

**City of Fayetteville Staff Review Form**

**2017-0494**

**Legistar File ID**

**10/17/2017**

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

**Greg Tabor**

**9/15/2017**

**POLICE (200)**

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

Approval of the FY2018 Selective Traffic Enforcement Program (STEP) grant award and budget adjustment in the amount of \$122,600.

**Budget Impact:**

1010.200.2920-various

General

Account Number

Fund

38067-1718

Police STEP Grant 2017-2018

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 \$ 122,600.00

Remaining Budget \$ 122,600.00

V20140710

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

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

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

Comments:



CITY OF  
**FAYETTEVILLE**  
ARKANSAS

## CITY COUNCIL AGENDA MEMO

### MEETING OF OCTOBER 3, 2017

**TO:** Mayor and City Council

**FROM:** Greg Tabor, Chief of Police

A handwritten signature in black ink, appearing to be 'GT', written over the name 'Greg Tabor'.

**DATE:** September 15, 2017

**SUBJECT:** FY2018 Selective Traffic Enforcement Project (STEP) Grant Award

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#### RECOMMENDATION:

Staff recommends acceptance and approval of the FY2018 Selective Traffic Enforcement Project (STEP) Grant Award and budget adjustment in the amount of \$122,600.

#### BACKGROUND:

The Fayetteville Police Department has participated in STEP every year since its inception in 1998. For 20 years, we have partnered through grant funding with the Arkansas Highway Safety Office in an effort to reduce the total number of motor vehicle crashes, injuries and fatalities. Our primary strategy for reaching our mutual goals is through dedicated and diligent enforcement of occupant protection and DWI/DUI laws. This is accomplished by dedicating patrol officer(s) to monitor STEP activity for a given period of time in known problem areas. In addition to increased law enforcement, this grant funding allows us to participate in directed DWI patrols, Click It or Ticket protection mobilizations, purchase additional equipment, provide child safety seat checkpoints, and a loaner child safety seat for those in need.

#### DISCUSSION:

The FY2018 STEP Grant Award is based on local in-kind match of expenses and an award of \$121,600 in federal and \$1,000 in state grant funding. Local matching funds are only required on the federal funding portion and the state funding is considered local match resulting in a total of \$120,600 for Fayetteville's local in-kind match. In-kind expenses are defined as on-duty regular patrol shift hours dedicated to STEP activity; furthermore, this grant will reimburse the City for overtime hours dedicated to STEP activity. The grant period for this award runs from October 1, 2017 to September 30, 2018. STEP is a very important program and funding source for the Fayetteville Police Department. Through dedicated STEP activity during our shift hours, our Department can meet the in-kind matching funds required of this grant award. Furthermore, the loss of this grant funding would have an adverse effect on community safety.

#### BUDGET/STAFF IMPACT:

In-kind expenses in the amount of \$120,600 are budgeted annually within our operating budget and \$1,000 will be provided by the State for total matching funds of \$121,600. Our

salary expense will not increase; patrol officers will perform matching STEP activities while on duty. Furthermore, no additional officers are required within the STEP grant.

**Attachments:**

- Budget Adjustment
- Project Accounting Maintenance Form – State
- Project Accounting Maintenance Form - Federal
- FY2018 STEP Grant Award Documents

# Project Maintenance Form

Project Number Request : 31607  
 Sub Project Number : 1718 (Optional)  
 Project Detail : 4309 (Optional)

Project Title (64 char) : Police STEP Grant 2017-2018 - Federal  
 Sub Title (64 char) : STEP FY17-18 - Federal  
 Project Status : Pending  
 Project Division : 200 Police  
 Scheduled Start Date : 10/1/2017 *MM/DD/YYYY*  
 Scheduled Ending Date : 9/30/2018 *MM/DD/YYYY*  
 Actual Start Date : 10/1/2017 *MM/DD/YYYY*  
 Actual Ending Date : 9/30/2018 *MM/DD/YYYY*

GLACCOUNT#	Account Description	Need Setup	Add/Delete	Add to PCARD
1010.200.2920-4309.01	Federal Grant-Operational	Y	Add	
1010.200.2920-5210.00	Minor equipment	Y	Add	Add
1010.200.2920-5120.00	Personnel Svcs - Contra	Y	Add	

### Description/Justification of Request

Establish project for federal funding portion of the FY2018 Selective Traffic Enforcement Program (STEP).

Has a budget adjustment been completed? (Y/N) Y

Is this item going to Council? (Y/N) Y Council Date 10/17/2017

*Willie Anderson*  
 Requested By Entered By

# Project Maintenance Form

Project Number Request : 31607  
 Sub Project Number : 1718 (Optional)  
 Project Detail : 4302 (Optional)  
  
 Project Title (64 char) : Police STEP Grant 2017-2018 - State  
 Sub Title (64 char) : STEP FY17-18 - State  
 Project Status : Pending  
 Project Division : 200 Police  
 Scheduled Start Date : 10/1/2017 *MM/DD/YYYY*  
 Scheduled Ending Date : 9/30/2018 *MM/DD/YYYY*  
 Actual Start Date : 10/1/2017 *MM/DD/YYYY*  
 Actual Ending Date : 9/30/2018 *MM/DD/YYYY*


GLACCOUNT#	Account Description	Need Setup	Add/Delete	Add to PCARD
<u>1010.200.2920-4302.01</u>	<u>State Grants-Operational</u>	<u>Y</u>	<u>Add</u>	<u></u>
<u>1010.200.2920-5210.00</u>	<u>Minor equipment</u>	<u>Y</u>	<u>Add</u>	<u>Add</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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### Description/Justification of Request

Establish project for state funding portion of the FY2018 Selective Traffic Enforcement Program (STEP).

Has a budget adjustment been completed? (Y/N) Y

Is this item going to Council? (Y/N) Y Council Date 10/17/2017

  
Requested By

\_\_\_\_\_  
Entered By



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"

Asa Hutchinson  
Governor

William J. Bryant  
Director

September 1, 2017

ARKANSAS  
STATE POLICE  
COMMISSION

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Chairman  
*Arkadelphia*

John Allison  
Vice-Chairman  
*Conway*

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Secretary  
*Little Rock*

Jane Dunlap Christenson  
*Harrison*

Neff Basore  
*Bella Vista*

Bill Benton  
*Heber Springs*

Stephen Edwards  
*Marianna*

Mr. Willie Newman  
Project Coordinator  
Fayetteville Police Dept.  
100-A W. Rock St.  
Fayetteville, AR 72701-6191

RE: OP-2018-03-02-11  
SE-2018-13-01-11  
MSX-2018-05-06-11  
Selective Traffic Enforcement Project (STEP)

Dear Mr. Newman:

The above referenced FY 2018 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 by September 15, 2017. We will send you a copy of the fully executed agreement.

We look forward to working with your agency in the coming year.

Sincerely,

Bridget White  
Administrator  
Highway Safety Office

Enclosure

C: Agreement/Contract File



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"

Asa Hutchinson Governor

William J. Bryant Director

FY 2018 HIGHWAY SAFETY SUBGRANT AGREEMENT
OCCUPANT PROTECTION PROGRAM
ALCOHOL & OTHER DRUGS COUNTERMEASURES PROGRAM
SPEED ENFORCEMENT PROGRAM

RECIPIENT

Fayetteville Police Department
100 West Rock Street
Fayetteville, AR 72701
Telephone: 479-587-3500
Fax: 479-587-3522

GOVERNMENTAL UNIT

City of Fayetteville
100 West Rock Street
Fayetteville, AR 72701

TAX ID NO:

71-6018462

PROJECT NO:

M5X-2018-05-06-11
OP 2018-03-02-11
SE 2018-13-01-11

TYPE OF APPLICATION

- Initial
Revision
Continuation

FAIN NO: (See Invoice Form page 11)

DUNS NO: 07657742

PROJECT TITLE:

Selective Traffic Enforcement Project

INITIAL PROJECT STARTING DATE

October 1, 1999

OPERATIONAL AREA OF PROJECT

City of Fayetteville

AMOUNT

Table with columns: COST CATEGORY, FEDERAL, STATE, LOCAL. Rows include Personal Services, Equipment, Maintenance & Operation, Other Direct Costs, Indirect Cost, Administrative Costs, Total.

Table with columns: PROJECT PERIOD, FUNDING PERIOD. Rows include From/To dates for 2017 and 2018.

Table with columns: SOURCE, FUNDING, AMOUNT. Rows include Federal, State, Local, Total funding amounts.

ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

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Agreement Prepared By:

Jon Waldrip  
Program Manager  
Arkansas State Police  
Highway Safety Office  
1 State Police Plaza Drive  
Little Rock, AR 72209  
(501) 618-[]  
(501) 618-8124



ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

**BACKGROUND**

The State of Arkansas is taking increased steps to address safety on the State's roadways as part of an effort to implement innovative strategies to reduce traffic fatalities throughout the State. The Arkansas Highway Safety Office (AHSO) considers safety issues by focusing on behavioral aspects at the driver level. The goal is to reduce highway fatalities by better identifying driver behaviors that cause fatal crashes, implementing programs to address those behaviors and targeting locations where fatal crashes occur.

Based on a five-year average (2011 – 2015), 522 people lose their lives each year on Arkansas roadways. In 2015, there were 531 total traffic fatalities compared to 470 the previous year. Over the same five years, alcohol-related fatalities (fatalities involving a driver or motorcycle operator with a BAC of .08 or greater) averaged 141 per year. There were 149 alcohol-related fatalities in 2015.

An additional area of concern is occupant protection where in 2015 there were 190 unrestrained passenger vehicle occupant fatalities. Arkansas' safety belt use rate decreased to 75% in 2016 while the National use rate rose to 90%.

Also of concern are speed-related fatalities where in 2015, 90 people died as a result of speed-related crashes.

Strict enforcement of the State's traffic laws, through Selective Traffic Enforcement Projects (STEP), has been proven effective in reducing traffic crashes and fatalities. The State will continue to use this strategy to address its traffic safety problems.

**PROBLEM STATEMENT**

The city of Fayetteville is a community of 80,621 residents. The city posted 30 traffic fatalities, 7 alcohol-related and no speed-related fatalities from 2011 through 2015. A seat belt use rate of 87% was recorded in 2016.

In October 2002, the Fayetteville Police Department began a proactive approach to collision reduction which included implementation of the STEP through a grant with the AHSO. The Department wishes to continue to operate aggressive and sustained selective traffic enforcement, as well as, participate in the State's Impaired Driving, Seat Belt and Speed mobilizations/campaigns.

**GOALS**

The overall goal of this project is to reduce the number of traffic-related crashes and fatalities by conducting a Selective Traffic Enforcement Project in Fayetteville. The goal for each component of this project is as follows:

Alcohol Component (Section 405) - Reduce the annual number of alcohol-related crashes from 112 and alcohol-related fatalities from 1 as recorded in 2015.

Seat Belt Component (Section 402) – Increase the seat belt use rate of 87% as recorded in 2016.

Speed Component (Section 402) - Reduce the annual number of speed-related crashes from 140 and maintain a level of 0 speed-related fatalities as recorded in 2015.



ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

WORK STATEMENT

A. The recipient, Fayetteville Police Department exchange for consideration offered by the Arkansas State Police Highway Safety Office, hereafter referred to as the Arkansas Highway Safety Office (AHSO), and in the interest of improving highway safety, hereby agrees to pursue the achievement of the following objectives:

1. Appoint a Project Coordinator to be a liaison between the recipient and the (AHSO) and to be responsible for coordinating selective enforcement activities and financial transactions associated with this subgrant agreement. Herein, give signature authorization for the Project Coordinator to request reimbursement and agreement change orders when applicable. Compensation for the Project Coordinator will be from local funds.
2. Project Coordinator, or designee, will work with their designated AHSO Program Manager to ensure they understand State, Federal and Highway Safety Office policies and procedures.
3. Ensure that agency maintains an enforced seat belt policy and provides the AHSO a copy of any revisions to the policy.
4. Conduct selective enforcement of the State's seat belt, driving while intoxicated (DWI)/driving under the influence (DUI), speed limit, child passenger protection and motorcycle helmet laws. Officers are to ensure compliance with the State's seat belt and child restraint laws during all vehicle stops. Enforcement should target locations where fatal/serious injury crashes are occurring.
5. Seat belt enforcement (from 6:00 a.m. until 9:00 p.m.) will emphasize enforcement of seat belt and child restraint laws.

Speed enforcement (from 6:00 a.m. until 9:00 p.m.) will emphasize speed violations.

DWI/DUI enforcement will emphasize enforcement of DWI/DUI laws and start no earlier than 9:00 p.m. and end no later than 6:00 a.m. any day of the week. Participating officers are expected to average two vehicle stops per hour when not actively processing a DWI arrest during DWI enforcement.

The AHSO retains the right to limit or modify enforcement hours and days at its discretion and as necessary to help projects meet performance objectives as stated in Work Statement 6.

Officers working on the project are expected to enforce all the laws cited in this agreement during seat belt, speed, and DWI/DUI enforcement.

ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

WORK STATEMENT

6. Performance objectives for the project and individual participating officers are as follows:

Seat Belt/Speed  
Average 2-3 stops per  
hour per officer

DWI/DUI  
Average 1 arrest per  
8-12 hours per officer

*Nothing in this agreement shall be interpreted as a requirement, formal or informal, that an officer issue a specific or predetermined number of citations in pursuance of the organization's obligations hereunder. The organization agrees to complete the above stated objectives in addition to completing the normal routine agency traffic enforcement activities.*

7. Participate in two (2) Seat Belt, three (3) DWI/DUI, and one (1) Speed mobilizations during the project period. Must participate in the public information and education (PI&E) activities (press conferences/news releases) in conjunction with the mobilization activities. An informal seat belt survey conducted by the agency will also precede and follow each seat belt mobilization for evaluation purposes. Mobilization dates are as follows but are subject to change.

- State Thanksgiving Seat Belt Mobilization - November 20 - 26, 2017
- National Winter DWI Mobilization - December 13, 2017 - January 1, 2018\*
- National Memorial Day Seat Belt Mobilization - May 21, – June 3, 2018
- State July 4<sup>th</sup> Holiday DWI Mobilization - June 29 - July 8, 2018
- National Labor Day DWI Mobilization - August 17 - September 3, 2018\*
- Regional Speed Mobilization – To Be Determined

\*Conduct checkpoints and/or saturation patrols on at least four nights during the National DWI mobilizations.

Participation in all State, National and Regional Mobilizations is a required activity of this grant agreement. Project activity should be managed to ensure that sufficient funds are available to participate in these mobilizations. Submit a mobilization report within 15 days after a mobilization period in accordance with the format provided by the AHSO. Agency is urged to participate in sobriety checkpoints and/or saturation patrols during all DWI/DUI mobilizations.

8. Conduct Public Information and Education (PI&E) activities to support the objectives of this project. These activities will include, but are not limited to, issuing a news release at the beginning of the project period to notify the community of the project activities, conducting a minimum of two media exposures for each mobilization e.g., news conferences, news releases, interview, reporter ride-along and participating in a minimum of two (2) other community activities e.g., community events, health fairs, booths, civic/school/employer presentations during the year. Please click on [www.trafficsafetymarketing.gov](http://www.trafficsafetymarketing.gov) for materials to assist you in conducting these activities.

ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

WORK STATEMENT

9. The only costs eligible for reimbursement are selective enforcement (which includes officer pay and applicable benefits), child safety seats (see Work Statement 10) and pre-approved equipment (see Work Statement 11). The recipient will be reimbursed for officers working selective traffic enforcement at a rate that does not exceed one and one-half times the officer's regular hourly rate. Reimbursement is limited to one officer per patrol vehicle. Officers may also be compensated at the selective enforcement rate for hours spent conducting seat belt surveys associated with mobilizations and time spent working at clinics associated with the proper installation of child safety seats. Hours spent conducting seat belt surveys, participating in sobriety checkpoints, or working at child safety seat clinics will not be used when calculating enforcement performance and should be reported separately on the supplemental monthly report form. Officers compensated through this agreement shall work strictly within the scope of this project while performing duties in connection with and being funded by this agreement. Hours worked on and compensated through this agreement must not supplant (be a substitute for) regular officer hours and pay. Routine patrol functions, including crash investigations, will be assigned to personnel on regular duty. Should a project officer become involved in routine patrol functions while conducting selective enforcement, the officer will be compensated from other funds. *No part-time personnel can be compensated through this agreement.* Note: Consistent with federal guidelines officers working Selective Enforcement should be compensated in accordance with recipient overtime policy and nothing in this agreement should be interpreted as authority to violate agency policy. Submit to the AHSO any revisions to agency overtime policy within 28 days of the effective date of the revision.
10. If child safety seats are an approved budget line item on the invoice forms, purchase and loan child safety seats in accordance with AHSO policy. Seats must be purchased no later than February 28, 2018. Invoices for the seats must be submitted to the AHSO within 30 days of purchase. All purchases must be in compliance with federal, state and local purchasing laws and regulations.
11. If equipment is an approved budget line item on the invoice forms, purchase the following equipment to assist with the enforcement effort: one speed trailer at an estimated cost of \$4,100 and five PBTs at an estimated cost of \$2,300 to be used during overtime traffic enforcement. Priority use of this equipment shall be given to those officers actively working STEP enforcement. Assurance is provided herein that throughout the life expectancy of this equipment, it will be used for the purposes expressed or implied in this agreement. All purchases must be in compliance with federal, state and local purchasing laws and regulations and if applicable, be listed on the National Highway Traffic Safety Administration's current Conforming Products List of Evidential Breath and Speed Measurement Devices. ALL equipment purchases must be pre-approved in writing and must comply with the Buy America Act (See page 22 of the Certifications and Assurances).
12. Ensure that all officers working on this project have successfully completed the National Highway Traffic Safety Administration's approved courses on traffic occupant protection strategies (TOPS) training and standardized field sobriety testing (SFST) during the project period.
13. Ensure that all officers working this project are familiar with Act 308 of 2009 (the amended mandatory seat belt law). Effective June 30, 2009, the Act makes a violation of the mandatory seat belt law a "primary" offense for enforcement purposes.

ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

WORK STATEMENT

14. Ensure that all officers working on this project are familiar with Act 470 of 2001 (the amended "Child Passenger Protection Act"). Effective August 13, 2001, children under the age of fifteen (15) years must be restrained and any child under six (6) years of age and under sixty (60) pounds in weight must be restrained in a child safety seat. Violation of this Act is a primary offense, meaning that a vehicle may be stopped if there is probable cause to believe that the law is being violated.
15. Ensure that all officers working on this project are familiar with Act 561 of 2001 (the ".08 BAC law"). Persons arrested for violation of Arkansas Code Annotated 5-65-103 and 5-56-205 shall be determined to be DWI arrests. Youthful offenders arrested for violation of Arkansas Code Annotated 5-65-303 shall be determined to be DUI arrests.
16. Ensure that all officers working on this project are familiar with Acts concerning the use of the cell phone while driving: Act 181 of 2009, "Paul's Law" prohibiting the use of hand held cell phones for typing, texting, e-mail or accessing the internet while driving; Act 197 of 2009, limiting wireless telephone use by young drivers; Act 247 of 2009, prohibiting wireless telephone use by drivers under eighteen years of age and drivers who are at least eighteen but under twenty-one years of age from using handheld wireless telephones (allows drivers who are at least eighteen but under twenty one years of age to use hands-free wireless telephones or devices); and Act 37 of 2011, an act to improve the safety of highways and roads by prohibiting wireless telephone use in school zones and highway work zones.
17. Ensure department implements policies and internal controls to prevent fraud and misuse of grant funds.

ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

WORK STATEMENT

18. Submit monthly reimbursement requests, local match reporting form and activity reports, including PI&E activities, along with a cover letter(s) by the 15<sup>th</sup> of the subsequent month in accordance with formats provided by the AHSO. Also include with the reimbursement requests as back-up supporting documentation, payroll summary sheets which accurately reflects payroll disbursed by the agency for STEP for the time period requested and invoices for any eligible items purchased i.e. child safety seats) along with proof of payment i.e. copy of the check. The summary sheets must record each officer who worked, dates they worked, number of hours worked for each date, regular and overtime pay rates, applicable fringe rates and be signed by both the project coordinator and an agency payroll or fiscal department representative. An Annual Project Activity Report will be submitted in accordance with the format provided by the AHSO. Include with the annual report a tabulation of local funds (if any) contributed to this project. This annual report and the final reimbursement request are due within 30 days following the end of the project period. Final reimbursement will not be made until a satisfactory annual report is submitted.
19. Ensure all officers working STEP sign an Acknowledgement Form verifying that they have read and understand the work statement and reporting forms for the project.
20. Create a project file for maintaining the agreement and financial documents. The file will contain a copy of this agreement, agreement terms, and the Acknowledgement Form signed by the officers working STEP. Related AHSO policies and procedures, policies or procedures of the recipient related to this project's activities, copies of monthly activity reports, AHSO STEP daily worksheets, reimbursement requests, payroll summary sheets outlined in Work Statement 18, other supporting financial documentation such as payroll printouts and invoices, a copy correspondence relating to the agreement, and documentation of public information activities should also be included in this file. The file must be maintained in one location and is subject to review by State and Federal authorities responsible for oversight of this agreement. Copies of time sheets, original AHSO STEP daily worksheets, and citations for all officers paid through this agreement must be kept in this file. Time sheets must have officer's and supervisor's signatures with attached supporting documents. AHSO STEP daily worksheets must be completed properly and have the officer's and a supervisor's signature to be eligible and approved for reimbursement.

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 provisions stated in the Subgrant Agreement/Contract Terms. An analysis of reimbursable costs is provided in the attached Sub-grantee Invoice Form.
  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. The AHSO retains the right to limit or modify enforcement hours and days at its discretion and as necessary to meet performance compliance requirements.





**Arkansas State Police  
Highway Safety Office  
Subgrantee Invoice Form  
FY 2018**



**Selective Traffic Enforcement Program**

SUBGRANT #:	OP-2018-03-02-11	AWARD PERIOD:	10/1/17 - 9/30/18
	SE-2018-13-01-13	CFDA TITLE:	State & Community Highway Safety
	MSX-2018-05-06-11	AWARD AMOUNT:	\$574,300.00
		CFDA TITLE:	National Highway Traffic Safety
		AWARD AMOUNT:	\$46,800.00
EIN (Tax ID #):	71-6018462	HTPS:	Child Passenger Protection Fund (SCP)
FAIN #	18X9204020AR1518	AWARD AMOUNT:	\$1,000.00
FAIN #	18X920405DAR1518		
<b>Request Period:</b>			
<b>Project:</b>	Selective Traffic Enforcement Project (STEP)		
<b>Subgrantee Name:</b>	Fayetteville Police Department	<b>Telephone:</b>	479-587-3500
<b>Mailing Address:</b>	100 Rock Street	Fayetteville	Arkansas 72701
<b>Budget Categories</b>	<b>Approved Budget</b>	<b>Revised Budget</b>	<b>YTD Previous Expenditures</b>
			<b>Expenditures This Period</b>
			<b>YTD Total Expenditures</b>
			<b>Remaining Budget</b>
<b>PERSONAL SERVICES</b>			
Seat Belt - 402 OP	\$58,600.00		
Speed - 402 SE	\$12,100.00		
DWI/DUI - 405 MSX	\$44,500.00		
<b>OTHER DIRECT COSTS</b>			
Child Safety Seat	\$1,000.00		
<b>EQUIPMENT</b>			
1 speed trailer 402 SE	\$4,100.00		
<b>TOTAL</b>	<b>\$122,600.00</b>	<b>\$0.00</b>	<b>\$122,600.00</b>
Must include all equipment acquisitions of low value (500.00 - 4,999.99) or capital (5,000.00 or greater) and submit subgrantee low value and capital equipment inventory form with invoice form.			<b>Amount of this Request</b>
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>	
Title: Project Coordinator			
Contact Person: Rob Turberville		Contact Phone: 479-587-3500	
<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>
			10119381
<b>General Ledger #</b>	<b>Fund</b>	<b>Fund Center</b>	<b>Funds Reservation#</b>
5100001000	SMP2003	IFJ	456708
5100001000	SMP2003	IFJ	456708
5100001000	SMP3021	IFJ	456729
5100001000	SCP0000	IFD	456714
			<b>TOTAL</b>
<b>REVIEWED &amp; APPROVED TO PAY</b>	<b>INITIAL</b>	<b>DATE</b>	
Program Specialist			
Fiscal Manager			
Highway Safety Manager			
<b>HSA Administrator Signature:</b>		<b>DATE:</b>	
Attach Completed Line Item Detail Sheet and Mail To:		Arkansas State Police	
Voucher #		Highway Safety Office	Voucher #
2018-		#1 State Police Plaza Drive	2018-
FAXED BILLS WILL NOT BE ACCEPTED		Little Rock, Arkansas 72209	



Arkansas State Police  
 Highway Safety Office  
 Line Item Details  
 FY 2018



Selective Traffic Enforcement Program

Project Name: Fayetteville Police Department  
 Selective Traffic Enforcement Project (STEP)

Report Period: 0

Overtime Selective Enforcement (402)

Seat Belt 402 OP \$0.00  
 Speed 402 SE \$0.00

Subtotal \$0.00

Overtime Selective Enforcement (405)

DWI/DUI 405 M5X \$0.00

Subtotal \$0.00

Child Safety Seats (State)

Item 1 \$0.00  
 Item 2 \$0.00  
 Item 3 \$0.00

Subtotal \$0.00

Equipment

5 PBTs 405 M5X \$0.00  
 1 speed trailer 402 SE \$0.00  
\$0.00

Subtotal \$0.00

TOTAL BILLED \$0.00  
 Attach to Page 11



Arkansas State Police  
Highway Safety Office  
Subgrantee Local Match Form  
FY 2018



**Selective Traffic Enforcement Program**

SUBGRANT #:	OP-2018-03-02-11	AWARD PERIOD:	10/1/17 - 9/30/18			
	SE-2018-13-01-11					
	M5X-2018-05-06-11					
EIN (tax ID #):	0					
Report Period:	0					
Project:	Selective Traffic Enforcement Project (STEP)					
Subgrantee Name:	Fayetteville Police Department	Telephone #:	479-587-3500			
Mailing Address:	100 West Rock Street	Fayetteville	Arkansas 72701			
<b>Budget Categories</b>	<b>Approved Budget</b>	<b>Revised Budget</b>	<b>YTD Previous Expenditures</b>	<b>Expenditures This Period</b>	<b>YTD Total Expenditures</b>	<b>Remaining Budget</b>
Personal Services	\$100,600.00				0.00	\$100,600.00
Maintenance and Operations	\$20,000.00				0.00	\$20,000.00
<b>Total</b>	<b>\$120,600.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$120,600.00</b>
						<b>Amount of this Report</b>
						<b>\$0.00</b>
Signature of Subgrantee:					Date:	
Title: Captain						
Contact Person: Rob Tuberville					Contact Phone: 479-587-3500	

Arkansas State Police  
Highway Safety Office  
#1 State Police Plaza Drive  
Little Rock, Arkansas 72209

ARKANSAS STATE POLICE  
HIGHWAY SAFETY SUBGRANT AGREEMENT

**CERTIFICATIONS AND ASSURANCES**

*[Each fiscal year, the subrecipient 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: 2018

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the subrecipient acknowledges and agrees to the following conditions and requirements. In my capacity as the authorizing official for Fayetteville, 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

**INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS**

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).

**FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010, ([https://www.fsr.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsr.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to FSR.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;

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- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards;and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

**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, sub-recipients 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



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- **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 at 74087 to 74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require any of 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;
- 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—

- b. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time; 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

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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 subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
- o The dangers of drug abuse in the workplace.
  - o The grantee's policy of maintaining a drug-free workplace.
  - o Any available drug counseling, rehabilitation, and employee assistance programs.
  - o The penalties that may be imposed upon employees for drug violations occurring in the workplace.
  - o Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
- o Abide by the terms of the statement.
  - o Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –
- o Taking appropriate personnel action against such an employee, up to and including termination.
  - o Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.



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**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

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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 Certification (States)**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
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 or may pursue suspension or debarment.
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*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR Part 180. 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 NHTSA.

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7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier 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 1300.

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, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

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.

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Instructions for Lower Tier 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 1300.
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, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. 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 NHTSA.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier 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 1300.
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.

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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, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

**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.

**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 only steel, iron and manufactured products produced in the United States with Federal funds, 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 to and approved 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 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 for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan

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area, and dedicated to improving the traffic safety practices 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 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 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.

SECTION 402 REQUIREMENTS

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that 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 U.S.C. 402(b)(1)(A))
3. 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 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The 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 U.S.C. 402(b)(1)(D))

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6. The State will provide for an evidenced-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))
  
7. 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, including:
  - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
    - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
    - Increase use of seatbelts by occupants of motor vehicles;
  - Submission of information regarding mobilization participation in accordance with 23 CFR part 1300.11(d)(6)(ii);
  - 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 seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
  - 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 23 U.S.C. 148(a).  
(23 U.S.C. 402(b)(1)(F))
  
8. The State will actively encourage all relevant law enforcement agencies in the State 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))
  
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

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.

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**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, 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 2 CFR Part 1201 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 14 – 24 of this agreement, and provide such additional information as may be required.

**A. SUBGRANT DIRECTOR**

**B. AUTHORIZING OFFICIAL**

1. Signature: \_\_\_\_\_  
2. Name: Greg Tabor  
3. Title: Chief of Police  
4. Date: \_\_\_\_\_

1. Signature: \_\_\_\_\_  
2. Name: Honorable Lioneld Jordan  
3. Title: Mayor  
4. Date: \_\_\_\_\_

Approval to proceed, effective 10-1-2017 to 9-30-2018 with committed Federal funds of \$121,600 and State funds of \$1,000 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