



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Police Department

Prepared by: Todd Berringer, Lieutenant

City Manager Approval: _____

TOPIC: OFFICE OF TRAFFIC SAFETY GRANT APPROVAL

SUBJECT: RESOLUTION APPROVING USE OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$105,000 FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM” (“STEP”) GRANT FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT

RECOMMENDATION:

Staff recommends that the City Council adopt the resolution approving use of State of California Office of Traffic Safety grant funds in the amount of \$105,000 for the “Selective Traffic Enforcement Program” (“STEP”) grant from October 1, 2021 through September 30, 2022 and authorizing the City Manager to execute a grant agreement and any other documents related to the grant.

BACKGROUND:

For the past twenty years, the Office of Traffic Safety (OTS) of the State of California has awarded over two million dollars in traffic safety grants to the City of San Rafael. These grants have included the Marin County “Avoid the Marin 13” DUI/ DL campaign, Click it or Ticket grants, DUI Mini grants, DUI Enforcement and Awareness grants, and STEP grants. Each of the grants have provided critical traffic enforcement and education operations by funding the deployment of officers for DUI / DL checkpoints, DUI saturation patrols, red light and speed enforcement, seat belt enforcement, and distracted driving enforcement. As of October 1st, 2016, OTS no longer offers the countywide “Avoid the Marin 13” grants. The only funding available is through the Selective Traffic Enforcement (STEP) grant program. This development has greatly reduced our funding for traffic and DUI related enforcement activities.

The San Rafael Police Department (SRPD) currently has two officers assigned full-time to traffic enforcement. This is down from seven full-time officers in 2007. The San Rafael Police Department has encouraged patrol officers and traffic officers to conduct enforcement focused on reducing alcohol and speed-related collisions, along with increased pedestrian and bicycle safety.

ANALYSIS:

OTS has approved a grant of \$105,000 to the City of San Rafael. The project goal of this OTS grant is to reduce the number of persons killed or injured in vehicle collisions involving alcohol, speed, red light

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

violations and other primary collision factors, by implementing “best practice” strategies. Enforcement and education have shown to be critical in reducing vehicle collisions. The grant will provide the necessary resources for traffic enforcement and education operations.

The acceptance and implementation of this \$105,000 grant is critical to maintain traffic safety levels in San Rafael. Collision data from years 2018 through 2020 indicated that most of the city’s collisions occurred due to unsafe turns, speed, red-light violations, and driving under the influence of drugs and/or alcohol. The Police Department has been challenged for several years to reduce fatal and injury collisions involving pedestrians and bicyclists. According to the 2018 Office of Traffic Safety Crash Ranking Results, of similar sized cities, San Rafael had the 7th highest amount of crashes out of 102 surveyed cities for crashes involving bicyclists, 14 of 102 for crashes involving pedestrians, 19 of 102 for crashes involving pedestrians age 65+ and 27 of 102 for crashes involving bicyclists under the age of 15. These statistics reflect that San Rafael has a disproportionate amount of crashes involving bicyclists and pedestrians. As a result, the Police Department recognizes that additional education and enforcement is needed to reduce these numbers.

The SRPD encourages patrol and traffic officers to conduct focused enforcement for reducing alcohol-, pedestrian-, and speed-related collisions. However, current staffing levels inherently limit the frequency by which more proactive traffic enforcement efforts can occur because officers are primarily focused on responding to emergency calls for service. In calendar year 2019, 13 sworn officers separated from our police department. In 2020, 5 more sworn officers separated from the Police Department. Most of our newly hired officers are new to law enforcement and face a learning curve, especially in the area of traffic safety and DUI investigations.

Should the City Council approve this grant, the San Rafael Police Department will have the resources to implement numerous enforcement programs including, but not limited to, various safety and awareness campaigns, enforcement operations, and a program to identify repeat DUI offenders. The grant also includes funding for officer trainings and enforcement operations for distracted driving, motorcycle safety, and bicycle/pedestrian safety, among others. See Attachment 2 for a full list of grant-funded programs.

Operations for this grant will be scheduled between October 1, 2021 and September 30, 2022.

The SRPD will report statistics quarterly to the Office of Traffic Safety and the grant will be evaluated by how well the stated goals and objectives were accomplished.

COMMUNITY OUTREACH:

A significant aspect of this grant is educating the community and increasing awareness regarding traffic safety. This will be accomplished through press releases and the use of social media. The San Rafael Police Department has 15,500 Twitter and 11,961 Facebook followers as well as 41,190 subscribers to updates on Nextdoor and over 2,100 subscribers to press release email notifications.

FISCAL IMPACT:

The grant funding will be included in Grant Fund – Safety (fund #281) and will fund operational expenses such as overtime costs, travel and training associated with the focused enforcement of traffic safety, up to the total proceeds of the grant of \$105,000.

OPTIONS:

1. Adopt the resolution accepting the \$105,000 Office of Traffic Safety STEP grant as submitted.
2. Decline to accept the Office of Traffic Safety grant (The OTS grants require the implementation of all the grant components for funding to be provided).

RECOMMENDED ACTION:

Adopt the resolution approving use of State of California Office of Traffic Safety grant funds in the amount of \$105,000 for the “Selective Traffic Enforcement Program” (“STEP”) grant from October 1, 2021 through September 30, 2022, and authorizing the City Manager to execute the Grant Agreement and any other documents related to the grant.

ATTACHMENTS:

1. Resolution
2. Selective Traffic Enforcement Program (STEP) Grant Agreement

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL APPROVING USE OF STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT FUNDS IN THE AMOUNT OF \$105,000 FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM” (“STEP”) GRANT FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT AND ANY OTHER DOCUMENTS RELATED TO THE GRANT

Whereas, the State of California, Office of Traffic Safety granted the City of San Rafael \$105,000 in grant funds for the period of October 1, 2021 through September 30, 2022; and

Whereas, this grant money may be spent to pay overtime costs, travel and equipment purchase associated with the Selective Traffic Enforcement Program (“STEP”) Grant Program to mitigate traffic safety program deficiencies and expand ongoing activity; and

Whereas, to improve traffic safety, the San Rafael Police Department will use the STEP Grant funds to conduct DUI saturation patrols, distracted driving enforcement, motorcycle safety enforcement, high collision intersection enforcement, speed enforcement patrols, and enforcement traffic stops; and

Whereas, the Police Department will use the STEP Grant funds for overtime personnel costs of Captains, Lieutenants, Sergeants, Corporals, Officers, Community Service Officers, Dispatchers and Cadets incurred in connection with the enforcement activities, including training and travel and expenses related to enforcement activities; and

NOW, THEREFORE BE IT RESOLVED, that the City Council approves the use of \$105,000 in California Office of Traffic Safety grant funds for the City’s “Selective Traffic Enforcement Program” from October 1, 2021 through September 30, 2022, with funds to be appropriated in the Safety Grant Fund 281; and authorizes the City Manager to execute a Grant Agreement and any documents related to the Grant in a form approved by the City Attorney.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council meeting held on October 4, 2021 by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Lindsay Lara, City Clerk

1. GRANT TITLE Selective Traffic Enforcement Program (STEP)	
2. NAME OF AGENCY San Rafael	3. Grant Period From: 10/01/2021 To: 09/30/2022
4. AGENCY UNIT TO ADMINISTER GRANT San Rafael Police Department	
5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$105,000.00	
<p>7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement:</p> <ul style="list-style-type: none"> • Schedule A – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) • Exhibit A – Certifications and Assurances • Exhibit B* – OTS Grant Program Manual • Exhibit C – Grant Electronic Management System (GEMS) Access <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
8. Approval Signatures	
<p>A. GRANT DIRECTOR</p> <p>NAME: Justin Graham TITLE: Sergeant EMAIL: 494@srpd.org PHONE: (415) 485-3000 ADDRESS: 1400 Fifth Avenue San Rafael, CA 94901</p> <p>_____</p> <p style="text-align: center;">(Signature) (Date)</p>	<p>B. AUTHORIZING OFFICIAL</p> <p>ADDRESS: Jim Schutz City Manager jim.schutz@cityofsanrafael.org (415) 485-3070 1400 Fifth Avenue San Rafael, CA 94901</p> <p>_____</p> <p style="text-align: center;">(Signature) (Date)</p>
<p>C. FISCAL OFFICIAL</p> <p>ADDRESS: Beth Minka Police Business Office Administrator 412@srpd.org (415) 485-3040 1375 Fifth Avenue San Rafael, CA 94901</p> <p>_____</p> <p style="text-align: center;">(Signature) (Date)</p>	<p>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</p> <p>ADDRESS: Barbara Rooney Director barbara.rooney@ots.ca.gov (916) 509-3030 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758</p> <p>_____</p> <p style="text-align: center;">(Signature) (Date)</p>

E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. SAM INFORMATION SAM #: CRDWQJSJB4AR1 REGISTERED ADDRESS: 1400 5th Ave CITY: San Rafael ZIP+4: 94901-1943
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
164AL-22	20.608	0521-0890-101	2021	21/21	BA/21	\$60,000.00
402PT-22	20.600	0521-0890-101	2021	21/21	BA/21	\$45,000.00
					AGREEMENT TOTAL	\$105,000.00
					AMOUNT ENCUMBERED BY THIS DOCUMENT	
					\$105,000.00	
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>					PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	
					\$ 0.00	
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED		TOTAL AMOUNT ENCUMBERED TO DATE	
					\$105,000.00	

1. PROBLEM STATEMENT

The San Rafael Police Department (SRPD) serves the people that live and work in the City of San Rafael. San Rafael serves as the seat of Marin County and has a population of approximately 58,775 people (US Census 2019). San Rafael also has ten of the top fifteen employers in Marin County.

Business and commerce bring people and vehicles into San Rafael from other areas of the San Francisco Bay Area. The service population of San Rafael during the day swells to well over 100,000 people. US Highway 101 and Interstate 580 intersect in San Rafael, providing a substantial volume of traffic during morning and evening commute hours along with steady traffic flow during non-commute hours. As in other parts of the San Francisco Bay Area, the traditional commute hours start earlier and conclude well into the evening. Additionally, I-580 serves as an alternate route for commuters when Highway 37 is closed due to flooding or crashes and an alternate route for the San Francisco Bay Bridge when it faces similar circumstances. These frequent events significantly increase traffic volumes far beyond the surface street's engineered capabilities.

Much of the traffic is concentrated in the downtown area, which is congested by on and off-ramps connecting northbound and southbound US 101, plus eastbound/westbound I-580. The immediate streets have an arterial effect, serving commuters from neighboring cities and communities on the west side of Marin County. San Rafael has served as a service and stopping point between the Wine Country to the north and San Francisco to the south for restaurants, gas stations, and other amenities.

The San Rafael Transit Center, the largest transit center in the County and the North Bay Area, is located in Downtown San Rafael. Starting in July of 2017, the Sonoma Marin Area Rail Transit (SMART Train) began operating 38 daily trips from the Sonoma County Airport, through Santa Rosa and Petaluma into Downtown San Rafael and on to Larkspur Landing, where commuters can connect with the Golden Gate Ferry Terminal that takes commuters into the City of San Francisco. The addition of the SMART train expanded the transit center footprint and traffic. Pedestrian traffic to and from the train station has to cross Third Street to access the transit center.

San Rafael has an additional SMART train station located at the Marin Civic Center. There are 10 grade crossings within the SRPD jurisdiction. This is a significant concern for the department because there have been numerous fatal and major injury crashes involving the train with pedestrians, bicyclists, and vehicles in San Rafael and the communities north of San Rafael.

In 2020, San Rafael had its first two fatal crashes involving the train. One involved a bicyclist that tried to pass through the grade crossing while the train approached, and the other involving a vehicle that incorrectly stopped on the wrong side of the road as the train approached.

With the downtown SMART train station, the San Rafael Transit Center, the US 101 ramps into downtown San Rafael, and the arterial streets of Second Street and Third Street that provide routes to neighboring cities and communities, it has caused significant congestion with vehicle, bicycle, and pedestrian traffic. Additionally, all these identified locations are within a block of each other. The proximity of these specific points has made the intersections that border them the busiest in the city.

One of those is the intersection of Third Street and Hetheron Street. On January 3, 2019, a major SF Bay Area news radio station, KCBS, reported that the Third and Hetheron Streets intersection is the most dangerous for pedestrians and bicyclists in the North Bay Area. See <https://omny.fm/shows/kcbsam-on-demand/marin-county-is-among-most-dangerous-for-pedestria> for details. This article was published almost a year before the SMART train extension south into Larkspur Landing was operational. SMART train operations have increased congestion in the area.

The intersection of Second Street and Hetheron Street, located on the San Rafael Transit Center's southeast corner and provides access to southbound US-101, was determined to be the busiest intersection in San Rafael by the Public Works Traffic Engineering Team. Pre-COVID, in March of 2020, the intersection

had a daily count of 44,413 cars, 42 bicycles, and 481 pedestrian crossings. During the current COVID stay-at-home restrictions and the most recent count done in December of 2020, the intersection had a daily count of 35,934 vehicles, 48 bicycles, and 327 pedestrian crossings.

In addition, San Rafael High School and Davidson Middle School are located within 0.5 miles of the transit center. Most of the student population from both schools walk to the transit center to take public transit or walk through the downtown area

In 2020, the traffic engineering team also identified the top busiest routes in San Rafael. The study showed that the #1 route was the east-west running Second and Third Streets, which provide access between downtown and the neighboring cities of San Anselmo and Fairfax. Second and Third Streets had a daily average count of 42,672 vehicles combined. It should be noted that Second Street and Third Street are three-lane one-way streets. The #2 route was Bellam Boulevard between Francisco Boulevard East and Andersen Drive (located in the southeast portion of the city), with a daily average vehicle count of 29,468 vehicles.

In November of 2019, the long-awaited Richmond-San Rafael Bridge bike/pedestrian path opened, and San Rafael has seen an increase in bicycle traffic from downtown into the east end of the city.

In the north section of San Rafael, SRPD has observed an increase in traffic crashes involving teen and elderly drivers.

Crash data from years 2018 through 2020 indicated that most of the city's crashes occur due to unsafe turns, speed, red-light violations, and driving under the influence. The Police Department has also struggled for several years to reduce fatal and injury crashes involving pedestrians and bicyclists. According to the 2018 OTS Crash Ranking Results, San Rafael was ranked 7 of 102 for crashes involving bicyclists, 14 of 102 for crashes involving pedestrians, 19 of 102 for crashes involving pedestrians age 65+, and 27 of 102 for crashes involving bicyclists under the age of 15. These statistics reflect that San Rafael has a disproportionate amount of crashes involving bicyclists and pedestrians. As a result, the Police Department recognizes that additional education and enforcement is needed to reduce these numbers. The police department would like to expand its Traffic Enforcement operations from the previous years.

The city's service satisfaction surveys continue to show that the public's #1 concern is traffic and traffic safety. The Police Department fields ongoing community traffic complaints mostly revolving around speed, red-light running, vehicles violating pedestrian right of ways, DUI, and reckless driving. With regional stay-at-home orders, due to the COVID Pandemic creating opportunities for people to work from home, traffic complaints have significantly increased since people are able to witness daily activity in their neighborhoods.

The San Rafael Police Department has encouraged patrol officers and motor officers to focus on reducing alcohol and speed-related crashes and increased pedestrian and bicyclist safety. Unfortunately, sworn personnel availability has significantly diminished due to the city budget, injuries, retirements, and resignations. At its peak staffing in 2007, the Police Department had 8 officers assigned to the motor/traffic unit. After the economic downturn in 2008, the motor/traffic unit was cut to just 2 positions when there was no authorization to backfill police department staffing due to attrition.

In the calendar year 2019, 13 sworn officers separated from the Police Department. In the calendar year 2020, 5 more sworn officers separated from the Police Department. These numbers are unprecedented for a Police Department of comparable size. The Police Department has been able to hire and backfill most of the vacancies. In 2020, 10 new officers were hired. Most of the newly hired officers are new to law enforcement and face a learning curve, especially in traffic safety and DUI investigations.

There are currently two motor officers assigned to the Traffic Unit. At times, they are asked to assist with essential patrol staffing. This increase in workload has resulted in a significant decrease in proactive traffic enforcement by motor officers.

Considering current events, such as the pandemic and civil unrest related to police-community relations, concerns have been raised about operating DUI Checkpoints. In the interest of safety for the public and

personnel, Police Command Staff have not authorized the ability to conduct DUI Checkpoints as of the due date of this application. However, SRPD has been able to conduct DUI Saturation Patrol operations, which are safer for the public and staff due to the limited general exposure to each other.

Statistically speaking, the Police Department has found that DUI Saturation Patrol operations are more effective in locating and apprehending DUI drivers. The Police Department has also used press releases and social media platforms to highly publicize the DUI Saturation Patrol operations and raise awareness about DUI with the public. During the 2017-2018 STEP Grant (PT18131) period, there were two DUI Checkpoint operations that yielded only 20 field sobriety tests being conducted resulting in 4 arrests. Conversely, there were 25 DUI Saturation Patrol operations that yielded 41 field sobriety tests being conducted and resulting in 14 arrests. Similar statistics were found during the 2018-2019 STEP Grant (PT19132). There were two DUI Checkpoint operations that yielded 21 field sobriety tests being conducted resulting in 2 arrests. In comparison, there were 48 DUI Saturation Patrol operations yielding 62 field sobriety tests and 13 arrests.

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 bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.
14. Reduce the number of motorcyclists injured in traffic crashes.
15. Reduce hit & run fatal crashes.
16. Reduce hit & run injury crashes.
17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:

	Target Number
1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.	1
2. Participate and report data (as required) in the following campaigns, National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization, National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization, NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	10
3. Develop (by December 31) and/or maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated HOT sheets should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	3
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	3
6. Send law enforcement personnel to the DRE Recertification training.	1
7. Conduct DUI Saturation Patrol operation(s).	31

8. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations.	24
9. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	6
10. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or crashes resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary crash factor violations by motorcyclists and other drivers.	1
11. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle crashes resulting from violations made by pedestrians, bicyclists, and drivers.	10
12. Conduct Traffic Safety educational presentation(s) with an effort to reach community members. Note: Presentation(s) may include topics such as distracted driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger safety.	1

3. METHOD OF PROCEDURE

A. Phase 1 – Program Preparation (1st Quarter of Grant Year)

- The department will develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain the “Hot Sheets,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations.

Media Requirements

- Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.

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

- The department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Media Requirements

The following requirements are for all grant-related activities

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.

- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your Coordinator with embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at pio@ots.ca.gov for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

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
164AL-22	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$60,000.00
402PT-22	20.600	State and Community Highway Safety	\$45,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				
DUI Saturation Patrols	164AL-22	\$1,907.82	31	\$59,142.00
Benefits AL @ 1.45%	164AL-22	\$59,142.42	1	\$858.00
Traffic Enforcement	402PT-22	\$880.00	24	\$21,120.00
Distracted Driving	402PT-22	\$880.00	6	\$5,280.00
Motorcycle Safety	402PT-22	\$880.00	1	\$880.00
Pedestrian and Bicycle Enforcement	402PT-22	\$880.00	10	\$8,800.00
Traffic Safety Education	402PT-22	\$880.00	1	\$880.00
Benefits PT @ 1.45%	402PT-22	\$36,960.00	1	\$536.00
Category Sub-Total				\$97,496.00
B. TRAVEL EXPENSES				
In State Travel	402PT-22	\$2,242.00	1	\$2,242.00
				\$0.00
Category Sub-Total				\$2,242.00
C. CONTRACTUAL SERVICES				
				\$0.00
Category Sub-Total				\$0.00
D. EQUIPMENT				
				\$0.00
Category Sub-Total				\$0.00
E. OTHER DIRECT COSTS				
Lidar Device	402PT-22	\$2,631.00	2	\$5,262.00
Category Sub-Total				\$5,262.00
F. INDIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00
GRANT TOTAL				\$105,000.00

BUDGET NARRATIVE
<p>PERSONNEL COSTS DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p>
<p>Benefits AL @ 1.45% - Total Benefits 1.45% Medicare</p>
<p>Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p>
<p>Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p>
<p>Motorcycle Safety - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p>
<p>Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.</p>
<p>Traffic Safety Education - Overtime for grant funded traffic safety presentations or campaigns conducted by appropriate department personnel.</p>
<p>Benefits PT @ 1.45% - Total Benefits 1.45% Medicare</p>
<p>TRAVEL EXPENSES In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. 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.</p>
<p>CONTRACTUAL SERVICES -</p>
<p>EQUIPMENT -</p>
<p>OTHER DIRECT COSTS Lidar Device - Light detection and ranging device used to measure the speed of motor vehicles. This device will be used for speed enforcement.</p>
<p>INDIRECT COSTS -</p>
<p>STATEMENTS/DISCLAIMERS Program Income default statement: There will be no program income generated from this grant.</p> <p>Enforcement Grant Quota Disclaimer: Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.</p>

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. The NHTSA website (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 must sign this form and return it with the Grant Agreement.

GRANT DETAILS	
Grant Number:	PT22127
Agency Name:	San Rafael Police Department
Grant Title:	Selective Traffic Enforcement Program (STEP)
Agreement Total:	\$105,000.00
Authorizing Official:	Jim Schutz
Fiscal Official:	Beth Minka
Grant Director:	Justin Graham

CURRENT GEMS USER(S)

1. Justin Graham

Title: Sergeant
Phone: (415) 485-3000
Email: 494@srpd.org

Media Contact: Yes

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

GEMS User 1		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 2		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 3		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 4		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
GEMS User 5		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <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	
		Grant Director	
Date		Title	