

<b>1. GRANT TITLE</b> Pedestrian and Bicycle Safety Program	
<b>2. NAME OF AGENCY</b> El Dorado County	<b>3. Grant Period</b> From: 10/01/2020 To: 09/30/2021
<b>4. AGENCY UNIT TO ADMINISTER GRANT</b> El Dorado County Department of Transportation	
<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 crashes 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: \$100,000.00</b>	
<p><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:</p> <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> <li>• Exhibit C – Grant Electronic Management System (GEMS) Access</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.          IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
<b>8. Approval Signatures</b>	
<p><b>A. GRANT DIRECTOR</b>                  NAME: Alison Hodgkin                  TITLE: Senior Planner                  EMAIL: alison.hodgkin@edcgov.us                  PHONE: (530) 621-5943                  ADDRESS: 2850 Fairlane Court                  Placerville, CA 95667</p> <p>_____                  (Signature)                      (Date)</p>	<p><b>B. AUTHORIZING OFFICIAL</b>                  NAME: Rafael Martinez                  TITLE: Director, El Dorado County DOT                  EMAIL: rafael.martinez@edcgov.us                  PHONE: (530) 621-7533                  ADDRESS: 2850 Fairlane Court                  Placerville, CA 95667</p> <p>_____                  (Signature)                      (Date)</p>
<p><b>C. FISCAL OFFICIAL</b>                  NAME: Becky Morton                  TITLE: Chief Fiscal Officer                  EMAIL: becky.morton@edcgov.us                  PHONE: (530) 621-4008                  ADDRESS: 2850 Fairlane Court                  Placerville, CA 95667</p> <p>_____                  (Signature)                      (Date)</p>	<p><b>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</b>                  NAME: Barbara Rooney                  TITLE: Director                  EMAIL: barbara.rooney@ots.ca.gov                  PHONE: (916) 509-3030                  ADDRESS: 2208 Kausen Drive, Suite 300                  Elk Grove, CA 95758</p> <p>_____                  (Signature)                      (Date)</p>

<p>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</p> <p>NAME: Carolyn Vu  ADDRESS: 2208 Kausen Drive, Suite 300  Elk Grove, CA 95758</p>	<p><b>9. DUNS INFORMATION</b></p> <p>DUNS #: 842265527  REGISTERED  ADDRESS: 2850 Fairlane Court  CITY: Placerville  ZIP+4: 95667-4100</p>
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
				<b>AGREEMENT TOTAL</b>		<b>\$100,000.00</b>
				AMOUNT ENCUMBERED BY THIS DOCUMENT		<b>\$100,000.00</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>				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		<b>\$ 0.00</b>
				TOTAL AMOUNT ENCUMBERED TO DATE		<b>\$100,000.00</b>
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			

**GRANT AGREEMENT**

## Schedule A

**1. PROBLEM STATEMENT**

The data trends for collisions involving school-age children walking or biking in unincorporated El Dorado County (EDC) continues to be an area of concern for the EDC Department of Transportation (DOT). Office of Traffic Safety (OTS) rankings over the last three years do not indicate a downward trend for bicycle collisions in this particular program priority area. In 2016, EDC ranked 27 out of 58 for the number of pedestrian under 18 involved in fatal and injury collisions in population group B in the State of California. The vulnerability of pedestrians and cyclists under the age of 18 is the key reason we have chosen to ask for this grant funding.

As part of development of the El Dorado County Active Transportation Plan, the county acquired collision data involving people walking and bicycling from the UC Berkeley Transportation Injury Mapping System (TIMS). A total of 2,649 reported collisions occurred in El Dorado County during the five-year study period, 52 of which involved a person riding a bicycle and 49 of which involved pedestrians. On average during the five-year period, there were 10.4 collisions involving a bicycle and 9.8 collisions involving a pedestrian. Bicycle and pedestrian collisions tend to be concentrated along highways and in populous areas of EDC, likely due to higher speeds and increased activity in these locations. Most of the bicycle collisions were shown to occur along roads that do not have existing bicycle facilities. Many of the pedestrian collisions happened at, or near, intersections, primarily in populated areas.

**Bicycle Collisions.** During the five year study period, the data show 52 reported collisions in El Dorado County involved a person riding a bicycle. Of these, one was fatal and 12 resulted in severe injuries. More than 80 percent of collisions occurred during daylight hours, and an additional eight percent occurred at night where street lights were present and functioning. Bicyclists were determined to be at fault in 27 of the 52 collisions reported during the study period. The most common bicyclist violation was riding on the wrong side of the road, which suggests a lack of adequate bicycle facilities, a lack of safe crossing opportunities and a need for education on safe bicycling. Drivers were determined to be at fault in 18 of the 52 bicycle involved collisions during the study period. The most common violation was failing to yield the right of way.

**Pedestrian Collisions.** There were 49 collisions in EDC that involved a pedestrian during the five year study period. Of these, three collisions were fatal, while 13 resulted in severe injuries. Almost two-thirds (58%) of the pedestrian collisions occurred during daylight hours. A third of the pedestrian collisions occurred at night where street lights were present and functioning. This can suggest a lack of safe, marked crossings for the pedestrians near collision locations. Pedestrians were determined to be at fault in 22 of the 49 collisions. Those collisions were all under the umbrella of Pedestrian Violation, terms commonly used to describe collisions with pedestrians crossing at unmarked crossings. This often suggests a lack of adequate crossings or pedestrian facilities. Drivers were determined to be at fault in 18 of the 49 collisions. The most common violations were unsafe speed and failure to yield to pedestrians.

This grant will be used to develop an educational/community outreach program focused on pedestrian and bicycle safety with a specific emphasis for non-motorized users under the age of 18. The initial focus of our program would be on pedestrian and bicycle safety programs at schools in low-income areas where statistics show students are more likely to engage in unsafe street crossing behaviors.

**2. PERFORMANCE MEASURES****A. Goals:**

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of pedestrians killed under age 15 in traffic crashes.
6. Reduce the number of pedestrians injured under age 15 in traffic crashes.
7. Reduce the number of pedestrians killed over age 65 in traffic crashes.
8. Reduce the number of pedestrians injured over age 65 in traffic crashes.
9. Reduce the number of bicyclists killed in traffic crashes.
10. Reduce the number of bicyclists injured in traffic crashes.
11. Reduce the number of bicyclists under age 15 killed in traffic crashes.
12. Reduce the number of bicyclists under age 15 injured in traffic crashes.

13. Increase bicycle helmet usage.	
<b>B. Objectives:</b>	<b>Target Number</b>
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 traffic safety fairs and/or community events with an effort to reach individuals.	4
3. Work closely with community-based organizations at both the neighborhood and community level with an effort to reach individuals.	1
4. Participate in the following campaigns, National Walk to School Day, National Bicycle Safety Month and California's Pedestrian Safety Month.	3
5. Conduct pedestrian and/or bicycle safety presentations at community groups with an effort to reach individuals.	5
6. Conduct pedestrian and/or bicycle safety classroom presentations with an effort to reach students.	16
7. Distribute pedestrian safety equipment to children that may include reflective armbands and/or zipper pulls.	1
8. Distribute bicycle headlights and tail lights during bicycle safety community events or bicycle safety courses.	1
9. Distribute crossing guard safety kits to schools.	16
10. Participate in Open Streets events with an effort to reach individuals.	1
11. Conduct community outreach events with an effort to reach adults and senior citizens.	1
12. Collaborate with health care providers and/or senior citizen centers to promote pedestrian safety.	1
13. Conduct pedestrian safety presentations with an effort to reach older adults.	3
14. Conduct pre and post-grant activities 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.	2
15. Conduct bicycle rodeos with an effort to reach individuals.	2
16. Distribute and properly fit bicycle helmets at bicycle rodeos, workshops, and community events.	200
17. Conduct bicycle helmet inspections and make necessary adjustments at schools and community events.	1
18. Conduct community bicycle rides promoting safe bicycling in the community with an effort to reach bicyclists.	1
19. Hold quarterly meetings with countywide pedestrian and/or bicycle safety stakeholders to collaborate on events, share best practices, and leverage resources.	4
20. Collaborate with law enforcement agencies to increase knowledge and awareness of pedestrian and bicycle safety.	1
21. Conduct pop-up demonstrations on pedestrian and bicycle traffic safety within the community.	5
22. Display traffic safety messaging in heavy traffic areas through the use of cabinet wraps, pole flags, yard signs, or other.	1
23. Partner with local libraries, boys and girls clubs, recreation centers, community halls, etc., to share pedestrian and/or bicycle safety education through the use of presentations and/or other age appropriate activity.	5
24. Work with school districts to conduct 6-week bicycle course for the entire sixth grade student body such that each sixth-grader will attend one session per week for six weeks. Each session will accommodate approximately 20-30 students. The six-week course will cover bicycle and pedestrian traffic safety information and will include an on-bike field trip at the end of the course.	6

25. Work with teachers, administrators and/or directors to provide bicycle and/or pedestrian safety education to high school students through the use of presentations and/or other age appropriate activity.

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### 3. METHOD OF PROCEDURE

#### A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)

- Develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- Conduct all training needed to implement the program.
- Purchase all grant related supplies and materials needed to implement the program.
- Contact pedestrian and bicycle stakeholders to garner input on best practices, plan events and leverage resources.
- Design and implement the program media strategy including 2 - 3 public service announcements on various media and methods.
- Contact schools, community-based organizations, and research local community events to plan dates and locations for community outreach, safety presentations and walking and biking activities.
- Purchase pedestrian safety equipment, bicycle helmets, bicycle lights and safety educational materials to be distributed to individuals during outreach.
- Work with contractor and law enforcement to design scheduled outreach events and activities at local schools and other locations including senior centers and retirement communities.

#### Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15, but no earlier than October 1. If unable to meet the November 15 date, communicate reasons to your OTS Coordinator. The kick-off press releases and any related media advisories, alerts, and materials must be emailed for approval to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, 14 days prior to the issuance date of the release.

#### B. Phase 2 – Program Operations (Throughout Grant Year)

- Consultant will develop and present interactive and age appropriate pedestrian and bicycle safety curriculum at schools, community events and other locations.
- Consultant will create and lead age appropriate bicycle safety courses.
- Consultant will perform bicycle helmet usage surveys.
- Consultant will conduct walking and bicycle assessments.
- Consultant will identify key safety concepts and practices to enhance student safety when bicycling and walking to be include in the materials distributed to schools for an on-going program to reach students.
- Consultant will distribute pedestrian safety equipment, bicycle helmets and bicycle lights at events.
- Consultant will coordinate with law enforcement participation at scheduled outreach events.

#### Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator. The following requirements are for grant-related activities and are different from those regarding any grant kick-off release or announcement.
  - If an OTS-supplied, template-based press release is used, there is no need for pre-approval, however, the OTS PIO and Coordinator should be copied when at the same time as the release is distributed to the press.
  - If an OTS-supplied template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead-time would be 10 days prior to the release distribution date, but should be no less than 5 working days prior to the release distribution date.
- 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)**

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (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
402PS-21	20.600	State and Community Highway Safety	\$100,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries				
<b>Straight Time</b>				
Senior Planner	402PS-21	\$42.56	120	\$5,107.00
Benefits - Senior Planner	402PS-21	\$5,107.00	1	\$2,321.00
<b>Overtime</b>				
				\$0.00
Category Sub-Total				\$7,428.00
<b>B. TRAVEL EXPENSES</b>				
				\$0.00
				\$0.00
Category Sub-Total				\$0.00
<b>C. CONTRACTUAL SERVICES</b>				
Sub #1 - Bicycle and Pedestrian Traffic Safety Education - \$59,572	402PS-21	\$0.00	1	\$0.00
- Conduct Pedestrian and Bicycle Traffic Safety Activities	402PS-21	\$44,500.00	1	\$44,500.00
- Safety Patrol/Crossing Guard Kits	402PS-21	\$500.00	16	\$8,000.00
- Bicycle Safety Items	402PS-21	\$1,572.00	1	\$1,572.00
- Educational Materials	402PS-21	\$2,000.00	1	\$2,000.00
- Pedestrian Safety Items	402PS-21	\$1,500.00	1	\$1,500.00
- Bicycle Helmets	402PS-21	\$2,000.00	1	\$2,000.00
Sub #2 - Social Media Campaign	402PS-21	\$5,000.00	1	\$5,000.00
Sub #3 - Graphic Designer	402PS-21	\$15,000.00	1	\$15,000.00
Category Sub-Total				\$79,572.00
<b>D. EQUIPMENT</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>E. OTHER DIRECT COSTS</b>				
Pop Up Demonstration Supplies	402PS-21	\$1,200.00	1	\$1,200.00
Signal Cabinet Wraps	402PS-21	\$1,250.00	8	\$10,000.00
Reflective Sign Post Sleeves	402PS-21	\$60.00	30	\$1,800.00
Category Sub-Total				\$13,000.00
<b>F. INDIRECT COSTS</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>GRANT TOTAL</b>				<b>\$100,000.00</b>

**GRANT AGREEMENT**

Schedule B-1

**BUDGET NARRATIVE**

**PERSONNEL COSTS**

Senior Planner - Draft requests for proposals (RFPs), responding to questions about the RFP scope of work, facilitate development of deliverables, coordinate contracts and agreements with consultants and perform general grant oversight.

Benefits - Senior Planner - Total Benefits @ 45.44%

- Dental & Vision Insurance 1.06%
- Health Insurance 15.74%
- Medicare 1.45%
- Retirement 26.71%
- Unemployment Insurance 0.23%
- Long Term Disability 0.25%

**TRAVEL EXPENSES**

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**CONTRACTUAL SERVICES**

Sub #1 - Bicycle and Pedestrian Traffic Safety Education - \$59,572 - Consultant will design, organize and conduct pedestrian and bicycle traffic safety activities, such as bike rodeos & walking field trips, presentations, walk/bike audits and other activities to teach and encourage safe bicycle and pedestrian practices and bring awareness to common causes of bicycle and pedestrian collisions in the target community. This will require collaboration/coordination with schools, stakeholders and community-based organizations in high collision areas to provide pedestrian and bicycle safety education to all residents in the community through the use of interactive presentations, tutorials, etc. Part of this work will include providing an assessment of the effectiveness of the program through surveys.

- Conduct Pedestrian and Bicycle Traffic Safety Activities - Activities such as virtual or in-person pedestrian and/or bicycle traffic safety education activities including but not limited to presentations, on-foot safety trainings, bike rodeos, community bike rides and helmet fittings.

- Safety Patrol/Crossing Guard Kits - Equipment may include reflective vests, handheld stop signs, whistles, and portable crosswalk signage. Additional items may be purchased if approved by OTS.

- Bicycle Safety Items - Safety items such as bicycle headlights/taillights, reflectors, and reflective arm and leg bands to be distributed during bicycle rodeos and other bicycle safety related events. Additional items may be purchased if approved by OTS.

- 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.

- Pedestrian Safety Items - Such as reflective armbands, tape and/or zipper pulls to distribute at training and safety events to increase safety and visibility. Additional items may be purchased if approved by OTS.

- Bicycle Helmets - Helmets to be distributed during bicycle rodeos and other bicycle safety related events. Cost per helmet not to exceed a maximum average price of \$10, excluding shipping, handling and tax.

Sub #2 - Social Media Campaign - Consultant will develop social media strategy intended to educate target audiences on pedestrian traffic safety through different forms of traffic safety messaging relevant to El Dorado County communities and residents.

Sub #3 - Graphic Designer - Consultant will provide management/coordination, meet with the county to conduct creative brief, develop two visual identities specific to El Dorado County and coordinate review and selection of preferred concept.

Consultant will create four graphic designs that include traffic safety messaging to be used for cabinet wraps. This will include two review cycles (first drafts, second drafts, final drafts) and coordinate with vendor for print/wrapping and package final files.



Consultant will convert graphic designs for cabinet wraps into a suite of communication materials the County can use as part of their Pedestrian and Bicycle Safety Program Outreach.

**EQUIPMENT**

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**OTHER DIRECT COSTS**

Pop Up Demonstration Supplies - Items such as a tent, banner, event signage, table throw and personal protective equipment to be used at traffic safety fairs, community/neighborhood outreach events and bicycle safety demonstrations. Costs may not include furniture such as but not limited to tables and chairs. Additional items may be purchased if approved by OTS.

Signal Cabinet Wraps - Costs including printing and production of graffiti-resistant vinyl wraps for traffic signal cabinets. Wraps will include pedestrian and/or bicycle traffic safety messaging and/or "You Are Here" way finding information maps. Wrap installation costs are not an allowable cost.

Reflective Sign Post Sleeves - reflective sleeves for traffic signs in various sizes and colors to be used in hot spot pedestrian and/or bicycle traffic collision locations where traffic signals do not exist.

**INDIRECT COSTS**

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**STATEMENTS/DISCLAIMERS**

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.

**COVID 19 Disclaimer:**

The California Office of Traffic Safety (OTS) recognizes the need for flexibility in response to the COVID-19 pandemic; its effect on public health and the need for potential changes of activities in the FFY 2021 grant-funded projects. If there are COVID-19 impacts, the grantee must contact the OTS Coordinator immediately to discuss the impacts on the grant-funded project. If it is determined an alternate work plan is needed, the alternate work plan must substantially meet the goals and objectives of this grant and is subject to OTS approval. If an alternative work plan is not submitted, or submitted and not approved, no further claims will be paid on the grant and the grant may be subject to cancellation.

**CERTIFICATIONS AND ASSURANCES FOR HIGHWAY SAFETY GRANTS**  
**(23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)**

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:

**GENERAL REQUIREMENTS**

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

**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 Subgrantee-

- 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 in to. 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.

### **POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

### **POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS**

1. Each agency is allowed a total of **FIVE (5) GEMS Users**.
2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
3. Complete the form if adding, removing or editing a GEMS user(s).
4. The Grant Director, Fiscal Official or Authorizing Official must sign and return it with the Grant Agreement.

**Grant Details**

Grant Number:	PS21036
Agency Name:	El Dorado County Department of Transportation
Grant Title:	Pedestrian and Bicycle Safety Program
Agreement Total:	\$100,000.00
Authorizing Official:	Rafael Martinez
Fiscal Official:	Becky Morton
Grant Director:	Alison Hodgkin

**Current GEMS User(s)**

**1. Alison Hodgkin**

Title: Senior Planner

Phone: (530) 621-5943

Email: [alison.hodgkin@edcgov.us](mailto:alison.hodgkin@edcgov.us)

Media Contact: No



Complete the below information if adding, removing or editing a GEMS user(s)

<b>GEMS User 1</b> Add/Change <input type="checkbox"/> Remove Access <input type="checkbox"/>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>
Name	Job Title	
Email address	Phone number	
<b>GEMS User 2</b> Add/Change <input type="checkbox"/> Remove Access <input type="checkbox"/>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>
Name	Job Title	
Email address	Phone number	
<b>GEMS User 3</b> Add/Change <input type="checkbox"/> Remove Access <input type="checkbox"/>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>
Name	Job Title	
Email address	Phone number	
<b>GEMS User 4</b> Add/Change <input type="checkbox"/> Remove Access <input type="checkbox"/>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>
Name	Job Title	
Email address	Phone number	
<b>GEMS User 5</b> Add/Change <input type="checkbox"/> Remove Access <input type="checkbox"/>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>
Name	Job Title	
Email address	Phone number	
Form completed by:	Date:	
As a signatory I hereby authorize the listed individual(s) to represent and have GEMS user access.		
Signature	Name	
Date	Title	