevention Services and the State of California Office of Traffic Safety, Students Valet grant (PS1508) for the performance period of October 1, 2014 through September 30, 2015. All Districts. [\$181,360] 100% Federal funds.

DATE: October 7, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

The County of Riverside Department of Public Health (DOPH) has received funding from the State of California Office of Traffic Safety to provide a Student Valet Program (SVP) to improve student safety for grades K-8th. The program will improve student safety during morning drop off times by providing more fluid movement of vehicular traffic directly around school Countywide. The program will help to alleviate traffic congestion around schools and prevent unsafe practices by parents and students alike. This program will be established in the following school districts: Alvord, Murrieta Valley, Palm Springs, Menifee Union, Moreno Valley, Corona/Norco and Coachella Valley.

The Office of Traffic Safety agreement was received on September 9, 2014.

Impact on Citizens and Businesses

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

1. GRANT TITLE
 RIVERSIDE COUNTY STUDENT VALET PROGRAM

2. NAME OF APPLICANT AGENCY
 RIVERSIDE COUNTY PUBLIC HEALTH

4. GRANT PERIOD

From: 10/1/14
 To: 9/30/15

3. AGENCY UNIT TO HANDLE GRANT
 INJURY PREVENTION SERVICES

5. GRANT DESCRIPTION

County of Riverside Department of Public Health, Injury Prevention Services (IPS) seeks to reduce the number of children injured by motor vehicles as they walk or bike to and from school. The program focuses on 1) improving the traffic flow around schools, which would result in the immediate reduction of traffic congestion around schools and 2) educating children and parents, equipping them with knowledge and safety equipment to protect them from harm.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 181,360.00

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

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

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

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

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

8. APPROVAL SIGNATURES

A. GRANT DIRECTOR

NAME: Michael Osur PHONE: 951-358-5074
 TITLE: Deputy Director FAX: 951-358-5120

ADDRESS: 4065 County Circle Dr.
 Riverside, CA 92503

E-MAIL: mosur@rivcocha.org

(Signature)

(Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY

NAME: Susan Harrington PHONE: 951-358-7036
 TITLE: Director FAX: 951-358-4529

ADDRESS: 4065 County Circle Dr.
 Riverside, CA 92503

E-MAIL: sharring@rivcocha.org

(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 Dr.
 Riverside, CA 92503

E-MAIL: Imichael@rivcocha.org

(Signature)

(Date)

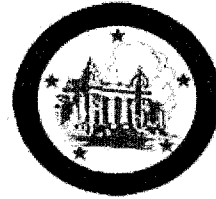
D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: Department of Public Health
 ADDRESS: P.O. Box 7849
 Riverside, CA 92503

9. DUNS NUMBER

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

GRANT NUMBER
PS1508



COUNTY OF RIVERSIDE

Jeff Stone
Jeff Stone, Chairman
Board of Supervisors

Date: NOV 04 2014

ATTEST:

Kecia Harper-Ihem, Deputy
Kecia Harper-Ihem
Clerk of the Board

Date: NOV 04 2014

FORM APPROVED COUNTY COUNSEL

BY: PATRICIA MUNROE

10/15/14
DATE

Grant No.
PS 1508

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1508**

1. PROBLEM STATEMENT

According to the National Highway Traffic Safety Administration (NHSTA), in 2010, approximately one in five children between the ages of 5 and 9 years old were pedestrians who were killed in a traffic accident. In Riverside County, traffic congestion and traffic injuries near schools continue to be a significant problem that affects children and their parents or guardian. From 2009-2011, in Riverside County alone, there were a total of 178 pedestrian victims between the ages of 5 and 13.

The following table below shows pedestrian injuries and fatalities between 2009 and 2011, among children ages 5-13 years old in Riverside County.

**County of Riverside
Pedestrian Injuries and Fatalities**

PED INJURIES		Collision Year							
		2009		2010		2011		Total	
		KILLED	INJURED	KILLED	INJURED	KILLED	INJURED	KILLED	INJURED
Age Category	5-9 years	0	37	1	27	0	23	1	87
	10-13 years	0	34	1	30	1	24	2	88
	Total	0	71	2	57	1	47	3	175

Local data suggests that certain cities in the County of Riverside have a higher rate of child pedestrian injuries than others. These high risk areas include: Riverside, Moreno Valley, Temecula, Hemet, Jurupa Valley, Indio and Corona.

During the past four decades, the percentage of children being driven to school has nearly tripled, from 20% to 55%. These changes in transportation modes to school have had a significant impact on traffic congestion and safety. Higher volumes of cars near schools also create greater traffic safety concerns for the children who do still walk and bicycle.

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

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1508**

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2. PERFORMANCE MEASURES

A. Goals:

- 1) To reduce the number of persons killed in traffic collisions.
- 2) To reduce the number of persons injured in traffic collisions.
- 3) To reduce the number of school aged children (grades K-8) killed by motor vehicles.
- 4) To reduce the number of school aged children (grades K-8) injured by motor vehicles.

B. Objectives:

- 1) To create Student Valet Program (SVP) curriculum and materials by October 31, 2014.
- 2) To create pre- and post-evaluation tools to assess program effectiveness including parent and student surveys by November 30, 2014.
- 3) To establish an agreement with each law enforcement agency participating in the SVP.
- 4) To participate in a minimum of 4 community events countywide promoting the SVP.
- 5) To conduct training for school personnel and other participants on SVP implementation.
- 6) To coordinate and implement a SVP at 10 schools, grades K-8.
- 7) To conduct pre- and post-evaluation surveys to assess program effectiveness including parent and student surveys.

3. METHOD OF PROCEDURE

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

- Complete and route all necessary forms to the County of Riverside Department of Public Health administration and Board of Supervisors for approval of grant activities.
- Create all SVP materials in English & Spanish.
- Identify all target areas where Student Valet Program and community events will be implemented.

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1508**

PAGE 3

- Identify a “champion” from each participating school that will communicate with IPS regarding Student Valet Program activities.
- Obtain commitment from local law enforcement agencies to assist with traffic flow during the Student Valet Program.
- Research available vendors for quotes on materials needed for the grant activities.
- Update Injury Prevention website listing new traffic safety programs available to county residents.
- Update list of media outlets in the County of Riverside.
- Develop spreadsheets to monitor all grant activities to ensure adequate reporting to the funding source.
- Purchase all necessary supplies (i.e. safety cones, vests, etc.) to conduct grant related activities.
- Conduct pre-evaluations of Student Valet Program activities.
- Coordinate student recruitment for Student Valet Program at each participating elementary or middle school including parent permission slips.
- Schedule and facilitate Student Valet Program training for selected students to serve as Student Valets.
- Schedule community events where Student Valet Program will be promoted and traffic safety will be emphasized.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.

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

- Educate on traffic safety and promote the SVP at a minimum of four (4) community events countywide.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1508

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- Coordinate, conduct and support Student Valet Program events at all ten (10) participating schools.
- Conduct post evaluations of SVP activities.
- Track all activities in appropriate spreadsheets for reporting.

Media Requirements

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

SCHEDULE A
GRANT DESCRIPTION
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C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

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

4. METHOD OF EVALUATION

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

5. ADMINISTRATIVE SUPPORT

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

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PS1508

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402 PS	20.600	State and Community Highway Safety	181,360.00
COST CATEGORY		FISCAL YEAR ESTIMATES	
		CFDA	FY-1
		10/1/14 - 9/30/15	TOTAL COST TO GRANT
A. PERSONNEL COSTS			
Positions and Salaries			
Full-Time			
Program Coordinator			
1 X 12 MO X \$6,531 X 50%		20.600	\$ 39,187.00
Benefits @ 46.00%		20.600	\$ 18,025.00
Health Services Assistant			
2 X 12 MO X \$3,170 X 50%		20.600	\$ 38,043.00
Benefits @ 46.00%		20.600	\$ 17,499.00
Office Assistant			
1 X 12 MO X \$3,167 X 50%		20.600	\$ 19,001.00
Benefits @ 46.00%		20.600	\$ 8,740.00
Category Sub-Total		\$	140,495.00
B. TRAVEL EXPENSE			
In-State		20.600	\$ 2,500.00
Out-of-State		20.600	\$ 3,500.00
Category Sub-Total		\$	6,000.00
C. CONTRACTUAL SERVICES			
None		\$	-
Category Sub-Total		\$	-
D. EQUIPMENT			
None		\$	-
Category Sub-Total		\$	-
E. OTHER DIRECT COSTS			
Office Supplies		20.600	\$ 2,400.00
Event Supplies		20.600	\$ 17,505.00
Printing/Duplication		20.600	\$ 3,200.00
Office Space 2.00 FTE x \$352 x 12 mos		20.600	\$ 8,448.00
Communication 2.00 FTE x \$138 x 12 mos		20.600	\$ 3,312.00
Category Sub-Total		\$	34,865.00
F. INDIRECT COSTS			
None		\$	-
Category Sub-Total		\$	-
GRANT TOTAL		\$	181,360.00
		\$	181,360.00

SCHEDULE B-1

GRANT NO. PS1508

BUDGET NARRATIVE

PERSONNEL COSTS

The Program Coordinator will act as a liaison between the Riverside County Health Department, sub-contractors, participating organizations, and OTS.

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, education materials, and answering phone calls for grant staff.

Benefit Rates

Social Security/FICA/OASDI	6.20%
Worker's Compensation	1.90%
Medicare	1.45%
State Disability/SDI	1.44%
Health Insurance	15.61%
Life Insurance	0.10%
Retirement	19.30%
Total Benefit Rate	46.00%

Salaries:

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

Supplanting Statement

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

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.

SCHEDULE B-1

GRANT NO. PS1508

BUDGET NARRATIVE

Page 2

All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.

Out-of-State - Costs are included for appropriate staff may attend the annual Lifesavers National Conference on Highway Safety Priorities in Chicago, Illinois 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.

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.*

Event Supplies – Traffic cones, signage, whistles, safety vests, etc., for each school (minimum of 10) participating in the program.

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: 2.00 FTE \$3.52 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.

SCHEDULE B-1
GRANT NO. PS1508

BUDGET NARRATIVE

Page 3

Indirect Costs

None

Program Income

There will be no program income generated from this grant.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Page 1

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

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

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

NONDISCRIMINATION

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

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Page 2

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

Page 3

RESTRICTION ON STATE LOBBYING

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

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

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

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

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

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

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

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Instructions for Lower Tier Certification

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

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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.