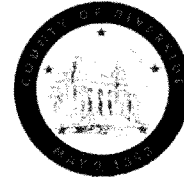


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.13
(ID # 5438)

MEETING DATE:

Tuesday, October 17, 2017

FROM : RUHS-PUBLIC HEALTH:

SUBJECT: RIVERSIDE UNIVERSITY HEALTH SYSTEM - PUBLIC HEALTH: Ratify Agreement OP18014 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, 2017 to September 30, 2018. District: All [\$129,000 – 98% Federal and County RUHS-PH 2% Funded]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the Agreement OP18014 between the State of California Office of Traffic Safety (OTS) and the County of Riverside for the Department of Public Health in the amount of \$129,000 for the period of performance of October 1, 2017 through September 30, 2018; and
2. Authorize the Director of Public Health or designee, as approved by the County Counsel, to sign subsequent amendments that make only ministerial changes to the agreement.

ACTION: Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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, Perez and Ashley
Nays: None
Absent: None
Date: October 17, 2017
xc: RUHS-Public Health

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 96,750	\$ 32,250	\$129,000	\$0
NET COUNTY COST	\$ 0	\$ 0	\$0	\$0
			Budget Adjustment: No	
			For Fiscal Year: 17/18 – 18/19	

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

BACKGROUND:

Summary

The County of Riverside Department of Public Health-Injury Prevention Services (IPS) has received funding from the Office of Traffic Safety (OTS) to collaborate with the Think First National Injury Prevention Organization, Inland Empire Safe Kids, and local law enforcement agencies to provide bilingual educational and interactive activities that focus on the proper use of seat belts. Grant Award was received on August 18, 2017.

Impact on Residents and Businesses


Program will benefit County Residents by ensuring that elementary and middle school aged children are using seatbelts correctly. This will reduce the number of injuries and death due to misuse or lack of seatbelt use.

SUPPLEMENTAL:

Additional Fiscal Information

Total cost of the program is in the amount of \$129,000. The annual distribution from OTS to Department of Public Health will be as follows:

Year	Amount
2017/2018	\$96,750
2018/2019	\$32,250
Total	\$129,000


Gregory V. Priapros, Director County Counsel 9/26/2017

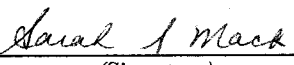
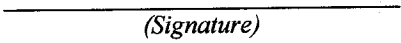
State of California – Office of Traffic Safety
GRANT AGREEMENT

WHEN DOCUMENT IS FULLY EXECUTED RETURN

CLERK'S COPY

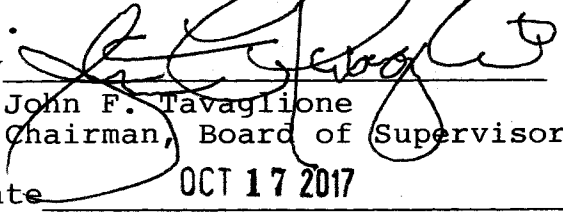
to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

GRANT NUMBER
OP18014

1. GRANT TITLE Seatbelts Are For Everyone (SAFE) Program	
2. NAME OF AGENCY Riverside County	3. Grant Period From: 10/01/2017 To: 09/30/2018
4. AGENCY UNIT TO ADMINISTER GRANT Riverside County Department of Public Health	
5. GRANT DESCRIPTION This program will collaborate with the Think First National Injury Prevention Organization to provide assemblies to local elementary and middle schools that focus on the importance of proper seat belt use. The program also includes partnering with Inland Empire Safe Kids and local law enforcement agencies to provide education and interactive activities at participating schools, student poster and video contests, and bilingual parent presentations highlighting the importance of proper seat belt use.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$129,000.00	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none">Schedule A – Problem Statement, Goals and Objectives and Method of ProcedureSchedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)Exhibit A – Certifications and AssurancesExhibit B* – OTS Grant Program Manual <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
8. Approval Signatures	
A. AUTHORIZING OFFICIAL OF DEPARTMENT NAME: Sarah S. Mack PHONE: 951-358-7036 TITLE: Director FAX: 951-358-5120 ADDRESS: 4065 County Circle Dr. Riverside, CA 92503 EMAIL: ssmack@rivcocha.org  (Signature) 9/18/17 (Date)	B. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY NAME: Rhonda L. Craft PHONE: (916) 509-3030 TITLE: Director FAX: (916) 509-3055 ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 EMAIL: rhonda.craft@ots.ca.gov  (Signature) (Date)
C. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. DUNS NUMBER DUNS #: 072514789 REGISTERED ADDRESS: 4080 Lemon St. 11th. floor CITY: Riverside ZIP+4: 92501-3609

A1.

By

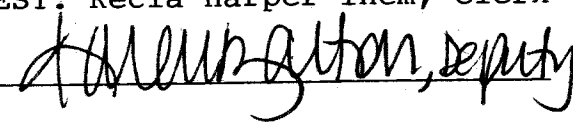

John F. Tavaglione
Chairman, Board of Supervisors

Date

OCT 17 2017

ATTEST: Kecia Harper-Ihem, Clerk


By


Kecia Harper-Ihem, deputy

FORM APPROVED COUNTY COUNSEL

8/14/2017 10:02:26 AM


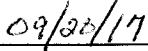
BY:


MARSHA L. VICTOR

DATE

Page 1 of 12

OCT 17 2017 3.13

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
405b OP-18	20.616	0521-0890-101	2016	2016	23/16	\$26,000.00
405b OP-18	20.616	0521-0890-101	2017	2017	14/17	\$103,000.00
				AGREEMENT TOTAL		\$129,000.00
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>				AMOUNT ENCUMBERED BY THIS DOCUMENT		
				\$129,000.00		
				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		
ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				\$129,000.00		

GRANT AGREEMENT**OP18014**

Schedule A

1. PROBLEM STATEMENT

Riverside County was first incorporated in 1832, and is currently the fourth most populated county in California, with 2.3 million residents. Riverside County is a diverse area of urban, suburban, and rural communities. Geographically, it stretches over 7,200 square miles, including 26 incorporated cities and 25 school districts. Riverside County is currently divided by two main highways (I-15 and I-10), and two main freeways (R – 91 and R – 60). Because of the continuous population surge, as well as the diversity of terrain, Riverside County faces numerous traffic issues.

Motor vehicle crashes have continued to be one of the leading causes of death and injury to county residents. According to the California Highway Patrol Statewide Integrated Traffic Records System (SWITRS), Riverside County experienced a total of 250 fatalities due to motor vehicle traffic collisions in 2015. Problem areas and intervention efforts to improve the health and well-being of county residents are highlighted in the 2013 Riverside County Community Health Profile, published by Riverside County Department of Public Health. The report reveals that motor vehicle crashes continue to be a leading cause of unintentional injury and fatality for ages 1-14 years. This accounts for approximately 38 percent of all the deaths in this age group. Motor vehicle related crashes are disproportionately claiming the lives of Riverside County's youth and young adults. While the state of California has a mandatory seat belt law in effect, many motor vehicle injuries stem from non-use of a vehicle restraint. Between 2013 – 2015, 105 injuries occurred among county youth, ages 7 – 14 years, due to non-use of a seatbelt or restraint system. It is evident, that if left unaddressed, non-seat belt use behavior continues in young adults. For instance, 226 injuries were reported due to non-seatbelt use among passengers 15 - 21 years old. Early intervention to address the need for continuous and proper use of vehicle restraints is the most effective method in combating this issue.

Research through the Centers for Disease Control and Prevention has shown that proper usage of motor vehicle restraints for children can help reduce the risk of motor vehicle mortality by as much as 50 percent. Although education and enforcement activities have been implemented to reinforce this concept, many families are not practicing this behavior. The 2016 Child Death Review Team data for Riverside County indicate that fatalities due to non-use or improper use of a vehicle restraint have increased by 50 percent in a one-year period. In addition, during a recent observational survey conducted at five elementary school sites in Riverside County, it was noted that many families were not adhering to current California vehicle occupant safety laws. Children under eight years of age were observed sitting in the front vehicle seat, or sharing a seat belt due to overcrowding. Some were riding on the floor unrestrained. Many children were observed misusing the seatbelt by placing the shoulder belt behind them or not utilizing a booster seat which would have assisted in proper seatbelt placement. Studies have demonstrated that lack of knowledge regarding safety benefits of proper vehicle restraint usage, and perception of risk for child passengers, accounts for the low rates of seat belt usage. In addition, commuting to a nearby location, or not seeing law enforcement while driving reinforces an individual's practice of not wearing a seat belt. However, children often model behavior of parenting adults, so parents who always wear a seat belt are more likely to have their child sit in the back seat and wear a seat belt. It is crucial to educate both parents and children to help reduce the risk-taking behavior.

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 due to no seat belt use.
4. Reduce the number of persons injured due to no seat belt use.

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 National Child Passenger Safety Week.
3. Conduct a minimum of 8 classroom presentations promoting seat belt usage and the SAFE program poster/video contest at each campus.
4. Conduct "Think First Seat Belt Education" assemblies.

Target Number

8

8

5. Conduct seat belt parent presentations in Riverside County.	4
6. Conduct "Saved by the Belt Traffic Safety Events" with a crash car simulation and law enforcement participation.	8
7. Conduct pre/post seatbelt use observation surveys at each participating school site.	16
8. Create a presentation that will assist students in developing awareness posters/videos addressing seat belt use.	1
9. Identify bilingual occupant safety educational and resource materials to be distributed through program activities.	1
10. Implement a poster contest at each elementary school campus and a video contest at each middle school campus, announcing winners.	8
11. Obtain commitment from 4 elementary schools and 4 middle schools to implement traffic safety program.	8

3. METHOD OF PROCEDURE

A. Phase 1 – Program Preparation (1st Quarter of Grant Year)

- Complete and route all necessary forms to the Riverside University Health System – Public Health Department Administration and Board of Supervisors for approval of grant activities.
- Conduct a search for current, appropriate educational and resource materials available for distribution at participating elementary and middle school campuses.
- Establish a contract with Think First to provide school wide assemblies at each participating elementary and middle school campuses.
- Obtain commitment from local law enforcement to participate in traffic safety events at each participating school site.
- Obtain commitment from Inland Empire Safe Kids to participate in SAFE traffic safety events at each participating school site and incorporate the “crash car” simulation.
- Develop poster and video contest rules and regulations for the SAFE program.
- Develop a curriculum for classroom presentations that assists students to develop and implement awareness posters/videos addressing seat belt use.
- Develop all program forms and evaluation tools.
- Obtain commitment from 4 elementary schools to participate in the SAFE program located county-wide.
- Obtain commitment from 4 middle schools to participate in the SAFE program located county-wide.
- Identify at each school site a liaison that will communicate with Public Health on all SAFE program activities.
- Create a master calendar that schedules all assemblies and classroom presentations.
- Update Public Health website listing new traffic safety program activities.
- Identify media outlets in Riverside County.
- Develop a filing system to monitor all grant activities to ensure adequate reporting to funding source.
- Develop a database to capture all demographic/statistical information and track objective progress relevant to grant activities.
- Conduct Pre-Seat Belt Use Observation Surveys at each participating school site.
- Purchase all necessary equipment and supplies (education materials and office supplies) to conduct grant related activities.

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

- Conduct 1 Think First seat belt education assembly at each participating elementary and middle school.
- Conduct classroom presentations at each elementary and middle school campus to assist students in creating and submitting posters/videos in contest focusing on seat belt use.
- Conduct 1 Saved by the Belt Traffic Safety Event in collaboration with Inland Empire Safe Kids and local Law Enforcement utilizing the “crash car” simulation at each participating school site.
- Conduct the SAFE program poster/video contest at each participating school site.
- Compile all forms on Seat Belt Use program activities.
- Conduct Post-Seat Belt Use Observation Surveys at each participating school site.
- Maintain all demographic and statistical data related to grant activities.

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.
 - 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, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

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

- Invoice Claims (due January 30, April 30, July 30, and October 30)
- Quarterly Performance Reports (due January 30, April 30, July 30, and October 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.
 - 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 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 administrative support, and every effort will be made to continue the grant activities after grant conclusion.

GRANT AGREEMENT

OP18014

Schedule B

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405b OP	20.616	Occupant Protection	\$129,000.00

COST CATEGORY	CFDA	TOTAL COST TO GRANT
A. PERSONNEL COSTS		
Positions and Salaries		
Full-Time		
Program Coordinator	20.616	\$24,512.00
Health Education Assistant	20.616	\$13,184.00
Health Education Assistant	20.616	\$18,643.00
Office Assistant III	20.616	\$16,729.00
Benefits	20.616	\$33,611.00
Overtime		\$0.00
Part-Time		\$0.00
Category Sub-Total		\$106,679.00
B. TRAVEL EXPENSES		
In State Travel	20.616	\$2,269.00
		\$0.00
Category Sub-Total		\$2,269.00
C. CONTRACTUAL SERVICES		
Think First Student Assemblies	20.616	\$2,800.00
Category Sub-Total		\$2,800.00
D. EQUIPMENT		
		\$0.00
Category Sub-Total		\$0.00
E. OTHER DIRECT COSTS		
Office Supplies	20.616	\$1,234.00
Office Space	20.616	\$3,578.00
Communications	20.616	\$5,040.00
Printing/Duplication	20.616	\$2,000.00
Poster/Video Contest Supplies	20.616	\$2,000.00
Projectors	20.616	\$1,600.00
Tablets	20.616	\$1,800.00
Category Sub-Total		\$17,252.00
F. INDIRECT COSTS		
		\$0.00
Category Sub-Total		\$0.00
GRANT TOTAL		\$129,000.00

GRANT AGREEMENT**OP18014**

Schedule B-1

BUDGET NARRATIVE	
PERSONNEL COSTS	QUANTITY
Program Coordinator - 1 x 12 mo x \$6809 x 30% Program Coordinator will act as a liaison between Public Health, schools, law enforcement, and contractors. The Program Coordinator will have oversight and assist in all activities.	12
Health Education Assistant - 1 x 12 mo x \$3139 x 35% Health Education Assistant will work directly on grant funded activities. This includes but is not limited to developing educational materials, setting up meetings, assisting with SAFE program training, and preparing informational materials.	12
Health Education Assistant - 1 x 12 mo. \$3884 x 40% Health Education Assistant - will work directly on grant funded activities. This includes, but is not limited to developing educational materials, setting up meetings, assisting with SAFE program training, and preparing informational materials.	12
Office Assistant III - 1 x 12 mo. \$3983 x 35% Office Assistant III - Office Assistant III will provide clerical support to the Program Coordinator and other program staff. This includes filing, making copies, ordering supplies, storing educational materials and answering calls for grant funded staff.	12
Benefits - Benefits @ 46% Health Insurance 15.61% Life Insurance .1% Medicare 1.45% Retirement 19.3% Social Security/FICA/OASDI 6.2% State Disability/SDI 1.44% Workers Compensation 1.9% TOTAL BENEFIT RATE 46%	1
TRAVEL EXPENSES 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.	1
CONTRACTUAL SERVICES Think First Student Assemblies - Think First National Injury Prevention Organization will provide a victim impact speaker to present at 4 elementary and 4 middle schools on the consequences of non seat belt use. 8 presentations x \$350.00 = \$2800.00	8
EQUIPMENT -	
OTHER DIRECT COSTS Office Supplies - Used for standard office supplies to support grant related activities, grant monitoring and reporting. Costs may include paper, toner, ink cartridges, CDs/DVDs 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	1

and hardware, and fixed lighting/lamp.	
Office Space - Costs include rent and utilities associated with grant goals and objectives. Charges to the grant will be in accordance with the following formula or rate: $\$213 \times 1.4 \text{ FTE} \times 12 = \$3,578.00$. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the space.	1
Communications - Costs of telephone service, mail/messenger service (excluding overnight priority mail) and communications services. $\$300 \times 1.4 \text{ FTE} \times 12 = \$5,040.00$	1
Printing/Duplication - Costs include the purchase of paper, production, printing and/or duplication of materials associated with daily grant operations.	1
Poster/Video Contest Supplies - Costs to provide posters, markers, colored pencils, crayons, and card board. Additional items may be purchased upon OTS approval.	1
Projectors - Cost to purchase 2 projectors to provide SAFE program presentations to parents and students.	2
Tablets - Cost to purchase 2 tablets with protective covers to be used to assist students with creating videos for SAFE program video contest.	2
INDIRECT COSTS -	
STATEMENTS/DISCLAIMERS There will be no program income generated from this grant. Salaries may include wages, salaries, special compensations, or authorized absences such as annual leave and sick leave provided the cost for the individual employee is (a) reasonable for the services rendered, and (b) follows an appointment made in accordance with state or local laws and rules and meets federal requirements. Any non-grant funded vacancies created by reassignment to a grant-funded position must be filled at the expense of the grantee agency.	

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 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.

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 (HATCHACT)

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.

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.

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.

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 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.