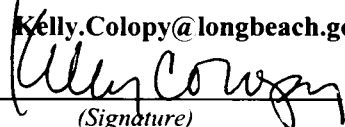




**34421**

GRANT NUMBER  
**PS1706**

<b>1. GRANT TITLE</b> PEDESTRIAN AND BIKE SAFETY INITIATIVE	
<b>2. NAME OF AGENCY</b> CITY OF LONG BEACH	<b>4. GRANT PERIOD</b> From: 10/1/16 To: 9/30/17
<b>3. AGENCY UNIT TO ADMINISTER GRANT</b> DEPARTMENT OF HEALTH AND HUMAN SERVICES	
<b>5. GRANT DESCRIPTION</b> The Long Beach Department of Health and Human Services will partner with elementary schools and other youth serving organizations in high collision communities to offer pedestrian and bike safety workshops. Additional activities will include the distribution of bike helmets and educational materials to all workshop participants.	
<b>6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED:</b> \$ 49,784.00	
<b>7. TERMS AND CONDITIONS:</b> 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"> <li>• Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>• Schedule B (OTS-38d) – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>• Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>• Exhibit A –Certifications and Assurances</li> <li>• Exhibit B* - OTS Grant Program Manual</li> </ul> <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: <a href="http://www.ots.ca.gov">www.ots.ca.gov</a>.</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>	
<b>8. APPROVAL SIGNATURES</b>	
<b>A. GRANT DIRECTOR</b> NAME: <b>Kelly Colopy</b> PHONE: <b>562-570-4016</b> TITLE: <b>Director</b> FAX: <b>562-570-4049</b> ADDRESS: <b>2525 Grand Avenue</b> <b>Long Beach, CA 90815-1765</b> E-MAIL: <b>Kelly.Colopy@longbeach.gov</b>  _____ 8.18.16 (Signature) (Date)	<b>B. AUTHORIZING OFFICIAL OF AGENCY</b> NAME: <b>Patrick West</b> PHONE: <b>562-570-6916</b> TITLE: <b>City Manager</b> FAX: <b>562-570-7650</b> ADDRESS: <b>2525 Grand Avenue</b> <b>Long Beach, CA 90815-1765</b> E-MAIL: <b>Patrick.West@longbeach.gov</b>  _____ 8/26/16 (Signature) (Date)
<b>C. FISCAL OR ACCOUNTING OFFICIAL</b> NAME: <b>Nerissa Mojica</b> PHONE: <b>562-570-4088</b> TITLE: <b>Financial Services Officer</b> FAX: <b>562-570-4049</b> ADDRESS: <b>2525 Grand Avenue</b> <b>Long Beach, CA 90815-1765</b> E-MAIL: <b>Nerissa.Mojica@longbeach.gov</b>  _____ 8/17/16 (Signature) (Date)	<b>D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS</b> NAME: <b>Department of Health and Human Services</b> ADDRESS: <b>2525 Grand Avenue</b> <b>Long Beach, CA 90815-1765</b>
<b>9. DUNS NUMBER</b>	
DUNS #: <b>130009269</b> REGISTERED ADDRESS & ZIP: <b>2525 Grand Avenue</b> <b>Long Beach, CA 90815-1765</b>	

*approved as to form;*  
*Robin Z. Salas*  
*Long Beach Dep. CA.*  
*8/25/16*

Page 2 (Office of Traffic Safety Use Only)

EFFECTIVE DATE OF AGREEMENT: 10/1/2016 GRANTEE CITY OF LONG BEACH GRANT NO. PS1706

10. Fin Action No.	1	Date:	7/12/2016	12. TYPE OF AGREEMENT	Initial	X	Revision	Cont.
Revision No.		Date:		PAID MEDIA	PROGRAM INCOME	TASK NO.	F.F.Y.	
						2	2017	

11. Action Taken

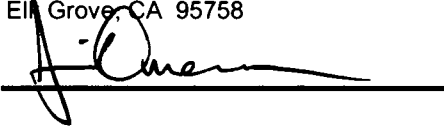
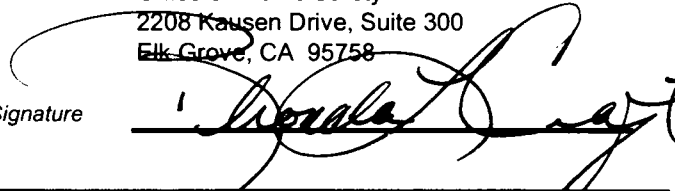
Initial approval of 2017 HSP funds obligated.

13. FUNDING DISPOSITION & STATUS	
Fiscal Year	Amount
2016-17	49,784.00
2015-16	
2014-15	
2013-14	
Total	49,784.00
Obligated This Action	49,784.00
Previously Obligated	0.00
Total Amount Obligated	49,784.00
TOTAL FUNDS PROGRAMMED	49,784.00

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	\$ 29,871.00
402PS	20.600	0521-0890-101 (BA/16)	2016	BA/16	2016	\$ 19,913.00
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
-	-	-	-	-	-	\$ -
<b>TOTAL FEDERAL FUNDS:</b>						<b>\$ 49,784.00</b>

15. GRANT APPROVAL & AUTHORIZATION TO EXPEND OBLIGATED FUNDS

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

**SCHEDULE A  
GRANT DESCRIPTION  
GRANT NO. PS1706**

**1. PROBLEM STATEMENT**

Over the past decade, the City of Long Beach has made significant infrastructure improvements to make it easier, safer, and more enjoyable for people to walk and bike throughout the city. The city has created a three-mile walking path that separates bicyclists from pedestrian along the beach, has hosted Beach Streets which is an open street event that closes streets to cars and opens them up to pedestrians and bicyclists, and has invested in several pedestrian planning documents such as the downtown and CX3 pedestrian plans.

However, pedestrian and bike safety remains an on-going challenge for the city. In 2013, the Office of Traffic Safety ranked the City of Long Beach as the city with the second highest number of pedestrians injured or killed in traffic collisions in California. Local data show that between 2012 and 2014 a total of 23 pedestrians were killed and nearly 900 pedestrians were injured in Long Beach traffic collisions. Pedestrian injuries have increased every year since 2012, increasing 7 percent from 281 injuries in 2012 to 311 injuries in 2014.

Of particular concern is the number of youth injured in pedestrian related collisions. As shown in Table 1, the City of Long Beach has consistently ranked in the top three of large cities that experience a high number of traffic related injuries and deaths of pedestrians under the age of 15. Between 2009 and 2013, nearly 275 pedestrians under the age of 15 were injured or killed in traffic collisions. Upon closer inspection, approximately 80 percent of these collisions occurred during daylight hours and 77 percent occurred on a weekday (TIMS 2009-2013). These data suggest that pedestrians are likely being hit as they walk to and from school.

**Table 1: Pedestrians Under the Age of 15 Injured  
or Killed in Traffic Collisions in Long Beach**

<b>Year</b>	<b>Pedestrians Injured or Killed</b>	<b>OTS Collision Ranking (Large Cities)</b>
2013	54	1
2012	52	1
2011	42	3
2010	67	1
2009	59	2

The number of youth who are injured or killed while on a bicycle is concerning as well. As shown in Table 2, the Office of Traffic Safety has consistently ranked Long Beach as a city with one of the highest incidences of bicyclists under the age of 15 who have been injured or killed in traffic collisions. While the number of bicycle involved collisions have declined in recent years, it is still critical that we continue to provide youth with the proper education and environment to bike safely.

SCHEDULE A  
GRANT DESCRIPTION  
GRANT NO. PS1706

**Table 2: Bicyclists under the Age of 15 Injured  
or Killed in Traffic Collisions in Long Beach**

Year	Bicyclists Injured or Killed	OTS Collision Ranking (Large Cities)
2013	19	6
2012	19	6
2011	41	1
2010	33	1
2009	44	1

Given the number of young pedestrians and bicyclists injured or killed in traffic collisions, and the time of day these collisions are occurring, the Pedestrian and Bike Safety Initiative (Safety Initiative) will target elementary school age children in high collision communities.

**A. Traffic Data Summary:**

*Pedestrian*

Collision Type	2012		2013		2014	
	Collisions	Victims	Collisions	Victims	Collisions	Victims
Fatal	7	7	8	8	8	8
Injury	269	289	281	299	282	311

*Bicyclist*

Collision Type	2012		2013		2014	
	Collisions	Victims	Collisions	Victims	Collisions	Victims
Fatal	0	0	1	1	1	1
Injury	349	353	290	292	292	295

**SCHEDULE A**  
**GRANT DESCRIPTION**  
**GRANT NO. PS1706**

PAGE 3

**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 total number of pedestrians killed in traffic collisions.
- 4) Reduce the total number of pedestrians injured in traffic collisions.
- 5) Reduce the total number of bicyclists injured in traffic collisions.
- 6) Reduce the total number of bicyclists killed 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.
- 10) Reduce the number of bicyclists injured under the age of 15 in traffic collisions.

**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](mailto: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) Document the number of pedestrian and bicyclist involved collisions that have occurred within a ¼ mile radius of all public elementary schools in Long Beach.

**SCHEDULE A  
GRANT DESCRIPTION  
GRANT NO. PS1706**

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- 4) Conduct **8** pedestrian and bike safety workshops in an effort to reach **300** elementary school age children.
- 5) Distribute and properly fit bike helmets to **500** elementary school age children.
- 6) Provide Pedestrian and Bicycle safety education at 3 community safety fairs in an effort to reach **300** people.

**3. METHOD OF PROCEDURE**

**A. Phase 1 - Program Preparation, Training and Implementation (1<sup>st</sup> 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)**

- Develop pedestrian and bike safety workshop targeting elementary school age children.
- Prioritize communities based on the frequency of pedestrian and bike collisions that occur within a ¼ mile radius of elementary schools.
- Conduct outreach to schools, after-school programs, and similar organizations to participate in the program.
- Determine the dates and locations of the pedestrian and bike safety workshops.
- Conduct pedestrian and bike safety workshops with elementary school age children.
- Distribute the pedestrian and bike safety educational materials and helmets.

**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](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator.

**SCHEDULE A**  
**GRANT DESCRIPTION**  
**GRANT NO. PS1706**

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- ✓ 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](mailto: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](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

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

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

**4. METHOD OF EVALUATION**

**SCHEDULE A  
GRANT DESCRIPTION  
GRANT NO. PS1706**

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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 Long Beach. Every effort will be made to continue the activities after the grant conclusion.



SCHEDULE B  
 DETAILED BUDGET ESTIMATE  
 GRANT NO. PS1706

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS	20.600	STATE AND COMMUNITY HIGHWAY SAFETY	\$49,784.00

COST CATEGORY	FISCAL YEAR ESTIMATES 10/1/16 thru 9/30/17			TOTAL COST TO GRANT
	CFDA	FY-1		
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries				
<b>Full-Time</b>				
Initiative Coordinator				
1 x 12 months x \$6,836 x 5%	20.600	\$ 4,102.00		\$ 4,102.00
Benefits @ 58.12%	20.600	\$ 2,384.00		\$ 2,384.00
Assistant Coordinator				
1 x 12 months x \$6,117 x 28%	20.600	\$ 20,553.00		\$ 20,553.00
Benefits @ 58.12%	20.600	\$ 11,945.00		\$ 11,945.00
Category Sub-Total		\$ 38,984.00		\$ 38,984.00
<b>B. TRAVEL EXPENSE</b>				
In-State	20.600	\$ 500.00		\$ 500.00
Category Sub-Total		\$ 500.00		\$ 500.00
<b>C. CONTRACTUAL SERVICES</b>				
Bicycle and Pedestrian Safety Instructor	20.600	\$ 3,600.00		\$ 3,600.00
Category Sub-Total		\$ 3,600.00		\$ 3,600.00
<b>E. OTHER DIRECT COSTS</b>				
Office Supplies	20.600	\$ 300.00		\$ 300.00
Printing/Duplication	20.600	\$ 500.00		\$ 500.00
Education Materials	20.600	\$ 1,900.00		\$ 1,900.00
Bicycle Helmets	20.600	\$ 4,000.00		\$ 4,000.00
Category Sub-Total		\$ 6,700.00		\$ 6,700.00
<b>F. INDIRECT COSTS</b>				
Category Sub-Total				
<b>GRANT TOTAL</b>		<b>\$ 49,784.00</b>		<b>\$ 49,784.00</b>

**SCHEDULE B-1**  
**GRANT NO. PS1706**

**BUDGET NARRATIVE**

Page 1

**PERSONNEL COSTS**

**Initiative Coordinator-** responsible for overseeing all aspects of the Initiative. Specific tasks include monitoring grant activities and overseeing reporting requirements.

**Assistant Coordinator-** responsible for supporting daily grant activities. Specific tasks include coordinating and scheduling pedestrian and bicycle safety workshops, developing program materials, purchasing and distributing safety equipment and helmets, assisting with reporting requirements, and other duties as needed. The Assistant Coordinator will also be responsible for partnering and communicating with elementary school administration, community event organizers, and other youth serving organizations such as the Boys and Girls Club, WRAP after school programs, and the Department of Parks, Recreation and Marine.

**Full -Time Benefit Rates**

Retirement	20.59%
FICA	7.65%
Health, Dental, Life Insurance	17.70%
Pension Obligation Bond Cost	5.08%
Workers Comp	7.10%
<b>TOTAL BENEFIT RATE</b>	<b>58.12%</b>

**Supplanting Statement**

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

**TRAVEL EXPENSE**

**In-State Travel** – costs are included for appropriate staff to attend conferences and training events supporting 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**

**Bicycle and Pedestrian Safety Instructor-** conduct 8 workshops for elementary school aged children.  
8 workshops x \$450.00 ea= \$3,600.00

**EQUIPMENT**

None

SCHEDULE B-1  
GRANT NO. PS1706

**BUDGET NARRATIVE**

Page 2

**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 and hardware, and fixed lighting/lamp

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

**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.*

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

**INDIRECT COSTS**

None

**PROGRAM INCOME**

There will be no program income generated from this grant.

## EXHIBIT A

### CERTIFICATIONS AND ASSURANCES

Page 1

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

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

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

#### **NONDISCRIMINATION**

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

**EXHIBIT A**  
**CERTIFICATIONS AND ASSURANCES**

Page 2

**BUY AMERICA ACT**

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

**POLITICAL ACTIVITY (HATCH ACT)**

The Grantee Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**CERTIFICATION REGARDING FEDERAL LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## EXHIBIT A

### CERTIFICATIONS AND ASSURANCES

Page 3

#### RESTRICTION ON STATE LOBBYING

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

#### CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

##### Instructions for Primary Certification

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

## EXHIBIT A

### CERTIFICATIONS AND ASSURANCES

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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.

**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.