

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE
ILLINOIS DEPARTMENT OF TRANSPORTATION
FOR THE CHILD SAFETY SEAT PROGRAM**

WHEREAS, the Village of Downers Grove, an Illinois municipal corporation, has developed grant application Child Safety Seat Program for funding in the total amount of \$47,991.00 for the child safety seat program; and

WHEREAS, the Village Council has reviewed said grant application and agreement conditions authorized the filing of said application with the Illinois Department of Transportation.

NOW, THEREFORE, be it resolved by the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the Village of Downers Grove submit the Child Safety Seat Program application of the Village of Downers Grove in the amount of \$47,991.00 for the Child Safety Seat Program to the Illinois Department of Transportation.

2. That the Village of Downers Grove agrees to the conditions and requirements listed in the grant agreement.

3. That this resolution shall be in full force and effect from and after its passage as provided by law.

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Mayor

Passed:

Attest: _____
Village Clerk



**Illinois Department
of Transportation**

Division of Traffic Safety
3215 Executive Park Drive/P.O. Box 19245
Springfield, Illinois 62794-9245

**Highway Safety
Project Request**

<p>1. Applicant Agency: <u>VILLAGE OF DOWNERS GROVE</u></p> <hr/> <p>Address: <u>801 Burlington Avenue</u> <u>Downers Grove, Illinois 60515</u></p> <hr/> <p>TIN/FEIN: <u>366005857</u></p>	<p>For Office Use Only</p> <p>Project Number: _____</p> <p>Project Title: _____</p> <p>PSP/Task: _____ Year of Funding _____</p> <p>PSP Title: _____</p>
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<p>2. Governmental Unit: <u>VILLAGE OF DOWNERS GROVE</u></p> <hr/> <p>Address: <u>801 Burlington Avenue</u> <u>Downers Grove, Illinois 60515</u></p> <hr/> <p>TIN/FEIN: <u>366005857</u></p>	<p>3. Starting Date: <u>10/01/01</u></p> <p>4. Expiration Date: <u>09/30/02</u></p> <p>5A-E. Project Description (attached)</p>
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5F. Project Description Summary:
Our car seat safety initiative will be directed at Downers Grove residents and the surrounding communities in DuPage County, targeting low-income families in providing free child safety seats. Our educational program will provide instruction as to the proper installation of car safety seats thereby, reducing the risk of injury or death to children aged 0-4 years in motor vehicle accidents. Our proposal is to secure funds to purchase six hundred car seats. The Downers Grove Police Department will provide assistance with the education and distribution process. Certified child safety seat technicians will be assigned to coordinate the training and installation process.

Proposed 5G. Project Budget:	Federal	Local	Total
Personal Services	\$20,373	0	\$20,373
Fringe Benefits	\$3,482	0	\$3,482
Social Security	\$118	0	\$118
Travel	\$3,000	0	\$3,000
Contractual Services	\$400	0	\$400
Printing	0	0	0
Commodities	\$100	0	\$100
Equipment	\$24,000	0	\$24,000
Oper/Auto/Equipment	0	0	0
Totals	\$51,473	0	\$51,473

6. A. Acceptance - It is understood and agreed by the undersigned that this project, if approved, is subject to the attached Agreement Conditions.
B. "Obligation of the state shall cease immediately, without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available funds for this contract."

<p>7A. Project Director:</p> <p>Name: <u>Marion Heintz</u></p> <p>Title: <u>Public Education Manager</u></p> <p>Address: <u>825 Burlington Ave.</u> <u>Downers Grove, IL. 60515</u></p> <p>Telephone: <u>630-434-5600</u> Fax: <u>630-434-5690</u></p> <p>Signature: _____ Date: _____</p>	<p>7B. Authorizing Official:</p> <p>Name: <u>Michael McCurdy</u></p> <p>Title: <u>Village Manager</u></p> <p>Address: <u>801 Burlington Ave.</u> <u>Downers Grove, IL. 60515</u></p> <p>Telephone: <u>630-434-5524</u> Fax: <u>630-434-5571</u></p> <p>Signature: _____ Date: _____</p>
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Agreement Conditions

The following are general conditions of approval and procedural guidelines to which all projects are subject. Signators of this agreement certify that these conditions and procedures will be adhered to unless amended in writing.

A. Media:

1. All articles, publications, news releases, exhibits, video or audio materials prepared by the agency shall identify the Illinois Department of Transportation (IDOT) as the funding source.
2. TDD. All printed, visual and auditory materials, which contain a phone number, must also contain a TDD number. The Ameritech relay number 800-526-0844 (TDD only) may be used to fulfill this requirement.
3. Closed Captioning. All public service announcements funded, in whole or in part, through this federal highway safety program must be closed-captioned for the hearing impaired.

B. Anti-discrimination: Recipient hereby agrees to observe and comply with all provisions of Federal and State constitutions, laws and regulations pertaining to non-discrimination and equal employment opportunity including, but not limited to:

1. Title VI of the Civil Rights Act of 1964, Sec. 601 (Nondiscrimination in Federally-Assisted Programs): No person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance. 49 CFR 21 through Appendix H and 23 CFR 710.405(b) are incorporated and made part of this agreement by reference.
2. The Illinois Human Rights Act (775 Illinois Compiled Statutes, 5/1-101 et. seq.).

C. Disadvantaged Business Enterprises:

1. Policy – It is the policy of the U.S. Department of Transportation that disadvantaged business enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this agreement. Consequently the DBE requirements of 49 CFR Part 23 apply to this agreement.
2. DBE Obligation – The recipient or its contractor agrees to ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this agreement. In this regard all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of Department of Transportation-assisted contracts.
3. Illinois Department of Transportation Program Requirements for Recipients of Grants – All recipients shall comply with the requirements of 49 CFR Part 23.43. These recipients which are required under Part 23.41 to develop a program shall either adopt the Department DBE Program as the minimum to which they will adhere or develop their own DBE Program pursuant to 49 CFR Part 23. This requirement will be a specific condition of grant or contract approval. The Department will provide assistance to recipients in the setting and enforcement of goals for DBEs. The Department will provide its certified DBE directory to recipients at no charge.
4. Subcontracts – The recipient shall include the provisions of this "Policy" in every subcontract, including procurement of materials and leases of equipment.

D. Laws of Illinois: This contract shall be governed in all respects by the laws of the State of Illinois.

E. Procurement Procedures: All procurement transactions for contractual services, commodities and equipment shall be conducted in a manner that provides maximum open and free competition. The applicant agency shall also meet the following minimum procedural requirements, as well as any specific procedures written into the narrative of this agreement.

1. Solicitations of offers shall include a description of the technical requirements for the product or service to be procured.
2. Awards shall be made only to responsible bidders that can meet the preceding requirements.
3. Small purchase procedures, which consist of obtaining verbal or written price or rate quotations from at least three qualified sources, may be used for products or services having a total value of not more than \$10,000. Purchase is to be made from vendor with lowest quote.
4. Formal advertising procedures shall be used for products, which may include associated nonprofessional services having a total value of more than \$10,000. If under \$10,000, three verbal or written price quotes are to be obtained. Purchase is to be made from vendor with lowest quote. An invitation for bids, with item specifications and supplier requirements, shall be publicly advertised. In addition, bids shall be solicited from an adequate number of known suppliers. Bids shall be opened publicly and a fixed-price contract award made to that responsible bidder whose bid most closely conforms to the best interest of the project.
5. Competitive negotiation procedures shall be used to procure services having a total value of more than \$10,000. The Request for Proposal shall be publicized and proposals shall be solicited from an adequate number of qualified sources. Negotiations are normally conducted with more than one source and a cost-reimbursement contract shall be awarded based on a technical evaluation of the proposals received. Award may be made to the responsible bidder whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful bidders should be notified promptly.
6. Non-competitive negotiation, the procurement through solicitation of a proposal from one source, is allowed if the products or services are available only from a single source or, if after a number of sources have been solicited, competition is determined inadequate. The Division of Traffic Safety must authorize this procedure.
7. The applicant agency will take all necessary affirmative steps to assure that minority firms, women's business enterprises and labor surplus area firms are used when possible.
8. The applicant agency shall maintain records sufficient to detail the significant history of a procurement. These records shall include, but are not necessarily limited to, information pertinent to: rationale for the method of procurement, selection of contract type, contractor selection or rejection and basis for the cost or price.
9. No employee or representative of the Illinois Department of Transportation or the applicant agency shall participate in the procurement of products or services if a conflict of interest, real or apparent, would be involved. Nor shall such persons solicit or accept anything of monetary value from bidders or suppliers.
10. The applicant agency must comply with any special conditions detailed in the contract, the State Purchasing Act and any local ordinances or regulations.

F. Consultant Contracts: After a consultant is selected in accordance with the requirements of Condition E (Procurement Procedures) as detailed herein, the consultant contract shall be submitted to the Division of Traffic Safety for approval prior to execution. The applicant agency is subject to all regulations in the "Requirements for Consultant Contracts" which will be furnished by the Division of Traffic Safety.

G. Supporting Documentation: Funds shall not be advanced to an applicant agency but rather reimbursed for actual expenditures upon submission of proper supportive documentation. Copies of the original or source records which evidence all expenditures (federal and local) shall be submitted with claims for reimbursement of costs. Only those costs incurred within the approved project period and budget are eligible for reimbursement. Supporting documentation to verify the amounts, uses and recipients of all disbursements of funds shall be retained for a period of five years after the final claim has been paid and shall be available for audit at any time during this period.

1. Proper supportive documentation required for costs incurred is described in the guidelines entitled, "Procedures for Submittal of Claims for Reimbursement."

2. Claims for reimbursement should be submitted on a monthly/quarterly basis. The final claim for reimbursement must be received by the Division of Traffic Safety within 30 days following the expiration of the grant to receive payment.
- H. **Equipment Inventory:** An inventory of nonexpendable personal property having an acquisition cost of \$5,000 or more is subject to periodic inspection by the Division of Traffic Safety. "Property Management Standards" will be furnished by the Division of Traffic Safety. These standards provide requirements relative to equipment inventory, use and disposition procedures.
- I. **Project Monitoring:** The Division of Traffic Safety will conduct periodic on-site reviews of all ongoing highway safety projects to monitor adherence to the project agreement and to review project progress and claim for reimbursement procedures.
- J. **Reports:** Progress reports by objective shall be submitted to the Division of Traffic Safety as stipulated in this agreement. The final project report shall be submitted to the Division of Traffic Safety within 30 days after the expiration date of the project or as stipulated in this agreement.
- K. **Alterations:** All alterations shall be requested in writing and shall be authorized in writing by the Division of Traffic Safety before work is started. No oral understanding or agreement not incorporated herein will be binding on either of the parties.
- L. **Termination/Cancellation:** Obligation of the State shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available funds for the contract.

This agreement may be terminated/canceled by either party upon 30 days written notice. Failure to carry out the conditions set forth herein shall constitute a breach of the agreement and may result in termination of the agreement or such remedy as appropriate. Upon termination, the applicant agency will be paid for work satisfactorily completed prior to the date of termination.

- M. **Approval and Ownership of Data and Creative Material:** All documents including reports and all other work products produced by the applicant agency under this contract shall be submitted to the Division of Traffic Safety for approval prior to development and same shall become and remain the property of the Division of Traffic Safety.
- N. **Audits:** The records and supportive documentation for all completed projects are subject to an on-site audit by the Illinois Department of Transportation, Bureau of Accounting and Auditing. The Bureau of Accounting and Auditing reserves the right to inspect and review during normal working hours the workpapers of the independent auditor in support of their audit report.

The Single Audit Act of 1984 (Public Law 98-502) and the Single Audit Act Amendments of 1996 (P.L. 104-156) require the following:

1. State or local governments that receive \$300,000 or more a year in federal financial assistance shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133.
2. State or local governments that receive less than \$300,000 a year shall be exempt from compliance with the Act and other federal audit requirements.
3. Nothing in this paragraph exempts State or local governments from maintaining records of federal financial assistance or from providing access to such records to Federal Agencies, as provided for in Federal law or in Circular A-133 "Audits of States, Local Governments and Non-Profit Organizations".
4. A copy of the audit report must be submitted to the Division of Traffic Safety within 30 days after completion of the audit, but no later than one year after the end of the local government's fiscal year.

One copy of the audit report shall be provided to the Division of Traffic Safety and one copy sent to: Bureau of Census, Data Preparation Division, 1207 East 10th Street, Jefferson, IN 47132, Attn: Single Audit Clearinghouse.

O. Safety Belt Use Requirements:

1. In accordance with the Illinois Mandatory Seat Belt Law (625 Illinois Compiled Statutes, 5/12-603.1) the grantee will establish a safety belt use policy requiring employees to use the appropriate occupant restraint protection devices as provided in the vehicle being driven while on official business.
2. A copy of the safety belt policy shall be retained locally in the project file and available for review by Division of Traffic Safety representatives.

P. Certification Regarding Debarment and Suspension:

In accordance with the provision of 49 CFR Part 29, the undersigned agency certifies that it shall not knowingly enter into any agreement or contract with a person or agency that is barred, suspended, declared ineligible or voluntarily excluded from participation in a contract with any Federal department or agency.

Q. Certification Regarding Lobbying – Certification for Contracts, Grants, Loans and Cooperative Agreements:

The undersigned agency certifies to the best of its knowledge and belief, that:

1. No federally 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, 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 or the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
2. If any funds other than federally 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 agency shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that 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.

R. Drug Free Workplace Act – Certification for Drug Free Workplace:

1. As required by the Drug Free Workplace Act (30 Illinois Compiled Statutes, 580/3 et. seq.), no grantee or contractor with 25 or more employees shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or services from the State, unless the grantee or contractor has certified to the State that the grantee or contractor will provide a drug-free workplace.
2. Submission of this certification is a prerequisite for making or entering into this transaction imposed by the Drug Free Workplace Act. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of the contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but not more than five (5) years.