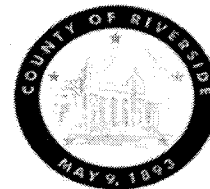


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM : RIVERSIDE UNIVERSITY HEALTH SYSTEM-PUBLIC HEALTH **SUBMITTAL DATE:**
September 27, 2016

SUBJECT: Approve Agreement PS1711 between the State of California Office of Traffic Safety and the County of Riverside Department of Public Health for the performance period of October 1, 2016 through September 30, 2017. All Districts. [\$125,850] 100% Federal Funds.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and execute Agreement PS1711 between the State of California Office of Traffic Safety (OTS) and the County of Riverside Department of Public Health in the amount of \$125,850 for the performance period of October 1, 2016 through September 30, 2017; and
2. Authorize the Director of Public Health or designee, based on the availability of fiscal funding and as approved by County Counsel, to sign subsequent amendments that make only ministerial changes to the agreement.

Sarah S Mack
Sarah S Mack, Director of Public Health 10/4/2016

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 94,387	\$ 31,463	\$ 125,850	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% Federal Funds			Budget Adjustment: No	
			For Fiscal Year: 16/17-17/18	

C.E.O. RECOMMENDATION: [CEO use]

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: October 25, 2016
xc: RUHS-Public Health

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

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

BACKGROUND:

Summary (continued)

The County of Riverside Department of Public Health Injury Prevention Services (IPS) received funding from the Office of Traffic Safety (OTS) to provide education and resources to local law enforcement, community agencies, and residents in an effort to reduce the number of pedestrian and bicycle collision deaths and injuries for Riverside County residents. In collaboration with law enforcement and community agencies, IPS will implement Pedestrian and Bicycle Safety Instructor trainings to conduct hands-on educational workshops in the community. The Office of Traffic Safety Agreement was received on July 28, 2016.

Impact on Residents and Businesses

The program will address traffic injuries near schools countywide and help reduce the number of injuries and deaths due to pedestrian and bicycle collisions.

SUPPLEMENTAL:

Additional Fiscal Information

Fiscal Year	Amount
2016-2017	\$94,387
2017-2018	\$31,463
Total	\$125,850

8. E. Approval Signatures continued for Grant Agreement Number PS1711.
Authorizing Official for Agency and County

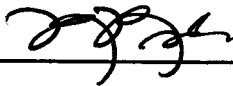
COUNTY OF RIVERSIDE



John J. Benoit, Chairman
Board of Supervisors

Date: OCT 25 2016

ATTEST: Kecia Harper-Ihem, Clerk of the Board

By  _____

Date: OCT 25 2016

EFFECTIVE DATE OF AGREEMENT: 10/1/2016 GRANTEE RIVERSIDE COUNTY GRANT NO. PS1711

10. Fin Action No. <u>1</u> Date: <u>7/12/2016</u>	12. TYPE OF AGREEMENT		Initial	<input checked="" type="checkbox"/>	Revision	<input type="checkbox"/>	Cont.	<input type="checkbox"/>
	PAID MEDIA	PROGRAM INCOME	TASK NO.	F.F.Y.				
Revision No. _____ Date: _____			<u>2</u>	<u>2017</u>				

11. Action Taken

Initial approval of 2017 HSP funds obligated.

13. FUNDING DISPOSITION & STATUS	
Fiscal Year	Amount
<u>2016-17</u>	125,850.00
<u>2015-16</u>	
<u>2014-15</u>	
<u>2013-14</u>	
Total	<u>125,850.00</u>
Obligated This Action	125,850.00
Previously Obligated	0.00
Total Amount Obligated	<u>125,850.00</u>
 TOTAL FUNDS PROGRAMMED	 <u>125,850.00</u>

14. FUNDING DETAIL - FISCAL YEAR GRANT PERIOD ENDING: 9/30/2017

FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
402PS	20.600	0521-0890-101 (10/15)	2015	10/15	2015	\$ 75,510.00
402PS	20.600	0521-0890-101 (BA/16)	2016	BA/16	2016	\$ 50,340.00
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
TOTAL FEDERAL FUNDS:						\$ 125,850.00

15. GRANT APPROVAL & AUTHORIZATION TO EXPEND OBLIGATED FUNDS

A. APPROVAL RECOMMENDED BY	B. AGREEMENT & FUNDING AUTHORIZED BY
NAME: JIM OWENS TITLE: Program Coordinator PHONE: (916) 509-3014 E-MAIL: jim.owens@ots.ca.gov Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 Signature _____	NAME: RHONDA L. CRAFT TITLE: Director Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 Signature _____

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1711**

1. PROBLEM STATEMENT

In recent years, pedestrian safety efforts have gained traction as officials seek to make cities more walkable and bikeable. In 2014, on average a pedestrian was killed every two hours and injured every eight minutes in traffic crashes nationwide. In addition, 726 bicyclists were killed and an estimated 50,000 were injured.

In the same year, California reported the highest number of fatalities involving bicyclists with 128 victims. Of the pedestrian traffic fatalities, 81 percent were children crossing at non-intersection locations, which is an increase from 77 percent in 2012 (*National Highway Traffic Safety Administration, 2015*).

The table below shows pedestrian and bicycle injuries and fatalities from 2012-2014, among children ages 5-18 years old in Riverside County.

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

Ped/Bike	Collision Year						Total		Total Injuries and fatalities
	2012		2013		2014		Injuries	Killed	
	Injured	Killed	Injured	Killed	Injured	Killed			
5-9 years	28	2	22	1	27	0	77	3	80
10-13 years	82	1	65	0	73	2	220	3	223
14-18 years	145	4	150	4	169	5	464	13	477
Total	255	7	237	5	269	7	761	19	780

Over the past three years, there were a total of 780 pedestrian and bicycle collision victims between the ages of 5-18 years old in Riverside County (*Transportation Injury Mapping System, UC Berkley*). Current data suggests that certain cities in Riverside County have a higher rate of pedestrian and bicycle injuries than others, including Banning, Cathedral City, Desert Hot Springs, Eastvale, Hemet, Lake Elsinore, and Palm Springs (*SWITRS*).

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1711**

A. Traffic Data Summary:

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

Collision Type	2012		2013		2014	
	Collisions	Victims	Collisions	Victims	Collisions	Victims
Fatal	203	216	211	228	224	245
Injury	7,482	10,985	7,355	10,790	7,682	11,182

2. PERFORMANCE MEASURES

A. Goals:

- 1) Reduce the number of persons killed in traffic collisions.
- 2) Reduce the number of persons injured in traffic collisions.
- 3) Reduce the number of persons killed by motor vehicles in traffic collisions.
- 4) Reduce the number of persons injured by motor vehicles in traffic collisions.
- 5) Reduce the number of pedestrians killed by motor vehicles in traffic collisions.
- 6) Reduce the number of pedestrian injured by motor vehicles in traffic collisions.
- 7) Reduce the number of pedestrian under the age of 18 killed by motor vehicles in traffic collisions.
- 8) Reduce the number of pedestrian under the age of 18 injured by motor vehicles in traffic collisions.
- 9) Reduce the number of bicyclists killed by motor vehicles. in traffic collisions
- 10) Reduce the number of bicyclists injured by motor vehicles in traffic collisions.
- 11) Reduce the number of bicyclists under the age 18 killed by motor vehicles in traffic collisions.
- 12) Reduce the number of bicyclists under the age of 18 injured by motor vehicles in traffic collisions.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1711

PAGE 3

B. Objectives:

- 1) 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.
- 2) Participate in the following campaigns:
 - National Walk to School Day– October 5, 2016
 - National Bicycle Safety Month – May 2017
 - California’s Pedestrian Safety Month – September 2017
- 3) Conduct 4 PedBikeIT trainings for law enforcement and community program staff in an effort to reach 80 people.
- 4) Conduct a minimum of 4 Pedestrian and Bicycle Safety City rodeos at community events in an effort to reach 200 children under 18 years of age and their families.
- 5) Coordinate and implement 2 comprehensive Bicycle Workshops culminating in a Family Fun Ride in an effort to reach 100 children under 18 years of age and their families.
- 6) Properly fit and distribute a total of 325 helmets at 4 community events and 2 bike workshops.
- 7) Conduct pre and post helmet usage surveys during the months of October 2016 and September 2017 of each grant year (A pre-survey will be required to determine the base year helmet use rate and a post-survey will be required to determine the operational rate).
- 8) Participate in 2 safety fairs focusing on Pedestrian and Bicycle safety in an effort to reach 200 people.

3. METHOD OF PROCEDURE

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

- Develop operational plans to implement “best practice” strategies outlined in the objectives section.
- Hire and/or train necessary staff needed for the grant program, if applicable.
- Develop and execute contracts with vendors or consultants, if applicable.
- Purchase grant funded items needed to implement the program, if applicable.

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1711**

PAGE 4

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

- Coordinate with partners to determine dates for the Pedestrian and Bicycle Instructor Trainings.
- Promote Pedestrian and Bicycle Instructor Trainings within Riverside County through community events, media outlets, and partnerships.
- Train approximately 80 Pedestrian and Bicycle Safety Instructors, including community members, program staff, and law enforcement.
- Conduct evaluation of Pedestrian and Bicycle Instructor Trainings.
- Create a Pedestrian and Bicycle Safety Instructor contact list for future community events.
- Complete vendor applications for a minimum of 4 community events.
- Conduct a minimum of 4 Pedestrian and Bicycle Rodeos at community events.
- Coordinate with consultants, cities and other partners to determine dates, locations and logistics for the Bicycle Workshops.
- Promote Pedestrian and Bicycle Safety Instructor Trainings within Riverside County through community events, media outlets, and partnerships.
- Collaborate with local League of American Bicyclist group to implement one (2) Bicycle Workshop that provide bicycle skills development, maintenance, and safety education reaching approximately 100 children under 18 years of age and their families.
- Conduct evaluation of Bicycle Safety Workshops.
- Properly fit and distribute 325 helmets at 6 community events countywide.
- Track all activities in appropriate spreadsheets for reporting.

Media Requirements

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

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1711**

PAGE 5

- ✓ If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.
- 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, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

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

- Invoice Claims (due January 30, April 30, July 30, and November 30)
- Quarterly Performance Reports (due January 30, April 30, July 30, and November 30)
 - ✓ Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - ✓ Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - ✓ Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
- Schedule C – Data Collection Form, if applicable.
 - ✓ Collect, analyze and report statistical data relating to the grant goals and objectives.

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

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1711**

PAGE 6

of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

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

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PS1711

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS	20.600	STATE AND COMMUNITY HIGHWAY SAFETY	\$125,850.00

COST CATEGORY	FISCAL YEAR ESTIMATES			10/1/16	TOTAL COST TO GRANT
	CFDA	FY-1	thru 9/30/17		
A. PERSONNEL COSTS					
Positions and Salaries					
Full-Time					
Program Coordinator 1 x 12 mo x \$7,327 x 50 %	20.600	\$ 43,962.00			\$ 43,962.00
Health Services Assistant 1 x 12 mo x \$2,677 x 45%	20.600	\$ 14,456.00			\$ 14,456.00
Health Services Assistant 1 x 12 mo x \$2677 x 45%	20.600	\$ 14,456.00			\$ 14,456.00
Benefits @ 46%	20.600	\$ 33,523.00			\$ 33,523.00
Category Sub-Total		\$ 106,397.00			\$ 106,397.00
B. TRAVEL EXPENSE					
In-State	20.600	\$ 1,050.00			\$ 1,050.00
Out-of-State	20.600	\$ 2,000.00			\$ 2,000.00
Category Sub-Total		\$ 3,050.00			\$ 3,050.00
C. CONTRACTUAL SERVICES					
Bicycle Education	20.600	\$ 4,000.00			\$ 4,000.00
Category Sub-Total		\$ 4,000.00			\$ 4,000.00
D. EQUIPMENT					
None					
Category Sub-Total					
E. OTHER DIRECT COSTS					
Bicycle/Pedestrian Rodeo Supplies	20.600	\$ 6,000.00			\$ 6,000.00
Printing/Duplication	20.600	\$ 1,153.00			\$ 1,153.00
Bicycle Helmets	20.600	\$ 3,250.00			\$ 3,250.00
Office Supplies	20.600	\$ 1,000.00			\$ 1,000.00
Bicycle Safety Equipment	20.600	\$ 1,000.00			\$ 1,000.00
Category Sub-Total		\$ 12,403.00			\$ 12,403.00
F. INDIRECT COSTS					
None					
Category Sub-Total					
GRANT TOTAL			\$ 125,850.00		\$ 125,850.00

SCHEDULE B-1
GRANT NO. PS1711

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

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

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

Full -Time Benefit Rates

Health Insurance	15.61%
Life Insurance	0.10%
Medicare	1.45%
Retirement	19.30%
Social Security/FICA/OASDI	6.20%
State Disability/SDI	1.44%
Workers Compensation	1.90%
TOTAL BENEFIT RATE	46.00%

Supplanting Statement

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

TRAVEL EXPENSE

In-State Travel - 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. *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 Travel - One appropriate staff may attend Lifesavers Conference in North Carolina, 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. PS1711

BUDGET NARRATIVE

Page 2

CONTRACTUAL SERVICES

Bicycle Education – Implement 2 multi-station Bicycle Workshop to educate young children and families on bicycle and pedestrian safety, culminating in short group ride.

2 Workshops x \$2,000 ea = \$4,000

EQUIPMENT

None

OTHER DIRECT COSTS

Bicycle/Pedestrian Rodeo Supplies– Safety City props, traffic cones, cone caddy, safety vests, megaphones, educational traffic safety games, traffic signs, chalk, game wheel, first aid kit, sandbags (to hold down equipment).

Printing/Duplication- Costs associated with printing and reproduction services including, but not limited to forms, reports, manuals, flyers, signs, banners, brochures and informational literature developed for grant related programs.

325 Bicycle Helmet(s) - helmets to be distributed during bicycle rodeos and other bicycle safety related events.

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

Bicycle Safety Equipment – safety equipment such as bicycle headlights/taillights, reflectors, and reflective arm and leg bands to be distributed during bicycle rodeos and other bicycle safety related events.

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Page 1

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

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

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- 49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Part 1200—Uniform Procedures for State Highway Safety Grant Programs

NONDISCRIMINATION

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

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, 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

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 Grant Agency Official shall provide immediate written notice to the department or agency to which this grant agreement is submitted if at any time the Grantee Agency Official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *grant agreement*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this grant agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency Official agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Page 4

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.

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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.