


1. GRANT TITLE Child Passenger Safety Program	
2. NAME OF AGENCY Pomona	3. Grant Period
4. AGENCY UNIT TO ADMINISTER GRANT Pomona Police Department	From: 10/01/2019 To: 09/30/2020
5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving children under the age of eight years old. The funded strategies may include education, child safety seat check-ups, community events, presentations, and training. Other countermeasures may include properly fitting child safety seats, providing educational materials, and the distribution of child safety seats. Efforts should be conducted in underserved communities and coordinated in collaboration with community-based organizations.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$154,000.00	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> Schedule A – Problem Statement, Goals and Objectives and Method of Procedure Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) Exhibit A – Certifications and Assurances Exhibit B* – OTS Grant Program Manual <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
8. Approval Signatures	
A. GRANT DIRECTOR NAME: Michael Ellis PHONE: (909) 620-2141 TITLE: Captain FAX: ADDRESS: 490 West Mission Blvd. Pomona, CA 91766 EMAIL: michael_ellis@ci.pomona.ca.us <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Michael Olivieri PHONE: (909) 620-2141 TITLE: Police Chief FAX: ADDRESS: 490 West Mission Blvd. Pomona, CA 91766 EMAIL: mike_olivieri@ci.pomona.ca.us <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Andrew Mowbray PHONE: (909) 620-3711 TITLE: Finance Director FAX: (909) 620-3711 ADDRESS: 505 S. Garey Avenue Pomona, CA 91766 EMAIL: andrew_mowbray@ci.pomona.ca.us <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>	D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY NAME: Randy Weissman PHONE: (916) 509-3030 TITLE: Acting Director FAX: (916) 509-3055 ADDRESS: 2208 Kausen Drive Suite 300 Elk Grove, CA 95758 EMAIL: randy.weissman@ots.ca.gov <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____ (Signature)</div> <div>_____ (Date)</div> </div>
E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. DUNS INFORMATION DUNS #: 074127481 REGISTERED ADDRESS: 505 S. Garey Ave. <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>CITY: Pomona</div> <div>ZIP+4: 91766-3320</div> </div>

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
405b OP-20	20.616	0521-0890-101	2019	2019	BA/19	\$154,000.00
				AGREEMENT TOTAL		\$154,000.00
				AMOUNT ENCUMBERED BY THIS DOCUMENT		\$154,000.00
<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
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				\$154,000.00		

1. PROBLEM STATEMENT

Motor vehicle collisions remain a primary cause of death and serious injury of children. Recent data have shown a reverse in the long-term downward trend in casualty numbers; however, this uptick has now slowed, giving support to the importance of intervention efforts. In Los Angeles County, 12 children aged 0 – 14 died and 4,237 were injured in 2016 (SWITRS). Although significant advances have been made in the safe restraint of children, ‘social norms’ around how children travel mean that the large majority of children still ride incorrectly restrained, with the result that many thousands of children die or suffer serious injuries unnecessarily. Preventing these unnecessary tragedies remains a significant public health challenge.

Elementary-school-aged children are more than twice as likely to be injured in a crash than younger children, largely because of nonuse of booster seats among children who need them. Transforming social norms around the restraint of older elementary children by raising awareness of the importance and mechanics of belt fit and rear seat travel is an urgent priority which will be addressed by both direct community interventions and media outreach. At the beginning of life, there is research indicating that a majority of pregnant women do not wear their belts properly, and therefore, work to address this issue is also important.

Some children are at significantly increased risk of injury in traffic collisions. Children driven by drug or alcohol-abusing caretakers comprise a significant proportion of victims of traffic fatalities but receive little attention from public health or preventive efforts, or in the media. Developing protective strategies for children whose caregivers are in the grip of addiction is a very complex problem; engaging with agencies that can be part of this work will be a key priority for this grant. Also at greater risk are children with special transportation needs. Anecdotal evidence suggests that although there are examples of institutions offering a good standard of provision to these children within the state, this is not the norm, and in many cases, children’s needs are not met appropriately by healthcare institutions. A key objective of this grant will be to explore the extent of this unmet need and opportunities to address it effectively.

Children from low-income communities are also at greater risk of injury in traffic collisions but are less likely to be properly buckled up. Developing the capacity of professionals already engaged in low-income communities to deliver current, accurate child passenger safety (CPS) education is an important mechanism to extend protection to this vulnerable group of children. Recently piloted webinar-based education programs aimed at the nursing and child care sectors will be extended, providing professionals with best-practice advice focused on the following key messages: riding rear facing until at least age 2; using safety seats with harnesses and with tether attached for as long as possible; booster seat use until 10 -12 years; rear seat travel for all children until approaching driving age; and protection of the unborn through the mother’s correct restraint. Previous outreach has shown both major gaps in the knowledge of healthcare and child care workers AND significant improvement after even a brief session, showing how many gaps in current information are borne by those whose position makes them likely resources to whom parents turn.

Capacity-building efforts within the specialist CPS community will focus on growing the number of qualified Technicians and agencies that are active in providing CPS services; introducing the field to new professionals working in allied areas of child and family support; and providing opportunities for CPSTs to meet recertification requirements.

2. PERFORMANCE MEASURES

A. Goals:

1. Reduce the number of persons killed in traffic collisions.
2. Reduce the number of persons injured in traffic collisions.
3. Reduce the number of vehicle occupants killed under age eight.
4. Reduce the number of vehicle occupants injured under age eight.
5. Increase child safety seat usage.

B. Objectives:

1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. Participate in National Child Passenger Safety Week.

Target Number

1

1

3. Conduct pre and post-grant child safety seat usage surveys during the months of October (start of the grant) and September (end of the grant).	2
4. Conduct highly publicized child safety seat checkups to promote correct usage at community locations, including shopping centers, car dealerships or preschools, with an effort to reach parents or caregivers. Note: Car seat checkers must: be NHTSA-certified Child Passenger Safety Technicians (CPST); use proper forms for documentation; have complete car seat instructions and resource materials available; and have on-site supervision by a NHTSA CPST as a lead checker.	8
5. Provide NHTSA Child Passenger Safety Technician Certification courses.	1
6. Train personnel as NHTSA Child Passenger Safety Technicians.	10
7. Participate in traffic safety fairs and/or community events with an effort to reach individuals.	10
8. Recognize people "saved by the child safety seat or seat belt." OTS will be notified of all cases that involve an OTS funded child safety seat.	1
9. Work closely with community-based organizations at both the neighborhood and community level with an effort to reach individuals.	10
10. Hold quarterly meetings with countywide child passenger safety stakeholders to collaborate on events, share best practices, and leverage resources.	4
11. Collaborate with law enforcement agencies to increase knowledge and awareness of child passenger safety.	1
12. Conduct "roll call" training sessions on occupant protection, including child passenger safety.	10
13. Conduct 2 CPS Educator Workshops for up to 60 personnel from agencies serving children.	2
14. Conduct 6 CPS Technical Webinars aimed at CPS Technicians and Instructors in California.	6
15. Conduct at least 4 child passenger safety presentations impacting 500 people in civic and community groups (or exhibits at traffic safety fairs and other special events) through the SafetyBeltSafe U.S.A. Speakers' Bureau.	4
16. Conduct at least 3 checkup events, including one event in an underserved community and one during national CPS Week, in order to provide workshop participants with supervised, hands-on experience, and to increase public awareness of current provisions of the child restraint law.	3
17. Coordinate at least two 5-Step Test Events in collaboration with community-based organizations.	2
18. Develop a collaboration on local and state levels to publicize the risk to children of family members who drive impaired and to develop effective protective strategies for children who ride with impaired drivers.	1
19. Distribute 55 no-cost child safety seats to people in need, including special needs seats.	55
20. Investigate the extent of provision of appropriate restraints to children with special transportation needs by hospitals that provide obstetric, emergency room and/or pediatric services and develop an action plan to remedy any deficits.	1
21. Issue press releases about the risk to children from riding with alcohol/drug-using family or friends to follow up known reports of an alcohol-related crash involving a child in the alleged user's vehicle.	2
22. Issue at least 2 press releases on child passenger safety.	2
23. Provide presentations in at least 4 classrooms using "Boosters Are For Big Kids", the SafetyBeltSafe U.S.A. curriculum for children in grades K - 3.	4
24. Provide presentations in at least 4 classrooms using "Belt Fit Basics", the SafetyBeltSafe U.S.A. curriculum for children in grades 4 – 5.	4
25. Provide a toll-free helpline, in English and Spanish, speakers' bureau, and interactive Web site.	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. 	

- Identify and make contact with a wide range of non-profit, governmental, and community organizations that have involvement with families affected by drug and alcohol misuse.
- Identify and make contact with healthcare facilities across the State that provide pediatric care and develop a survey tool to assess their current provision of appropriate restraints for children being discharged with special transportation needs.
- Make contact with agencies that have expressed interest in developing their capacity in the area of CPS.
- Make contact with community agencies working with groups known to be at additional risk from traffic injury e.g. minority communities, non-English language communities etc.
- Schedule dates and venues/hosting for Educator Workshops, webinars, checkup events, Certification training, to develop an event calendar.
- Make contact with local schools and school districts to publicize the “Boosters Are For Big Kids” and “Belt Fit Basics” programs, and, if possible, begin to schedule classroom presentations.
- Respond to, and create, opportunities to promote messages of CPS best practice with community-based organizations, through presentations, exhibits, and 5-Step Test Events.
- Attend a quarterly meeting of the Injury Prevention Alliance of Los Angeles County.
- Issue a press release on CPS in the pre-holiday period. Issue a press release on DUI and children as the opportunity arises.
- Plan and begin to conduct occupant restraint roll-call training presentations.
- Plan and conduct two CPS Technical Webinars.
- Provide a toll-free helpline in English and Spanish, interactive Web site, and services of the SBS USA Speakers’ Bureau.
- Schedule and begin to deliver local safety seat checkups in Pomona at various community facilities.
- Respond to requests for traffic safety events that are received during the first quarter.
- Conduct a pre-program safety seat usage survey in October 2019.

Media Requirements

- 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)

- Develop a strategy through which interested agencies can convene to develop advice that professionals can use with families whose children are exposed to the risk of being driven by an impaired driver. Conduct a media campaign to highlight the impact that DUI-driver exposure has on child passengers.
- Develop a strategy to address unmet special transportation needs among the healthcare sector, based on the results of survey data gained during the grant period.
- Work with community agencies to develop their capacity to provide CPS services, according to identified needs and opportunities. Activities could include hospital policy development; resource development; training activities; curriculum development, and similar resources. Deliver targeted CPS training through specific one-hour webinar based training sessions.
- Plan and conduct two Educator Workshops.
- Plan and conduct a CPS Technician Certification class.
- Plan and conduct four CPS Technical Webinars.
- Plan and conduct at least 10 roll-call training presentations.
- Plan and conduct CPS classes, presentations and exhibits, and 5-Step Test Events.
- Attend meetings of the Injury Prevention Alliance of Los Angeles County and contribute to the planning and delivery of the annual conference.
- Provide a toll-free helpline in English and Spanish, interactive Web site, and services of the SBS USA Speakers’ Bureau.
- Plan and conduct at least three safety seat checkups, including one during national CPS week.
- Conduct 8 community safety seat checkups in Pomona.
- Distribute at 55 child safety seats, including special needs seats, to low-income families.
- Plan and conduct at least 8 elementary school presentations.
- Issue at least two press releases on CPS, including press releases about the risk to children from riding with alcohol/drug-using family or friends to follow up media reports of an alcohol/drug-related crash involving a child in the alleged user’s vehicle.

- Present an award to people “saved by the child safety seat or safety belt.”
- Report the procurement status of all equipment purchased under the grant.
- Conduct a post-program safety seat usage survey in September 2019

Media Requirements

- 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.
- Activities such as warrant or probation sweeps 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 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)

- 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)
 - 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

OP20012

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405b OP-20	20.616	Occupant Protection	\$154,000.00

COST CATEGORY	CFDA	TOTAL COST TO GRANT
A. PERSONNEL COSTS		
Positions and Salaries		
<u>Full-Time</u>		\$0.00
<u>Overtime</u>		
Car Seat Checkup Events Overtime	20.616	\$23,904.00
Benefits - Overtime at 6.62%	20.616	\$1,582.00
<u>Part-Time</u>		\$0.00
Category Sub-Total		\$25,486.00
B. TRAVEL EXPENSES		
		\$0.00
		\$0.00
Category Sub-Total		\$0.00
C. CONTRACTUAL SERVICES		
Executive Director	20.616	\$28,600.00
Office Coordinator	20.616	\$9,360.00
Project Coordinator	20.616	\$15,600.00
Benefits at 9%	20.616	\$4,820.00
In State Travel	20.616	\$1,200.00
Out-of-State Travel	20.616	\$3,200.00
CPS Technicians	20.616	\$48,549.00
Office Supplies	20.616	\$1,030.00
Child Safety Seats	20.616	\$4,125.00
CPS Check-Up Supplies	20.616	\$130.00
Printing/Duplication	20.616	\$3,900.00
Educational Materials	20.616	\$3,000.00
Postage	20.616	\$1,200.00
Communications	20.616	\$3,800.00
Category Sub-Total		\$128,514.00
D. EQUIPMENT		
		\$0.00
Category Sub-Total		\$0.00
E. OTHER DIRECT COSTS		
		\$0.00
Category Sub-Total		\$0.00
F. INDIRECT COSTS		
		\$0.00
Category Sub-Total		\$0.00
GRANT TOTAL		\$154,000.00

GRANT AGREEMENT

Schedule B-1

OP20012

BUDGET NARRATIVE	
PERSONNEL COSTS Car Seat Checkup Events Overtime - OT at \$83.00 per hour for Pomona PD Officers to hold car seat checkup events at hospitals and other locations. 4 officers/ event 9 hours/ event 8 events	QUANTITY 288
Benefits - Overtime at 6.62% - Total Benefit Rate 6.62% Workers Comp - 5.17% Medicare - 1.45%	1
TRAVEL EXPENSES -	
CONTRACTUAL SERVICES Executive Director - The Executive Director is responsible for approving project policies and procedures, acts as the project administrator, provides consultation, particularly to the mass media and professionals, and teaches and monitors professional performance at workshops and trainings. 1 x \$50.00 x 572hrs = \$28,600.00	572
Office Coordinator - The Office Coordinator, working under the supervision of the Executive Director, is responsible for purchasing supplies, acting as a contact for vendors, registering trainees and families, assisting with preparation of educational materials, conducting mailings, and general office procedures. 1 x \$20.00 x 468 hrs= \$9,360.00	468
Project Coordinator - The Project Coordinator is responsible for developing and implementing project policies and procedures, project budget, staffing, reporting project performance, collecting and analyzing data, and pursuing mass media contact. 1 x \$30.00 x 520 hrs= \$15,600.00	520
Benefits at 9% - Total Benefits 9% Medicare - 1.45% Social Security - 6.2% CA Unemployment Insurance - 1.35% (6.2% on first \$7,000 earned)	1
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. 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
Out-of-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 Lifesavers and Kidz In Motion. 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
CPS Technicians - Fees for Child Passenger Safety (CPS) Technicians and CPS Technician-Instructors. These vendors will work with staff to provide training, supervision at checkups, and educational presentations. They will develop written and Web site materials, distribute safety seats, supervise setup of facilities and equipment, work with community groups, and respond to inquiries on the toll-free helpline.	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/ USBs and desk top supplies	1

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.	
Child Safety Seats - Child safety seats (maximum costs per seat is \$75.00; including booster seats, but no "infant only" seats) to be distributed during CPS checkups, appointments, fitting stations and traffic safety presentations.	55
CPS Check-Up Supplies - On-scene supplies to conduct child passenger safety seat check-up events. Costs may include cones, pop-up tents, pool noodles, shelf grip liner, child safety seat clips, tote carriers and check-up signage.	1
Printing/Duplication - Costs include the purchase of paper, production, printing and/or duplication of materials associated with daily grant operations.	1
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
Postage - Standard mailing costs excluding overnight and/or priority mail. Costs may include stamps, stamped envelopes, and post cards.	1
Communications - Costs of telephone service, mail/messenger service (excluding overnight priority mail) and communications services.	1
EQUIPMENT -	
OTHER DIRECT COSTS -	
INDIRECT COSTS -	
STATEMENTS/DISCLAIMERS 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. Any non-grant funded vacancies created by reassignment to a grant-funded position must be filled at the expense of the grantee agency. 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.”