

Proposed Project Title: ALCOHOL ENFORCEMENT
Type of Municipality: County
Applicant Agency/County: Milwaukee County

Enforcement Area: milwaukee county
Agency Federal Employer ID (FEIN): 39-600572
DUNS Number: 08-792-8113

Agency Head or Authorizing Official

First Name: David
Last Name: Clarke
Title: Sheriff
Address: 821 W State Street
City: Milwaukee
State: Wisconsin
Zip Code: 53233

Project Coordinator

First Name: Colin
Last Name: Briggs
Title: Captain
Address: 821 W State Street
City: Milwaukee
State: Wisconsin
Zip Code: 53233
Phone: 414 454-4705
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E-mail Address: colin.briggs@milwaukeecountywi.gov

Alcohol-impaired Driving: In Wisconsin during 2013 alcohol was listed as a contributing factor in 4.2% of all crashes. 35.1% of all vehicle crash fatalities in 2013 were alcohol-related, resulting in 185 deaths. Alcohol-impaired driving is associated with other high-risk behaviors that increase the likelihood of a crash and of significant injury or death occurring; these include speeding, and failure to wear safety belts.

Enforcement Area (Targeting): WisDOT analysis has identified roadway segments patrolled by this agency as 'at-risk'. All alcohol and speed-related crash data from the three previous years for every jurisdiction in Wisconsin were analyzed, including those involving property damage through all ranges of injuries to those that resulted in death. These data were scientifically weighted, following established statistical protocol. Using the weighted data, the Bureau identified those places in Wisconsin with the largest crash frequency due to excess alcohol use or speed. After factoring in each identified, at-risk location's population density, a snapshot of the state's most likely places for similar crashes per capita was established. *Source: BOTS Analysis*

For Alcohol Enforcement Grantees, Enforcement reimbursed with NHTSA Grant Funds must take place between the hours of 6:00P and 4:30A

(Data is preliminary).

Additional Justification

Alcohol Enforcement Grant: Quarters: 1, 2, 3 & 4; Equipment: yes; Grant Amount: \$100,000.00

I agree to the terms and conditions above.

1. To adopt a zero tolerance policy for impaired driving during all motor vehicle stops.

Evaluation: Activity Report - Citations

2. To adopt a zero tolerance policy for unrestrained occupants during all motor vehicle stops.

Evaluation: Activity Report - Citations

3. During past deployments, Grantees have typically initiated a recorded traffic stop about every 45 minutes. To maintain or exceed historical activity levels during grant-funded activity Grantee will, on average, initiate a recorded traffic stop every 45 minutes.

Evaluation: Activity Report - Contacts

4. During past grant-funded deployments, Grantees typically maintain an agency ratio of three citations to one written warning.

Evaluation: Activity Report - Citations/Warnings

5. To make contacts with local media, community groups or other groups to increase public awareness of information related to crashes, and subsequent enforcement efforts. This should be done a minimum of once during every quarter of grant approval. Creating partnerships with public and private community groups to enforce public awareness of this campaign is strongly encouraged.

An Agency's failure to meet project Objectives may affect their consideration for future grant awards.

Objectives/Evaluation

To effectively provide enhanced enforcement for the Impaired Motor Vehicle Operators in Milwaukee County. The targeted area will mainly be the Milwaukee County Freeway System.

I agree to the terms and conditions above.

All grantees agree to adhere to the following policies, which are detailed in the full contract

Grantee is:

- subject to audit and is responsible for complying with appropriate maintenance of records
- subject to on-site monitoring and review of records by BOTS staff
- prohibited from purchasing equipment other than equipment approved by BOTS
- prohibited from using grant funds to supplant existing state or local expenditures
- prohibited from discriminating against any employee or applicant for employment
- prohibited from receiving grant funds if presently debarred
- prohibited from using these funds to further any type of political or voter activity
- prohibited from using these funds to engage in lobbying activity
- required to comply with Buy America

If the grant funds will be expended on law enforcement, grantee further certifies:

- that it has a written departmental policy on pursuits
- that it has a written departmental policy on BAC testing of drivers involved in fatal crashes
- that it has a written departmental policy on the use of safety belts by employees
- that it complies with Title VI of the Civil Rights Act of 1964

Annual Mandatory Grants Training:

List the name of the person or persons who have taken or are scheduled to take the Annual Mandatory Grants Training. List the name of the person, training location and the date of training.

Name	Training Location	Date
Colin Briggs and Matthew Paradise	Corey Foster/ 620 S 76th street Milwaukee WI 53214 (Upper Iowa University)	9/11/2014

[Click Here for Training Locations.](#)

I agree to the terms and conditions above.

Federal Grant Period:

Grant activities are funded for one federal fiscal year. Funded fiscal year 2015 activities may begin no earlier than **October 1, 2014** and end no later than **September 30, 2015**.

Work Plan/Calendar:

The Work Plan/Calendar contained within this contract is a term of the contract. It describes timing and level of enforcement activity. At a minimum, during the term of this contract:

Grantee will implement at least one deployment each month within the specified grant period as planned in the Work Plan/Calendar.

The Agencies must participate in Highly Visible Enforcement (HVE) saturation patrols during the timeframes listed below if within specified grant period. HVE saturation patrols must be in high risk locations supported by publicity and may be a collaborative effort with other LEAs.

- December 12 - 20, 2014 (Booze and Belts)
- March 13 - 22, 2015 (St. Patrick's Day)
- May 18 – May 31, 2015 (CIOT National Mobilization – minimum of 4 deployments)
- June 28 – July 12, 2015 (Summer Heat)
- Aug 21 – Sept 7, 2015 (Alcohol Crackdown – minimum of 4 deployments)

NOTE:

During CIOT, Grantees will schedule a minimum of 50% of the hours of enforcement at night during each of the four (4) mandatory deployments, with a minimum of 4-hour shifts.

NHTSA Grant Funds dictate that during Alcohol Enforcement, Grantees must perform enforcement during the hours of 6:00pm and 4:30am.

If grantee cannot perform the planned patrols, BOTS must be notified. Failure to perform planned activity may be considered grounds for terminating the grant.

Work Plan Amendments:

If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval.

Amendments may not be considered after July 1 of the fiscal year during which the project is commenced.

Click [Here](#) to see Amendment Process.

WORK PLAN/CALENDAR

Please enter data for all the required HVE saturation patrols listed under table A.

If you enter a value for any non required box, the remainder of the row should be completed.

If you enter a zero for any column the calculation in column D will produce a 0 for that row.

Only requested reimbursed hours should be included in work plan calendar.

Month	Enforcement Type	(A) Deployments	(B) Hours per Deployment	(C) Officers per Deployment	(D) Total Officer Hours (AxB)xC = D
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October	Saturation/HVE	4	4	4	64
November	Saturation/HVE	6	4	4	96
December	Booze & Belts HVE	8	4	4	128
	OTHER	1	4	4	16
January	Saturation/HVE	7	4	20	560
February	Saturation/HVE	8	4	3	96
March	St. Patrick's HVE	1	4	30	120
	OTHER	6	4	3	72
April	Saturation/HVE	6	4	3	72
May	CIOT HVE	6	4	3	72
	OTHER	1	4	20	80
June	CIOT HVE	8	4	3	96
	OTHER				0
July	Summer Heat HVE	6	4	3	72
	OTHER	1	4	20	80
August	Alcohol Crackdown HVE	6	4	3	72
	OTHER				0
September	Alcohol Crackdown HVE	8	4	3	96
	OTHER				0
TOTAL		83	64	130	1792

WORK PLAN ITEMS – Required:

Saturation Patrols and Sustained Enforcement Deployments:

Grantee will assign only sworn, SFST-trained officers in patrols. Part-time officers may be assigned only if the grant funded activity and their resulting weekly total hours do not exceed 39 hours.

Total Hours: Grantee agrees to implement 83 deployments for a total of 1792 enforcement hours.

Grant Reimbursable Hours & Rate: Grantee's estimate of funded reimbursable hours is based upon an estimated average hourly wage/fringe rate of \$53.01

State/National Mobilization Activity/Crackdown Reports: Grantee will complete the Activity Reports and submit them to the Grantor no later than the 15th of the month following the mobilization:

- **Booze & Belts Mobilization Activity Report due by Jan 15.**
- **St. Patrick's Day Mobilization Activity Report due by Apr 15.**
- **Click It or Ticket Safety Belt Mobilization Activity Report due by June 15.**
- **Summer Heat Mobilization Activity Report due by Aug 15.**
- **Alcohol Crackdown Activity Report due by Oct 15.**

✓ I agree to the terms and conditions above.

Budget Plan:

The Budget spreadsheet within this contract is a term of the contract. Eligible cost items for this project include: Wage, Fringe, Low-cost Equipment and High-cost Equipment. Grantee must complete the Federal Share AND Estimated Local Match columns.

Equipment Purchase:

The Equipment Purchase Form within this contract is a term of this contract, if either High-cost or Low-cost Equipment is purchased. "High-cost" Equipment is defined in the General Terms; other equipment is considered 'low-cost'.

Budget/Equipment Amendments:

If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval.

Amendments may not be considered after July 1 of the fiscal year during which the project is commenced.

Click [Here](#) to see Amendment Process.

Match Requirements:

A local match of at least 25% of the grant total is required. The match budget line may consist of estimates of program match.

Budget

Item	Federal Grant	Local Match	Totals
Wage/Fringe	\$94,993.92	\$23,748.48	\$118,742.40
Travel/Mileage	Ineligible		\$0
Training	Ineligible		\$0
Contractual Services	Ineligible		\$0
Equipment	\$0	\$0	\$0
Materials & Supplies	Ineligible		\$0
Other	Ineligible		\$0
Total	\$94,993.92	\$23,748.48	\$118,742.40

Relationship to Work Plan:

All budget items must relate to activities described in the Work Plan. Reimbursement will be based on actual costs, NOT budgeted rates. Only project activities and expenses described in the approved work plan and budget, incurred during the grant period, are eligible for reimbursement. Expenses incurred that are not specified in the budget or work plan will not be reimbursed.

Document Requirements:

Grantee will document hours, wage and fringe rate, and all match costs. Fringe benefit shall be actual costs. Payment for salaries and wages shall be supported by a time and attendance report, or equivalent records, which shall be kept on file at the agency for three years from the date the project closes. Grantor reserves the right to perform monitoring activities, to include ongoing review and audit of department records.

Monitoring:

Grantee consents to monitoring by BOTS staff to ensure compliance with applicable state and federal regulations. Monitoring may occur on-site and will require access to original versions of employee payroll information, citations, and other materials related to the implementation of this grant.

Equipment Purchase:

Grantee must specify make, model, quantity and purchase price of each type of equipment to be purchased.

Buy America:

Grantee agrees to comply with the provisions of Buy America, 23 USC 313, which includes the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with federal funds unless the US Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project Grant 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 US Secretary of Transportation.

Item	Assembled or Made in America Yes No	Federal Grant	Local Match
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		
Domestic materials or equipment not reasonably available			
Domestic materials or equipment not of satisfactory quality			
Domestic materials or equipment would increase the cost by more than 25%			
	Yes No		

Domestic materials or equipment not reasonably available
 Domestic materials or equipment not of satisfactory quality
 Domestic materials or equipment would increase the cost by more than 25%

Yes No

Domestic materials or equipment not reasonably available
 Domestic materials or equipment not of satisfactory quality
 Domestic materials or equipment would increase the cost by more than 25%

Yes No

Domestic materials or equipment not reasonably available
 Domestic materials or equipment not of satisfactory quality
 Domestic materials or equipment would increase the cost by more than 25%

Total **\$0** **\$0**

Equipment Requirements:

No more than one-half (50% Rule) of the grant funds may be allocated to equipment, **not to exceed \$4,999.00**. If equipment costs exceed the cap of \$ 4,999.00, NHTSA approval would need to be obtained prior to purchase, and any amount in excess of \$4,999.00 would be Local Match. Grantor will mark the equipment and maintain a proprietary interest until the total equipment value falls below \$4,999.00.

Note: The 50% Rule relates to reimbursed grant funds, not to the initial grant award.

For example: The Grantee receives a grant of \$10,000.00 and budgets \$5,001.00 for Wage and Fringe and \$4,999.00 for Equipment. The Grantee utilizes only \$2,500.00 for Wage and Fringe. Then, the total grant amount is reduced to \$5,000.00, of which no more than 50%, or \$2,500.00 (not \$4,999.00) can be used to purchase said equipment.

Important!

While equipment may be ordered/purchased once the Grant is approved by BOTS, actual reimbursement for said equipment will not occur until grantee has worked the minimum hours needed to insure that the 50% rule is met.

For example: An Agency budgets \$15,000.00 for enforcement and \$4,500.00 for Equipment, \$4,500.00 in Enforcement must take place before the equipment purchase will be reimbursed.

Grantor reserves the right to monitor the use of all equipment purchased using Highway Safety Funds.

Grantee will make the equipment available for viewing by grantor upon notice.

Approved Equipment:

Click [Here](#) for all Approved Equipment listed in the Highway Safety Performance Plan.

Alcohol/drug-testing, and alcohol enforcement devices must comply with standards and specifications established by NHTSA or other nationally recognized standard-setting agencies

NOTE: No equipment will be allowed on Seat Belt Enforcement Grants.

NHTSA Guidelines do not allow the purchase of Speed Enforcement Equipment with Alcohol Grant Funds.

Click [Here](#) for a list of all TraCS compatible equipment. (Use for TRaCS grants only.)

Signatures:

The signature of agency head or authorizing official must be emailed to DOTsafetygrants@dot.wi.gov. An electronic grant submission through the WISE Grants System will initiate the grant approval process, but no reimbursement will be made until the signature page is received.

I agree to the terms and conditions above.

Forms:

Forms will only be accepted through the WISE Grants. Questions about grant submissions should be referred to either the State Program Manager or the Regional Program Manager.

Click [Here](#) to see the RPM and SPM map.

Project Match Report:

Grantee will complete the Final Project Match Report form provided by Grantor AFTER all project activity is complete, but no later than **November 1st of the fiscal year during which the project is commenced.**

Earned Media Event Documentation:

Documentation (hard-copy, faxed and/or electronic copies of media materials) of each earned media event must be submitted to BOTS. An electronic link to a print article, news online or other format is acceptable documentation.

Place of Delivery:

All Electronic Project Deliverables shall be submitted via the WISE Grants System.

Signature Pages shall be e-mailed to DOTsafetygrants@dot.wi.gov

Questions about the Traffic Safety Program or this project should be addressed to the State Program Manager or the Regional Program Manager.

Click [Here](#) to see the RPM and SPM map.

Mailing Address:

Wisconsin State Patrol, BOTS
P.O. Box 7936
MADISON, WI 53707-7936
FAX: (608) 267-0441

I agree to the terms and conditions above.

This Grant Agreement (Agreement), entered into by and between the Bureau of Transportation Safety (BOTS) and _____ (Grantee), is executed pursuant to terms that follow.

1. Purpose of this Agreement

The Bureau of Transportation Safety, housed within the Wisconsin Department of Transportation's Division of State Patrol, serves as the administering agency for state and federal grants relating to transportation safety. The purpose of this Agreement is to enable BOTS to award grant funding to Grantee for eligible costs of the Grant Project (Grant) undertaken as outlined in the project narrative and work plan. The funds shall be used exclusively in accordance with the provisions of this Agreement, as well as applicable federal and state laws and regulations.

2. Term

Work conducted under this Grant must occur within the federal fiscal year: October 1 to September 30. This Agreement expires September 30 of the fiscal year during which the Grant is conducted.

3. Implementation

Grantee shall be solely responsible for the design and implementation of the Grant as described in the project narrative and work plan. Grantee agrees to conduct the Grant in accordance with these plans as approved by BOTS.

Modification of the Grant shall require prior approval of BOTS. Any change in project coordinator, financial officer, authorizing official, addresses, or telephone numbers requires written notification to BOTS. If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval. Amendments will not be considered after July 1 of the fiscal year during which the project is commenced.

Failure to perform planned activity may be considered grounds for termination of funding.

4. Audit and Maintenance of Records

Grantee government subdivisions are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-8507) and revised OMB Circular A-133. If grantee government subdivision is subject to an AB-133 audit, BOTS must be notified of the audit and subsequent results. BOTS may take corrective action within six months and may require independent auditors to have access to grantees records and financial statements. Note: Circular A-133 may be obtained by contacting the Financial Standards and Reporting Branch, Office of the Federal Financial Management, Office of Management and Budget, Washington, DC 20503, telephone, (202) 395-3993.

Documentation of costs shall be maintained for three years following final reimbursement. Reimbursement claim cost detail shall include a list of all personnel whose time is claimed; current billing period and year-to-date wages and fringe benefits paid to each person listed; all travel listed individually and broken out by transportation/mileage, meals, lodging, and related costs; all materials and supplies and contractual services, itemized, required to complete project activity. Employee time records for actual hours worked or percent of time dedicated to project activity are to be maintained by Grantee and made available to BOTS upon request with reasonable notice. Each budget item identified as Other shall be claimed separately.

5. Monitoring by the State

Grantee consents to monitoring by BOTS staff to ensure compliance with applicable state and federal regulations. Monitoring may occur on-site and will require access to original versions of employee payroll information, citations, and other materials related to the implementation of this grant.

6. Payment of Funds by the State

All highway safety projects are funded on a cost reimbursement basis. State or local funds shall be expended before federal reimbursement is made.

BOTS shall reimburse Grantee only for the actual hours worked, and for other eligible costs, and only if the costs

are incurred in performing tasks identified in the Project Narrative or Work Plan. Personnel costs shall be reimbursed on the basis of hourly salary and fringe rate(s) that have been verified and approved by BOTS, or on the basis of percentage of annual salary and fringe dedicated to project activity as described in the Project Narrative or Work Plan. All expenses for which Grantee seeks reimbursement must be documented in Project Activity Reports.

7. Equipment

Tangible, non-expendable personal property having an acquisition cost of \$5,000 or more, with a useful life of greater than two years, that is purchased in whole or in part by Grantee using funds awarded as part of this Agreement must be justified in the project narrative or work plan and approved by the NHTSA Regional Office in writing. Each item shall be tagged, inventoried, and monitored until the federal interest is released.

Tangible, non-expendable personal property having an acquisition cost of less than \$5,000, and budgeted as materials and supplies, will also be monitored. Grantee must inform BOTS when equipment is no longer used for the purpose for which it was acquired.

8. Print and Audio Visual Materials

Grantee shall submit all materials developed under this Agreement to BOTS for approval of content and style prior to final production and release. All video materials intended for general public viewing must be close-captioned. Grantee shall credit the Wisconsin Department of Transportation Bureau of Transportation Safety and the National Highway Traffic Safety Administration on all such materials. Grantee may not copyright any portion of materials produced under this Agreement.

9. Program Income

Program income is gross income derived by Grantee from grant-supported activities. Grantee will report program income on reimbursement claims, stating whether the income is retained or credited as a reduction in federal share of project expenditures. If retained, such income may be used only for highway safety activities and is subject to audit by BOTS.

10. Additional Requirements Where Funds Are Expended on Law Enforcement

Grantee agency certifies that it has a written departmental policy on biased based policing, or that it will initiate development of one during the grant period.

A. Grantee agency certifies that it has a written departmental policy on pursuits or that it will initiate development of one during the grant period. The policy should conform to the guidelines of IACP or a similar pursuit policy.

B. Grantee agency certifies that it has a written departmental policy on the BAC testing of all drivers involved in fatal vehicle crashes involving alcohol, or that it will initiate one during the grant period. Grantee agency will require a test of all killed drivers and will encourage all surviving drivers to consent to a test.

C. Grantee agency certifies that it has a written departmental policy on the use of safety belts by employees, or that it will initiate development of one during the grant period.

D. Grantee must comply with Title VI of the Civil Rights Act of 1964 and Presidential Executive Order 13166 regarding language access and Policy Guidance Concerning Recipients Responsibilities to Limited English Proficient (LEP) Persons.

11. Supplanting

The replacement of routine or existing state or local expenditures with the use of federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of a state or local agency is prohibited.

12. Nondiscrimination

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 (Pub. 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 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), 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 subrecipients to prevent discrimination and ensure nondiscrimination 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 nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), 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.

13. Debarment and Suspension

Grantee certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from entering into this Grant by any federal agency, or by any department, agency, or political subdivision of the state. For purposes of this grant, principal includes an officer, director, owner, partner, or other person with primary management and supervisory responsibilities, or a person who has critical influence on or substantive control over the operations of Grantee.

14. Political Activity (Hatch Act)

Grantee 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.

15. Lobbying Activities

Certification Regarding Federal Lobbying

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.

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.

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.

16. Buy America Act

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.

17. Termination

This grant may be terminated upon BOTS determination that Grantee has materially failed to comply with terms of this Agreement. Termination may be considered among the criteria for subsequent grant awards.

18. Correspondence

All correspondence with BOTS regarding this project shall include the Grant Number, and shall be submitted to the following address:

Wisconsin State Patrol
BOTS
P.O. Box 7936
Madison, WI 53707

I agree to the terms and conditions above.*

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION INSTRUCTIONS FOR CERTIFICATION:

1. By signing and submitting this proposal, the prospective low 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 the 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.
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 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 this 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 transaction. (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 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 Non-procurement list.
- 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 suspended, debarred, ineligible, or voluntarily excluded from participation in this on, in addition to other remedies available to the Federal government, the department of 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 statement in this certification, such prospective participants shall attach an explanation to this proposal.

SIGNED:

Inspector Richard R. Schmidt

(Agency Head or Authorizing Official), (Date), (Agency Name)

(Director, Bureau of Transportation Safety), (Date)

APPROVED AS TO FORM

Mark A. Noyes
CORPORATION COUNSEL
11-18-14

X Approved by:
[Signature]
Risk Management
11-18-14