State of California – Office of Traffic Safety GRANT AGREEMENT - Page 1

OTS-38 (Rev. 4/15)	151020
1. GRANT TITLE BICYCLE AND PEDESTRIAN SAFETY INITIATIVE	
2. NAME OF AGENCY CITY OF LONG BEACH	4. GRANT PERIOD
3. AGENCY UNIT TO ADMINISTER GRANT DEPARTMENT OF HEALTH	From: 10/1/15 To: 9/30/16
5. GRANT DESCRIPTION	
The Long Beach Department of Health and Human Services and utilize a Stakeholder Steering Committee to implement a workshops, walkable workshops, and education in high collis	in educational compaign. This command with include higher
	DEPUTY CITY ATTORNEY
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHA	
 7. TERMS AND CONDITIONS: The parties agree to comply with t reference made a part of the Agreement: 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) *Items shown with an asterisk (*), are hereby incorporated by reference documents can be viewed at the OTS home web page und We, the officials named below, hereby swear under penalty of penalty of penalty of the authorized to legally bind the Grant recipient to the above described in WITNESS WHEREOF, this Agreement has been executed by 8. APPROVAL SIGNATURES A. GRANT DIRECTOR NAME: Susan Price PHONE: 562-570-4003 TITLE: Community Health Bureau Manager FAX: 562-570-4066 	 Exhibit ACertifications and Assurances Exhibit B* - OTS Grant Program Manual erence and made a part of this agreement as if attached hereto. er Grants: www.ots.ca.gov. erjury under the laws of the State of California that we are duly bed Grant terms and conditions. w the parties hereto. B. AUTHORIZING OFFICIAL OF AGENCY NAME: Patrick West PHONE: 562-570-6916 TITLE: City Manager FAX: 562-570-7650
Address: 2525 Grand Avenue Long Beach, CA 90815-1765	Address: 2525 Grand Avenue Long Beach, CA 90815-1765
E-Mail: Susan.Price@longbeach.gov (Signature) C. FISCAL OR ACCOUNTING OFFICIAL NAME: Nerissa Mojica PHONE: 562-570-4088 TITLE: Financial Services Officer FAX: 562-570-4049 Address: 2525 Grand Avenue Long Beach, CA 90815-1765 E-Mail: Nerissa.Mojica@longbeach.gov	E-MAIL: Patrick West@longbeach.gov (Signature) 9/6/15 (Date) D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: Department of Health and Human Services ADDRESS: 2525 Grand Avenue Long Beach, CA 90815-1765 9. DUNS NUMBER DUNS #: 130009269
Alerta - 7/29/15 (Signature) (Date)	Registered 2525 Grand Avenue Address & Long Beach, CA 90815-1765

GRANT NUMBER PS1626

34035

Page 2 (Office of Traffic Safety Use Only)

			0/1/2015		GRANTEE <u>CITY OF LONG BEACH</u> GRANT NO.					0 . <u>PS162</u>	26				
8. Fin Action No. 1 Date: 9/21/201			1/2015	10	10. TYPE OF AGREEMEN			Initial	X	Revision	Cont.				
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┡	C	JST CAI	EGORY		GRANT PERIOD			PRI	OR GR/	ANT	TOTAL GF	RANT	BUD	GET ESTIMATI	E
A.	Personn	el Costs			112,173.00					0.00	112	2,173	.00	112,173.0	0
В.	Travel Ex	kpenses			2,000.00				0.00		2	2,000.00		2,000.0	0
C.	Contract	ual Servi	ces		25,000.00					0.00	25	,000	.00	25,000.0	0
D.	Equipme	nt			0.00					0.00		0	.00	0.0	0
E.	Other Di	rect Cost	s		10,827.00				0.00 10,827.00			.00	10,827.0	0	
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	NAME: KAREN COYLE							NAM		RHONDA L. C	RAF	T			
	TITLE: Regional Coordinator PHONE: (916) 509-3012					TITLE	i: 1	Director							
	E-MAIL: karen.coyle@ots.ca.gov														
	Office of Traffic Safety							Office of Traff		-					
	2208 Kausen Drive, Suite 300			1		2	2208 Kausen)					
	Elk Grove, CA 95758					1	Eff Grove, CA	1951	50						
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1. PROBLEM STATEMENT

In 2001, the City of Long Beach (City) released its first official Bicycle Master Plan, in an effort to bring attention to the benefits of bicycling, for recreation, personal health and sustainability of the environment. Over the past decade the City of Long Beach has made significant investments in both education and public infrastructure to promote and encourage bicycling as a convenient means of mobility as well as to increase physical activity opportunities through the city. Implementing the Bicycle Master Plan has been successful in reaching diverse stakeholders and has gained momentum, placing Long Beach among other cities recognized for their efforts.

The City strives to be the most bicycle friendly city in the country. The City is currently designated as a Silver Level Bicycle Friendly Community by the American League of Bicyclists, ranks 3rd among large cities for the most miles of bikeways (Alliance 2014), and continues to make improvements to increase the number of bicyclists every year. In fact, the city has documented an approximate 8% increase in bicycling volumes every year since 2008.

As expected, bicycle safety remains an ongoing challenge for many urban cities, particularly since there has been an increase in bicycling as a preferred means of transportation. Long Beach has the unfortunate distinction of being the city with the second highest number of bicycle collisions in Los Angeles County (OTS 2012). The City does not fare much better at the national level. A recent report by the Alliance for Biking and Walking shows that Long Beach has a higher bicyclist fatality rate than more than half of large cities in the country (Alliance 2014). These figures are considered to be the unintended consequence of increasing bicycle volumes over time. In other words, increasing the number of bicyclists on the road also increases the likelihood that they will be involved in a collision.

Local data show that bicycle collisions have fluctuated between 2010 and 2012 (Table 1). Between 2010 and 2011, bicycle collisions increased by 34% (237 to 318) and then dropped by approximately 9% (318 to 290) from 2011 to 2012. The fluctuation is likely due to both an increase in ridership (which may explain the initial increase) and the City's investment in infrastructure improvements such as bike boulevards, separated bike lanes, and complete street improvements that have been implemented over the past five years (which may explain the decrease). The City's citywide bike safety education for elementary and middle school students, as well as general safety awareness campaigns for bicyclists, motorists, and bus drivers may have contributed to the drop in collisions as well.

Although bicycle collisions seem to be declining, challenges continue to exist among hard-to-reach populations. The City must enhance the interventions that have been effective in the past and apply them to these populations to ensure that bicycle collisions continue to decline among all groups. The City plans to do just that by targeting the following hard-to-reach populations:

• Communities that experience high number of bicycle collisions such as the downtown area, North Long Beach, Traffic Circle neighborhood, and neighborhoods that border Anaheim Boulevard. (See Attachment A for preliminary map of bicycle collisions that occurred in 2013)

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- Pre-teens and teens. A review of 2012 data show that 29% of victims involved in bicycle collisions were between the ages of 11 and 20. (SWITRS 2012)
- Non-English speaking populations. According to the U.S. Census, approximately 45% of Long Beach residents speak a language other than English. (U.S. Census Bureau 2013)

The City values the importance of broad community wide messaging that is proactive, effective and improves safety of all our residents. Collectively, this project will bend the curve towards safe mobility by all means, while sharing the road, improving visibility and learning strategies for safe bicycle mobility, specifically.

Collision Type	2010		20	11	201	2	2013		
	Collisions	Victims	Collisions	Victims	Collisions	Victims	Collision	Victims	
Fatal	2	2	5	5	0	0	1	1	
Injury	237	241	318	328	290	296	120	121	

2. PERFORMANCE MEASURES

A. Goals:

- 1) To reduce the number of persons killed in traffic collisions.
- 2) To reduce the number of person injured in traffic collisions.
- 3) To reduce the total number of bicyclists killed.
- 4) To reduce the total number of bicyclists injured.
- 5) To reduce the total number of pedestrians killed.
- 6) To reduce the total number of pedestrians injured.

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B. Objectives:

- 1) To conduct 6 four-hour bicycle safety workshops in target communities.
- 2) To conduct 4 two-hour bicycle safety workshops in target communities.
- 3) To conduct 1 in-depth bicycle safety workshop series in a target community.
- 4) To conduct 2 bicycle safety academies for teens that will consist of several workshops and rides in target communities
- 5) To conduct OTS safety helmet usage surveys in September of each grant year.
- 6) To survey participants after completion of workshops to inquire if they regularly adhere to the information provided in the workshop, whether they feel safer, and if they bike more often.
- 7) To distribute and properly fit 112 safety helmets to students and community members.
- 8) To conduct 3 walking workshops in target communities.
- 9) To produce a report that summarizes the safety concerns of pedestrians participating in the walking workshops.

3. METHOD OF PROCEDURE

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

- Meet with steering committee to identify target communities for bicycle safety workshops, bicycle safety academy for teens, bicycle safety workshop series, and walking workshops
- Identify and hire subcontractor to facilitate bicycle safety workshops
- Collaborate with Department of Parks, Recreation, and Marine (PRM) to include bicycle safety workshop series in the PRM schedule of classes
- Confirm the logistics of the bicycle safety workshops including workshop dates, locations, and purchasing of incentives

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Media Requirements

• 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 <u>pio@ots.ca.gov</u>, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.

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

- Draft flyers, social media pitches, and speaking points to promote the two hour and four hour bicycle safety workshops
- Promote the bicycle safety workshops using flyers, social media, community meeting announcements, and other effective methods
- Plan and facilitate the two hour and four hour bicycle safety workshops
- Identify and outreach to schools, after school programs, and other organizations that serve teens to recruit participants for the bicycle safety academy for teens
- Promote the bicycle safety academy for teens using flyers and in-person announcements
- Plan and facilitate the bicycle safety academy for teens
- Publish the bicycle safety workshop series in the PRM schedule of classes
- Promote the bicycle safety workshop series using flyers, social media, and community meeting announcements
- Plan and facilitate the bicycle safety workshop series
- Draft and conduct a follow-up survey after the bicycle safety workshops, safety academy for teens, and bicycle safety workshop series to determine if participants regularly adhere to the information provided in the workshop, whether they feel safer, and if they bike more often
- Outreach to existing organizations, schools, churches, and clubs in target communities and offer to lead a walking workshop
- Recruit community members to participate in the walking workshops using flyers, social media, community meeting announcements, and other effective methods
- Conduct three walking workshops

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- Summarize walking workshop findings into a report
- Conduct OTS safety helmet usage survey
- Meet with steering committee on an as needed basis to gain their insight on recruitment strategies and workshop promotion

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at <u>pio@ots.ca.gov</u>, with a copy to your OTS Coordinator.
 - a) 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.
 - b) Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
 - c) Activities such as warrant service operations and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- 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 <u>pio@ots.ca.gov</u> and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at <u>pio@ots.ca.gov</u> 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.

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C. <u>Phase 3 – Data Collection & Reporting</u> (Throughout Grant Year)

- Agencies are required to collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Statistical data relating to the grant goals and objectives will be collected, analyzed, and incorporated in Quarterly Performance Reports (QPRs). QPRs for the quarter ending September 30 will include year-to-date comparisons of goals and objectives. If required, a separate quarterly data reporting form will be completed each quarter and submitted as part of the QPR.
- Reports will compare actual grant accomplishments with the planned accomplishments. They will include information concerning changes made by the Grant Director in planning and guiding the grant efforts.
- Reports shall be completed and submitted in accordance with OTS requirements as specified in the Grant Program Manual.

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

SCHEDULE B DETAILED BUDGET ESTIMATE GRANT NO. PS1626

FUND NUMBER	CATALOG NUMBER (CFDA)		FUND DESCRIPTION				
402PS	20.600	STATE A	\$ 150,000.00				
						TOTAL COST	
COST CA	TEGORY		FISCAL YEAR ESTIMATES 10/1/15 thru 9/30/16				
A. PERSONNEL COS	STS	CFDA		FY-1			
Positions a <u>Full-Time</u>	nd Salaries						
Initiative Coordinator 1 x 12 months @ \$6,83 Benefits @ 47.15%	9 x .75%	20.600 20.600	\$ \$	61,551.00 29,021.00		\$ 61,551.00 \$ 29,021.00	
Initiative Assistant Coc 1 x 12 months @ \$6,11 Benefits @ 47.15%	20.600 20.600	\$ \$	14,680.00 6,921.00		\$ 14,680.00 \$ 6,921.00		
Category Sub-Total B. TRAVEL EXPEN	SE		\$	112,173.00		\$ 112,173.00	
In-State		20.600	\$	2,000.00		\$ 2,000.00	
Out-of-State				-		ŕ	
Category Sub-Total			\$	2,000.00		\$ 2,000.00	
C. CONTRACTUAL	SERVICES		<u> </u>			<u> </u>	
Bicycle Safety Worksh		20.600	\$	25,000.00		\$ 25,000.00	
Category Sub-Total	•		\$	25,000.00		\$ 25,000.00	
D. EQUIPMENT							
None		20.600	<u> </u>				
Category Sub-Total							
E. OTHER DIRECT	COSTS						
Printing/Duplication		20.600	\$	3,727.00		\$ 3,727.00	
Interpretation Services		20.600	\$	2,500.00		\$ 2,500.00	
Technical Assistance		20.600	\$	1,100.00		\$ 1,100.00	
Bicycle Helmets	20.600	\$	2,800.00		\$ 2,800.00		
Bicycle Safety Equipm	20.600	\$	700.00		\$ 700.00		
Category Sub-Total			\$	10,827.00		\$ 10,827.00	
F. INDIRECT COST	'S						
None							
Category Sub-Total							
	GRANT TOTAL		\$	150,000.00		\$ 150,000.00	

SCHEDULE B-1

GRANT NO. PS1626

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.

Initiative Coordinator -- This .75 FTE position will serve as the Initiative Coordinator on the project. It will be responsible for coordinating all aspects of the Initiative including: form and lead the Initiative Steering Committee; extensively promote the bicycle safety workshops and walking workshops through community meeting announcements, flyer distribution, social media, and on the Bike Long Beach website; recruit community groups to host bike safety workshops and walking workshops; coordinate with the Department of Parks, Recreation and Marine to include a bike safety workshop series in their schedule of classes; coordinate the logistics of the bicycle safety workshops and walking workshops; plan and facilitate the walking workshops; collaborate with the Departments of Public Works and Development Services to consider walking workshop findings into their projects; select and monitor subcontractors; and complete OTS reports and other requirements as needed.

Assistant Coordinator -- This .20 FTE position will serve as the Assistant Coordinator on the project. It will primarily assist the Initiative Coordinator to promote the bicycle safety workshops and walking workshops; develop and analyze surveys to determine the effectiveness of the bicycle safety workshops; assist with walking workshop facilitation; help coordinate the logistics of the bicycle safety workshops and walking workshops; coordinate the purchasing and distribution of incentives; identify and follow-up on reprographic needs; coordinate interpretation and translation services and other duties as needed.

run Time Denemi Kates	
Health Insurance	16.90%
Retirement	18.40%
Social Security/FICA/OASDI	7.65%
Payroll Expense/Post Employment Benefits	4.20%
TOTAL BENEFIT RATE	47.15%

Full Time Benefit Rates

Supplanting Statement

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

TRAVEL EXPENSE

In State Travel -- Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the Lifesavers Conference. 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. PS1626

BUDGET NARRATIVE

Page 2

CONTRACTUAL SERVICES

Bicycle Safety Workshops - The City will hire an agency certified by the League of American Cyclists to develop and facilitate all of the bicycle safety workshops funded through this initiative. The workshops will include a minimum of: six 4-hour bike safety workshops, four 2-hour bike safety workshops, and one in-depth bicycle safety workshop series for adults. The agency will also recruit, plan, and facilitate a minimum of two bicycle safety academies for teens that will include several bike safety workshops and rides geared toward youth.

EQUIPMENT - None

OTHER DIRECT COSTS

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

Interpretation Services – costs include interpretation and translation services on an as-needed basis. Services may be provided during bicycle safety and pedestrian workshops and translating outreach, workshop, and meeting materials.

Technical Assistance – costs include assistance to develop, implement, analyze, and present the results of the walking workshops.

<u>112</u> Bicycle Helmet(s) - helmets to be distributed during bicycle safety workshops and other bicycle safety related events.

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

INDIRECT COSTS - None

PROGRAM INCOME

There will be no program income generated from this grant.

SCHEDULE B DETAILED BUDGET ESTIMATE GRANT NO. PS1626

SUB BUDGET: Bicycle Safety Workshops

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS	20.600	STATE AND COMMUNITY HIGHWAY SAFETY	\$ 25,000.00

COST CATEGORY		CAL 10/1	ľ	TOTAL COST TO GRANT		
A. PERSONNEL COSTS	CFDA		FY-1			
Positions and Salaries None						
Category Sub-Total						
B. TRAVEL EXPENSE	· · · · · · · · · · · · · · · ·					
None						
Category Sub-Total						
C. CONTRACTUAL SERVICES						
None						
Category Sub-Total						
D. EQUIPMENT						
None						
Category Sub-Total						
E. OTHER DIRECT COSTS	-					
Bicycle Safety Workshops	20.600	\$	25,000.00			\$ 25,000.00
Category Sub-Total		\$	25,000.00			\$ 25,000.00
F. INDIRECT COSTS						
None						
Category Sub-Total						
		L C	25 000 00		<u>г</u> т	¢ 25 000 00
GRANT TOTAL	l .	\$	25,000.00			\$ 25,000.00

SCHEDULE B-1

GRANT NO. PS1626

SUB BUDGET: BICYCLE SAFETY WORKSHOPS

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

None

TRAVEL EXPENSE

None

CONTRACTUAL SERVICES

None

EQUIPMENT

None

OTHER DIRECT COSTS

Bicycle Safety Workshops - The City will hire an agency certified by the League of American Cyclists to develop and facilitate all of the bicycle safety workshops funded through this initiative. The workshops will include a minimum of: six 4-hour bike safety workshops, four 2-hour bike safety workshops, and one in-depth bicycle safety workshop series for adults. The agency will also recruit, plan, and facilitate a minimum of two bicycle safety academies for teens that will include several bike safety workshops and rides geared toward youth. The contractor will invoice the department after determined deliverables are met.

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

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

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION Instructions for Primary Certification

- 1. By signing and submitting this grant agreement, the Grantee Agency Official is providing the certification set out below.
- 2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency Official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- 3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency Official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
- 4. The Grant Agency Official shall provide immediate written notice to the department or agency to which this grant agreement is submitted if at any time the Grantee Agency Official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- 5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, grant agreement, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this grant agreement is being submitted for assistance in obtaining a copy of those regulations.
- 6. The Grantee Agency Official agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- 7. The Grantee Agency Official further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- 8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the

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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.

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- 9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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

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

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

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

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

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

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

Instructions for Lower Tier Certification

- 1. By signing and submitting this grant agreement, the prospective lower tier participant is providing the certification set out below.
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the

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department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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

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	ertification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier
Co	overed 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.