

REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

#340

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FOR THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES FROM THE DISTRICT ATTORNEY AS REQUIRED BY SECITONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES. IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL REQUESTS FOR ADVICE WILL BE RESPONDED TO IN WRITING. IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O.S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD FAITH AND COURSE OF EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: 04-26-2021

COUNTY DEPARTMENT MAKING REQUEST: Sheriff's Office

STATE, WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED: Review of a grant award modification from the Oklahoma Highway Safety Office the Administrator of the National Traffic Safety Administration Funds. This award is for funding of two traffic safety educators who present traffic safety programs statewide, utilizing the Rollover Simulator, SIDNE vehicle and Distracted/Impaired Driver Simulator. The award includes overtime for deputies working general traffic safety enforcement. The award provides for in state and out of state travel, operating expenses as well as funds for the purchase of one flatbed trailer, and one Kawasaki Mule with graphics for use by the full-time safety education project deputies. The grant period is 10-01-2020 and through 09-30-2021 in the amount of \$227,716.00. This modification adds an additional operating costs including, but not limited to Intoxilyzer kit and mouthpieces in the amount of \$880.00 and the purchase of Innocorp Alcohol Education equipment in the amount of \$2,114.19 for a total of \$2,994.19 in additional funds. Captain David Baisden will be responsible for all programmatic reporting. The award will be accepted online by Captain David Baisden and will be approved online by the Chairman of the Board of County Commissioners.

ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE.

COUNTY OFFICER

DATE RECEIVED BY DISTRICT ATTORNEY:

REPLY BY DISTRICT ATTORNEY:

RECEIVED

APR 26 2021

CIVIL DIVISION  
DISTRICT ATTORNEY

David Prater

## Grant Agreement Summary – Part 1

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

**Title of Contract:** Oklahoma County General Traffic Enforcement and Education \*

**OHSO Project Number:** PT-21-03-20-14 **Award Amount:** \$ 227,718.00 **CFDA Number:** 206000000

**FAIN Number:** 69A37521300004020OK0 **TTA Number:**

**OHSO Project Number:** 164AL-21-03-02-14 **Award Amount:** \$ 2,994.19 **CFDA Number:** 206080000

**FAIN Number:** 69A37521300004020OK0 **TTA Number:**

**TOTAL AWARD:** \$230,710.19

\$

**Project Period:** Oct 01, 2020 - Sep 30, 2021 **Primary Program Area:**

General Police Traffic Services

**Organization:** Oklahoma County Sheriff's Office

**Address:**

201 N. Shartel

**City:** Oklahoma City **State:** OK **Zip:** 73102-2227

**FBI Number:** 73-6006400 **DUNS Number:** 780725701

**Project Director:** David Balsden **Title:** Captain

**Phone Number:** (405) 713-2053 **Fax Number:** (405) 713-1009

### Project Goals:

To work 2676 hours of overtime high visibility enforcement in Oklahoma County in FY21, contributing to statewide traffic safety improvement goals.

**Project Goals:** To provide 185 community education and awareness opportunities in Oklahoma in FY21, contributing to statewide traffic safety improvement goals.

### Problem Identification:

U.S. Census quick facts (2019 numbers are not available) July 1, 2018 estimate shows 3,956,079 persons in Oklahoma, of which 792,582 reside in Oklahoma County representing approximately 20% of the State's population. Oklahoma County, including Oklahoma City, has a vast array of venues that serve alcoholic beverages, which contributes to the number of alcohol-related accidents. The most recent data available reflects there were 3,109 alcohol-related crashes in Oklahoma in 2018 of which 688 occurred in Oklahoma County, the most of any county in the State.

There were 655 fatal crashes reported in Oklahoma in 2018, there were 82 in Oklahoma County more than the second most county of Tulsa which had 63.

FY 2018 facts show 10,128 KAB crashes in the state of Oklahoma and there were 2,178 KAB crashes in Oklahoma County. Of those crashes there were 142 alcohol, 44 drug, 222 speed, 266 distracted, 144 teen and 234 older driver, and 1,271 other KAB crashes which include failure to obey traffic control sign or device as well as other offenses.

The 2018 seatbelt survey indicated a decrease in the number of restrained occupants in Oklahoma County, was 86.5% in 2016 and 83.9 in 2018 which is just below the State average of 85.6% in 2018. This shows we need to increase occupant protection enforcement in an effort to increase seatbelt usage in Oklahoma County.

This year's application will focus on aggressive general traffic enforcement in Oklahoma County in an effort to decrease the number of KAB crashes in Oklahoma County

## Grant Agreement Summary – Part 1

### Project Description:

The Oklahoma County Sheriff's Office (OCSO) will conduct high visibility enforcement utilizing overtime hours in support of State and National goals to reduce the incidence of KA crashes in their community. To identify those times and locations where KA crashes most often occur, the Project Director should utilize all data and reference sources available including but not limited to, DDACTS, crash reports, arrest records, survey results, and other sources. General traffic enforcement is intended to allow agencies to address a greater variety of traffic violations, dependent upon local problem identification. The project director will work with the program manager and assess all data to address areas of concern including but not limited to Occupant Protection, Impaired Driving and Speeding. High visibility Occupant Protection enforcement, Impaired driving enforcement, Speed enforcement and saturation patrols will be utilized to address these focus areas. The program manager will provide feedback and request directed enforcement throughout the grant year based on prior reporting and coordinated activities.

Overtime hours will be paid at the rate determined by the Oklahoma County Sheriff's Office subject to the policies therein, not to exceed 1.5 times hourly rate unless contractually required. Part-time hours worked by part-time or reserve deputies will be paid at the regular rate of the deputy according to department policy.

Traffic Safety Educators: Two (2) full-time deputies will be funded as Traffic Safety Educators charged with conducting traffic safety programs statewide, utilizing the Rollover Simulator, Mule/Gator vehicle and Distracted/Impaired Driver Simulator to provide outreach statewide. These deputies will partner with schools, non-profits, and other agencies in order to expand opportunities to elevate traffic safety programs throughout the state of Oklahoma.

Funding is provided for out-of-state travel for two (2) project personnel to attend the Lifesaver's Conference to learn new and improved traffic safety strategies and submit a report to the OHSO to assist in statewide planning efforts.

Funding is provided for one (1) Kawasaki Mule with graphics @ \$12,379.00, and one (1) flat bed trailer to haul Mule @ \$2,800 in compliance with Buy America Act and other applicable exemptions, NHTSA pre-approval required.

The Oklahoma County Sheriff's Office will employ the following evidence-based strategies in conducting grant related activities:

- 1). Countermeasure: High Visibility Enforcement  
Planned Activity: State and Local High Visibility Enforcement
- 2). Countermeasure: Public Information and Education  
Planned Activity: Driver Education Programs

This grant is subject to the terms and conditions set forth in the Pre-Application guidelines and any modifications agreed to during negotiation and reflected in the Award Documents, or by Contract Change Order hereafter, including; Part I-Grant Agreement Summary; Budget Summary; Budget Detail; Activity/Milestones; General Provisions – Part II; Specific Agreements – Part III; and Certification pages.

In addition, the grantee agrees to the following:

1. If the grantee is a law enforcement agency, the grantee agrees to participate in and support NHTSA's national goals and law enforcement mobilizations ("Click It or Ticket" and "Drive Sober or Get Pulled Over"), including submitting both pre and post reports through the OHSO online Mobilization Reporting System.
2. At the end of the project year and no later than November 1, the Project Director will submit the End of Year Project Summary Report outlining the project accomplishments and whether the project goal(s) was met.

In accordance with OMB Circular A-133, the Oklahoma Highway Safety Office (OHSO) is required to supply each grantee with pertinent information regarding the grant awarded. The Oklahoma Highway Safety Office (OHSO) is a pass-through agency for federal funds provided by the U.S. Dept of Transportation, National Highway Traffic Safety Administration (NHTSA).

On the chart below, locate the "Start of Project Number" for each grant awarded to obtain the information your agency's financial department will need for Federal/State reporting purposes.

Start of Project Number	Program Area	CFDA No.	Award Name	Section No.
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## Grant Agreement Summary – Part 1

AI	Accident Investigation	20.6000000	State and Community Highway Safety	402
AL	Alcohol	20.6000000	State and Community Highway Safety	402
DE	Driver Education	20.6000000	State and Community Highway Safety	402
MC	Motorcycle Safety	20.6000000	State and Community Highway Safety	402
OP	Occupant Protection	20.6000000	State and Community Highway Safety	402
PS	Pedestrian Safety	20.6000000	State and Community Highway Safety	402
PT	Police Traffic Services	20.6000000	State and Community Highway Safety	402
RH	Railroad/Highway Crossings	20.6000000	State and Community Highway Safety	402
SE	Speed Enforcement	20.6000000	State and Community Highway Safety	402
TR	Traffic Records	20.6000000	State and Community Highway Safety	402
TSP	Teen Safety Programs	20.6000000	State and Community Highway Safety	402

M2	405b OP Low	20.6160000	Occupant Protection	405b
M3	21 405c Data Program	20.6160000	State Traffic Safety Information Systems Improvements	405c
M5	405d Impaired Driving Mid	20.6160000	Impaired Driving Countermeasures	405d
M9	405f Motorcycle Programs	20.6160000	Motorcyclist Safety	405f

If you have any questions, please contact your Program Manager.

### Activity/Milestones Projections

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

MILESTONE PROJECTIONS												
Activity #	Project #		Description									
1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			
Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Total

1	PT-21-03-20-14		Hours of overtime traffic enforcement/PI&E worked (based on OT rate of \$28/hour).									
223.0	223.0	223.0	223.0	223.0	223.0	223.0	223.0	223.0	223.0	223.0	223.0	2,676.00

2	PT-21-03-20-14		Number of traffic stops (target is 2 stops per hour).									
446.0	446.0	446.0	446.0	446.0	446.0	446.0	446.0	446.0	446.0	446.0	446.0	5,352.00

3	PT-21-03-20-14		Number of sobriety checkpoints/saturation patrols conducted or participated in.									
		1.00			1.00				1.00	1.00		4.00

### Activity/Milestones Projections

4	PT-21-03-20-14	Number of PI&E activities conducted – minimum 2 per month (to include media contacts, traffic safety presentations, etc.).										
2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	24.00

5	PT-21-03-20-14	Number of presentations conducted by the two (2) Traffic Safety Educators										
15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	180.00

6	PT-21-03-20-14	Number of people who attended presentations (no target)										
												0

7	PT-21-03-20-14	Number of outreach events Traffic Safety Educators attended										
2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	24.00

8	PT-21-03-20-14	Number of people in attendance (no target)										
												0

### Activity/Milestones Projections

9	PT-21-03-20-14	Project Director and financial representative to complete the annual Project Director's Training Course conducted by OHISO.										
2.00												2.00

	PT-21-03-20-14	Submit narrative report (each attendee) on the conference with at least two recommendations for improving traffic safety efforts in Oklahoma.										
						1.00						1.00

1	164AL-21-03-02-14	Submit a letter of confirmation of training on Innocorp Alcohol Education equipment.										
												0

												0

## Activity/Milestones Projections



# Budget Detail Projections

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

Cost Category Items		Project #	Description			
OCT	NOV	DEC	JAN	FEB	MAR	Sumt-Annual
APR	MAY	JUN	JUL	AUG	SEP	Annual

1A.	1	PT-21-03-20-14	Salary for overtime/part time traffic enforcement/P&E (rate not to exceed 1.5 times regular hourly rate unless contractually required and pre-approved by OHSO).			
\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$37,500.00
\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$ 6,250.00	\$75,000.00

1A.	2	PT-21-03-20-14	Salary for two (2) Full time deputies serving as Traffic Safety Educators. Salary up to, but not to exceed, two (2) FTE, for actual hours dedicated to the project (171 hours in a 28 day cycle).			
\$ 7,233.00	\$ 7,233.00	\$ 7,234.00	\$ 7,233.00	\$ 7,233.00	\$ 7,234.00	\$43,400.00
\$ 7,233.00	\$ 7,233.00	\$ 7,234.00	\$ 7,233.00	\$ 7,233.00	\$ 7,234.00	\$86,800.00

1B.	1	PT-21-03-20-14	Benefits for overtime/part time traffic enforcement (rate not to exceed 7.65% unless contractually required and pre-approved by OHSO).			
\$ 479.00	\$ 479.00	\$ 478.00	\$ 479.00	\$ 479.00	\$ 478.00	\$2,872.00

# Budget Detail Projections

\$ 479.00	\$ 479.00	\$ 478.00	\$ 478.00	\$ 478.00	\$ 478.00	\$6,744.00
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I.B.	2	PT-21-03-20-14	Benefits for two (2) full-time deputies serving as Traffic Safety Educators			
\$ 2,098.00	\$ 2,098.00	\$ 2,097.00	\$ 2,098.00	\$ 2,098.00	\$ 2,097.00	\$12,586.00
\$ 2,098.00	\$ 2,098.00	\$ 2,097.00	\$ 2,098.00	\$ 2,098.00	\$ 2,097.00	\$25,172.00

I.A.	1	PT-21-03-20-14	In-state travel to include: registration, lodging, M&IE and transportation expenses in accordance with the State Travel Reimbursement Act (pre-approval from OHSD required)			
\$ 167.00	\$ 167.00	\$ 166.00	\$ 167.00	\$ 167.00	\$ 166.00	\$1,000.00
\$ 167.00	\$ 167.00	\$ 166.00	\$ 167.00	\$ 167.00	\$ 166.00	\$2,000.00

I.B.	1	PT-21-03-20-14	Out-of-State travel to Lifesavers Conference to include: registration, lodging, M&IE, and transportation expenses in accordance with the State Travel Reimbursement Act and state travel restrictions.			
\$	\$	\$	\$	\$	\$	\$0
\$ 6,000.00	\$	\$	\$	\$	\$	\$6,000.00

I.I.	1	PT-21-03-20-14	Operating Costs including, but not limited to: Traffic Safety Education Project related expenses, for maintenance, printing, presentations, phone expenses, fatal vision goggles and other approved costs in accordance with the State Purchasing Act.			
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# Budget Detail Projections

\$ 985.00	\$ 985.00	\$ 985.00	\$ 985.00	\$ 985.00	\$ 985.00	\$5,911.00
\$ 985.00	\$ 985.00	\$ 985.00	\$ 985.00	\$ 985.00	\$ 985.00	\$11,821.00

IL	2	18-AL-21-03-02-14	Operating Costs including, but not limited to: Intoxilyzer kit and Intoxilyzer mouthpieces,			
\$	\$	\$	\$	\$	\$ 680.00	\$880.00
\$	\$	\$	\$	\$	\$	\$880.00

V.	1	PT-21-03-20-14	Purchase of 1 Kawasaki Mule with graphics (1) @ \$12,379			
\$ 12,379.00	\$	\$	\$	\$	\$	\$12,379.00
\$	\$	\$	\$	\$	\$	\$12,379.00

V.	2	PT-21-03-20-14	Purchase of 1 flatbed trailer @ \$2,800			
\$ 2,800.00	\$	\$	\$	\$	\$	\$2,800.00
\$	\$	\$	\$	\$	\$	\$2,800.00

Cost Category Items	Project #	Description
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# Budget Detail Projections

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
APR	MAY	JUN	JUL	AUG	SEP	Annual

V.	\$	184AL-21-03-02-14	Purchase of Innocorp Alcohol Education equipment @ \$2,114.19			
\$	\$	\$	\$	\$	2,114.19	\$2,114.19
\$	\$	\$	\$	\$		\$2,114.19

\$	\$	\$	\$	\$		\$0
\$	\$	\$	\$	\$		\$0

\$	\$	\$	\$	\$		\$0
\$	\$	\$	\$	\$		\$0

# Budget Detail Projections

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

Budget Detail Projections

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

\$	\$	\$	\$	\$	\$	\$0
\$	\$	\$	\$	\$	\$	\$0

# Budget Summary Projections

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

Cost Category/Items	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Annual Total
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun	Jul	Aug	Sep	
I. Personnel													
A. Salaries	\$13,483.00	\$13,483.00	\$13,484.00	\$13,483.00	\$13,483.00	\$13,484.00	\$13,483.00	\$13,483.00	\$13,484.00	\$13,483.00	\$13,483.00	\$13,484.00	\$161,800.00
B. Benefits	\$2,577.00	\$2,577.00	\$2,575.00	\$2,577.00	\$2,577.00	\$2,575.00	\$2,577.00	\$2,577.00	\$2,575.00	\$2,577.00	\$2,577.00	\$2,575.00	\$30,916.00
II. Travel													
A. In-State Travel	\$167.00	\$167.00	\$166.00	\$167.00	\$167.00	\$166.00	\$167.00	\$167.00	\$166.00	\$167.00	\$167.00	\$166.00	\$2,000.00
B. Out-of-State Travel	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000.00	\$0	\$0	\$0	\$0	\$0	\$6,000.00
III. Operating Costs	\$985.00	\$985.00	\$985.00	\$985.00	\$985.00	\$1,985.00	\$985.00	\$985.00	\$985.00	\$985.00	\$985.00	\$985.00	\$12,701.00
IV. Contractual Costs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
V. Equipment	\$15,179.00	\$0	\$0	\$0	\$0	\$2,114.19	\$0	\$0	\$0	\$0	\$0	\$0	\$17,293.19
Monthly Total	\$32,392.00	\$17,212.00	\$17,210.00	\$17,212.00	\$17,212.00	\$20,204.19	\$23,212.00	\$17,212.00	\$17,210.00	\$17,212.00	\$17,212.00	\$17,210.00	\$230,710.19

## General Provisions – Part II

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

### GLOSSARY OF DEFINITIONS

This glossary defines terms with meanings which may be unclear in the context in which they are used. These definitions are meant to apply only to the usage of these terms in this contract agreement.

**Activity** - The smallest unit of work that can be time-framed, quantified, and is critical to the success of a project.

**Actual** - The attained level of resources and/or accomplishments

**Authorizing Official** - The duly authorized representative of the State Agency, Local Subdivision or subrecipient agency having signatory authority and the responsibility of executing the contract agreement.

**C.F.R.** - Code of Federal Regulations

**Director** - The Director authorized by the Governor's Representative to direct the activities of the Oklahoma Highway Safety Office

**DUNS Number** -- Data Universal Numbering System

**FAIN Number** -- Federal Award Identification Number

**FY** - Fiscal year which starts October 1 and ends September 30 each year

**Governor's Representative** - A representative appointed by the Governor of Oklahoma to oversee the activities of the Oklahoma Highway Safety Office

**Grantor Agency** - Oklahoma Highway Safety Office

**Local Subdivision** - An administrative division of local government

**Milestone** - A level of accomplishment of an activity within a specific period of time

**Obligated** - The proposed level of resources and/or accomplishments

**OMB** - Office of Management and Budget (Federal)

**OHSO** - Oklahoma Highway Safety Office

**OS** - Oklahoma Statute

**Program Manager** - An OHSO staff member authorized to act as the liaison between the Highway Safety Office and the State Agency or Local Subdivision in all matters pertaining to a contract.

**Project Director** - A representative of the State Agency, Local Subdivision or subrecipient agency responsible for directing the activities of the project as outlined in the contract agreement

**Projection** - An anticipated level of performance or expenditure necessary to attain the stated project goal(s).

**Project Number** - A number assigned to one of the highway safety program areas as defined by the Highway Safety Act of 1966.

**QTD** - Quarter-to-date.

**State Agency** - An administrative division of state government.

**Subrecipient** - An agency or organization receiving pass-through funds from the OHSO through a duly authorized grant agreement, Memorandum of Agreement or Memorandum of Understanding

**TTA Number** -- Taxpayer's Transparency Act number

**U. S. C.** - United States Code



## General Provisions – Part II

YTD - Year-to-date

### REGULATIONS AND DIRECTIVES

The subrecipient, its assignee(s), successor(s) in interest, subcontractor(s), supplier(s), or anyone who is a recipient of financial assistance through this grant shall agree to all applicable provisions of the following; however, nothing here should be interpreted to limit the requirements to comply with regulations and directives not included in this list:

#### 1. Project Implementation

Grantee agrees to implement the project in accordance with federal statutes, local statutes and regulations, as well as the policies and procedures established by the Oklahoma Highway Safety Office.

#### 2. Nondiscrimination

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities "). These include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

#### 3. 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.

#### 4. Buy America Act

(applies to subrecipients as well as States)

The state and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

#### 5. Prohibition on using grant funds to check for helmet usage.

(applies to subrecipients as well as State)

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 motorcycles.

## General Provisions – Part II

### 6. Certification Regarding Federal Lobbying; Certification for Contracts, Grant, Loans, and Cooperative Agreements.

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

- A. 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 any 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.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for the influencing or attempting to influence any 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.
- C. Then undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients 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 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 civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- D. 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.

### 7. Equipment Purchased with Highway Safety Funds:

- Ownership of equipment purchased is vested in the subrecipient, who must use the property only for the authorized purpose of this project (2 CFR Part 200.313)
- Equipment must be entered into, and tracked through, the Grantee's inventory system and the OHSO inventory;
- Equipment maintenance and liability coverage are the subrecipient's responsibility;
- Subrecipient shall not remove, transfer, or dispose of the property without prior written approval from OHSO;
- If equipment is lost or stolen, the OHSO must be notified immediately, in writing, accompanied by a police report.

To dispose of ANY equipment, the subrecipient **MUST**:

1. Write a letter of request to OHSO;
2. State how the disposal will occur (auction, transfer, etc.) and/or provide three (3) appraisals;
3. Maintain equipment until subrecipient receives letter of approval;
4. Return Equipment to OHSO

Nothing herein contained shall be construed as incurring for the Grantor Agency any liability for Workmen's Compensation, F.I.C.A., Withholding Tax, Unemployment Compensation, or any other payment which is not a part of this contract.

### CERTIFICATION REGARDING DEBARMENT AND SUSPENSION (applies to subrecipients as well as States)

#### Instructions for Primary Tier Participant Certification (States)

## General Provisions – Part II

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these Instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

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

1.

The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

a.

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

b.

Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

c.

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

d.

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

2.

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

### Instructions for Lower Tier Participant Certification

1.

By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

## General Provisions – Part II

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 or debarment.

3.

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

4.

The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5.

The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6.

The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7.

A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8.

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

9.

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

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

1.

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

2.

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

## Specific Agreements – Part III

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

1. Subrecipient shall adopt (if none presently exists) and enforce a written safety belt use policy requiring all employees and others riding in Subrecipient owned or leased vehicles and/or on Subrecipient business to use safety belts in all seating positions and provide a copy of the same prior to initiation of a grant.
2. Regular compensation and/or overtime compensation provided in this grant award will be paid in accordance with established policies and regulations of the subrecipient's entity. Any deviation from the established policies and regulations must be specifically addressed in the written grant agreement.
3. Subrecipient shall verify that any officer using a grant purchased radar or grant purchased video camera has received training in the proper use of the equipment.
4. Subrecipient shall require all law enforcement officers participating in impaired driving enforcement programs to obtain certification in NHTSA sanctioned Standard Field Sobriety Test (SFST) procedures prior to working grant funded enforcement shifts.
5. Subrecipient shall submit activity and reimbursement reports to OHSO monthly through the OKGrants system unless otherwise pre-approved. Reports shall include all appropriate and required backup documentation. Reports shall be submitted within 30 days of the end of the reporting month. Failure to timely submit reports may result in denial of the reimbursement claim or delay in reimbursement of the same.
6. The Oklahoma Highway Safety Office (OHSO) is a pass-through agency for federal funds provided by the U.S. Dept of Transportation, National Highway Traffic Safety Administration (NHTSA). In accordance with 2 CFR 200, the Oklahoma Highway Safety Office (OHSO) is required to supply each subrecipient with pertinent information regarding the grant award to assist in providing the subrecipient's financial department information which may be needed for Federal/State reporting purposes. Said information is contained within the Grant Agreement Summary-Part 1 of the award documents. A subrecipient agency may be subject to audit under 2 CFR 200. Unless other arrangements are made, any required audit cost is the responsibility of the Subrecipient.
7. Any activities or cost items not specifically addressed in this agreement or any revisions to the items which are included in the agreement must be approved, in writing, by the OHSO Director/Governor's Representative or designee before they will be considered eligible activities and/or cost items. (For example, any out-of-state travel expenses not specifically identified in one's agreement require prior written permission from the OHSO Director/Governor's Representative or designee or the costs will not be reimbursed.) These "Specific Agreement" topics have been provided in an effort to assist subrecipients. This is not in any way a complete list of all requirements. Any questions and/or concerns not addressed here or in other areas of this grant agreement should be directed to the OHSO Program Manager assigned responsibility for oversight of this project.
8. The continuation of this project is contingent on the availability and receipt by OHSO of Federal Funds.

## Certification

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

### Instructions:

After reviewing the below information, click **SAVE**. The name, title and date fields will automatically be populated with information and any errors will be noted at this point.

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

Printed Name of Authorizing Official:  
(Chief Executive Officer)

Brian Maughan

Title:

Chairman of the Board of County Commissioners

Date:

Jan 27 2021 10:56AM

**NOTE: The Authorizing Official is the person with official signature authority to make financial and programmatic commitments on behalf of the applicant agency. The Authorizing Official must be a state agency head, mayor, city manager, chairperson of the County Commission or an authorized tribal leader. The Chief of Police or Sheriff is not generally an authorized signatory.**

Signature:

## Contract Change Request

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

Name and title of person submitting request: \*

Cassandra Herring Program Manager

Application Name:

OHSO-FFY2021-Oklahoma Co-00119

Organization Name:

Oklahoma County

Project Title:

Oklahoma County General Traffic Enforcement and Education

Project Director:

David Balsden

Program Manager:

Cassandra Herring

Does this request involve an increase or decrease in the current funding level? \*

☒ Yes

☐ No

Explain in detail the specific change(s) being requested: \*

Adding \$2114.19 in 164 funding for the cost of Alcohol Education equipment.

Provide a justification for the change(s) being requested: \*

Traffic Safety educators utilize this equipment with a range of age groups and communities to teach about the dangers of alcohol impaired driving. 164 funding is specific to Alcohol programs.

**Important Notice: Regardless of the effective date (if approved), any changes made will not modify any Progress or Financial reports already in the system, but will be reflected on reports initiated following execution of the amended agreement.**

**This section to be completed by the OHSO Program Manager**

Change Request discussed with Chief of Resources

☒ \*

Change Request discussed with Chief of Plans & Programs

☒ \*

Other personnel consulted:

Captain David Balsden and Sgt. Christy Yokley

Yes

No

Will this change result in an increase or decrease in the total amount of funding? \*

☒

☐

PT-21-03-20-14

Current Grant Amount: \$227,716.00

Revised Grant Amount:

\$

229,830.19

Current Total Amount: \$230,710.19

Revised Total Amount: \$229,830.19

Does this change represent a major change in project type or description? \*  
(a major change will require a new agreement)

☐

☒

Are new cost categories being added or existing ones being deleted?\*

☒

☐

## Contract Change Request

Will the revisions require modification of existing Activity/Milestones?\*



Effective date of revised agreement:

📅	03/18/2021
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Budget Detail line item modifications:

Cost Category		Project #	Description	Current Funding Amount
<b>New Funding Amount</b>				
V.	3	164AL-21-03-02-1	Purchase of Innocorp Alcohol Education e.	\$ 0
\$ 2,114.19				
III.	2	164AL-21-03-02-1	Operating costs including but not limited to	\$ 0
\$ 880.00				

Narrative summary of approved changes ( *all other provisions of the agreement remain the same* ) \*

adding 164 funds to grant for the purchase of Alcohol Education equipment. CH 3/18/2021



## Modification Comments

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

**Instructions:**

Please complete this page, then click the **Save** button.  
Required fields are marked with \*

**OHSO Comments:**

**Grantee Comments:**

## Contract Change Summary Report

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

Agreement Name:

OHSO-FFY2021-Oklahoma Co-00119

Organization:

Oklahoma County

Project Title:

Oklahoma County General Traffic Enforcement and Education

Effective Date of Change:

Current Grant Amount:

\$0

Revised Grant Amount:

\$0

Summary of Change:

All provisions of the agreement remain the same, except for those outlined in the above summary report. \*

*\*This report is provided for reference only. You may view the formal revised grant agreement in the Award Documents section of your application, consisting of the following pages: Grant Agreement Summary – Part I; Budget Summary Projections; Budget Detail Projections; and Activity/Milestone Projections.*

## Contract Change Summary Report

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

Agreement Name:

OHSO-FFY2021-Oklahoma Co-00119

Organization:

Oklahoma County

Project Title:

Oklahoma County General Traffic Enforcement and Education

Effective Date of Change:

Current Grant Amount:

\$1.00

1

\$1.00

Summary of Change:

1

All provisions of the agreement remain the same, except for those outlined in the above summary report. \*

*\*This report is provided for reference only. You may view the formal revised grant agreement in the Award Documents section of your application, consisting of the following pages: Grant Agreement Summary – Part I; Budget Summary Projections; Budget Detail Projections; and Activity/Milestone Projections.*

## Uploads

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

### Instructions:

Please complete this page, then click the **Save** button.  
Required fields are marked with an \*

#### Grantee Uploads

##### Comments

Choose File No file selected

Equipment Request letter

#### OHSO Uploads

##### Comments

Choose File No file selected

Seat belt policy

Choose File No file selected

Purchasing policy

Choose File No file selected

Risk Assessment

Choose File No file selected

Equipment policy

Choose File No file selected

Reserve policy

Uploads

Choose File | No file selected

OT policy

Choose File | No file selected

Comp time policy

Choose File | No file selected

Equipment Approval

## Record of Equipment

OHSO Highway Safety Application FFY2021

OHSO-FFY2021-Oklahoma Co-00119

### Instructions:

Please fill in the appropriate fields.  
Required fields are marked with an \*.  
When done, click the **SAVE** button.

OHSO INVENTORY #

USING AGENCY INVENTORY #

PROJECT #

FAIN #

CLASSIFICATION

### LOCAL INFORMATION

Agency Name:

City

County

Contact Person

Phone #

Type of Equipment

Use of Equipment

Make of Equipment

Model #

Serial #

Model Year

Purchased From

## Record of Equipment

Address

City

State

Zip

Equipment Added to Active Inventory

OHSO Inventory Label Affixed on

OHSO Inventory Label Affixed By

Estimated Useful Life (Years)

Federal Investment in Total Project

Title Vested In:

☐

OHSO

☐

State Agency

☐

Local Gov't

☐

other

Comment(s): (Identify "Other")

### LOCAL INFORMATION - TRANSFER

Agency Name:

City

County

Entity Code

Contact Person

Phone #

Transfer Date

### FINANCIAL INFORMATION

## Record of Equipment

DATE ACQUIRED

	
---	--

P.O. #

--

### Fund Distribution

Federal

\$		*
----	--	---

State

\$		*
----	--	---

Local

\$		*
----	--	---

Other

\$		*
----	--	---

TOTAL COST:

\$	
----	--

Less Trade-In/OHSO #

--

\$	
----	--

NET COST:

\$	
----	--

### Lien Information

Lien Sent to Purchaser

--

Lien Returned to OHSO

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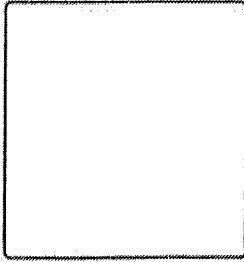
Lien Released to Owner

--

COMMENTS:



## Record of Equipment



### RETIREMENT OF EQUIPMENT

Reason to Retire Equipment



Approved By



Date