

OTS TRANSMITTAL
ATTACHMENT 1 – Grant Award Letter
October 17, 2014

EDMUND G. BROWN JR., GOVERNOR



October 17, 2014

Grant No. OP1503

Olivia E. Mitchell
Assistant Chief Grants Administrator
Housing and Community Investment Department
City of Los Angeles
1200 West Seventh Street
Los Angeles, CA 90017

COPY

Dear Ms. Mitchell:

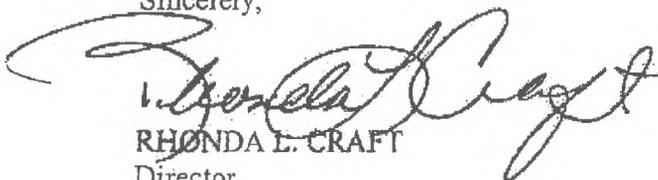
The Office of Traffic Safety (OTS) has approved your traffic safety grant as part of the California Traffic Safety Program.

Costs incurred must be in accordance with your grant agreement, and recorded in your accounting system. No other costs can be allowed without OTS approval. Costs incurred prior to the starting date or subsequent to the closing date of this grant are not reimbursable.

Within the first quarter of your grant period, your Coordinator will provide you with information about operational and fiscal requirements, as well as tools to manage your new grant.

Please refer to the above grant number in all your communications with this office. If you have any questions, please contact Karen Coyle, Regional Coordinator, at (916) 509-3012 or e-mail at karen.coyle@ots.ca.gov.

Sincerely,


RHONDA L. CRAFT
Director

KC:lkd

Enclosures

cc: Fiscal

1. GRANT TITLE CHILD PASSENGER SAFETY PROGRAM	
2. NAME OF APPLICANT AGENCY CITY OF LOS ANGELES	4. GRANT PERIOD From: 10/1/14 To: 9/30/15
3. AGENCY UNIT TO HANDLE GRANT HOUSING AND COMMUNITY INVESTMENT DEPARTMENT	
5. GRANT DESCRIPTION The Housing and Community Department will train and provide educational classes to low-income residents on the proper, correct, and safe use and installation of child safety seats. At the end of each class, no-cost child safety seats will be distributed to program participants. Staff also will provide educational presentations at community events and health and safety fairs. The department will collaborate with community-based-organizations, Los Angeles Police Department, California Highway Patrol, and other organizations to conduct child safety seat checkups and booster seat demonstrations.	

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: **\$ 450,000.00**

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:

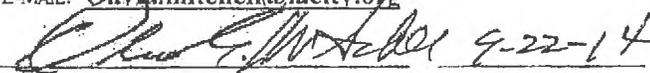
- Schedule A (OTS-38b) - Problem Statement, Goals and Objectives and Method of Procedure
- Schedule B (OTS-38d) - Detailed Budget Estimate and Sub-Budget Estimate (if applicable)
- Schedule B-1 (OTS-38f) - Budget Narrative and Sub-Budget Narrative (if applicable)
- Exhibit A - Certifications and Assurances
- Exhibit B* - OTS Grant Program Manual

Items shown with an asterisk (), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.

We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.

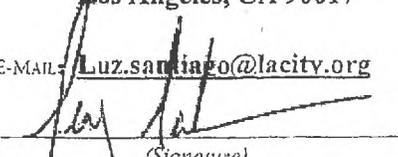
IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

8. APPROVAL SIGNATURES

A. GRANT DIRECTOR
 NAME: **Olivia E. Mitchell** PHONE: 213-744-9703
 TITLE: **Asst. Chief Grants Administrator** FAX: 213-744-9327
 ADDRESS: 1200 West 7th Street
 Los Angeles, CA 90017
 E-MAIL: Olivia.mitchell@lacity.org

 (Signature) (Date) 9-22-14

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY
 NAME: **Manny Chavez** PHONE: 213-744-7398
 TITLE: **Assistant General Manager** FAX: 213-744-9061
 ADDRESS: 1200 West 7th Street
 Los Angeles, CA 90017
 E-MAIL: Mandel.chavez@lacity.org

 (Signature) (Date) 9/26/14

C. FISCAL OR ACCOUNTING OFFICIAL
 NAME: **Luz C. Santiago** PHONE: 213-808-8899
 TITLE: **Assistant General Manager** FAX: 213-808-8999
 ADDRESS: 1200 West 7th Street, 9th Floor
 Los Angeles, CA 90017
 E-MAIL: Luz.santiago@lacity.org

 (Signature) (Date) 9/29/14

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS
 NAME: **HCDLA Accounting Division**
 ADDRESS: 1200 West 7th Street, 4th Floor
 Los Angeles, CA 90017

9. DUNS NUMBER
 DUNS #: 808-255-160
 REGISTERED ADDRESS & ZIP: 1200 West 7th Street, 4th Floor
 Los Angeles, CA 90017

EFFECTIVE DATE OF AGREEMENT: 10/1/2014 GRANTEE CITY OF LOS ANGELES GRANT NO. OP1503

8. Fin Action No. 1 Date: 10/13/2014 10. TYPE OF AGREEMENT Initial Revision Cont.
 PAID MEDIA PROGRAM INCOME TASK NO. F.F.Y.
 Revision No. Date: _____ 2 2015

9. Action Taken
 Initial approval of 2015 HSP funds obligated.

11. FUNDING DISPOSITION & STATUS	
Fiscal Year	Amount
<u>2014-15</u>	<u>450,000.00</u>
_____	_____
_____	_____
Total	<u>450,000.00</u>
Obligated This Action	<u>450,000.00</u>
Previously Obligated	<u>0.00</u>
Total Amount Obligated	<u>450,000.00</u>
Amount Suspended	<u>0.00</u>
TOTAL FUNDS PROGRAMMED	<u>450,000.00</u>

FUNDING DETAIL				
FUND	CFDA	ITEM/APPROPRIATION	FY	AMOUNT
<u>164AL</u>	<u>20 608</u>	<u>0521-0890-101.(25/14)</u>	<u>2014</u>	<u>\$ 450,000.00</u>

12. BUDGET SUMMARY (From Schedule B Detail) - FISCAL YEAR GRANT PERIOD ENDING: 9/30/2015

COST CATEGORY	2014-15 GRANT PERIOD	PRIOR GRANT	2014-15 TOTAL GRANT	TOTAL GRANT BUDGET ESTIMATE
A. Personnel Costs	<u>277,945.00</u>	<u>0.00</u>	<u>277,945.00</u>	<u>277,945.00</u>
B. Travel Expenses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
C. Contractual Services	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
D. Equipment	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
E. Other Direct Costs	<u>172,055.00</u>	<u>0.00</u>	<u>172,055.00</u>	<u>172,055.00</u>
F. Indirect Costs	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL FEDERAL FUNDS	<u>450,000.00</u>	<u>0.00</u>	<u>450,000.00</u>	<u>450,000.00</u>

13. GRANT APPROVAL & AUTHORIZATION TO EXPEND OBLIGATED FUNDS

A. APPROVAL RECOMMENDED BY

NAME: KAREN COYLE
 TITLE: Regional Coordinator
 PHONE: (916) 509-3012
 E-MAIL: karen.coyle@ots.ca.gov
Office of Traffic Safety
2208 Kausen Drive, Suite 300
Elk Grove, CA 95758

Signature

Karen Coyle

B. AGREEMENT & FUNDING AUTHORIZED BY

NAME: RHONDA L. CRAFT
 TITLE: Director

Office of Traffic Safety
2208 Kausen Drive, Suite 300
Elk Grove, CA 95758

Signature

Rhonda Craft

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GRANT DESCRIPTION
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1. PROBLEM STATEMENT

It is a fact that child safety car seats are the most effective occupant protection devices used in motor vehicles today, but according to the National Highway Traffic Safety Administration (NHTSA), three out of four parents do not properly use child restraints. The Child Passenger Safety Program will provide updated information, education, and training sessions on the proper use and installation of car safety seats, and provide free safety seats to eligible low-income parents thereby reducing the risk of death and injury to young children who are occupants in cars involved in collisions.

NHTSA reports that approximately half of all children under age five who died in car crashes were unrestrained. Of the remaining half, 26 percent were in an adult seat belt, which does not provide effective protection for most children under age five, and others were in a child restraint system but had not been restrained properly. Often installation was incorrect or the wrong type of seat was used for the child's height, weight or age. For these children, the safety seat did not provide adequate protection.

If used correctly, child safety seats are 71 percent effective in reducing fatalities in children under the age of five, and 69 percent effective in reducing the need for hospitalization. Unfortunately, parents and other care givers too often consider child seats inconvenient, out of their financial reach, or too difficult to install. Others are uninformed or misinformed about the correct use child safety seats.

According to the 2010 United States Census data, the City of Los Angeles (City) is the most populous in California and the second most populous in the United States after New York City. Within Los Angeles there are 170 miles of freeways and 6,380 miles of surface streets, which consist of local and arterial streets. The City's arterial street system includes 1,370 miles of major and secondary highways. Due to its geographic size (more than 460 square miles), cars are almost a necessity and one of the primary methods of travel for City residents.

Los Angeles is home to approximately 3.8 million people who hail from more than 140 countries and speak 224 different identified languages. More than 40 percent of the City's population age five years and over are foreign-born, of which nearly 61 percent report speaking a language at home other than English and 30.6 percent report speaking English less than "very well." Residents who have limited English skills are less likely to have access to information on car safety seat laws and requirements.

Additionally, the high cost of living in Los Angeles, particularly housing, combined with a growing number of minimum wage jobs, has resulted in concentrations of low-income residents living in various areas of the City. These residents often cannot afford new child safety seats so they use previously used seats which are unsafe, or they don't use one.

Although California has effective child restraint laws and regulations, and statistics show that safety belt use has increased, there is still an ongoing need to promote car seat use and motor vehicle safety at the community level. There is a demand and a need for traffic safety education that includes the up-to-the-minute standards for proper use of seat belts and child safety seats, and classes in languages other than English. Finally, to save the

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lives of children, there is a need to provide new car seats to low-income families who otherwise may not be able to afford them.

Therefore, the three major issues to be addressed through the Child Passenger Safety Program are:

- Affordability of the seats. Many low-income families have other financial priorities, such as food and housing, so they cannot afford car seats.
- Accessibility to information regarding child safety seats. Many parents and caregivers are unaware of child restraint laws and child passenger safety programs. Additionally, information is not readily available to limited English-speakers.
- Improper car seat installations or misuse of car seats. Many parents and caregivers have limited education on proper restraint use and installation.

These major issues will be addressed by providing free car seats to low-income families and free car seat safety education classes to City residents at a community level. Classes will include current car seat laws and requirements and the correct and safe way of installing car seats. To help ensure the proper use of child safety seats, parent and caregiver classes will be conducted by Certified Child Passenger Safety Technicians. The proposed target population will be parents and caregivers who are low-income, have limited-English speaking ability, and/or are uninformed or unaware of car seat laws, requirements, use, and installation.

2. PERFORMANCE MEASURES

A. Goals:

- 1) To reduce the number of persons killed in traffic collisions.
- 2) To reduce the number of persons injured in traffic collisions.
- 3) To increase child safety seat usage.
- 4) To reduce the number of vehicle occupants killed under the age of eight.
- 5) To reduce the number of vehicle occupants injured under the age of eight.

B. Objectives:

- 1) To provide 200 child safety seat education classes to 3,000 low-income residents.
- 2) To conduct 12 booster seat presentations impacting 2,000 persons during community health and safety fairs.
- 3) To distribute 3,500 no-cost child safety seats to low-income residents who complete a child safety seat class.
- 4) To work closely with 12 community-based organizations to promote proper child safety seat use at both the community and neighborhood level.
- 5) To conduct child safety seat usage rate surveys during the month of September.
- 6) To participate in the National Child Passenger Safety Week in September.
- 7) To renew certifications of 3 child passenger safety technicians.

3. METHOD OF PROCEDURE

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

The Program Operations Bureau of HCIDLA will be responsible for administering the Child Passenger Safety Program with a Senior Project Coordinator managing and implementing the program.

- Train staff on their roles and responsibilities in program implementation.
- Develop traffic safety education curriculum and program guidelines for use in implementing program goals.
- Negotiate and finalize lease agreements for storage facilities.
- Procure car seats.
- Procure traffic safety materials including traffic safety brochures, pamphlets, videos.
- Begin outreach to community-based organizations.

Media Requirements

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

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

- Conduct 200 classes on the correct and safe way to install child seats to 3,000 low-income residents.
- Conduct at least 12 booster seat event presentations impacting 2,000 people during community health and safety fairs.
- Distribute 3,500 child seats to low-income residents that complete a child seat safety class.
- To conduct child seat safety usage rate surveys.
- To renew certifications of Child Passenger Safety Technicians.

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.
 - a) If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release should first be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.

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- b) Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
 - c) Activities such as warrant 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.
 - Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

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

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

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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 why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full support of the City of Los Angeles. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. OP1503

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405b OP	20.616	NATIONAL PRIORITY SAFETY PROGRAMS	\$ 450,000.00

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	CFDA	FY-1 10/1/14 thru 9/30/15		
A. PERSONNEL COSTS				
Positions and Salaries				
<u>Full-Time</u>				
Senior Project Coordinator				
1 x 12 mos x \$8,236 @ 100%	20.616	\$ 98,842.00		\$ 98,842.00
Benefits @ 35.68%	20.616	\$ 35,266.00		\$ 35,266.00
Program Aide				
2 x 12 mos x \$4,018 @ 100%	20.616	\$ 96,432.00		\$ 96,432.00
Benefits @ 35.68%	20.616	\$ 34,405.00		\$ 34,405.00
<u>Overtime</u>				
Educational Events	20.616	\$ 13,000.00		\$ 13,000.00
Category Sub-Total		\$ 277,945.00		\$ 277,945.00
B. TRAVEL EXPENSE				
None				
C. CONTRACTUAL SERVICES				
None				
D. EQUIPMENT				
None				
E. OTHER DIRECT COSTS				
Child Safety Seats	20.616	\$ 145,500.00		\$ 145,500.00
Storage	20.616	\$ 8,800.00		\$ 8,800.00
Office Space	20.616	\$ 17,106.00		\$ 17,106.00
Office Supplies	20.616	\$ 549.00		\$ 549.00
CPS Recertification Fee	20.616	\$ 100.00		\$ 100.00
Category Sub-Total		\$ 172,055.00		\$ 172,055.00
F. INDIRECT COSTS				
None				
GRANT TOTAL				
		\$ 450,000.00		\$ 450,000.00

SCHEDULE B-1

GRANT NO. OP1503

BUDGET NARRATIVE

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PERSONNEL COSTS

Position Descriptions:

1 Senior Project Coordinator (100%) – This position will implement a child passenger safety program for the City of Los Angeles, oversee all grant activities, and manage positions as described below.

2 Program Aides (100%) – These positions will assist with all the grant activities, provide clerical assistance, conduct child safety seat and helmet surveys, transport and maintain inventory of child safety seats and helmets.

Benefits Chart

Full Time Benefits

Unemployment Insurance	.10%
Workers Compensation	1.04%
Vision	.03%
Employee Assistance	.01%
Health Insurance	1.10%
Life Insurance	.01%
Medical and Dental Insurance	9.07%
Retirement	24.32%
Total Benefit Rate	35.68%

Supplanting Statement

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

Overtime Costs:

Educational Events

Grant activities will be conducted by Program Operations Division personnel on overtime basis. Grant funded operations may be conducted by personnel listed above such as Senior Project Coordinator, and Program Aides. Personnel will be deployed approximately twice per month to conduct traffic safety presentations at fairs and community events which are usually on Saturdays. The city will not be claiming overtime benefits.

TRAVEL EXPENSE

None

CONTRACTUAL SERVICES

None

EQUIPMENT

None

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BUDGET NARRATIVE

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OTHER DIRECT COSTS

3,200 **Child Safety Seat(s)** - child safety seats (including booster seats and special needs seats) to be distributed during CPS checkups, appointments, fitting stations and traffic safety presentations.

Storage – Costs are for leasing storage spaces to store car seats, equipment and other program supplies. (Approximately \$733 x 12 months)

Office Space - costs include rent and utilities associated with grant goals and objectives. Charges to the grant will be in accordance with the following formula or rate: (1 Sr. Project Coordinator position (100%) @ \$98,842 x .8.76% = \$8,659 and 2 Program Aide (100%) @ \$96,432 x 8.76% = \$8,447 for a total of \$17,106. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the space.

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.

CPS Re-certification – Costs for re-certifying child passenger safety technicians (2 certification @ \$50)

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

Page 1

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

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

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended
- 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs
- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs
- Highway Safety Grant Funding Policy for Field-Administered Grants

NONDISCRIMINATION

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

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

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BUY AMERICA ACT

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

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

POLITICAL ACTIVITY (HATCH ACT)

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

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

RESTRICTION ON STATE LOBBYING

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

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

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

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

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

- (1) The Grantee Agency official certifies to the best of its knowledge and belief, that its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this Grant Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/Grant Agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the Grantee Agency official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this Grant Agreement.

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Instructions for Lower Tier Certification

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

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participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this grant agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

