

**City of Fayetteville Staff Review Form**

**2017-0280**

**Legistar File ID**

**6/6/2017**

**City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item**

**Mike Reynolds**

**5/19/2017**

**Police /  
Police Department**

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

Staff recommends acceptance of a 20% matching grant award funded by the Arkansas State Police (ASP) for the development of an accident reporting interface between Tyler Technologies and ASP's e-Crash software and approval of a budget adjustment in the amount of \$24,160.

**Budget Impact:**

**1010.200.2920-5315.00**

**General**

**Account Number**

**Fund**

**TBD**

**Police ASP Accident Interface Grant**

**Project Number**

**Project Title**

**Budgeted Item?**   No  

**Current Budget**      \$                    -

**Funds Obligated**      \$                    -

**Current Balance**      \$                    -

**Does item have a cost?**   No  

**Item Cost**

**Budget Adjustment Attached?**   Yes  

**Budget Adjustment**      \$                    24,160.00

**Remaining Budget**      \$                    **24,160.00**

V20140710

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Comments:**



CITY OF  
**FAYETTEVILLE**  
ARKANSAS

## CITY COUNCIL AGENDA MEMO

MEETING OF JUNE 6, 2017

TO: Mayor and City Council

A handwritten signature in black ink, appearing to read "Mike Reynolds".

FROM: Mike Reynolds, Deputy Chief of Police

DATE: May 19, 2018

SUBJECT: **Grant Award from Arkansas State Police for Accident Reporting Interface**

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### RECOMMENDATION:

Staff recommends acceptance of a 20% matching grant award funded by the Arkansas State Police (ASP) for the development of an accident reporting interface between Tyler Technologies and ASP's e-Crash software and approval of a budget adjustment in the amount of \$24,160.

### BACKGROUND:

The Fayetteville Police Department purchased the Accident Module from Tyler Technologies, and Tyler Technologies has developed the ASP accident form in the new police Records Management System (RMS). The ASP utilizes an electronic accident report submission program called e-Crash. The police department needs an interface between Tyler Technologies and ASP's e-Crash to electronically submit accident reports from the new RMS to the ASP.

### DISCUSSION:

At this time, the police department copies and mails paper accident reports to the ASP. The ability to electronically submit accident reports to the ASP would greatly improve efficiency.

### BUDGET/STAFF IMPACT:

There is currently \$127,446 in the Capital Improvement Program (CIP) for project contingency related to the new police RMS project to fund the 20% grant match requirement in the amount of \$6,040.

### Attachments:

Budget Adjustment  
Arkansas State Police Grant Award Documents



**Asa Hutchinson**  
Governor

# State of Arkansas

## ARKANSAS STATE POLICE

1 State Police Plaza Drive Little Rock, Arkansas 72209-4822 www.asp.arkansas.gov

"SERVING WITH PRIDE AND DISTINCTION SINCE 1935"



**William J. Bryant**  
Director

### ARKANSAS STATE POLICE COMMISSION

Dr. Lewis Shepherd  
Chairman  
*Arkadelphia*

John Allison  
Vice-Chairman  
*Conway*

Bob Burns  
Secretary  
*Little Rock*

Jane Dunlap Christenson  
*Harrison*

Neff Basore  
*Bella Vista*

Bill Benton  
*Heber Springs*

Stephen Edwards  
*Marianna*

May 10, 2017

Mr. Willie Newman  
Project Coordinator  
Fayetteville Police Dept.  
100 W. Rock St.  
Fayetteville, AR 72701

RE: M3DA-2017-03-03-12  
eCrash System

Dear Mr. Newman:

The above referenced FY 2017 Subgrant Agreement is enclosed for your review and signature. The Subgrant Agreement/Contract Terms for this program are made a part of this agreement and should be kept in your agency's file with your copy of the signed agreement. The agreement may not include all items presented in your proposal. Only those activities included in the agreement are eligible for reimbursement.

Please return the signed agreement (keep the enclosed Subgrant Agreement/Contract Terms) to our office as soon as possible. We will send you a copy of the fully executed agreement.

We look forward to working with your agency this year.

Sincerely,

Bridget White  
Administrator  
Highway Safety Office

Enclosure

C: Agreement/Contract File



**Asa Hutchinson**  
Governor

State of Arkansas

**ARKANSAS STATE POLICE**

1 State Police Plaza Drive Little Rock, Arkansas 72209-4822 www.asp.arkansas.gov

"SERVING WITH PRIDE AND DISTINCTION SINCE 1935"



**William J. Bryant**  
Director

**2017 HIGHWAY SAFETY SUBGRANT AGREEMENT  
TRAFFIC RECORDS PROGRAM**

**RECIPIENT**

Fayetteville Police Dept.  
100 W. Rock Street  
Fayetteville, AR 72701  
Telephone: (479) 587-3579  
Fax: (479) 587-3570

**GOVERNMENTAL UNIT**

Fayetteville Police Dept.  
100 W. Rock Street  
Fayetteville, AR 72701

**TAX ID NO.** 71-6018462

**PROJECT NO.**

M3DA-2017-03-03-12  
FAIN No: (See Invoice Form page 6)  
DUNS No: 075657742

**TYPE OF APPLICATION**

Initial:     X      
Revision:             
Continuation:           

**PROJECT TITLE**

eCrash System

**INITIAL PROJECT STARTING DATE**

May 1, 2017

**OPERATIONAL AREA OF PROJECT**

City of Fayetteville, AR

<b><u>COST CATEGORY</u></b>	<b><u>AMOUNT</u></b>		
	<b><u>FEDERAL</u></b>	<b><u>STATE</u></b>	<b><u>LOCAL</u></b>

Personal Services

Equipment

Maintenance &  
Operation

Other Direct Costs	\$24,160.00		\$6,040.00
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Contractual Services

Indirect Costs

Total	\$24,160.00		\$6,040.00
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<b><u>PROJECT PERIOD</u></b>	<b><u>FUNDING PERIOD</u></b>
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From: <u>05-08-2017</u>	From: <u>05-08-2017</u>
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To: <u>09-30-2017</u>	To: <u>09-30-2017</u>
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**FUNDING**

<b><u>SOURCE</u></b>	<b><u>AMOUNT</u></b>
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Federal

\$24,160.00

State

Local

\$ 6,040.00

Total

\$30,200.00

**ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT**

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AGREEMENT PREPARED BY: Karen Bonds  
TITLE: Traffic Records Program Manager  
ADDRESS: Arkansas State Police  
1 State Police Plaza Drive  
Little Rock, AR 72209  
PHONE: (501) 618 - 8405  
FAX: (501) 618 - 8124

**ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT**

**SCOPE OF WORK**

**PROJECT GOAL:** To electronically capture, verify and transmit traffic crash data (e-Crash System).

**SUMMARY OF PROJECT OBJECTIVES:** To hire a contractor/vendor to develop an interface between Fayetteville Police Department's crash data reporting system and the State of Arkansas crash system (e-Crash) software which will enable the agency to electronically capture and verify crash data which includes the exact information on the ASP approved e-Crash report form and to enable transmission of the electronic crash reports to the State eCrash central repository.

**METHOD OF EVALUATION BY ASP**

ADMINISTRATIVE:                X      
IMPACT EVALUATION:                 

**REIMBURSEMENT - ACTUAL COST ONLY**

- ASP will reimburse the recipient an amount equal to        % of all eligible cost.
  
- X   ASP will reimburse the recipient an amount equal to all eligible costs as identified in work statement.

**REIMBURSEMENT LIMITS**

1. Maximum amount eligible for reimbursement:  
Federal Funds:      \$24,160.00    
State Funds:             -0-
  
2. Only those orders placed and costs incurred during the following time period shall be eligible for reimbursement:  
(Date) 05/08/2017 to (Date) 09/30/2017
  
3. The recipient must bear all costs not eligible for Federal reimbursement.

Federal and State regulations shall be the basis for determining eligibility of costs, as detailed in the General Provisions and Subgrant Agreement/Contract Terms.

This agreement may be amended only by written notice in advance in accordance with ASP policy. (See Subgrant Agreement/Contract Terms)

**ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT**

**WORK STATEMENT**

- A. The recipient, Fayetteville Police Department, in exchange for consideration offered by the Arkansas State Police (ASP) Highway Safety Office, hereafter referred to as the Arkansas Highway Safety Office (AHSO), and in the interest of improving traffic safety, hereby agrees to pursue the achievement of the following objectives:
- 1) Hire a contractor/vendor to develop an interface between Fayetteville Police Department's crash data reporting system and the State of Arkansas electronic crash system (e-Crash) software to electronically capture and verify crash data which includes exact information on the ASP approved eCrash report form. Transmit electronic crash report data to the State eCrash central repository on a daily basis.
    - a.) Develop an interface to meet ASP, ASP contractor – University of Alabama – CAPS (UA-CAPS), and AHSO specifications;
    - b.) Make modifications to the existing City of Fayetteville system to accommodate the interface to eCrash;
    - c.) Maintain interface to meet ASP, UA-CAPS, & AHSO standards and criteria; and
    - d.) Be responsible for any future updates/revisions/changes required by the ASP AHSO.
  - 2) Submit reimbursement request only after AHSO verification of successful completion of the project objectives.
  - 3) Submit project reports and reimbursement requests in accordance with formats provided by the ASP. Submit a report summarizing project activities/purchases along with a cover letter and supporting documentation, by the 30<sup>th</sup> of the subsequent month in which activities are completed and expenditures are incurred.
  - 4) Submit a final report and a final reimbursement request to the AHSO within 30 days following the end of the project period. Final payment will not be made until a satisfactory final report is submitted and all activities are successfully completed as stated in the work statements.
  - 5) Maintain a project file for the agreement and financial documents. The file will contain a copy of the agreement, agreement terms, policies and procedures of the recipient related to this project's activities, related AHSO policies and procedures, reimbursement requests and correspondence relating to this project. Maintain the file in one location and it must be available for review by State and Federal authorities responsible for oversight of this project.

**ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT**

**WORK STATEMENT**

- B. The Arkansas Highway Safety Office (AHSO) hereby agrees to perform the following activities:
1. Reimburse the recipient for all eligible costs incurred in accordance with the provisions stated in the Subgrant Agreement/Contract Terms. An analysis of allowable costs is provided in the attached recipient invoice forms.
  2. Provide reasonable consultative assistance to the recipient to aid in the achievement of project objectives.
  3. Conduct administrative and/or on-site evaluations to assess the effectiveness of the project. Evaluations will include, but are not limited to, a review of activity reports examining progress toward objectives stated in the work statement, reimbursement requests, fiscal management and on-site monitoring visits.





**Arkansas State Police**  
**FY2017**  
**Recipient**  
**Invoice Form**



<b>GRANT #:</b> M3DA-2017-03-03-12	<b>AWARD PERIOD:</b> 05/08/2017 - 09/30/2017	
<b>EIN (Tax ID #):</b> 71-6018462		<b>CFDA TITLE:</b> Safety Belt Performance Grant
<b>FAIN #</b> 18X9204020AR17	<b>AWARD AMOUNT:</b> \$24,160.00	<b>CFDA#</b> 20.616

<b>Request Period:</b>	
<b>Project:</b>	e-Crash System

<b>Subgrantee Name:</b>	Fayetteville Police Department	<b>Telephone:</b>	(479) 587-3579
<b>Mailing Address:</b>	100 W. Rock Street, Fayetteville, AR 72701		

Budget Categories	APPROVED	BUDGET	REVISED	Previous	Expenditures	Total	Remaining
	BUDGET	REVISIONS	BUDGET	Expenditures	This Period	Expenditures	Budget
Other Direct Costs							
Contractor/Vendor	\$24,160.00						\$24,160.00
<b>Total</b>	<b>\$24,160.00</b>						<b>\$24,160.00</b>

\*Low Value Equipment purchases under \$5,000.00  
 \*\*Capital Equipment represents equipment purchases over \$5,000.00 and above

On behalf of the subgrantee listed above, I certify that the items for which payment is claimed were furnished under the authority of the law and in accordance with the terms of our grant with the Arkansas State Police, Highway Safety Program and that the charges are reasonable, proper, and no part of this claim has been paid.

<b>Signature of Subgrantee:</b>		<b>Date:</b>	
<b>Title:</b>			
<b>Contact Person:</b>		<b>Contact Phone:</b>	

<b>ARKANSAS STATE POLICE USE ONLY</b>		<b>OUTLINE AGREEMENT #:</b>	
<b>VENDOR #:</b>	<b>AGENCY CODE:</b> 0960	<b>DOC#:</b>	
<b>PO #:</b>	<b>GOODS REC.#:</b>	<b>MATERIAL #:</b>	

General Ledger #	Fund	Fund Center	Funds Reservation #	Cost Center	IO/WBS	AMOUNT
5100001000	SMP3021	1FJ		456729	F.0960.405-17-M3DA-S	-
					<b>TOTAL</b>	-

<b>REVIEWED &amp; APPROVED TO PAY BY:</b>	<b>DATE:</b>

<b>Funds available:</b>	
<b>Attach Completed Detail Sheet and Mail To:</b>	Karen Bonds Arkansas State Police Highway Safety Office #1 State Police Plaza Drive Little Rock, AR 72209

**FAXED BILLS WILL NOT BE ACCEPTED**

**LINE-ITEM DETAIL**

**Attach to Page 6\***

**Fayetteville Police Department**

**e-Crash System**

**FY2017**

**FOR THE PERIOD:**

**Transfer  
Totals to  
Page 6\***

**Other Direct Costs**

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Contractor/Vendor Services

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**TOTAL BILLED**

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**\* Refers to page 6 of the Invoice.**



# Arkansas State Police

FY2017



## Subgrantee State Match Reporting Form

<b>GRANT #:</b>	M3DA-2017-03-03-12	<b>AWARD PERIOD:</b> 05/08/2017 - 09/30/2017		
		<b>CFDA TITLE:</b> Safety Belt Performance Grant		
<b>EIN (Tax ID #):</b>	71-6018462	<b>AWARD AMOUNT:</b>	24,160.00	<b>CFDA #</b> 20.616
<b>Reporting Period:</b>				
<b>Project:</b>	e-Crash System			
<b>Subgrantee Name:</b>	Fayetteville Police Department	<b>Telephone #:</b>	(479) 587 3579	
<b>Mailing Address:</b>	100 W. Rock Street, Fayetteville, AR 72701			

Budget Categories	APPROVED BUDGET	REVISED BUDGET	Previous Expenditures	Expenditures This Period	Total Expenditures	Remaining Budget
				-	-	
Other Direct Costs	24,160.00				-	24,160.00
Total				-	-	-
						<b>Amount of this Report</b>

<b>Signature of Subgrantee:</b>		<b>Date:</b>	
<b>Title:</b>			
<b>Contact Person:</b>	Willie Newman	<b>Contact Phone:</b>	(479) 587-3579

<b>Submit to:</b>	Karen Bonds Arkansas State Police Highway Safety Office 1 State Police Plaza Drive Little Rock, Arkansas 72209
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## CERTIFICATIONS AND ASSURANCES

*(Each fiscal year the Sub-grantee for Highway Safety must sign these Certifications and Assurances affirming that the agency complies with all requirements, including applicable Federal statutes and regulations that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.)*

Agency: Fayetteville Police Department Fiscal Year: 2017

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906 the Subgrantee acknowledges and agrees to the following conditions and requirements. In my capacity as the authorizing official for Fayetteville Police Department, I hereby provide the following Certifications and Assurances.

### GENERAL REQUIREMENTS

Applicable statutes and regulations, including but not limited to:

- 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.

### Non-Discrimination

The Sub-grantee will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) and the Americans with Disabilities Act of 1990 (42 USC § 12101, *et seq.*; PL 101-336), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 Pub. L. 100-259), which requires Federal-aid recipients and all sub recipients to prevent discrimination and ensure non-discrimination in all of their programs and activities (f) the Drug Abuse Office and

Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(Pub. L. 91-616), as amended, relating to

## **CERTIFICATIONS AND ASSURANCES**

nondiscrimination on the basis of alcohol abuse or alcoholism; (h) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.) relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

### **BUY AMERICA ACT**

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

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

### **POLITICAL ACTIVITY (HATCH ACT).**

The Sub-grantee will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

### **CERTIFICATION REGARDING FEDERAL LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this

## CERTIFICATIONS AND ASSURANCES

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

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

### CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

#### Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary 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 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.

## CERTIFICATIONS AND ASSURANCES

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary 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 participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

## CERTIFICATIONS AND ASSURANCES

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

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this 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 record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary 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 Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this 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*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.



## CERTIFICATIONS AND ASSURANCES

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 "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

### *Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## CERTIFICATIONS AND ASSURANCES

### 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 on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov). Additional resources are available from the Network of Employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at [www.trafficsafety.org](http://www.trafficsafety.org).

### POLICY TO BAN 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:

- (1) Adopt and enforce workplace safety policies to decrease crashes caused by distracted driving including policies to ban text messaging while driving--
  - a. Company-owned or – rented vehicles, or Government-owned, leased or rented vehicles; or
  - b. Privately-owned when on official Government business or when performing any work on or behalf of the Government.
  
- (2) Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as –
  - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
  - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

### ENVIRONMENTAL IMPACT

The authorizing official for this project has reviewed this agreement and hereby declares that no significant environmental impact will result from implementing this project. If, under a future revision, this project will be modified in such a manner that it would be instituted and could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517)

## CERTIFICATIONS AND ASSURANCES

### Section 402 Requirements (as amended by Pub. L. 112-141)

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program (23 USC 402(b) (1) (A));

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

At least 40 percent of all Federal funds apportioned to this State under 23 USC 402 for this fiscal year will be expended by or for the benefit of the political subdivision of the State in carrying out local highway safety programs (23 USC 402(b) (1) (C)), unless this requirement is waived in writing;

This State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks (23 USC 402(b) (1) (D));

The State Highway Safety Program provides for an evidence-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents (23 U.S.C. 402 (b)(1)(E))

**The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, and the Sub-grantee will support these activities including:**

- **Participation in the National high-visibility law enforcement mobilizations,**
- **Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;**
- **An annual statewide seat belt use survey in accordance with 23 CFR Part 1340 for the measurement of State safety belt use rates;**
- **Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;**
- **Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in section 23 U.S.C. 148 (a). 148(a).**  
**(23 U.S.C. 402 (b)(1)(F))**

## CERTIFICATIONS AND ASSURANCES

**Law enforcement agencies only-** the Subgrantee is hereby encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j)).

### **Other Federal Requirements**

Cash drawdowns will be initiated only when actually needed for disbursement. 49 CFR 18.20

Cash disbursements and balances will be reported in a timely manner as required by NHTSA. 49 CFR 18.21.

The same standards of timing and amount, including the reporting of cash disbursement and balances, will be imposed upon any secondary recipient organizations. 49 CFR 18.41.

Failure to adhere to these provisions may result in the termination of drawdown privileges.

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs);

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the State; or the State, by formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes 23 CFR 1200.21. The Sub-grantee will comply with this provision.

The Subgrantee will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20.

### **AUDIT REQUIREMENTS**

The recipient will arrange for an organization-wide financial and compliance audit, if required by 2 CFR Part 200.501 (Formerly OMB Circular A-133), within the prescribed audit reporting cycle. The audit report must separately identify highway safety funds from other Federal funds. One (1) copy of the report will be furnished to the Arkansas State Police Highway Safety Office (ASP-HSO) within three months of the report date. Failure to furnish an acceptable audit as determined by the cognizant Federal audit agency may be a basis for denial and/or refunding of Federal funds. A copy of 2 CFR Part 200.501 is available at [www.ecfr.gov](http://www.ecfr.gov). The recipient has been made aware of audit requirements. **The recipient is required to inform the ASP-HSO if subject to these audit requirements.**

**ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT**

**ACCEPTANCE AND AUTHORIZATION TO PROCEED**

It is understood and agreed by the undersigned that a subgrant received for this agreement is subject to the Fixing America's Surface Transportation (FAST) Act and subsequent U.S. Department of Transportation funding reauthorization; and all administrative regulations governing this grant established by the U.S. Department of Transportation approved in accordance with 23 CFR Part 1301 subject to the availability of Federal funds. It is further understood that any State funds utilized within are subject to all applicable State regulations and are likewise subject to their availability. It is expressly agreed that this agreement including the Appendix (Subgrant Agreement/Contract Terms and Attachment), constitute an official part of the State's Highway Safety Program and that said recipient will meet the requirements as set forth herein.

The recipient has appointed the following official representatives with legal authority to accept this subgrant agreement acknowledge the certifications and assurances on pages 9 – 17 and provide such additional information as may be required.

**A. SUBGRANT DIRECTOR**

**B. AUTHORIZING OFFICIAL**

Signature:	_____	Signature:	_____
Name:	<u>Chief Greg Tabor</u>	Name:	<u>Honorable Lioneld Jordan</u>
Title:	<u>Chief of Police</u>	Title:	<u>Mayor</u>
	_____		_____
Date:	_____	Date:	_____

Approval to proceed, effective 05-08-2017 to 09-30-2017 with committed Federal funds of \$24,160 and State funds of \$ -0-, given by the State Official responsible to the Governor for administration of the State Highway Safety Program:

Approved:

\_\_\_\_\_  
Director, Arkansas State Police  
and  
Governor's Highway Safety Representative

\_\_\_\_\_  
Date