

OTS-38 (Rev. 4/16)

1. GRANT TITLE SAFE TRAVELS VIA SALINAS	
2. NAME OF AGENCY MONTEREY COUNTY	4. GRANT PERIOD From: 10/1/16 To: 9/30/17
3. AGENCY UNIT TO ADMINISTER GRANT HEALTH DEPARTMENT	
5. GRANT DESCRIPTION The Monterey County Health Department will work with local schools, police chiefs, community based organizations, the media, and local contractors to reduce pedestrian, bicyclists and vehicle occupant injuries and fatalities due to collisions. Stakeholder interviews, focus groups, and surveys will provide much needed community level data to better assess the impact of collisions in local neighborhoods, and will assist in developing culturally appropriate outreach, education, and training. More focused safety education and bike skills training for students, particularly among elementary schools located near scheduled sidewalk and street infrastructure improvements, will result in improved pedestrian and bicyclist safety and greater use of the new infrastructure.	
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 192,521.00	
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 (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 <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at 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. GRANT DIRECTOR NAME: Christabelle Z. Oropeza PHONE: 831-755-4572 TITLE: Public Health Program Manager FAX: 831-757-9586 ADDRESS: 1270 Natividad Road, Salinas, CA 93906-3122 E-MAIL: oropezacz@co.monterey.ca.us _____ (_____) (_____)	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Elsa Jimenez PHONE: 831-755-4526 TITLE: Director of Health FAX: 831-757-9586 ADDRESS: 1270 Natividad Road Salinas, CA 93906-3122 E-MAIL: jimenezem@co.monterey.ca.us _____ (_____) (_____)
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Joe L. Ripley PHONE: 831- 796-1250 TITLE: Finance Manager FAX: 831-755-4797 ADDRESS: 1270 Natividad Road, Salinas, CA 93906-3122 E-MAIL: ripleyjl@co.monterey.ca.us _____ (_____) (_____)	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: Monterey County Health Department ADDRESS: 1270 Natividad Road, Salinas, CA 93906-3122 9. DUNS NUMBER DUNS #: 125628466 REGISTERED ADDRESS & ZIP: 1270 Natividad Road, Salinas, CA 93906-3122

EFFECTIVE DATE OF AGREEMENT: 10/1/2016	GRANTEE MONTEREY COUNTY	GRANT NO. PS1708
---	--------------------------------	-------------------------

10. Fin Action No. 1 Date: 8/25/2016 Revision No. Date:	12. TYPE OF AGREEMENT		Initial <input checked="" type="checkbox"/>	Revision <input type="checkbox"/>	Cont. <input type="checkbox"/>
	PAID MEDIA	PROGRAM INCOME	TASK NO. 2	F.F.Y. 2017	

11. Action Taken

Initial approval of 2017 HSP funds obligated.

13. FUNDING DISPOSITION & STATUS	
Fiscal Year	Amount
2016-17	192,521.00
2015-16	
2014-15	
2013-14	
Total	192,521.00
Obligated This Action	192,521.00
Previously Obligated	0.00
Total Amount Obligated	192,521.00
TOTAL FUNDS PROGRAMMED	192,521.00

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	\$ 96,261.00
402PS	20.600	0521-0890-101 (23/16)	2016	23/16	2016	\$ 96,260.00
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
TOTAL FEDERAL FUNDS:						\$ 192,521.00

15. GRANT APPROVAL & AUTHORIZATION TO EXPEND OBLIGATED FUNDS

A. APPROVAL RECOMMENDED BY	B. AGREEMENT & FUNDING AUTHORIZED BY
NAME: MITCH ZHENDER TITLE: Program Coordinator PHONE: (916) 509-3026 E-MAIL: mitch.zehnder@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. PS1708

PAGE 1

1. PROBLEM STATEMENT

In the 2013 OTS rankings, Monterey County ranked 15th for pedestrian injuries and deaths, and 12th for pedestrian injuries and deaths younger than 15 years of age. However, the City of Salinas was more greatly impacted, ranking 9th out of 56 OTS Group B cities (population 100,001-250,000) for total pedestrians injured and killed. Additionally, the City of Monterey ranked 5th out of 92 in OTS Group D cities (population 25,001-50,000) for total pedestrians over the age of 65 who were injured or killed. Collisions involving pedestrians clearly continue to be a significant issue on Monterey County streets and roadways.

In the City of Salinas in 2015, 55 total pedestrian collisions were recorded by the police department. Of those, three vehicle versus pedestrian collisions resulted in three deaths. Sadly, one death involved a 10 year old child.

Our communities would benefit greatly from a pedestrian observation survey that includes motorist behaviors. Observations would include whether or not pedestrians wait for the walk signal at intersections. The survey would also assess whether or not pedestrians demonstrate distracted behavior such as using electronic devices or wearing earphones at intersections and in crosswalks. In addition, a survey would observe motorists and whether or not they stop at intersections before turning right when a pedestrian is waiting to cross and whether or not motorists yield to pedestrians waiting to cross at a mid-street crosswalk. This information could be used to guide education, outreach and training on pedestrian safety developed and provided by program staff. It could also serve to guide police efforts to enforce traffic laws, particularly around schools.

Monterey County had 31 bicycle injuries and fatalities per 100,000 population in 2013, a rate which was nearly equal to the state rate of 36 (OTS Rankings 2013). The rankings identified Monterey County as 18th among the 55 reporting counties in California for bicyclists injured and killed. The City of Salinas ranked 9th among 56 similar California cities (Group B, population 100,001-250,000) for cyclist injuries and fatalities in the state. In 2013, approximately 55 percent of Monterey County cyclist injuries occurred in the City of Salinas. Considering that approximately 36 percent of the county population reside in Salinas, Salinas residents experienced a disproportionately high percentage of cyclist injuries in 2013.

In the City of Salinas in 2015, the Police Department recorded 45 total bicycle collisions. Of those, 36 collisions resulted in injuries, and one vehicle versus bicycle collision resulted in one fatality of a 33 year old gentleman.

The County of Monterey and the City of Salinas believe that some elementary, middle and high school students bike to school as an efficient and inexpensive way to commute. It is suspected that more would bike to school, if not for the concern of being struck by an automobile. In addition, The County also suspects that many cyclists under the age of 18 do not wear safety helmets (California Health Interview Survey (CHIS), 2003). However, in order to better understand student bicyclist activity, community level data is needed. OTS funding will support local efforts to conduct bicycle observation surveys around school communities. These surveys will provide much needed local community level data to help describe the type of risk behaviors as well as protective behaviors adults and youth demonstrate on our city streets.

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1708**

Only 34 percent of teens ages 13-17 and 60 percent of children ages 0-12 always or usually wear bike helmets (CHIS). There may be many reasons why students do not wear bicycle helmets when riding. Reasons may include poor fit, awkward appearance, and lack of knowledge of the legal requirement for youth to wear helmets when riding bicycles. Similarly, cyclists may not be practicing safe behaviors on roads, such as riding against traffic and not stopping at stop lights and stop signs. Again, OTS funding will provide support needed to conduct key stakeholder interviews and focus groups to ascertain community perception of pedestrian and bicycle safety and community understanding of the benefits of prevention, as well as beliefs and barriers to practicing proven injury prevention behaviors. The information gathered from surveys will provide program staff information that will not only guide the development of education materials, outreach efforts and training, but will reestablish a baseline for measuring progress in meeting program objectives. The survey results will also support future efforts to apply for and secure ongoing funding for this work.

Traffic collisions involving bicyclists in Monterey County have increased dramatically in the past three years, with a 34 percent increase in 2013 over 2012. See Table 1 below.

A. Traffic Data Summary:

Number of Traffic Collisions Involving Bicyclists in Monterey County,

Year	Traffic Collisions	Percent Change
2013	133	34% increase from 2012
2012	99	18% increase from 2011
2011	84	

Collision Type	2012		2013		2014	
	Collisions	Victims	Collisions	Victims	Collisions	Victims
Fatal	3	3	11	12	10	10
Injury	377	479	385	488	465	619

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 bicyclists killed in traffic collisions.
- 4) Reduce the number of bicyclists injured in traffic collisions.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1708

PAGE 3

- 5) Reduce the number of pedestrians killed in traffic collisions.
- 6) Reduce the number of pedestrians injured in traffic collisions.
- 7) Reduce the number of bicyclists injured in traffic collisions under the age of 15 years.
- 8) Increase bicycle helmet compliance for children aged 5 to 18 years.

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 OTS safety helmet usage observational survey. Surveys will be conducted once at the beginning and once at the end of the grant period.
4. Conduct pedestrian safety observation surveys in partnership with the Monterey County Collaborates (MCC), before and after sidewalk and street infrastructure development.
5. Conduct bicyclist safety observation surveys, in partnership with the MCC, before and after sidewalk and street infrastructure development.
6. Conduct 5 pedestrian street skills workshops in an effort to reach 150 community members.
7. Conduct 5 bike rodeos and/or pedestrian street skills workshops in an effort to reach 150 community members.
8. Conduct a train-the-trainer presentation for program staff and volunteers on properly fitting helmets.
9. Distribute 1,000 bicycle helmets to students and community members.
10. Plan and conduct 6 walk-to-school days, also known as walking school bus days, at three elementary schools.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1708

PAGE 4

11. Conduct **8** health focused community events pedestrian and bicyclist safety outreach and education activities in an effort to impact **560** youth, parents or caregivers.
12. Conduct **6** bicycle rodeos at 3 elementary schools in an effort to reach **380** 4th graders and **350** 5th graders.
13. Conduct a total of **6** pedestrian street skills workshops at 3 elementary schools in an effort to reach **380** 2nd graders and **350** 3rd graders.
14. Conduct **2** focus groups with youth, parents or caregivers for the purpose of gathering additional data on pedestrian and cyclist safety knowledge and opinions. Data will inform the development of educational outreach efforts.
15. Conduct **8** stakeholder interviews to inform staff in the planning of pedestrian and bicyclist safety outreach and education.
16. Conduct student in-class travel tallies at **3** elementary schools, consistent with the National Center for Safe Routes to School.

3. METHOD OF PROCEDURE

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

1. Complete county and OTS documents necessary to invoice and receive funds.
2. Train program staff and volunteers on observation survey tools and methodologies.
3. Establish memoranda of agreement (MOA) with local schools to conduct observational surveys, rodeo events, focus groups and educational sessions on school property.
4. Select or develop a stakeholder interview tool and conduct stakeholder interviews.
5. Select or develop focus group discussion tool and conduct focus group discussions.
6. Select a vendor(s), either through a sole source justification or through a request for proposals, to conduct pedestrian and bicyclist rodeo events and approve contract with the vendor(s). The vendor will have demonstrated prior success in delivering these services to elementary schools in nearby Monterey Bay Area communities.
7. Identify, train and certify program staff and other agency staff as bicycle helmet technicians.
8. Negotiate and finalize sub-contracts and purchase order agreements for supplies.

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1708

PAGE 5

9. Order, purchase and store initial stock of bike safety helmets, bike/pedestrian lights and educational materials.
10. Develop culturally and linguistically appropriate educational materials for program operations.
11. Initiate contacts with schools, service organizations and other target groups for outreach and event planning.
12. Meet with Monterey County Collaborates to propose, develop and establish a traffic safety sub group to advise the OTS project.
13. Select and adapt a data collection tool for the pedestrian and cyclist observational surveys.

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

1. Conduct key stakeholder interviews and record findings.
2. Conduct focus group meetings and record findings.
3. Select locations, dates and times to conduct observational surveys.
4. Conduct pedestrian and cyclist observational surveys prior to infrastructure repair to streets and sidewalks, and record results to serve as baseline data.
5. Order, purchase and store remaining stock of bike safety helmets, bike/pedestrian lights, and educational materials.
6. Conduct pedestrian and cyclist safety education and bicycle skills training rodeos and record participation data and track helmet and safety equipment stock distributed.
7. Develop and distribute traffic safety outreach, education and resources via social media.
8. Track and collect data on social media followers and followers' access to traffic safety resources.
9. Conduct pedestrian and bicyclist observational surveys near schools after the City of Salinas has completed repairs to sidewalks and streets and record findings.
10. Prepare, review and submit regular reports to OTS.
11. Prepare, review and submit final evaluation report to OTS.

Media Requirements

SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1708

PAGE 6

- 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.
 - ✓ 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.

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1708**

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 support of the County of Monterey. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PS1708

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION			TOTAL AMOUNT
402 PS	20.600	State and Community Highway Safety			\$192,521.00
COST CATEGORY		FISCAL YEAR ESTIMATES 10/1/16 thru 9/30/17			TOTAL COST TO GRANT
A. PERSONNEL COSTS		CFDA	FY-1		
Positions and Salaries					
Full-Time					
Chronic Disease Prevention Coordinator (1 x 2080 x \$35.50)		20.600	\$ 73,840.00		\$ 73,840.00
Public Health Program Manager I (1 x 208 x \$52.22)		20.600	\$ 10,862.00		\$ 10,862.00
Benefits 47.23%		20.600	\$ 40,005.00		\$ 40,005.00
Category Sub-Total			\$ 124,707.00		\$ 124,707.00
B. TRAVEL EXPENSE					
In-State		20.600	\$ 1,300.00		\$ 1,300.00
Category Sub-Total			\$ 1,300.00		\$ 1,300.00
C. CONTRACTUAL SERVICES					
Pedestrian and Bike Education Rodeo Provider		20.600	\$ 35,000.00		\$ 35,000.00
Category Sub-Total			\$ 35,000.00		\$ 35,000.00
D. EQUIPMENT					
None					
Category Sub-Total			\$ -		\$ -
E. OTHER DIRECT COSTS					
Educational Materials		20.600	\$ 2,030.00		\$ 2,030.00
Office Supplies		20.600	\$ 1,013.00		\$ 1,013.00
Communications		20.600	\$ 2,000.00		\$ 2,000.00
Bicycle Lights		20.600	\$ 4,000.00		\$ 4,000.00
Bike Helmets		20.600	\$ 10,000.00		\$ 10,000.00
Category Sub-Total			\$ 19,043.00		\$ 19,043.00
F. INDIRECT COSTS					
10% of total personnel expenses		20.600	\$ 12,471.00		\$ 12,471.00
Category Sub-Total			\$ 12,471.00		\$ 12,471.00
GRANT TOTAL			\$ 192,521.00		\$ 192,521.00

SCHEDULE B-1
GRANT NO. PS1708

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

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

Chronic Disease Prevention Coordinator

The Chronic Disease Prevention Coordinator is the principle project staff responsible for implementation of the required activities for the designated program's goals and objectives. The Coordinator may be assigned tasks as appropriate by the Manager to assure ongoing progress towards meeting objectives and achieving goals. The Coordinator engages vendor, school, police and community based organization representatives to coordinate project activity planning and logistics. The Coordinator conducts stakeholder and focus group meetings, completes pedestrian and cyclist observational surveys, provides outreach and educational presentations, and contributes to quarterly reports and the final evaluation report. The Coordinator prepares purchase orders, receives vendor invoices and submits items for manager approval.

Public Health Program Manager

The Public Health Manager I is responsible for planning, development and implementation of the funded OTS project. The Manager oversees compliance with OTS grant requirements, and is the department's point of contact for the project. The Manager negotiates and finalizes contracts with vendors, assures contract compliance, reviews invoices, approves payment, and processes contract amendments. The Manager reviews and approves educational material and surveys developed by the Chronic Disease Prevention Coordinator. The Chronic Disease Prevention Coordinator does not have full supervisory responsibility and does not approve or finalize contracts, purchases and invoices. The Manager is responsible for preparing and submitting all quarterly reports and year end evaluation report, and is the department's point of contact for the project. The Manager assures that objectives are met and that project staff comply with all county, state and OTS mandates, policies and guidelines.

SCHEDULE B-1
GRANT NO. PS1708

BUDGET NARRATIVE

Page 2

Permanent Hourly Employee Benefit Rates

Benefit	Rate
PERS - Retirement	12.00%
FICA - Social Security	6.00%
Medicare	1.50%
Flex Co Paid Insurance-Pretax	1.79%
Life Insurance	0.09%
Long-Term Disability Insurance	0.04%
Dental Insurance	0.60%
Vision Insurance	0.13%
Employee Assistance Program	0.03%
Flex-Benefit Plan Contribution	21.78%
Special Benefits	0.20%
Other Post-Employment Benefits	0.39%
Unemployment Insurance	0.11%
Workers Compensation Insurance	2.52%
Wellness Plan	0.05%
Total Benefits	47.23%

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

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.*

CONTRACTUAL SERVICES

Pedestrian and Bicycle Safety Education and Bicycle Rodeo Provider- The Department will contract with a vendor who is experienced in bicycle safety education and bicycle skills training rodeos. The vendor will have demonstrated prior success in delivering these services to elementary schools in nearby Monterey Bay Area communities. The vendor will provide services at three elementary schools.

EQUIPMENT

None

OTHER DIRECT COSTS

SCHEDULE B-1
GRANT NO. PS1708

BUDGET NARRATIVE

Page 3

Educational Materials- Costs include the production, printing and/or duplication of educational materials associated with daily grant operations. Items may be copied or purchased as is, depending on what costs less. Items will include a traffic safety message and, if space is available, the OTS logo. Items may include brochures, pamphlets, fliers, color books, posters, signs, banners, and booklets and materials.

Office Supplies - Funding is provided for standard office supplies to support grant related activities, grant monitoring and reporting. Office supplies typically include paper and toner, and desk top supplies (pens, pencils, binders, folders, clips, etc.).

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

Bicycle Lights – Lights for bikes to be distributed to participants community-based events.

1000 Bicycle Helmets – Helmets to be distributed during bicycle rodeos and other bicycle safety-related events.

INDIRECT COSTS

10% of total personnel costs.

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.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Instructions for Lower Tier Certification

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

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

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

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

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