

1. GRANT TITLE PEDESTRIAN AND BICYCLE SAFETY	
2. NAME OF AGENCY CITY OF LANCASTER	4. GRANT PERIOD From: 10/1/16 To: 9/30/17
3. AGENCY UNIT TO ADMINISTER GRANT DEVELOPMENT SERVICES DIVISION- PLANNING	
5. GRANT DESCRIPTION This program will support the continuing efforts of our Safe Routes to School program by educating students in the 3 rd grade on pedestrian and bicycle safety. Activities include on-site training in the 3 rd grade classrooms at all 19 elementary schools as well as conducting proper helmet fittings and providing helmets to students who do not have helmets. In addition, staff will conduct public outreach by attending several community events providing education to the general public.	
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 100,000.00	
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 (OTS-38b) – Problem Statement, Goals and Objectives and Method of ProcedureSchedule 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 AssurancesExhibit B* - OTS Grant Program Manual *Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov . We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.	
8. APPROVAL SIGNATURES A. GRANT DIRECTOR NAME: Brian Ludicke PHONE: 661-723-6105 TITLE: Planning Director FAX: 661-723-6140 ADDRESS: 44933 Fern Avenue Lancaster, CA 93534 E-MAIL: bludicke@cityoflanasterca.org _____ (Signature) (Date)	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Mark Bozigian PHONE: 661-723-6014 TITLE: City Manager FAX: 661-723-6141 ADDRESS: 44933 Fern Avenue Lancaster, CA 93534 E-MAIL: mbozigian@cityoflanasterca.org _____ (Signature) (Date)
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Pamela Statsmann PHONE: 661-723-6038 TITLE: Acting Finance Director FAX: 661-723-6180 ADDRESS: 44933 Fern Avenue Lancaster, CA 91354 E-MAIL: pstatsmann@cityoflanasterca.org _____ (Signature) (Date)	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: Finance ADDRESS: 44933 Fern Avenue Lancaster, CA 93534
	9. DUNS NUMBER DUNS #: 151324167 REGISTERED ADDRESS & ZIP: 44933 Fern Ave. Lancaster, CA 93534-2483

EFFECTIVE DATE OF AGREEMENT: 10/1/2016	GRANTEE CITY OF LANCASTER	GRANT NO. PS1704
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10. Fin Action No. 1 Date: 8/16/2016	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	
Revision No. _____ Date: _____					

11. Action Taken

Initial approval of 2017 HSP funds obligated.

13. FUNDING DISPOSITION & STATUS	
Fiscal Year	Amount
2016-17	100,000.00
2015-16	
2014-15	
2013-14	
Total	100,000.00
Obligated This Action	100,000.00
Previously Obligated	0.00
Total Amount Obligated	100,000.00
TOTAL FUNDS PROGRAMMED	100,000.00

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	\$ 50,000.00
402PS	20.600	0521-0890-101 (23/16)	2016	23/16	2016	\$ 50,000.00
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
TOTAL FEDERAL FUNDS:						\$ 100,000.00

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. PS1704**

1. PROBLEM STATEMENT

The City of Lancaster has instituted several initiatives to encourage more active transportation in light of other health burdens in the community that include asthma, childhood obesity and chronic disease. Child poverty is also a problem in the City of Lancaster with 27.5 percent of children living in poverty. Children ages 6-11 have a poverty rate of 37.3 percent. This is concerning as this elementary school aged population are often walking or riding their bikes to school and parks in the community. Children in poverty are less likely to have the resources to purchase bike helmets and safety equipment.

Contributing to chronic disease and asthma is the poor air quality in the City of Lancaster. Therefore in 2014 Lancaster implemented “YOLO (You Only Live Once) Lancaster” to address health issues in the city that contribute to childhood obesity, chronic disease, and asthma. Active transportation contributes to reduced pollution and increases physical activity, but without adequate pedestrian and bike safety education programs for both those utilizing active transportation and motor vehicle drivers, there will likely be an increase in injuries and fatalities as more people walk and ride their bikes as a result of the city’s efforts.

The City of Lancaster has seen an improvement in pedestrian safety for young residents from 2011-2013. In 2011, Lancaster was ranked 11 out of 55 California cities in injuries or fatalities of pedestrians under 15 years of age compared to ranking 24 out of 56 similar sized cities in 2013. According to City data, in 2012, there were three pedestrian fatalities, 56 injuries, and 58 victims compared to 2014 where there were three fatalities, 74 injuries and 73 victims. However, bicycle safety for young riders is getting worse in Lancaster. In 2011, Lancaster was ranked 45 out of 55 similar sized cities, but jumped to a rank of 34 of 56 cities in 2013. According to City data, in 2012 there were 47 bicycle injuries and in 2014 there were 36 injuries and 40 victims. This grant will enable the City of Lancaster to offer young residents under the age of 15, access to bike helmets, bike safety inspections, education via bike rodeos, pedestrian safety workshops and general community education to prevent bicycle and pedestrian motor vehicle injuries and fatalities.

Collision Type	2012				2013				2014			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	12		13		13		15		11		15	
Injury	754		1204		685		1099		809		1314	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol - Involved	2	41	3	60	1	48	1	78	0	54	0	97
Hit & Run	0	42	0		1	37	1		0	94	0	
Nighttime (2100-0259 hours)	5	42	5		5	47	5		3	44	3	
Top 3 Primary Collision Factors									Fatal	Injury	Killed	Injured
#1 -	Vehicle Right Of Way Violation								2	230	3	399
#2 -	Signs and Signals								1	108	1	195
#3 -	Improper Turning Movement								0	77	0	109

SCHEDULE A
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- Pedestrian victims
 - 2012 = 3 Fatal, 56 Injury, 58 Victims
 - 2013 = 3 Fatal, 63 Injury, 68 Victims
 - 2014 = 3 Fatal, 71 Injury, 73 Victims

- Pedestrian victims <15
 - 2012 = 6
 - 2013 = 8
 - 2014 = 14

- Bicycle victims
 - 2012 = 0 Fatal, 47 Injury
 - 2013 = 0 Fatal, 37 Injury
 - 2014 = 0 Fatal, 36 Injury, 40 Victims

- Bicycle victims <15
 - 2012 = 6
 - 2013 = 5
 - 2014 = 9

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 pedestrians killed in traffic collisions.
- 4) Reduce the number of pedestrians injured in traffic collisions.
- 5) Reduce the number of bicyclists killed in traffic collisions.
- 6) Reduce the number of bicyclists injured in traffic collisions.
- 7) Reduce the number of pedestrians killed under the age of 15 in traffic collisions.
- 8) Reduce the number of pedestrians injured under the age of 15 in traffic collisions.
- 9) Reduce the number of bicyclists killed under the age of 15 in traffic collisions.

SCHEDULE A
GRANT DESCRIPTION
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10) Reduce the number of bicyclists injured under the age of 15 in traffic collisions.

11) Increase bicycle helmet compliance for children aged 5 to 18.

B. Objectives:

- 1) Issue a press release announcing the kick-off of the grant by November 15, 2016. 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
- 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) Identify and recognize students who were “saved by the safety helmet.” Each case will be reported to OTS and a special note will be made of those cases that involve an OTS funded helmet.
- 4) Conduct 19 bike/pedestrian classroom workshops in an effort to reach approximately 1,200 3rd graders.
- 5) Distribute and properly fit 1,000 safety helmets to students and community members participating in rodeos.
- 6) Conduct approximately 200 safety helmet inspections and make necessary adjustments at schools and community events.
- 7) Host 2 bike and pedestrian rodeos in target neighborhoods (based on traffic safety data and Safe Routes to School programs), in an effort to reach 200 school aged children under.
- 8) Provide bicycle and pedestrian safety education at 8 community events in an effort to reach 600 people.
- 9) 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).
- 10) Develop bicycle and pedestrian safety brochures to be distributed during classroom workshops and community events.
- 11) Distribute 40 Crossing Guard Safety Kits to 19 elementary schools in the city of Lancaster.

**SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PS1704**

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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.

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

- Attend school events and farmer markets
- Conduct school workshops at all 19 elementary schools focusing on 3rd students

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.
 - ✓ 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.

SCHEDULE A
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- 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 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 City of Lancaster. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PS1704

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS	20.600	STATE AND COMMUNITY HIGHWAY SAFETY	\$100,000.00

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	10/1/16 thru 9/30/17			
A. PERSONNEL COSTS	CFDA	FY-1		
Positions and Salaries				
Full-Time				
Assistant Planner				
1 x \$46.89 x 556 Hours	20.600	\$ 26,071.00		\$ 26,071.00
Benefits @ 36.21%	20.600	\$ 9,441.00		\$ 9,441.00
Category Sub-Total		\$ 35,512.00		\$ 35,512.00
B. TRAVEL EXPENSE				
In-State	20.600	\$ 2,000.00		\$ 2,000.00
Category Sub-Total		\$ 2,000.00		\$ 2,000.00
C. CONTRACTUAL SERVICES				
Bicycle and Pedestrian Education	20.600	\$ 20,791.00		\$ 20,791.00
Category Sub-Total		\$ 20,791.00		\$ 20,791.00
D. EQUIPMENT				
None				
Category Sub-Total				
E. OTHER DIRECT COSTS				
Helmets	20.600	\$ 10,000.00		\$ 10,000.00
Bicycle Safety Equipment	20.600	\$ 13,000.00		\$ 13,000.00
Pedestrian Safety Equipment	20.600	\$ 1,500.00		\$ 1,500.00
Educational Materials	20.600	\$ 8,000.00		\$ 8,000.00
Crosswalk Safety and Event Supplies	20.600	\$ 3,700.00		\$ 3,700.00
Printing/Duplication	20.600	\$ 1,197.00		\$ 1,197.00
Brochure Consultant	20.600	\$ 4,300.00		\$ 4,300.00
Category Sub-Total		\$ 41,697.00		\$ 41,697.00
F. INDIRECT COSTS				
None				
Category Sub-Total				
GRANT TOTAL				
		\$ 100,000.00		\$ 100,000.00

SCHEDULE B-1
GRANT NO. PS1704

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.

Assistant Planner- Conduct on-site training in the 3rd grade classrooms at all 19 elementary schools as well as conducting proper helmet fittings and providing helmets, reflectors and safety equipment to school age children during city events. This position would also provide safety kits to all schools that would be utilized by the crossing guards. In addition, the city staff member will conduct public outreach by attending several community events providing education to the general public on bicycle and pedestrian safety. As part of the grant the Assistant Planner would attend conferences and seminars that focus on bicycle and pedestrian safety.

Full -Time Benefit Rates

Health Insurance	0.30%
Life Insurance	0.12%
Long Term Disability	0.42%
Medicare	0.92%
Retirement	20.07%
Unemployment Insurance	0.26%
Workers Compensation	14.12%
TOTAL BENEFIT RATE	36.21%

Supplanting Statement

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

TRAVEL EXPENSE

In State-Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. *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.*

SCHEDULE B-1
GRANT NO. PS1704

BUDGET NARRATIVE

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CONTRACTUAL SERVICES

Bicycle and Pedestrian Education - Will assist city staff in implementing the program by attending 4 city events in which the staff member and recreation leaders will hand-out fliers, helmets, and safety equipment: as well as assisting staff in conduct safety training class in all 19 elementary 3rd grade school classrooms.

EQUIPMENT

None

OTHER DIRECT COSTS

1000 Bicycle Helmet(s) - helmets to be distributed during bicycle rodeos and other bicycle safety related events.

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

Pedestrian Safety Equipment- safety equipment such as reflective armbands, reflective zipper pulls, and pedestrian lights to be distribute as part of the education and outreach campaign.

Educational Materials – costs of purchasing, developing or printing brochures, pamphlets, fliers, coloring books, posters, signs, and banners associated with grant activities, and traffic safety conference and training materials. Items shall include a traffic safety message and if space is available the OTS logo. *Additional items may be purchased if approved by OTS.*

Crosswalk Safety and Event Supplies- costs of purchasing crosswalk safety supplies including; reflective safety vests, stop sign paddles, A-frame signs and traffic whistles. Also includes sidewalk chalk, small plastic cones, plastic flag ropes, replica traffic signs, and painters tape (lane markings) needed for bicycle rodeos and traffic safety presentations. *Additional items may be purchased if approved by OTS.*

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

Brochure Consultant- Will produce two brochures, one for pedestrian safety and another for bicycle safety. Consultant will bill \$2,150.00 upon completion of each brochure

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PS1704
 SUB BUDGET: Bicycle and Pedestrian Education

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS	20.600	STATE AND COMMUNITY HIGHWAY SAFETY	\$ 20,791.00

COST CATEGORY	FISCAL YEAR ESTIMATES 10/1/16 thru 9/30/17			TOTAL COST TO GRANT
	CFDA	FY-1		
A. PERSONNEL COSTS				
Positions and Salaries				
Full-Time				
AVPH Assistant				
2 x \$16.00 x 487 Hours	20.600	\$ 15,584.00		\$ 15,584.00
Benefits @ 27%	20.600	\$ 4,207.00		\$ 4,207.00
Category Sub-Total		\$ 19,791.00		\$ 19,791.00
B. TRAVEL EXPENSE				
In-State	20.600	\$ 1,000.00		\$ 1,000.00
Category Sub-Total		\$ 1,000.00		\$ 1,000.00
C. CONTRACTUAL SERVICES				
None				
Category Sub-Total				
D. EQUIPMENT				
None				
Category Sub-Total				
E. OTHER DIRECT COSTS				
None				
Category Sub-Total				
F. INDIRECT COSTS				
None				
Category Sub-Total				
GRANT TOTAL		\$ 20,791.00		\$ 20,791.00

SCHEDULE B-1

GRANT NO. PS1704

SUB BUDGET: A VPH ASSISTANT

BUDGET NARRATIVE

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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.

2 AVPH Assistants- assist city staff in implementing the program by attending 8 city events in which the staff member and recreation leaders engage the public, fit and distribute helmets, and distribute safety equipment. They will also assist staff in conducting safety training in all 19 elementary schools 3rd grade classrooms.

Dental Insurance	6.89%
Medicare	1.45%
Retirement	3%
Social Security/FICA/OASDI	6.2%
State Disability/SDI	6.2%
Workers Compensation	2.06%
(Enter additional benefits)	1.2%
TOTAL BENEFIT RATE	27%

TRAVEL EXPENSE

In State- Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. *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

None

EQUIPMENT

None

SCHEDULE B-1

GRANT NO. PS1704

SUB BUDGET: A VPH ASSISTANT

BUDGET NARRATIVE

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OTHER DIRECT COSTS

None

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

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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

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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.

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

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

(1) The Grantee Agency Official certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this grant agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/grant agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the Grantee Agency Official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

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Instructions for Lower Tier Certification

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

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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.