



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
 (631) 454-2160 FAX (631) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
 DIRECTOR OF PUBLIC WORKS

AGENDA: MARCH 13, 2001

March 1, 2001

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
 701 Ocean Street
 Santa Cruz, California 95060

SUBJECT: AGREEMENT WITH CALIFORNIA OFFICE OF TRAFFIC SAFETY
 FOR GRANT FUNDS FOR A TRAFFIC COLLISION DATABASE PROGRAM

Members of the Board:

Over the past few years the County of Santa Cruz has experienced steady increases in congestion and associated traffic collisions on its road system due to a number of reasons, including increased commuter traffic related to the population growth. At this time, the County Public Works Department does not have an automated Traffic Collision Database Program that can be utilized for pinpointing and analyzing higher than average traffic collision locations and correlating these statistics to needed traffic safety improvements. Traffic engineering staff must now compile information by a labor intensive method due to the limitations of the existing program.

The Public Works Department began working on the development of a Traffic Collision Database Program this fiscal year through funding budgeted in the County Service Area (CSA) 9 Highway and Safety Lighting budget. The proposed program will require the County to purchase licensed traffic database software, a computer to run the program, and a database of five years of local traffic collision history. To monitor traffic collisions on a quarterly basis each year, the traffic collision highway database will be updated electronically through data collected in Santa Cruz County by the California Highway Patrol.

In January 2000 the Department of Public Works submitted a concept paper on the Traffic Collision Database Program to the California Office of Traffic Safety to request \$34,800 in grant funds to develop and implement the program. Matching funds of \$40,000 are available through the existing Highway and Safety Lighting budget for the 2000/2001 fiscal year. The Office of Traffic Safety has since approved our funding request and an agreement (copy attached) to receive the funds has been prepared for your Board's review and approval.

It is therefore recommended that the Board of Supervisors take the following action:

1. Adopt the attached resolution authorizing the Director of Public Works to enter into an agreement with the California Office of Traffic Safety to receive \$34,800 for development of a Traffic Collision Database Program.
2. Adopt the attached resolution accepting unanticipated revenue.
3. Authorize the purchase of a computer for the Traffic Collision Database Program in an amount not to exceed \$3,800.

Yours truly,

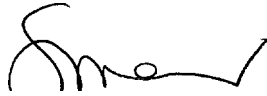


THOMAS L. BOLICH
Director of Public Works

GJM:mg

Attachment

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: County Counsel
Public Works
County Service Area Administration

COLLM

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0142

RESOLUTION NO. _____

On the motion of Supervisor _____
duly seconded by Supervisor _____
the following resolution is adopted:

RESOLUTION ACCEPTING UNANTICIPATED REVENUE

WHEREAS, the County of Santa Cruz, is a recipient of funds from the CALIFORNIA OFFICE OF TRAFFIC SAFETY for TRAFFIC SAFETY PROJECTS; and

WHEREAS, the County will receive funds in the amount of \$34,800, which are either in excess of those anticipated or are not specifically set forth in the current fiscal year budget of the County; and

WHEREAS, pursuant to Government Code Sections 29130 (c) /29064 (b), such funds may be made available for specific appropriation by a four-fifths vote of the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Santa Cruz County Auditor-Controller accept funds in the amount of \$34,800 into the Public Works Department:

REVENUE				
T/C	INDEX NO.	SUBJECT NUMBER	ACCOUNT NAME	AMOUNT
001	622115	0894	ST-OTHER	\$34,800

and that such funds be and are hereby appropriated as follows:

EXPENDITURE					
T/C	INDEX NO.	SUBJECT	WA	ACCOUNT NAME	AMOUNT
021	622115	3590	22325	DPW SERVICES	\$3 1,000
021	622115	8404	22350	EQUIPMENT	\$ 3,800

DEPARTMENT HEAD: I hereby certify that the fiscal provisions have been researched and that the Revenue(s) (has been) (will be) received within the current fiscal year.

By Thomas Bolin
Department Head

Date 3-1-01

COUNTY ADMINISTRATIVE OFFICER //Recommended to Board

0143

//Not Recommended to Board

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this day of _____, 2001, by the following vote (requires four-fifths vote approval):

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of the Board

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

APPROVED
AS TO ACCOUNTING DETAIL:



Chief Assistant County Counsel

Auditor-Controller

Distribution: Auditor-Controller
Public Works Department



**OFFICE OF TRAFFIC SAFETY
GRANT AGREEMENT**

PAGE 1 (To be completed by applicant Agency)

.. PROJECT TITLE

TRAFFIC COLLISION ANALYSIS SYSTEM

1. NAME OF APPLICANT AGENCY

COUNTY OF SANTA CRUZ

4. PROJECT PERIOD

Month- Day - Year

3. AGENCY UNIT TO HANDLE PROJECT

DEPARTMENT OF PUBLIC WORKS

From: **1/1/01**

To: **3/31/02**

5. PROJECT DESCRIPTION (Summarize the project plan covering the objectives, method of procedures, evaluation, and end product in approximately 100 words. Space is limited to 11 lines.)

The objective of the Traffic Collision Analysis System is to create an effective easily maintained automated collision analysis system that will be used to reduce the frequency and severity of traffic collisions in the County of Santa Cruz. The approach to the program will be to identify and purchase the computer hardware necessary to run the database and analysis system and to develop the database system which will input, edit, store, and retrieve traffic collisions records and create electronic pin maps. A goal of the program will be to install five years of collision data in the system. The overall goal will be to identify and prioritize safety improvements annually.

6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: **§ 34,800.00**

7. APPROVAL SIGNATURES

A. PROJECT DIRECTOR

NAME: **Greg Martin** PHONE: 83 1-454-2 160
TITLE: Civil Engineer FAX: 83 1-454-23 85
ADDRESS: Public Works
70 1 Ocean Street, Room 4 10
Santa Cruz, CA 95060
E-MAIL:

(Signature)

(Date)

B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY

NAME: **Tom Bolich** PHONE: 83 1-454-2 160
TITLE: Director of Public Works FAX: 83 1-454-2385
ADDRESS: Public Works
70 1 Ocean Street, Room 4 10
Santa Cruz, CA 95060
E-MAIL:

(Signature)

(Date)

C FISCAL OR ACCOUNTING OFFICIAL

NAME: **Len Dreyer** PHONE: 83 1-454-2 160
TITLE: Fiscal Officer FAX: 831-454-2385
ADDRESS: Public Works
701 Ocean Street, Room 410
Santa Cruz, CA 95060
E-MAIL:

E-MAIL:

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(Signature)

(Date)

D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS

NAME: **Public Works**
ADDRESS: County of Santa Cruz
701 Ocean Street, Room 410
Santa Cruz, CA 95060

PROJECT DESCRIPTION

PAGE 1

BACKGROUND**A. GENERAL CHARACTERISTICS**

The County of Santa Cruz is located on the Monterey Bay, between the San Francisco Bay area to the north and the Monterey Peninsula to the south. Santa Cruz County is the second smallest county in California by physical size and the tenth highest county in population density. The unincorporated population is approximately 140,000 people. The terrain varies through the county from coastal bluffs interrupted by riparian corridors to heavily wooded mountainous terrain,

B. STREET AND HIGHWAYS

The County maintains 601 miles of roads. The County road system primarily consists of arterial and collector roads that serve urbanized areas as well as rural mountainous regions. Mount Hermon Road and Graham Hill Road are major routes providing access to the mountain communities of Felton, Mt. Hermon, and Glen Arbor from Highway 17 and the City of Santa Cruz. They carry approximately 30,000 vehicles per day each. Soquel Drive provides a parallel route to Highway 1 from the City of Santa Cruz to Aptos and carries approximately 25,000 vehicles per day. Forty First Avenue (30,000 ADT) connects from Highway 1 to the communities of Capitola (incorporated) and Soquel. State Park Drive (20,000 ADT) connects from Highway 1 to the communities of Aptos and Seacliff.

C. OPERATING DEPARTMENTS

The Department of Public Works is responsible for traffic safety on all County Roads. This includes maintenance of the roadway, markings, signs, and traffic signals. The Department constructs capital improvement projects to improve operations and safety for all modes of transportation (vehicle, pedestrian, bicycle, and transit). The California Highway Patrol is responsible for enforcement on County Roads.

D EXISTING SYSTEMS

Traffic collisions are evaluated through a dot map which identifies the location and categorizes it as a property injury, fatal, bicycle, pedestrian, or other type of collision. The map does not identify roadway conditions, weather conditions, types of collisions, vehicular movements, or other causes related to the collision. Collision diagrams are done annually for 35 intersections which were identified in a 1990 traffic study. Traffic safety evaluations are only performed occasionally on a case by case basis and are typically not documented.

PROBLEM STATEMENT

The County of Santa Cruz has experienced steady increases in traffic and higher levels of congestion on its road system. At the current time the county does not have an automated traffic records system that can be efficiently utilized for pinpointing and analyzing high collision locations and correlating these statistics to traffic controls or needed traffic safety improvements. Traffic engineering staff must compile information by labor intensive methods because of the limitations of current resources.

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Collision statistics are currently compiled manually using the collision reports that are forwarded to the Public Works Department. The location and type of collision is identified on a dot map. In most cases to obtain sufficient detail for effective engineering decisions, each report must be pulled from the files and evaluated. It is very labor intensive and time consuming to obtain even the most basic collision summaries. Information that would be highly desirable, but can seldom be assembled, includes lists of high collision locations, bicycle and pedestrian concentrations by location, collision patterns at intersections and mid-block locations. There are no countywide analyses performed. Additionally, due to limited personnel, collision diagrams are manually prepared for only 35 locations annually.

ATTEMPTS TO SOLVE

The last significant effort in collision analysis in Santa Cruz County was in 1990 by TJKM. Collision diagrams were prepared for the 40 highest accident locations for the 1986 to partial 1989. In 1993, TJKM provided updated analysis of these 40 locations. Since 1990, sixty five percent of these intersections have been improved. An analysis of these locations has not been done to see if these improvements have improved the collision rate.

PROJECT GOALS

To identify and implement a software program to actively analyze, view, and mitigate high collision locations on a regular ongoing basis.

PROJECT OBJECTIVES

1. To adapt an existing centerline map of 601 miles of roads for use by a GIS collision analysis program by May 2001.
2. To implement a GIS based software application using five years of collision data. To provide a means of producing a current report to identify the number and severity of collisions occurring at 10 critical locations for automobile collisions, five critical locations for bicycle collisions, and five critical locations for pedestrian collisions.
3. To perform additional analysis on the twenty locations referred above including: roadway design (obstructions, drop-offs, shoulders, road widths, sight distance, warning signs, vertical alignment, horizontal alignment, drainage), signal timing, traffic volumes(average daily traffic volumes, peak hour volumes, turning movements, speed limits, actual speeds), adjacent land use, encroachments, and environmental conditions.
4. To perform a comprehensive evaluation of all fatal collisions in the unincorporated County.
5. To identify a prioritized list of six locations from Objective #3 and #4.
6. To establish quarterly meetings by May 2001 between the Department of Public Works and the California Highway Patrol to share collected information.

7. To provide the ability to generate daily, weekly, monthly, or annual activity reports. Reports must be customizable and contain data relevant to traffic enforcement and/or traffic engineering activities by May 2001.
8. To provide a software application with the means of producing current reports ranking collision locations by number and primary collision factor by May 2001.
9. To train four staff members in the usage and maintenance of the final version of the system software by May 2001.
10. To e-mail or fax all press releases or media advisories/alerts to your Regional Coordinator for approval in advance of their release.
11. To use the following standard language in all press materials: "Funding for this program was provided by a grant from the California Office of Traffic Safety through the Business, Transportation & Housing Agency."
12. To submit print clips **by 9 a.m.** to your Regional Coordinator AND Public Information Officer, via fax at (916) 262-2960. All clips should include publication name and date the article was published.

METHOD OF PROCEDURE

Phase 1 – Program Preparation 3/1/01-6/1/01

1. Determine the specific project, system, and equipment requirements and prepare a request for proposals.
2. Evaluate and select vendor/consultant proposals.

Phase 2 – Implementation 6/1/01 – 8/1/01

3. Develop and de-bug base map for GIS collision program.
4. Purchase and install necessary computer equipment and load system in Traffic Division.
5. Train four staff members on use and procedures of system.

Phase 3 – Data Gathering and Analysis 8/1/01 – 3/1/02

6. Use software to import collision database, and load and de-bug five years of collision data into GIS collision program.

PROJECT No: RS0109**PROJECT DESCRIPTION****PAGE 4**

7. Modify and/or develop reporting procedures and revised collision analysis standards for day to day operations

Phase 4 – Final Report and Executive Summary 3/1/02 – 5/1/02

8. Prepare the Final Report and Executive Summary in accordance with OTS requirements specified in the Grant Program Manual, Chapter 7. Both will be submitted to OTS within 60 days after the grant ends.

METHOD OF EVALUATION

Using the data compiled, the project manager will evaluate: (1) how well the stated project goal(s) and objectives were accomplished; (2) if all the activities outlined in the Method of Procedures were performed in accordance with the project agreement; and (3) was the project cost effective?

STATEMENT OF INTENT

It is the intention of the County of Santa Cruz Department of Public Works to incorporate the Traffic Collision Management System as a regular, on-going program. It will be integrated as part of the Department's resource allocation program, will be maintained and staffed appropriately, and will be upgraded as needs and resources allow.

PROJECT No.: RS0109

ADMINISTRATIVE SUPPORT STATEMENT – Explain what type of priority this project has in your jurisdiction.

The County Board of Supervisors and the California Highway Patrol support this project. The Public Works Department will be the primary department allocating staff resources to the project.

AGENCY CONTRIBUTION – Explain what services or funds are being contributed by your agency in support of this project.

Estimated one-year County contribution to the project will be as follows:

Position	FY 1	FY2	
Civil Engineer 100hrs @ \$50/hr	\$2,500	\$2,500	
Assistant Civil Engineer 300hrs @ \$40/hr	\$6,000	\$6,000	
Student Intern 600hr @ \$10/hr	\$3,000	\$3,000	
Administrative Support	\$1,000	\$1,000	
Total	\$12,500	\$12,500	\$25,000

SCHEDULE B
Page 1
DETAILED BUDGET ESTIMATE

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PROJECT No. RS0109

COST CATEGORY	FISCAL YEAR ESTIMATES				TOTAL COST To PROJECT
	FY-1 01-01-01 09-30-01	FY-2 10-01-01 03-31-02			
A. PERSONNEL COSTS					
Positions and Salaries					
Student Intern 200hrs @ \$10/hr	\$2,000				\$2,000
Category Sub-Total	\$2,000.00	\$			\$ 2,000.00
B. TRAVEL EXPENSE					
Traffic Safety Seminar					
Category Sub-Total					\$0.00
C. CONTRACTUAL SERVICES					
Software Consultant	\$29,000				\$29,000
Category Sub-Total	\$ 29,000.00				\$ 29,000.00
COST CATEGORY	FISCAL YEAR ESTIMATES				TOTAL COST To PROJECT
	FY-1 01-01-01 09-30-01	N - 2 10-01-01 03-31-02			
D. NON-EXPENDABLE PROPERTY					
No non-expendable property.					
Category Sub-Total					\$ 0.00
E. OTHER DIRECT COSTS					
personal computer	\$3,800				\$3,800
Category Sub-Total	\$ 3,800.00				\$ 3,800.00
F. INDIRECT COSTS					
Category Sub-Total					\$ 0.00
PROJECT TOTAL	\$34,800.00	\$ 1,000.00			\$34,800.00

SCHEDULE B-1

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PROJECT NO. RS0109

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

The Santa Cruz County Department of Public Works will employ a student intern, or other subprofessional worker to assist with this project. The worker will primarily perform data entry, Autocad, and fieldwork.

TRAVEL EXPENSE

None.

CONTRACTUAL SERVICES

A Consultant will be retained for this project. The Consultant will implement the program and provide training.

NON-EXPENDABLE PROPERTY

None.

OTHER DIRECT COSTS

A personal computer will be purchased to run the program.

INDIRECT COSTS

None.

PROGRAM INCOME

None.

COMPANY/ORGANIZATION NAME

County of Santa Cruz

The contractor or grant named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above named contractor or grant recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by government Code Section 8355(a).
2. Establish a Drug-Free, Awareness Program as required by government Code Section 8355(b), to inform employees about all of the following:
 - (a) The dangers of drug abuse in the workplace,
 - (b) Any available counseling, rehabilitation and employee assistance programs, and
 - (c) Any available counseling, rehabilitation and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
3. Provide as required by Government Code Section 8355 (c), that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free policy statement, and
 - (b) will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

Thomas L. Bolich

DATE EXECUTED

EXECUTED IN THE COUNTY OF
Santa Cruz

CONTRACTOR OR GRANT RECIPIENT SIGNATURE

TITLE

Director of Public Works

FEDERAL I.D. NUMBER

946000534

ACCEPTANCE OF CONDITIONS

COUNTY OF SANTA CRUZ

The following are included herein and constitute a part of this Agreement:

OTS-38	Page 1	Schedule B-1	Budget Narrative
Schedule A	Project Description	Schedule C	Quarterly Evaluation Data
Schedule A-1	Administrative Support & Contribution	OTS-33	Acceptance of Conditions and Certifications
Schedule B	Detailed Budget Estimate	STD. 21	Drug-Free Workplace Certification

I. TERMS AND CONDITIONS

It is understood and agreed by the Project Director and Authorizing Official that any grant received as a result of this Agreement is subject to all federal and state regulations governing grants and to those controls expressed in the California Traffic Grant Program Manuals which include, but are not limited to:

- (a) Quarterly Performance Reports and Reimbursement Claims must be submitted by the Project Director to the Office of Traffic Safety by January 31, April 30, July 31, and October 31, during each year of project operation;
- (b) OTS will withhold or disallow grant payments, reduce or terminate grant funds, and/or deny future grant funding anytime a grantee fails to comply with any term or condition of the grant contract or program guidelines (Volume II, Chapter 3.9). This may include, but is not limited to, the following:
 - Failure to submit acceptable and timely reimbursement claims;
 - Failure to submit acceptable and timely quarterly performance reports; and
 - Failure to submit an acceptable and timely Schedule C (Quarterly Evaluation Data (OTS-38g))
- (c) If, during the term of the grant award, federal funds become reduced or eliminated, OTS may immediately terminate or reduce the grant award upon written notice to the project director.
- (d) By October 31, "continuing" projects must submit a September 30 claim and a written justification to support carrying forward prior year unexpended funds. September 30 claims and written justifications, supporting the carrying forward of prior year unexpended funds, submitted after November 30, will not be processed. The prior claim (i.e., June 30) will be considered the year-end claim in order to close out the federal fiscal year ending September 30. In addition, prior year unexpended funds will be deobligated and allocated to new projects.
- (e) All documentation required to request a project revision (i.e., time extensions, budget category changes, and etc.) must be submitted to OTS prior to the effective date of change(s). For example: OTS will not consider a request for a grant period time extension unless all necessary paperwork is submitted prior to the existing grant termination date. Prior approval is required for all project revisions (Volume II, Chapter 3.8).

No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.

GENERAL CERTIFICATIONS

II. EQUAL OPPORTUNITY ASSURANCE

Pursuant to the requirements of Title VI provisions of the Civil Rights Act of 1964, the certifying applicant acting through its chief administrative officer, desiring to avail itself of the benefits of Chapter 1, Title 23, United States Code, and as a condition to obtaining the approval of the Secretary of Transportation and Governor of California of any highway safety projects as provided for in Title 23, United States Code, Section 105(a), hereby gives its assurance that all provisions of Equal Opportunity Assurance with regard to the Highway Safety Program will be complied with fully.

III. MINORITY AND WOMEN BUSINESS ENTERPRISE

- (a) "policy. It is the policy of the Office of Traffic Safety and the certifying applicant that minority and women 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 MWBE requirements of 49 CFR Part 23 apply to this agreement."
- (b) "MWBE Obligation. The certifying applicant or its contractor agrees to ensure that minority and women 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 the certifying applicant and all contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that minority and women business enterprises have the maximum opportunity to compete for and perform contracts. The certifying applicant and its contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT assisted contracts."

IV. SECTION 504, REHABILITATION ACT OF 1973

Pursuant to Section 504 of the Rehabilitation Act of 1973, no qualified handicapped person shall, because of a certifying applicant's facilities are inaccessible to or unusable by, handicapped persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity funded under the Highway Safety Act of 1966 (U.S. Code, Title Section 23, Section 402 et. seq.).

V. POLITICAL ACTIVITY OF CERTAIN STATE AND LOCAL EMPLOYEES

All individuals employed by a State or local agency whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a Federal agency, including grants from the California Office of Traffic Safety, have been made aware of the provisions of 5 USC, Government Organization and Employees; Part II, Civil Service Functions and Responsibilities; Chapter 15, Political Activity of Certain State and Local Employees; Sections 1501 through 1508. This statute does not include individuals employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization.

VI. NON-DUPLICATION OF GRANT FUND EXPENDITURE

The certifying applicant has no ongoing or completed projects under agreement with TOPICS, CCCJ (LEAA), HEW, or other Federal fund sources, which duplicate or overlap any work contemplated or described in this Traffic Safety Project.

It is further agreed that any pending or proposed request for other Federal grant funds which would duplicate or overlap work under this Traffic Safety Project, will be revised to exclude any such duplication of grant fund expenditures.

It is understood that any such duplication of Federal fund expenditures subsequently determined by audit will be subject to recovery by the Office of Traffic Safety.

VII. LOBBYING RESTRICTIONS

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 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.
- (b) 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.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, 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 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.

VIII. RECYCLING

At intervals designated by the State, contractor shall certify in writing, under penalty of perjury, the minimum, if not exact, percentage of recycled content of materials, goods or supplies offered or products used in the performance of the contract, pursuant to the requirements of Public Contract Code Section 10223. Contractor may certify that the product contains zero recycled content. Definitions of recycled content are contained in Public Contract Code Sections 12161 and 12200.

IX. COMPUTER SOFTWARE

Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.

CERTIFICATION

WE, the officials named below, hereby swear that we are duly authorized legally, to bind the contractor or grant recipient to the above described conditions and certifications. Executed on the date and in the county below, and is made under penalty of perjury under the laws of the State of California.

PROJECT DIRECTOR'S NAME

Greg Martin

DATE EXECUTED

EXECUTED IN THE COUNTY OF

Santa Cruz

PROJECT DIRECTOR'S SIGNATURE

TITLE

Civil Engineer

AUTHORIZING OFFICIAL'S NAME

Thomas L. Bolich

DATE EXECUTED

EXECUTED IN THE COUNTY OF

Santa Cruz

AUTHORIZING OFFICIAL'S SIGNATURE

TITLE

Director of Public Works