
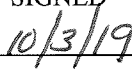


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| 10. PROJECTED EXPENDITURES | | | | | | |
|---|--------|--------------------|---|--|---------|------------------------|
| FUND | CFDA | ITEM/APPROPRIATION | F.Y. | CHAPTER | STATUTE | PROJECTED EXPENDITURES |
| 402PS-20 | 20.600 | 0521-0890-101 | 2019 | 2019 | BA/19 | \$275,000.00 |
| | | | | AGREEMENT TOTAL | | \$275,000.00 |
| | | | | AMOUNT ENCUMBERED BY THIS DOCUMENT | | \$275,000.00 |
| <i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i> | | | | PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT | | \$ 0.00 |
| | | | | TOTAL AMOUNT ENCUMBERED TO DATE | | \$275,000.00 |
| OTS ACCOUNTING OFFICER'S SIGNATURE | | | DATE SIGNED | | | |
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1. PROBLEM STATEMENT

The City of Long Beach (CLB) prides itself on being a bike and pedestrian friendly city. Over the past 5 years we have constructed 45.7 miles of bike ways, adopted a Vision Zero pledge to eliminate traffic fatalities and serious injuries by 2026, adopted a pedestrian plan, and updated the Long Beach Bicycle Master Plan in 2017.

While we are striving to become a city that is safe to explore on bike and foot, bike and pedestrian safety remain an on-going challenge for the city. Over the past several years, the Office of Traffic Safety has consistently ranked the City of Long Beach as a city with one of the highest number of pedestrian and bicyclist collisions among large cities in California. **In 2016, we ranked 4th for pedestrian related injuries and fatalities, and 2nd for bicyclist related injuries and fatalities.**

Data show that pedestrian related injuries are of particular concern, as the number of victims have increased over the past few years. Local data indicate that pedestrian injuries increased from 334 victims in 2015 to 400 victims in 2017, **an increase of nearly 20%.** While bicycle related injuries have decreased from 345 victims in 2015 to 237 victims in 2017, we anticipate bicycle ridership will continue to increase due to our expanding bicycle infrastructure putting more bicyclists at risk of injury.

A closer look at the data reveal certain populations that are at higher risk for bike and pedestrian related injuries including specific communities, older adults, women, and e-scooter users. The mapping of 2016 SWTRS data show that the majority of bike and pedestrian collisions have occurred in downtown, central, and certain corridors in Belmont Shore, north and west Long Beach (**see map below**). We will use this information to help identify locations to implement our strategies.

Although local collision data for pedestrians 65 and older were unavailable, **Long Beach ranked 3rd for pedestrians over the age of 65** who were killed or injured in OTS' Collision Rankings among large cities in California (2016). In addition, the CLB recognizes that an influx of older adults will be in need of support services within the next few years, including helping older adults transition from being a driver to a pedestrian. To address this need, we will place a strong focus on providing education to older adults in a variety of settings. We will do this with the help of the the Long Beach Healthy Aging Center, which was launched in 2018 and is housed in the CLB Department of Health and Human Services (Health Department). The Long Beach Healthy Aging Center has identified "pedestrian safety for older adults" as one of its strategic plan goals and will seek their guidance to identify the best methodology to implement our proposed strategies for older adults.

In 2016, the Department of Public Works administered a survey as part of the city's Bicycle Master Plan Update. The survey revealed that only **15% of women surveyed feel safe riding a bicycle** in traffic compared to 33% of men. While women made up only 18% of riders in our 2018 bike count, we believe that with the proper training we can increase the proportion of women who bike safely throughout the city. Because of this, we have included activities designed to reach women and other populations who do not feel safe riding bicycles.

The CLB launched a pilot e-Scooter program in July 2018 that consists of six e-Scooter vendors who rent out roughly 1500 electric scooters in three zones in the city. There were 254,940 trips between August 2018 and November 2018 and the average distance per ride was 1.2 miles. E-scooters are limited to 15 MPH and users must comply with California Vehicle Codes and Long Beach Municipal Codes including, but not limited to: no riding on sidewalks, must be at least 18 year of age, and must not block sidewalks, bikeways, or paths. Despite these policies, which are described in the e-Scooter mobile phone app, the majority of callers to our E-scooter call center complained about sidewalk riding, reckless riding, and double-riding (2 users on one scooter). Such practices may put pedestrians, bicyclists, and e-Scooter users at risk of injury. A recent study of 254 Los Angeles area patients involved in an electric scooter collision revealed that the majority of injured were scooter users, about 34 years old, and 58% were male. **The study also revealed that the patients lacked adherence to traffic laws and safety guidelines.** We plan to use these data to develop a campaign to better educate e-Scooter users about how to ride safely and legally.

2. PERFORMANCE MEASURES

A. Goals:

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| <ol style="list-style-type: none"> 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 pedestrians killed under age 15 in traffic collisions. 6. Reduce the number of pedestrians injured under age 15 in traffic collisions. 7. Reduce the number of pedestrians killed over age 65 in traffic collisions. 8. Reduce the number of pedestrians injured over age 65 in traffic collisions. 9. Reduce the number of bicyclists killed in traffic collisions. 10. Reduce the number of bicyclists injured in traffic collisions. 11. Reduce the number of bicyclists under age 15 killed in traffic collisions. 12. Reduce the number of bicyclists under age 15 injured in traffic collisions. 13. Increase bicycle helmet usage. | |
| B. Objectives: | Target Number |
| 1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release. | 1 |
| 2. Participate in traffic safety fairs and/or community events with an effort to reach individuals. | 6 |
| 3. Work closely with community-based organizations at both the neighborhood and community level with an effort to reach individuals. | 1 |
| 4. Participate in the following campaigns, National Walk to School Day, National Bicycle Safety Month and California's Pedestrian Safety Month. | 1 |
| 5. Conduct pedestrian and/or bicycle safety courses with an effort to reach community members. | 3 |
| 6. Distribute pedestrian safety equipment to children that may include reflective armbands and/or zipper pulls. | 1 |
| 7. Distribute bicycle headlights and tail lights during bicycle safety community events or bicycle safety courses. | 1 |
| 8. Participate in Open Streets events with an effort to reach individuals. | 1 |
| 9. Participate in Safe Routes to School coalition meetings. | 3 |
| 10. Conduct pedestrian Walking Field Trips with an effort to reach adults and senior citizens. | 2 |
| 11. Conduct community outreach events with an effort to reach adults and senior citizens. | 2 |
| 12. Collaborate with health care providers and/or senior citizen centers to promote pedestrian safety. | 1 |
| 13. Conduct pedestrian safety presentations with an effort to reach older adults. | 2 |
| 14. Conduct pre and post-grant bicycle helmet usage surveys during the months of October (start of the grant) and September (end of the grant). 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. | 1 |
| 15. Conduct bicycle rodeos with an effort to reach individuals. | 2 |
| 16. Distribute and properly fit bicycle helmets at bicycle rodeos, workshops, and community events. | 250 |
| 17. Conduct community bicycle rides promoting safe bicycling in the community with an effort to reach bicyclists. | 2 |
| 18. Collaborate with law enforcement agencies to increase knowledge and awareness of pedestrian and bicycle safety. | 1 |
| 19. Conduct "Bike Safety Stops" where we will conduct basic bike safety checks, distribute bike helmets, bike lights, and/or educational materials to bicyclists riding in high collision, high traffic, or communities with new bike infrastructure. | 6 |
| 20. Conduct "Traffic Safety Pop-ups" that will use interactive strategies to promote safe walking in high collision, high traffic, or communities with new pedestrian infrastructure. When possible, the pop-ups will also feature safe driving information provided by partnering agencies. | 3 |
| 21. Create "advertisement-ready" artwork and/or educational materials that will promote the safe riding of motorized scooters. | 1 |

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| 22. Launch Safe Driver Awareness Week to promote safe driving in high collision communities. | 1 |
| 23. Partner with City of Long Beach departments and programs to distribute bike safety information and/or bike lights to the community members they serve. | 1 |
| 3. METHOD OF PROCEDURE A. Phase 1 – Program Preparation (1st Quarter of Grant Year) <ul style="list-style-type: none"> Develop operational plans to implement the “best practice” strategies outlined in the objectives section. All training needed to implement the program should be conducted this quarter. All grant related purchases needed to implement the program should be made this quarter. Media Requirements <ul style="list-style-type: none"> Issue a press release announcing the kick-off of the grant by November 15, but no earlier than October 1. If unable to meet the November 15 date, communicate reasons to your OTS Coordinator. The kick-off press releases and any related media advisories, alerts, and materials must be emailed for approval to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, 14 days prior to the issuance date of the release. | |
| B. Phase 2 – Program Operations (Throughout Grant Year) <ul style="list-style-type: none"> Schedule and implement all traffic safety pop-ups, safety courses, presentations, walking field trips, bike rides, bike safety stops, and bike and pedestrian rodeos Identify and participate in all traffic safety fairs, community events, and open street events Design and implement all traffic safety campaigns Coordinate with other city departments to distribute bike safety education and equipment Media Requirements <ul style="list-style-type: none"> Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at pio@ots.ca.gov, with a copy to your OTS Coordinator. The following requirements are for grant-related activities and are different from those regarding any grant kick-off release or announcement. If an OTS-supplied, template-based press release is used, there is no need for pre-approval, however, the OTS PIO and Coordinator should be copied when at the same time as the release is distributed to the press. If an OTS-supplied 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 days prior to the release distribution date, but should be no less than 5 working days prior to the release distribution date. Press releases reporting the immediate and time-valued 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. Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration. Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event. Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication. Space permitting, include the OTS logo, on grant-funded print materials; consult your OTS Coordinator for specifics and format-appropriate logos. Contact the OTS PIO or your OTS Coordinator, sufficiently far enough in advance of need, for consultation when deviation from any of the above requirements might be contemplated. | |
| C. Phase 3 – Data Collection & Reporting (Throughout Grant Year) <ul style="list-style-type: none"> Invoice Claims (due January 30, April 30, July 30, and October 30) Quarterly Performance Reports (due January 30, April 30, July 30, and October 30) <ul style="list-style-type: none"> Collect and report quarterly, appropriate data that supports the progress of goals and objectives. | |

- Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
- Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
- Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

GRANT AGREEMENT

Schedule B

PS20025

| FUND NUMBER | CATALOG NUMBER (CFDA) | FUND DESCRIPTION | TOTAL AMOUNT |
|-------------|--------------------------|---------------------------------------|--------------|
| 402PS-20 | 20.600 | State and Community Highway Safety | \$275,000.00 |

| COST CATEGORY | CFDA | TOTAL COST TO GRANT |
|---|--------|------------------------|
| A. PERSONNEL COSTS | | |
| Positions and Salaries | | |
| <u>Full-Time</u> | | \$0.00 |
| <u>Overtime</u> | | \$0.00 |
| <u>Part-Time</u> | | |
| Program Coordinator | 20.600 | \$45,251.00 |
| Benefits - Program Coordinator @ 51% | 20.600 | \$23,078.00 |
| Assistant Coordinator | 20.600 | \$8,449.00 |
| Benefits - Assistant Coordinator @ 68.32% | 20.600 | \$5,772.00 |
| Health Educator II | 20.600 | \$18,732.00 |
| Benefits - Health Educator II @ 58.6% | 20.600 | \$10,977.00 |
| Health Educator I | 20.600 | \$18,995.00 |
| Benefits - Health Educator I @ 74.4% | 20.600 | \$14,132.00 |
| Outreach Worker I | 20.600 | \$5,976.00 |
| Benefits - Outreach Worker I @ 86.5% | 20.600 | \$5,169.00 |
| Administrative Assistant | 20.600 | \$4,293.00 |
| Benefits - Administrative Assistant @ 77.6% | 20.600 | \$3,331.00 |
| Program Analyst | 20.600 | \$8,008.00 |
| Benefits -Program Analyst @ 52.6% | 20.600 | \$4,212.00 |
| Division Manager | 20.600 | \$16,230.00 |
| Benefits - Division Manager @ 49.8% | 20.600 | \$8,083.00 |
| Category Sub-Total | | \$200,688.00 |
| B. TRAVEL EXPENSES | | |
| In State Travel | 20.600 | \$1,500.00 |
| | | \$0.00 |
| Category Sub-Total | | \$1,500.00 |
| C. CONTRACTUAL SERVICES | | |
| Bike and Pedestrian Safety Instructor | 20.600 | \$3,000.00 |
| Bicycle Safety Professional | 20.600 | \$1,000.00 |
| Category Sub-Total | | \$4,000.00 |
| D. EQUIPMENT | | |
| | | \$0.00 |
| Category Sub-Total | | \$0.00 |
| E. OTHER DIRECT COSTS | | |
| Bicycle Safety Equipment | 20.600 | \$12,000.00 |
| Office Supplies | 20.600 | \$600.00 |
| Pedestrian Safety Equipment | 20.600 | \$8,000.00 |
| Bicycle Helmets | 20.600 | \$2,500.00 |
| Educational Materials | 20.600 | \$8,060.00 |
| Printing/Duplication | 20.600 | \$5,983.00 |

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| Bicycle/Pedestrian Community Event Supplies | 20.600 | \$1,000.00 |
| E-Scooter Education Sidewalk Decals | 20.600 | \$10,000.00 |
| Storage Space Rental | 20.600 | \$600.00 |
| Category Sub-Total | | \$48,743.00 |
| F. INDIRECT COSTS | | |
| 10% of Salaries and Benefits | 20.600 | \$20,069.00 |
| Category Sub-Total | | \$20,069.00 |
| GRANT TOTAL | | \$275,000.00 |

| BUDGET NARRATIVE | |
|--|--------------------------|
| PERSONNEL COSTS Program Coordinator - Responsible for the day to day implementation of the Walk and Roll (Bike and Pedestrian Safety) program including direct supervision of the Health Educator and Outreach Workers. Responsible for ensuring objectives are met, work plan is followed and appropriate data is collected. \$42.69 p/hr x 1060 hrs = \$45,251.00 | QUANTITY 1,060 |
| Benefits - Program Coordinator @ 51% - TOTAL BENEFIT RATE 51% In-Lieu Health Insurance Payment 8.98% Long Term Disability 0.00% Medicare 1.58% Non Industrial Disability/NDI 0.00% Retirement 28.06% Social Security/FICA/OASDI 6.76% State Disability/SDI 0.00% Unemployment Insurance 0.09% Vision Insurance Workers Compensation 5.52% | 1 |
| Assistant Coordinator - Provide direct support to the Program Coordinator to ensure program objectives are met. Provide oversight to consultants to ensure program compliance. Will assist with the development and coordination of program events, classes, and activities. Will assist with completion of programmatic reports. \$20.31 p/hr x 416 hrs = \$8,449.00 | 416 |
| Benefits - Assistant Coordinator @ 68.32% - TOTAL BENEFIT RATE 68.32% Dental Insurance 2.19% Health Insurance 22.66% Life Insurance 0.07% Medicare 1.45% Retirement 28.06% Social Security/FICA/OASDI 6.20% Unemployment Insurance 0.09% Workers Compensation 7.60% | 1 |
| Health Educator II - Bi-Lingual lead educator, leads the planning and implementation of event classes and community education activities. Conducts training on education material for outreach staff and interns. Provides oral and written translation (Spanish) of OTS education materials and conducts classes/workshops in Spanish as necessary to achieve scope of work activities. \$30.02 p/hr x 624 hrs = \$18,732.00 | 624 |
| Benefits - Health Educator II @ 58.6% - TOTAL BENEFIT RATE @ 58.6% Dental Insurance 1.50% Health Insurance 15.10% Life Insurance 0.05% Medicare 1.45% Retirement 28.06% Social Security/FICA/OASDI 6.20% Unemployment Insurance 0.09% Workers Compensation 6.19% | 1 |

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| Health Educator I - Will conduct direct and indirect education activities in an effort to reach youth, adults, and seniors. Will support the Health Educator and Program Coordinator with the planning and development of programmatic activities. \$18.09 p/hr x 1050 hrs= \$18,995.020 | 1,050 |
| Benefits - Health Educator I @ 74.4% - TOTAL BENEFIT RATE 74.4% Dental Insurance 2.50% Health Insurance 25.50% Life Insurance 0.08% Medicare 1.45% Retirement 28.06% Social Security/FICA/OASDI 6.20% Unemployment Insurance 0.09% Workers Compensation 10.48% | 1 |
| Outreach Worker I - Will provide addition support, as needed, at larger community events and classes. Will also provide a back-up for times when the Health Educator is unavailable for a scheduled class or community education event. \$13.77 p/hr x 434 hrs= \$5,976.00 | 434 |
| Benefits - Outreach Worker I @ 86.5% - TOTAL BENEFIT RATE 86.5% Dental Insurance 3.25% Health Insurance 33.55% Life Insurance 0.10% Medicare 1.45% Retirement 28.06% Social Security/FICA/OASDI 6.20% Unemployment Insurance 0.09% Workers Compensation 13.77% | 1 |
| Administrative Assistant - Provides administrative support to Program Coordinator, Division Manager, and OTS funded staff. \$20.64 x 208 = 4,293.00 | 208 |
| Benefits - Administrative Assistant @ 77.6% - Total Benefit Rate @77.6% In-Lieu Health Insurance Payment 24.71% Medicare 1.81% Retirement 28.06% Social Security/FICA/OASDI 7.73% Unemployment Insurance 0.09% Workers Compensation 15.18% | 1 |
| Program Analyst - Manages the program budget, conducts monthly reconciliation of budget line items, provides guidance to the Program Coordinator as it relates to fiscal oversight of grant and prepares quarterly invoices. \$38.50 p/hr x 208 hrs = \$8008.00 | 208 |
| Benefits -Program Analyst @ 52.6% - Total Benefit Rate @ 52.6% Dental Insurance 1.10% Health Insurance 11.70% Life Insurance 0.03% Medicare 1.45% Retirement 28.06% Social Security/FICA/OASDI 6.20% Unemployment Insurance 0.09% Workers Compensation 3.93% | 1 |

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| Division Manager - Will serve as the Project Director and provide executive oversight of the program, supervise the Program Coordinator, Budget Analyst, and Administrative Assistant. Responsible for coordination and collaboration with other City departments and partners to ensure objectives are met. \$52.02 p/hr x 312 hrs = \$16,230.24 | 312 |
| Benefits - Division Manager @ 49.8% - Total OTS reimbursable benefit based @ 49.8% Dental Insurance 0.86% Health Insurance 8.88% Life Insurance 0.56% Executive Physical 0.27% Long Term Disability 0.25% Short Term Disability 0.15% Medicare 1.45% Retirement 28.06% Social Security/FICA/OASDI 6.20% Unemployment Insurance 0.09% Workers Compensation 2.99% | 1 |
| TRAVEL EXPENSES In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include (enter other known conferences or required events). All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds. | 1 |
| CONTRACTUAL SERVICES Bike and Pedestrian Safety Instructor - Bike and Pedestrian Safety Instructor or organization will set-up and facilitate 2 bike and pedestrian rodeos. | 1 |
| Bicycle Safety Professional - Bicycle safety tour facilitator will lead two bicycle rides throughout the city and teach bike safety during the ride. | 1 |
| EQUIPMENT - | |
| OTHER DIRECT COSTS Bicycle Safety Equipment - Safety equipment such as bicycle headlights/taillights, reflectors, and reflective arm and leg bands to be distributed during bicycle rodeos and other bicycle safety related events. | 1 |
| 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. | 1 |
| Pedestrian Safety Equipment - Cost to include reflective zipper pulls and/or reflective armband. Additional items may be purchased upon OTS approval. | 1 |
| Bicycle Helmets - Helmets to be distributed during bicycle rodeos and other bicycle safety related events. | 250 |
| 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. | 1 |
| Printing/Duplication - Costs include the purchase of paper, production, printing and/or duplication of materials associated with daily grant operations. | 1 |
| Bicycle/Pedestrian Community Event Supplies - Includes costs associated with conducting community event activities described in scope of work such as facility rental fees, event registration fees, booth | 1 |

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| rental fees, and purchase of safety demonstration materials (stop signs, cones, etc.) for community events and educational pop-ups. | |
| E-Scooter Education Sidewalk Decals - Costs include the development and production of approximately 200 sidewalk decals that will be placed at select e-Scooter drop zones throughout the city. The sidewalk decals are floor graphics that will promote safety messages for e-scooter users. It consists of a strong adhesive material that adheres to the sidewalk. | 1 |
| Storage Space Rental - Storage trailer rental to maintain program materials and supplies. Cost is calculated at \$50 per month x 12 months. | 1 |
| INDIRECT COSTS 10% of Salaries and Benefits - Indirect Costs - 10% of Salaries and Benefits | 1 |
| STATEMENTS/DISCLAIMERS There will be no program income generated from this grant. | |

CERTIFICATIONS AND ASSURANCES

HIGHWAY SAFETY GRANTS

(23 U.S.C. CHAPTER 4 AND SEC. 1906, PUB. L. 109-59, AS AMENDED)

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 1300—Uniform Procedures for State Highway Safety Grant Programs

NONDISCRIMINATION

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding

recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and sub agreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

POLITICAL ACTIVITY (HATCH ACT)

(applies to subrecipients as well as States)

The State 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

(applies to subrecipients as well as States)

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, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

RESTRICTION ON STATE LOBBYING

(applies to subrecipients as well as States)

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

(applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

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 primary tier 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 prospective primary tier participant 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 prospective primary tier participant 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 or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal 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 prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
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 the transaction for cause or default.

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

- (1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

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

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

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 or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal 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, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200.
You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal 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 proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

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 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 proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions 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 proposal.

BUY AMERICA ACT

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items 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. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

LAW ENFORCEMENT AGENCIES

All subrecipient law enforcement agencies shall comply with California law regarding profiling. Penal Code section 13519.4, subdivision (e), defines "racial profiling" as the "practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped." Then, subdivision (f) of that section goes on to provide, "A law enforcement officer shall not engage in racial profiling."