

# **TRANSMITTAL**

To:

**THE COUNCIL**

Date: 11/29/2018

From:

**THE MAYOR**

**TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.**

A handwritten signature in blue ink, appearing to read 'Eric Garceiti', is written over the printed name.

**ERIC GARCEITI**  
Mayor

(Ana Guerrero) for



Eric Garcetti, Mayor  
Rushmore D. Cervantes, General Manager

Community Services & Development Bureau  
1200 West 7th Street, 9th Floor, Los Angeles, CA 90017  
tel 213.928.9071 | fax 213.808.8999  
hcidla.lacity.org

November 29, 2018

Council File: C.F.14-0065-S1  
Council District(s): All  
Contact Persons:  
Abigail Marquez (213) 808-8462  
Olivia Mitchell: (213) 808-8872

The Honorable Eric Garcetti  
Mayor, City of Los Angeles  
Room 303, City Hall  
200 N. Spring Street  
Los Angeles, CA 90012

Attention: Mandy Morales, Legislative Coordinator

**COUNCIL TRANSMITTAL: REQUEST AUTHORITY TO ACCEPT AND EXECUTE TWO GRANTS (\$152,000 FOR THE CHILD PASSENGER SAFETY PROGRAM AND \$250,000 FOR THE PEDESTRIAN AND BICYCLE SAFETY PROGRAM) FROM THE STATE OF CALIFORNIA - OFFICE OF TRAFFIC SAFETY (OTS)**

**SUMMARY**

The Los Angeles Housing + Community Investment Department (HCIDLA) requests that your office review and approve this transmittal and forward it to the City Council for further consideration. Through this transmittal, HCIDLA seeks approval, and requests authority to accept and execute two grants from the State of California - Office of Traffic Safety (OTS); one grant in the amount of \$152,000 to continue to provide the Child Passenger Safety Program and an additional grant in the amount of \$250,000 to continue the Pedestrian and Bicycle Safety Program. Both grants will be for the period of October 1, 2018 through September 30, 2019.

The Child Passenger Safety Program will provide traffic-safety education, training, and the distribution of a limited number of free child safety seats to eligible low-income residents citywide. Grant funds will be used for HCIDLA staff implementing program services, procurement of car seats, administration expenses, travel, and program supplies. This grant is a continuation of the OTS grant the City received for October 1, 2017 through September 30, 2018 (C.F.14-0065-S1).



The Pedestrian and Bicycle Safety Program will provide pedestrian and bicycle safety education training focused on children and senior citizens citywide, especially those in low income communities. Grant funds will be used for HCIDLA staff implementing program services, procurement of safety equipment, administration expenses, travel, and program supplies. HCIDLA will contract with the existing FamilySource agencies to provide additional direct program services.

## **RECOMMENDATIONS**

The General Manager of the Los Angeles Housing + Community Investment Department (HCIDLA) respectfully requests that the Mayor and City Council:

- I. AUTHORIZE HCIDLA to accept and execute grant agreements with the State of California - Office of Traffic Safety in the amount of \$152,000 for the Child Passenger Safety Program and \$250,000 for the Pedestrian and Bicycle Safety Program for the period of October 1, 2018 through September 30, 2019, subject to approval of the City Attorney as to form.
- II. AUTHORIZE HCIDLA to execute Professional Services Agreements (PSAs) with six FamilySource Center (FSC) agencies that are willing to participate in the Pedestrian and Bicycle Safety Program to provide pedestrian and bicycle safety education, outreach, and distribution of related safety equipment supplies for the period October 1, 2018 through September 30, 2019. There is \$56,000 available for these contractual services.

<b>FAMILYSOURCE AGENCIES</b>	<b>CENTER</b>	
1) All People's Community Center		\$8,500
2) Barrio Action Youth and Family Center		\$10,000
3) Central City Neighborhood Partners		\$10,000
4) El Centro de Ayuda		\$9,000
5) Latino Resource Organization		\$10,000
6) Youth Policy Institute		\$8,500
	<b>TOTAL</b>	<b>\$56,000</b>

III. AUTHORIZE the City Controller to:

- a) Establish new accounts and increase/decrease accounts within the Traffic Safety Fund No. 45C/43 as follows:

<b>Child Passenger Safety Grant</b>		
<b>Account</b>	<b>Title</b>	<b>Amount</b>
43R143	Housing and Community Investment	\$83,405.64
43R299	Reimbursements to General Fund	(41,390.30)
43R343	HCIDLA Costs	56,757.50
43R582	FamilySource Centers Nonprofit Managed	56,000.00
	<b>Total</b>	<b>\$154,772.84</b>

- b) Increase/decrease appropriations in the amount of \$83,405.64 within Fund No. 100/43 as follows:

<b>Account</b>	<b>Title</b>	<b>Amount</b>
001010	Salaries - General	(\$17,739.41)
001070	Salaries, As-Needed	40,342.23
001090	Salaries - Overtime	695.67
002120	Printing and Binding	1,767.40
002130	Travel	5,159.00
003040	Contractual Services	(696.00)
003310	Transportation	(1,086.00)
006010	Office and Administration	43,950.75
006030	Leasing	11,012.00
	<b>Total</b>	<b>\$83,405.64</b>

- IV. AUTHORIZE the General Manager of HCIDLA, or designee, to prepare Controller instructions for technical corrections that may be necessary and consistent with the Mayor and Council action on this matter, subject to the approval of the City Administrative Officer, and authorize the City Controller to implement such transactions.

## **BACKGROUND**

### **Child Passenger Safety Program**

Over the last 13 years the City has been implementing the Child Passenger Safety Program with grant funds from the State of California Office of Traffic Safety (OTS). The program, administered by HCIDLA, provides child passenger safety education classes and free car and booster seats to low income residents of Los Angeles. HCIDLA employees are trained and certified as Child Passenger Safety Technicians. They educate parents on the proper selection, use, and installation of car and booster seats, measure children for booster seats, and provide a limited number of free or replacement car and booster seats to eligible low-income parents and caregivers. HCIDLA's child passenger safety team works through the City's FamilySource Centers (FSC) and other non-profit health and welfare agencies to present two-hour educational classes for parents of newborns and children who have reached the height

of 4'9". Additional activities of this program include participation in community events and health fairs where booster seats may be distributed to eligible low income residents who participate in 15-20 minute presentations regarding booster seat compliance with current child safety seat legislation.

In 2017-2018, the City received \$150,000 in OTS grant funds. By the end of the grant term, HCIDLA staff had conducted over 125 car seat safety education classes for 1,500 people, participated in 17 community events citywide that were attended by 8,400 residents, and distributed 280 free child safety seats to low-income program participants. Additionally, HCIDLA staff evaluated and corrected the installation of car seats through safety check-up events and conducted two surveys of cars and vans traversing city streets to determine if children were properly secured in safety seats. OTS requires that grant recipients apply for funding each year to continue delivering services. On January 1, 2018, OTS announced grant opportunities for the program year 2018-2019 to be awarded on a competitive basis to state and local jurisdictions.

#### Pedestrian and Bicycle Safety Program

The program design for the Pedestrian and Bicycle Safety Program utilizes existing community and City department relationships to deliver program services to city residents in their respective communities. Program services include providing training workshops and presentations, community outreach events, traffic safety fairs as well as the distribution of related safety equipment and supplies to program participants. This effort is responsive to Mayor Eric Garcetti's directive to create safer streets with the focus on protecting the most vulnerable, including children, senior adults, pedestrians and cyclists. This is the second year for this program.

HCIDLA has an existing formal partnership with the FamilySource Centers (FSC) as well as access to a consortium of community-based agencies. The FSCs and the network of community-based agencies are committed to providing social services programs to residents across the city and have successfully cultivated levels of trust with prospective participants. Since the program is not mandatory, an offer was made to FSC contractors to expand their services and participate in the previous OTS Pedestrian and Bicycle contract (2017-2018). Eight FSC agencies opted to participate and were compensated for their services. Two of those agencies did not successfully complete their contracts. HCIDLA will execute PSAs with the six remaining FSC agencies for the provision of services during the 2018-2019 contract year. HCIDLA staff will deploy targeted outreach methods in low income neighborhoods as well as coordinate activities with the funded agencies.

#### Grant Appropriations

The Controller instruction amount does not equal the grant amount of \$402,000. The reason is that partial appropriations were included in the 18-19 budget. The computation is as follows:

18-19 Budget Appropriation	\$340,739.00
Less needed for "old grant" thru Sept 2018	93,511.84
Available appropriations for "new" grant	247,227.16
"New Grant Budget"	\$402,000.00
Less available 18-19 appropriations	(247,227.16)
Appropriations in transmittal	\$154,772.84

#### FISCAL IMPACT STATEMENT

The General Fund will be reimbursed \$68,070 for fringe benefits.

Prepared by:



OLIVIA E. MITCHELL  
Assistant Chief Grants Administrator

Reviewed by:



ABIGAIL R. MARQUEZ  
Assistant General Manager

Reviewed by:



LAURA K. GUGLIELMO  
Executive Officer

Approved by:



RUSHMORE D. CERVANTES  
General Manager



ATTACHMENTS:

1. OTS GRANT NO. OP19007 – Child Passenger Safety
2. OTS GRANT NO. PS19011 – Pedestrian and Bicycle Safety





<b>1. GRANT TITLE</b> Child Passenger Safety Program	
<b>2. NAME OF AGENCY</b> Los Angeles	<b>3. Grant Period</b>  From: 10/01/2018 To: 09/30/2019
<b>4. AGENCY UNIT TO ADMINISTER GRANT</b> Los Angeles Housing and Community Investment Department	
<b>5. GRANT DESCRIPTION</b> 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.	
<b>6. Federal Funds Allocated Under This Agreement Shall Not Exceed:</b> <span style="float: right;"><b>\$152,000.00</b></span>	
<b>7. TERMS AND CONDITIONS:</b> The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> <li>• Schedule A – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>• Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>• Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>• Exhibit A – Certifications and Assurances</li> <li>• Exhibit B* – OTS Grant Program Manual</li> </ul> <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: <a href="http://www.ots.ca.gov">www.ots.ca.gov</a>.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
<b>8. Approval Signatures</b>	
<b>A. GRANT DIRECTOR</b> NAME: Olivia E. Mitchell      PHONE: 213-808-8872 TITLE: Asst Chief Grants Admin      FAX: 213-808-8999 ADDRESS: 1200 West 9th Street, 9th Floor Los Angeles, CA 90017 EMAIL: olivia.mitchell@lacity.org <div style="text-align: center; margin-top: 20px;"> <div style="display: flex; justify-content: space-around; width: 100%;"> <span>(Signature)</span> <span>(Date)</span> </div> </div>	<b>B. AUTHORIZING OFFICIAL OF AGENCY</b> NAME: Abigail Marquez      PHONE: 213-808-8462 TITLE: Asst General Manager      FAX: 213-808-8999 ADDRESS: 1200 West 9th Street, 9th Floor Los Angeles, CA 90017 EMAIL: abigail.marquez@lacity.org <div style="text-align: center; margin-top: 20px;"> <div style="display: flex; justify-content: space-around; width: 100%;"> <span>(Signature)</span> <span>(Date)</span> </div> </div>
<b>C. FISCAL OR ACCOUNTING OFFICIAL</b> NAME: Lyndon Salvador      PHONE: 213-744-9044 TITLE: Chief Accountant IV      FAX: 213-808-8811 ADDRESS: 1200 West 7th Street, 4th Floor Los Angeles, CA 90017 EMAIL: lyndon.salvador@lacity.org <div style="text-align: center; margin-top: 20px;"> <div style="display: flex; justify-content: space-around; width: 100%;"> <span>(Signature)</span> <span>(Date)</span> </div> </div>	<b>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</b> NAME: Rhonda L. Craft      PHONE: (916) 509-3030 TITLE: Director      FAX: (916) 509-3055 ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 EMAIL: rhonda.craft@ots.ca.gov <div style="text-align: center; margin-top: 20px;"> <div style="display: flex; justify-content: space-around; width: 100%;"> <span>(Signature)</span> <span>(Date)</span> </div> </div>
<b>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</b> NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	<b>9. DUNS INFORMATION</b> DUNS #: 808255160 REGISTERED ADDRESS: 1200 West 7th Street, 9th Floor CITY: Los Angeles      ZIP+4: 90017-6400

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
405b OP-19	20.616	0521-0890-101	2018	2018	29/18	\$152,000.00
				AGREEMENT TOTAL		\$152,000.00
<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>				AMOUNT ENCUMBERED BY THIS DOCUMENT		
				\$152,000.00		
				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		
				\$ 0.00		
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				\$152,000.00		



## 1. PROBLEM STATEMENT

The Los Angeles region is expanding its public transportation systems infrastructure (subway and rail) however, until these systems are fully functional, cars will continue to be a necessity and the primary method of travel for City residents. This is true for all income levels but especially for the low wage workers whose work hours and neighborhoods do not conform to current plans. Their employment is most often during non-traditional work hours. The current delivery schedules, stops and fares require many families to purchase used cars to be able to get to their work locations with a minimum of walking and transfers. In addition, the City of Los Angeles has a high percentage of immigrants from countries that do not conform to the "rules of the road" required in California. The passage of AB 60 allowed/required an ability to know and understand California traffic laws. It did not require that parents, guardians and others learn child safety seat laws. In a city in which 61 percent of families speak a language other than English (31 percent of who speak English "less than well"), 25% are characterized as "low and very low income" and 7% are aged 5 and under, we have a situation in which knowledge of child passenger safety is critical. Lack of knowledge of child passenger safety and low wages oftentimes results in parents, guardians and others taking a chance and placing their children in used seats, no seats or seats inappropriate for their age and size.

It is important to inform families that child safety seats are the most effective occupant protection devices when used correctly. Some parents feel that older children can be/are properly restrained through the use of factory installed adult seat belts. NHTSA continues to report that over half of children under the age. Key to success is the ability to provide free child safety seats to our residents who are low and very low income for use by parents, guardians and other care takers.

There continues to be an urgent need for traffic safety awareness and education programs focused on child passenger safety. Equally important is that trained advisors/educators such as the certified Child Passenger Safety Technicians currently funded by this grant continue to provide that information. Staff provides instruction in Spanish. We also have access to translations – and have provided classes - in Tagalog, Thai, Cantonese, Mandarin and American Sign Language.

## 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:

	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 <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a> , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.	1
2. Participate in National Child Passenger Safety Week.	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.	2
5. Train personnel as NHTSA Child Passenger Safety Technicians.	3
6. Provide child safety seat education classes with an effort to reach low-income residents.	20
7. Participate in traffic safety fairs and/or community events with an effort to reach individuals.	12
8. Distribute no-cost child safety seats to low-income residents who complete a child safety seat class.	100

9. 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.	3
10. Work closely with community-based organizations at both the neighborhood and community level with an effort to reach individuals.	12
11. Hold quarterly meetings with countywide child passenger safety stakeholders to collaborate on events, share best practices, and leverage resources.	4
12. Collaborate with law enforcement agencies to increase knowledge and awareness of child passenger safety.	5
<b>3. METHOD OF PROCEDURE</b> <b>A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)</b> <ul style="list-style-type: none"> <li>Develop operational plans to implement the "best practice" strategies outlined in the objectives section.</li> <li>All training needed to implement the program should be conducted this quarter.</li> <li>All grant related purchases needed to implement the program should be made this quarter.</li> <li>Approve contracts and update information and training for sub-recipients</li> </ul> <p><b><u>Media Requirements</u></b></p> <ul style="list-style-type: none"> <li>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 <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a>, and copied to your OTS Coordinator, 14 days prior to the issuance date of the release.</li> </ul>	
<b>B. Phase 2 – Program Operations (Throughout Grant Year)</b> <ul style="list-style-type: none"> <li>Identify and plan collaborative efforts for annual events, including check-ups, Child Passenger Safety Month, National Night Out</li> <li>Continue to collaborate and coordinate schedule of classes and activities for successful program implementation, especially to low income families.</li> <li>Expand and emphasize collaboration with schools and programs for pre-K students, ages 2 1/2 -5 years.</li> <li>Allow agencies and organizations serving low income families to determine which class participants will receive free child car safety seats.</li> <li>Continue to work with City Neighborhood Councils who which to purchase child safety seats for residents in their area who complete the child safety seat classes.</li> <li>Continue collaboration with school, LAPD, CHP and other law enforcement agencies providing child passenger safety and other safety classes.</li> </ul> <p><b><u>Media Requirements</u></b></p> <ul style="list-style-type: none"> <li>Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a>, 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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul>	



- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- 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.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405b OP-19	20.616	Occupant Protection	\$152,000.00

COST CATEGORY	CFDA	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>		
Positions and Salaries		
<b>Full-Time</b>		\$0.00
<b>Overtime</b>		
Educational Events OT	20.616	\$2,500.00
<b>Part-Time</b>		
Program Aide A	20.616	\$27,823.00
Benefits- Program Aide A @47.65%	20.616	\$13,258.00
Senior Project Assistant	20.616	\$36,009.00
Benefits -Senior Project Assistant @47.65%	20.616	\$17,158.00
2 Student Professional Workers	20.616	\$24,560.00
Category Sub-Total		\$121,308.00
<b>B. TRAVEL EXPENSES</b>		
In State Travel	20.616	\$2,227.00
		\$0.00
Category Sub-Total		\$2,227.00
<b>C. CONTRACTUAL SERVICES</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>D. EQUIPMENT</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>E. OTHER DIRECT COSTS</b>		
Child Safety Seats	20.616	\$7,500.00
Office space	20.616	\$15,940.00
Storage	20.616	\$2,255.00
Educational materials	20.616	\$1,300.00
Printing/Duplication	20.616	\$1,000.00
CPS Recertification \$85	20.616	\$255.00
Office Supplies	20.616	\$215.00
Category Sub-Total		\$28,465.00
<b>F. INDIRECT COSTS</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>GRANT TOTAL</b>		<b>\$152,000.00</b>

<b>BUDGET NARRATIVE</b>	
<b>PERSONNEL COSTS</b> Program Aide A - This position will participate in all grant activities, provide clerical assistance, transport and maintain inventory of child safety seats. This position is bi-lingual. Position is a certified Child Safety Technician. $1 \times 12 \times \$54,554.00 \times 51\% = \$27,823.00$	<b>QUANTITY</b> 1
Benefits- Program Aide A @47.65% - Benefits @ 47.65% Retirement 30.29% Health/Dental/Vision (Flex) 13.08% Employee Assistance 0.35% Life Insurance 0.09% Medicare 3.32% Union Sponsored Benefits 0.09% Workers Compensation 0.43%	1
Senior Project Assistant - This position will oversee and manage the reporting, outreach, scheduling, vendor relations and positions as described. Will also participate in all grant activities. $1 \times 12 \times \$78,281.00 \times 46\% = \$36,009.00$	1
Benefits -Senior Project Assistant @47.65% - Benefits @ 47.65% Retirement 30.29% Health/Dental/Vision (Flex) 13.08% Employee Assistance 0.35% Life Insurance 0.09% Medicare 3.32% Union Sponsored Benefits 0.09% Workers Compensation 0.43%	1
2 Student Professional Workers - Positions (2) will participate in all grant activities, provide clerical assistance, transport and maintain inventory of child safety seats. Positions is a certified Child Safety Technicians. $\$16.00 \text{ per hour} \times 1535 \text{ hrs} = \$24,560.00$	1,535
Educational Events OT - Grant activities may be conducted by grant funded personnel on an overtime basis. Positions include Sr. Project Assistant and Program Aides employed by HCIDLA. Personnel will be deployed approximately twice per month to conduct child safety seat presentations at fairs and community events which are usually held on Saturdays. The City will not be claiming overtime benefits.	1
<b>TRAVEL EXPENSES</b> 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 2 staff members to GHSA in Anaheim, CA. 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
<b>CONTRACTUAL SERVICES</b> -	
<b>EQUIPMENT</b> -	

<b>OTHER DIRECT COSTS</b>	
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.	100
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: \$121,308.00 in salaries x 15%. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the space.	1
Storage - Secure off site storage necessary and required for the child safety seats.	1
Educational materials - Costs of purchasing, developing or printing brochures,, pamphlets, pamphlets, fliers, coloring books, posters, signs and banners associated with grant activities.	1
Printing/Duplication - Costs include the purchase of paper, production, printing and/or duplication of materials associated with daily grant operations.	1
CPS Recertification \$85 - Personnel required to be re-certified every two years.	3
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
<b>INDIRECT COSTS</b> -	
<b>STATEMENTS/DISCLAIMERS</b> There will be no program income generated from this grant. 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.	

**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."



<b>1. GRANT TITLE</b> <b>Pedestrian and Bicycle Safety Program</b>	
<b>2. NAME OF AGENCY</b> <b>Los Angeles</b>	<b>3. Grant Period</b>  From: 10/01/2018 To: 09/30/2019
<b>4. AGENCY UNIT TO ADMINISTER GRANT</b> <b>Los Angeles Housing and Community Investment Department</b>	
<b>5. GRANT DESCRIPTION</b> Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving pedestrians and bicyclists. The funded strategies may include classroom education, bicycle rodeos, community events, presentations, and workshops. These countermeasures should be conducted in communities with high numbers of pedestrian and/or bicycle related collisions including underserved communities, older adults, and school-aged children. Coordinated efforts such as Safe Routes to School initiatives, Vision Zero campaigns, and working with community based organizations are highly encouraged to prevent fatalities and injuries of vulnerable non-motorized road users.	
<b>6. Federal Funds Allocated Under This Agreement Shall Not Exceed:</b> <span style="float: right;"><b>\$250,000.00</b></span>	
<b>7. TERMS AND CONDITIONS:</b> The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> <li>• Schedule A – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>• Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>• Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>• Exhibit A – Certifications and Assurances</li> <li>• Exhibit B* – OTS Grant Program Manual</li> </ul> <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: <a href="http://www.ots.ca.gov">www.ots.ca.gov</a>.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
<b>8. Approval Signatures</b>	
<b>A. GRANT DIRECTOR</b> NAME: Olivia E. Mitchell      PHONE: 213-808-8872 TITLE: Asst Chief Grants Admin      FAX: 213-808-8999  ADDRESS: 1200 West 9th Street, 9th Floor Los Angeles, CA 90017 EMAIL: olivia.mitchell@lacity.org  <div style="text-align: center;">          (Signature)       </div> <div style="text-align: center;">         9-4-18          (Date)       </div>	<b>B. AUTHORIZING OFFICIAL OF AGENCY</b> NAME: Abigail Marquez      PHONE: 213-808-8462 TITLE: Asst General Manager      FAX: 213-808-8999  ADDRESS: 1200 West 9th Street, 9th Floor Los Angeles, CA 90017 EMAIL: abigail.marquez@lacity.org  <div style="text-align: center;">          (Signature)       </div> <div style="text-align: center;">         9/4/18          (Date)       </div>
<b>C. FISCAL OR ACCOUNTING OFFICIAL</b> NAME: Lyndon Salvador      PHONE: 213-744-9044 TITLE: Chief Accountant IV      FAX: 213-808-8811  ADDRESS: 1200 West 7th Street, 4th Floor Los Angeles, CA 90017 EMAIL: lyndon.salvador@lacity.org  <div style="text-align: center;">          (Signature)       </div> <div style="text-align: center;">         9-4-18          (Date)       </div>	<b>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</b> NAME: Rhonda L. Craft      PHONE: (916) 509-3030 TITLE: Director      FAX: (916) 509-3055  ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 EMAIL: rhonda.craft@ots.ca.gov  <div style="text-align: center;">          (Signature)       </div> <div style="text-align: center;">         9/17/18          (Date)       </div>
<b>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</b> NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	<b>9. DUNS INFORMATION</b> DUNS #: 808255160 REGISTERED ADDRESS: 1200 West 7th Street, 9th Floor CITY: Los Angeles      ZIP+4: 90017-6400

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
402PS-19	20.600	0521-0890-101	2018	2018	29/18	\$250,000.00
				<b>AGREEMENT TOTAL</b>		<b>\$250,000.00</b>
<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>				AMOUNT ENCUMBERED BY THIS DOCUMENT		
				<b>\$250,000.00</b>		
				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		
				<b>\$ 0.00</b>		
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				<b>\$250,000.00</b>		



## 1. PROBLEM STATEMENT

People walking and bicycling are the most at risk of being hurt or killed while moving about the city. Nearly half of all traffic fatalities involve people walking and bicycling. In the City of Los Angeles between October 30, 2016 and December 31, 2017, over 277 pedestrians and bicyclists were killed and 50,659 injured. This data is provided by the City of Los Angeles Department of Transportation. This includes over 500 ages 17 and under and an almost equal number of senior citizens ages 65 to 90 and over.

These statistics indicate a need to focus efforts on bicycle and pedestrian safety for each age cohort. The increase from 2016 to 2017 in injuries is four fold: 98 to 422 for children and teenagers and 90 to 409 for seniors. This is an urgent crisis

HCIDLA has expanded its signature child safety seat program to include those walking as well as riding in cars, especially those riding and walking with their grandparents and other older guardians and caretakers. Working with the groups together provides twice the impact and, hopefully, will contribute to a reduced in these horrific numbers. HCIDLA will contract with local non-profit agencies who provide direct services to the key populations. Their involvement will increase the impact of services nine fold.

Our grant activities will also work closely and enhance the services provided to residents under the current Vision Zero initiative of Mayor Garcetti, the Department of Transportation and other partners.

## 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 pedestrians killed in traffic collisions.
4. Reduce the number of pedestrians injured in traffic collisions.
5. Reduce the number of pedestrians killed under age 18 in traffic collisions.
6. Reduce the number of pedestrians injured under age 18 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 18 killed in traffic collisions.
12. Reduce the number of bicyclists under age 18 injured in traffic collisions.
13. Increase bicycle helmet 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](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. Participate in traffic safety fairs and/or community events with an effort to reach individuals.
3. Work closely with community-based organizations at both the neighborhood and community level with an effort to reach individuals.
4. Participate in the following campaigns, National Walk to School Day, National Bicycle Safety Month and California's Pedestrian Safety Month.
5. Conduct pedestrian and/or bicycle safety presentations at community groups with an effort to reach individuals.
6. Conduct pedestrian and/or bicycle safety classroom presentations with an effort to reach students.
7. Develop a pedestrian and/or bicycle safety program and materials to be adopted as an on-going program in schools with an effort to reach students.
8. Distribute pedestrian safety equipment to children that may include reflective armbands and/or zipper pulls.

### Target Number

1

24

16

3

20

36

2

1

9. Distribute bicycle headlights and tail lights during bicycle safety community events or bicycle safety courses.	1
10. Participate in Open Streets events with an effort to reach individuals.	1
11. Participate in Safe Routes to School coalition meetings.	12
12. Conduct community outreach events with an effort to reach adults and senior citizens.	8
13. Collaborate with health care providers and/or senior citizen centers to promote pedestrian safety.	10
14. Conduct pedestrian safety presentations with an effort to reach older adults.	28
15. 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
16. Distribute and properly fit bicycle helmets at bicycle rodeos, workshops, and community events.	1
17. Conduct bicycle helmet inspections and make necessary adjustments at schools and community events.	1
18. Hold quarterly meetings with countywide pedestrian and/or bicycle safety stakeholders to collaborate on events, share best practices, and leverage resources.	4
19. Collaborate with law enforcement agencies to increase knowledge and awareness of pedestrian and bicycle safety.	2
<b>3. METHOD OF PROCEDURE</b>	
<b>A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)</b>	
<ul style="list-style-type: none"> <li>Develop operational plans to implement the “best practice” strategies outlined in the objectives section.</li> <li>All training needed to implement the program should be conducted this quarter.</li> <li>All grant related purchases needed to implement the program should be made this quarter.</li> </ul>	
<b><u>Media Requirements</u></b>	
<ul style="list-style-type: none"> <li>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 <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a>, and copied to your OTS Coordinator, 14 days prior to the issuance date of the release.</li> </ul>	
<b>B. Phase 2 – Program Operations (Throughout Grant Year)</b>	
<ul style="list-style-type: none"> <li>Prepare quarterly calendar of events for OTS staff and sub-contractors.</li> <li>Identify opportunities for joint presentations with ongoing senior citizens organizations, housing developments, recreation centers and events.</li> <li>Continue to utilize subject matter experts for OTS staff and sub-contractor training on best practices in bicycle and pedestrian safety.</li> <li>Distribute helmets and other safety equipment to bicycle owners, especially low income youth and senior citizens.</li> <li>Continue to work with and share space with member of law enforcement providing information and training on bicycle and pedestrian safety.</li> <li>Continue to collaborate with City departments with direct or indirect relationships with bicycle and pedestrian safety.</li> <li>Continue to provide safety workshops and information on bicycle and pedestrian safety, especially in low income communities.</li> </ul>	
<b><u>Media Requirements</u></b>	
<ul style="list-style-type: none"> <li>Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a>, 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.</li> <li>If an OTS-supplied, template-based press release is used, there is no need for pre-approval, however, the</li> </ul>	



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](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- 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.

State of California – Office of Traffic Safety  
**GRANT AGREEMENT**  
 Schedule B

**GRANT NUMBER**  
**PS19011**

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS-19	20.600	State and Community Highway Safety	\$250,000.00

COST CATEGORY	CFDA	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>		
Positions and Salaries		
<b>Full-Time</b>		\$0.00
<b>Overtime</b>		
Educational Events OT	20.600	\$3,000.00
<b>Part-Time</b>		
Program Aide A	20.600	\$27,823.00
Benefits-Program Aide A @47.65%	20.600	\$13,262.00
2 Student Professional Workers	20.600	\$25,744.00
Senior Project Assistant	20.600	\$43,837.00
Benefits -Senior Project Assistant @47.65%	20.600	\$20,888.00
Senior Management Analyst II	20.600	\$7,354.00
Benefits-Senior Management Analyst II @47.65	20.600	\$3,504.00
Category Sub-Total		\$145,412.00
<b>B. TRAVEL EXPENSES</b>		
In State Travel	20.600	\$3,000.00
		\$0.00
Category Sub-Total		\$3,000.00
<b>C. CONTRACTUAL SERVICES</b>		
Community Outreach and Education	20.600	\$56,000.00
Category Sub-Total		\$56,000.00
<b>D. EQUIPMENT</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>E. OTHER DIRECT COSTS</b>		
Bicycle Helmets	20.600	\$12,000.00
Bicycle Safety Equipment	20.600	\$5,348.00
Pedestrian Safety Equipment	20.600	\$3,200.00
Educational Materials	20.600	\$1,800.00
Printing/Duplication	20.600	\$1,200.00
Office Space	20.600	\$17,940.00
Office Supplies	20.600	\$500.00
Storage	20.600	\$3,600.00
Category Sub-Total		\$45,588.00
<b>F. INDIRECT COSTS</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>GRANT TOTAL</b>		<b>\$250,000.00</b>



<b>BUDGET NARRATIVE</b>	
<b>PERSONNEL COSTS</b> Program Aide A - Position will be trained to provide helmet and bicycle classes, workshops and staff special events. Provide clerical assistance. Help to store and distribute safety equipment to agencies. Assist agencies when needed. Keep inventory of safety items. $1 \times 12 \times \$54,554.00 \times 51\% = \$27,823.00$	<b>QUANTITY</b> 1
Benefits-Program Aide A @47.65% - Benefits @ 47.65% Retirement 30.29% Health/Dental/Vision (Flex) 13.08% Employee Assistance 0.35% Life Insurance 0.09% Medicare 3.32% Union Sponsored Benefits 0.09% Workers Compensation 0.43%	1
2 Student Professional Workers - Positions (2) will conduct workshops, provide clerical assistance and service to contracting agencies. Secure and distribute inventory as needed and requested. $\$16.00 \text{ per hour} \times 1609 \text{ hours} = \$25,744.00$	1,609
Senior Project Assistant - Position is supervisor, manager. Plans schedule, monitors contractors, reviews submissions for payment under sub-contract. Provides classes and workshops when needed. $1 \times 12 \times \$78,281.00 \times 56\% = \$43,837.00$	1
Benefits -Senior Project Assistant @47.65% - Benefits @ 47.65% Retirement 30.29% Health/Dental/Vision (Flex) 13.08% Employee Assistance 0.35% Life Insurance 0.09% Medicare 3.32% Union Sponsored Benefits 0.09% Workers Compensation 0.43%	1
Senior Management Analyst II - Provide fiscal administration of the program that includes the tracking of expenditures and invoicing. $1 \times 12 \times \$147,084.00 \times 5\% = \$7,354.00$	1
Benefits-Senior Management Analyst II @47.65 - Benefits @ 47.65% Retirement 30.29% Health/Dental/Vision (Flex) 13.08% Employee Assistance 0.35% Life Insurance 0.09% Medicare 3.32% Union Sponsored Benefits 0.09% Workers Compensation 0.43%	1
Educational Events OT - 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 Assistant and Program Aides. Personnel will be deployed to oversee fairs, community events, and workshops which are usually in the evenings or Saturdays. The city will not be claiming overtime benefits.	1

<b>TRAVEL EXPENSES</b> 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 1 staff member to attend PedCount! in San Jose, CA and 2 staff member to GHSA in Anaheim, CA. 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
<b>CONTRACTUAL SERVICES</b> Community Outreach and Education - Eight (8) community agencies will be sub-contracted to provide educational workshops, events and experiences to children and senior citizens in their neighborhoods. Specific requirements to conduct at least three (3) community outreach events, four (4) bicycle and pedestrian safety classroom presentations, three (3) pedestrian safety presentations to older adults, and one (1) older adults community event specific to pedestrians. Cost to include: 3 Bicycle/Pedestrian safety community outreach events x \$1,050.00 = \$3,150.00 4 Bicycle/Pedestrian safety classroom presentations x \$400.00 = \$1,600.00 3 Senior Pedestrian safety presentation x \$400.00 = \$1,200.00 1 Senior Pedestrian outreach events x \$1,050.00 = \$1,050.00  8 CBO's x \$7,000.00 ea= \$56,000	1
<b>EQUIPMENT</b> -	
<b>OTHER DIRECT COSTS</b> Bicycle Helmets - Helmets to be distributed during bicycle rodeos and other bicycle safety related events. \$10 per x 1,200 units = \$12,000.00	1,200
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
Pedestrian Safety Equipment - Costs to include the purchase of reflective arm bands, reflective zipper pulls, and reflective tape.	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
Printing/Duplication - Costs include the purchase of paper, production, printing and/or duplication of materials associated with daily grant operations.	1
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: \$145,412.00 in salaries x 15%. Reimbursement will be claimed on an actual cost basis and proportional to the grant-related use of the space.	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
Storage - Provide secure off site location for safety equipment.	1
<b>INDIRECT COSTS</b> -	
<b>STATEMENTS/DISCLAIMERS</b> There will be no program income generated from this grant. 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.**

**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."