



To: Mayor Merkes  
Members of the Common Council

From: Lt. Tim Styka

Date: August 17, 2010

RE: Department of Transportation Click it or Ticket Grant

I am pleased to pass along to you that the Police Department was chosen by the Department of Transportation to receive a \$4,000 grant to be used on equipment related to traffic enforcement. We received this grant for participating as a non-grant funded agency during in the spring Click it or Ticket enforcement program this year. It is our intention to utilize these funds to replace an aging in-squad video camera system.

Please find attached the grant application. The grant does require a 25% match from the agency to receive the award. The matching funds listed in the application include soft match, which was done during regular patrol time during the program, therefore had no direct monetary impact. The application also includes a direct match, which is the amount of the camera system above the \$4,000 grant (\$633). This excess will be covered by existing budgeted money.

Upon approval of the Common Council to accept this grant, I will move forward with securing these funds.

# HIGHWAY SAFETY PROJECT AGREEMENT

Wisconsin Department of Transportation  
Bureau of Transportation Safety  
DT38 07/2010

<b>Proposed Project Title</b>	<b>Non-Funded CIOT EQ Project FFY 2010</b>	
<b>Type of Municipality</b>	<b>City</b>	
<b>Applicant Agency / County</b>	<b>MENASHA</b>	<b>/WINNEBAGO</b>
<b>Enforcement Area</b>	City of Menasha	
<b>Agency Federal Employer ID Number (FEIN)</b>		
<b>Agency Head or Authorizing Official—Name</b>	Robert Stanke	
<b>Title</b>	Chief	
<b>Address</b>	430 First St	
<b>City/State/Zip</b>	Menasha, WI 54952	
<b>Project Coordinator—Name/Title</b>	Lt. Tim Styka	
<b>Address</b>	430 First St	
<b>City/State/Zip</b>	Menasha, WI 54952	
<b>Telephone (area/number)</b>	920-967-3500	
<b>Fax (area/number)</b>	920-967-5145	
<b>E-Mail Address</b>	tstyka@ci.menasha.wi.us	

## BELOW: FOR BOTS USE ONLY

<b>Date Draft Rec'd:</b>		<b>Date Executed Agreement Rec'd:</b>	
<b>Begin Date:</b>		<b>End Date: September 30, 2010</b>	
<b>Federal Identifier</b>	2010-	<b>CFDA Number:</b>	
<b>Amount</b>	\$	<b>Funding Year:</b>	
<b>Project ID Number</b>	0950-	<b>Revenue Project ID Number</b>	
<b>Appropriation</b>	185	<b>Program: 1051</b>	
<b>Object Code(s)</b>	5100		
<b>Vendor Number</b>			
<b>County-Muni Code</b>			
<b>Payee</b>			
<b>Databases:</b>	<input type="checkbox"/> Equipment Inventory	<input type="checkbox"/> Enf Monitoring	<input type="checkbox"/> Training
	<input type="checkbox"/> PI&E Monitoring	<input type="checkbox"/> Other	

## NON-FUNDED CIOT EQUIPMENT PROJECT FFY2010

### I. PROBLEM IDENTIFICATION/PROJECT JUSTIFICATION

In 2009, 58% of persons killed and 30% of persons sustaining incapacitating injuries in Wisconsin crashes were NOT wearing safety belts. Many of these people were ejected from their vehicle. Statewide safety belt use was 73.8% in 2009, however Wisconsin safety belt use still remains about ten percentage points lower than the national average. It has been estimated that safety belt use by motor vehicle occupants in Wisconsin prevents more than 200 traffic related fatalities and more than 8,000 serious injuries annually.

A high level of combined enforcement and public information has been shown to increase public knowledge about traffic safety issues and laws, increases the public's perception of the risk of immediate negative consequences of failure to obey these laws and is effective in creating behavior change in motor vehicle occupants.

### II. PROJECT DESCRIPTION

Grantee will contribute to a decrease in the number of deaths and injuries of unrestrained motor vehicle occupants by deploying traffic officers to locations where visible traffic enforcement will best convey to the community that safety belt and child restraint laws, paired with other traffic laws such as speed and OWI are aggressively enforced.

This grant program supports the purchase of traffic enforcement-related equipment that will enhance the grantee's overall traffic enforcement program. A high level of combined enforcement and public information has been shown to increase public knowledge about traffic safety issues and laws, increases the public's perception of the risk of immediate negative consequences of failure to obey these laws and is effective in creating behavior change in motor vehicle occupants.

**Enforcement:** The Grantee has participated in the **2010 CIOT National Mobilization** as a non-funded agency. Total Traffic Enforcement Project activity included both unfunded traffic enforcement patrols and earned media events. After completion of the Mobilization and submitting required reports, eligible agencies were pooled together by region, and selected randomly for available equipment grants. A total of 48 grants were selected during the 3<sup>rd</sup> quarter Waushara Co Traffic Safety Commission Meeting, held in the City of Wautoma on Friday, July 16<sup>th</sup>, 2010.

### III. PROJECT OBJECTIVES/EVALUATION PLAN

1. Increase community-wide restraint use (*including safety belts and child restraints*) by actively conducting traffic enforcement deployments during the National CIOT Mobilization.
2. Adopt a zero tolerance policy for unrestrained occupants during all motor vehicle stops.
3. Aggressively enforce Wisconsin's Impaired Driving Laws within their jurisdiction, expressing zero tolerance for OWI.
4. During past deployments, most Grantees have initiated a recorded traffic stop about every 45 minutes. Grantees should maintain or exceed historical activity levels during enforcement activity.
5. Media Component:  
Initiate regular contacts with local media and other groups with information about mobilization to increase the public's awareness of (1) safety belt enforcement periods and (2) unrestrained occupant crash problems. The Grantee is further required to submit evidence of having completed one earned media contact.

### IV. POLICY REQUIREMENTS:

1. **Biased-Based Policing Policy:** (Required)

Grantee agency certifies that it has a written departmental policy on biased based policing or that it will initiate development of one. The following websites may assist agencies in developing the required policy.

2. **IACP Pursuit Policy:** (Required)

Grantee agency certifies that it has a written departmental policy on pursuits that is in compliance with the IACP's policy, or that it will initiate development of one. The following websites may assist agencies in developing the required policy.

3. **Fatal Crash Driver BAC Testing Policy:** (Required)

Grantee agency certifies that it has a written departmental policy on the BAC testing of all drivers involved in alcohol-related, fatal vehicle crashes, or that it will initiate development of one during the grant period. Currently all killed drivers in fatal crashes are required to be tested under s.346.71 (2). Surviving drivers involved in fatal crashes can be tested if there exists probable cause to suspect drug / alcohol impairment [s.343.305 (3) (a) and (am)], the driver is operating a CMV (FMCSR 382.303), or if conditions exist that are pursuant to Act 413 [343.305 (3) (ar)]. Agencies will encourage all surviving drivers to willingly submit to a BAC test regardless of circumstance.

4. **Fleet Safety Belt Use Policy:** (Required)

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

5. **Title VI Compliance:** (Required)

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

## V. BUDGET AND EQUIPMENT REQUEST

1. **Budget:**

The Budget spreadsheet (Attachment #2) at the end of this contract is a term of the contract. Eligible cost items for this project include: Low-cost Equipment and High-cost Equipment. Grantee must complete the Federal Share AND Estimated Local Match columns.

2. **Equipment Purchase:**

The Equipment Purchase Form (Attachment #3) at the end of this contract is a term of this contract if either High-cost or Low-cost Equipment is purchased. "High-cost" Equipment is defined in the General Terms; other equipment is considered 'low-cost'.

**ANY EQUIPMENT COSTING MORE THAN \$5,000.00 WILL NEED NHTSA APPROVAL PRIOR TO PURCHASE**

3. **Amendment:**

If Grantee requests to change the budget, Grantee must notify Grantor, either via e-mail or written correspondence, to explain the request. A Project Amendment must be completed and forwarded to the Grantor. **Budget amendments must be approved before expenditures can be made.**

**Amendments will not be accepted after August 30, 2010.**

4. **Signatures:**

The original hard copy signature of agency head or authorizing official must be mailed to the Place of Delivery listed in the DELIVERABLES Section below. An electronic copy will be accepted by Grantor to begin grant administration, but no reimbursement will be made until the original signature copy is received at the Place of Delivery.

## **VI. DELIVERABLES**

**Forms:** Deliverables will only be accepted on the approved forms created by BOTS. Questions about completing the forms should be referred to your Regional Program Manager.

The Grantee has already submitted activity reports for the enforcement effort that was completed during the “**Booze & Belts**” to be eligible for the equipment grant.

### **Grant Application forms and Budget/Equipment Plan spreadsheets:**

Grant Application forms and Budget/Equipment Plan spreadsheets should be submitted via e-mail to the BOTS Grants Mailbox no later than Aug 20, 2010:

[dotbots.dsp@dot.wi.gov](mailto:dotbots.dsp@dot.wi.gov)

with a cc: to your Regional Law Enforcement Liaison (listed below):

NE Region: Terry Askey

[tela@charter.net](mailto:tela@charter.net)

NW Region: Ken Berg

[kuberg@charter.net](mailto:kuberg@charter.net)

SW Region: Bill Gau

[billgau3@yahoo.com](mailto:billgau3@yahoo.com)

SE Region: Al Bishop

[weesee@charter.net](mailto:weesee@charter.net)

### **Equipment CANNOT be purchased prior to Grant approval by the Director of BOTS, or his/her designee.**

Questions about the CIOT Equipment Program, or this project may be addressed either to your local law enforcement liaison in your area, or to:

Karen Valley, Traffic Law Enforcement Program Manager

Wisconsin State Patrol, BOTS

P.O. Box 7936

Madison, WI 53707-7936

[karen.valley@dot.wi.gov](mailto:karen.valley@dot.wi.gov)

FAX: 608.267.0441

PH: 608.267.3297

## **VII. GENERAL CONTRACT TERMS:**

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

**Amendment:** To change the Project Budget, Grantee must contact Grantor, either via e-mail or written correspondence, to justify the request and describe how it will affect project activity and objectives. Grantee must complete a Contract Amendment Form for approval by the Grantor. Grantor must approve the change prior to implementation. Highway Safety Projects may be amended using the approved Project Amendment Form available from the State Highway Safety Office. Amendment requests must be approved in writing before any changes in activity or expenditures can be made. Project Amendments have a deadline of August 20, 2010.

**Correspondence:** All correspondence to the Grantor regarding this project shall include the Project ID Number. Any change in Project Coordinator, Financial Officer, Authorizing Official, addresses, or telephone numbers requires written notification to Grantor. **To: Director, BOTS, Attention: Program Manager (identified in "Place of Delivery.")**

**Equipment:** High-cost Equipment, defined as "tangible, non-expendable personal property having an acquisition cost of \$5,000 or more," and purchased in whole or in part by Grantee using Highway Safety Funds, must be justified in the Project Narrative/ Work Plan and approved by the NHTSA Regional Office in writing. Each item will be tagged, inventoried, and monitored until the federal interest is released. Low-cost equipment, defined as items of tangible, non-expendable personal property having an acquisition cost of less than \$5,000 and budgeted as Materials & Supplies, will also be monitored.

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

**Program Income:** Program income is gross income derived by Grantee from grant-supported activities. Grantee will report program income on Reimbursement Claims, stating whether the income is retained or credited as a reduction in Federal Share of project expenditures. If retained, such income may be used only for highway safety activities and is subject to audit by Grantor.

**Reimbursement:** All Highway Safety Projects are based on the cost reimbursement basis; i.e., state or local funds shall be expended before federal reimbursement is made.

**Eligible Costs:** Grantor shall reimburse Grantee only for the actual hours worked and for other eligible costs, only if the costs are incurred in performing tasks identified in the Project Narrative/ Work Plan. Personnel costs shall be reimbursed on the basis of hourly salary and fringe rate(s) that have been verified and approved by Grantor or on the basis of percentage of annual salary and fringe dedicated to project activity as described in the Project Narrative/ Work Plan and documented in Project Activity Reports.

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

**Supplanting:** The replacement of routine and/or existing state or local expenditures with the use of federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of a state or local agency is considered to be supplanting and is not allowable. The Grantee shall not use grant funds to supplant state or local funds, or other resources that would otherwise have been made available for this program.

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

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

**INSTRUCTIONS FOR CERTIFICATION:**

1. By signing and submitting this proposal, the prospective low tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which the transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion –Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transaction. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement list.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this on, in addition to other remedies available to the Federal government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participants shall attach an explanation to this proposal.

**SIGNED:**

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

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

..... (For BOTS Use) .....  
Project Title: \_\_\_\_\_ Project ID No: \_\_\_\_\_

**Budget (Attachment #1)**

<b>GRANT AWARD</b>			
<b>ITEM</b>	<b>FEDERAL GRANT</b>	<b>LOCAL MATCH</b> (Min. of \$1000.00)	<b>TOTALS</b>
Wage/Fringe	Ineligible	\$500.00	\$ 0.00
Travel/Mileage	Ineligible	\$375	\$ 0.00
Training	Ineligible		\$ 0.00
Contractual Services	Ineligible		\$ 0.00
Equipment (Attachment 2)	4,000.00	\$633.00	\$4,000.00
Materials & Supplies	Ineligible		\$ 0.00
Other	Ineligible		\$ 0.00
<b>TOTAL</b>	<b>\$4,000.00</b>	<b>\$1,508.00</b>	<b>\$4,000.00</b>

**1. Budget Items:**

**NOTE:** The Maximum Amount of Equipment Reimbursement Under This Grant is \$4000.00. Equipment That Costs More Than \$5,000.00 Will Need Prior NHTSA Approval, and any Amount In Excess of \$4,000.00 Will Be Considered Local Match.

Reimbursement will be based on actual costs, NOT estimates. Only project expenses described in the approved Budget / Equipment Purchase worksheets, incurred during the grant period, are eligible for reimbursement. Expenses incurred that are not specified in the budget plan will not be reimbursed.

**2. Documentation Requirements:**

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

**3. Match Requirements:**

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

- Hard Match:                      Actual expenditures
  
- Soft Match:                      Straight time enforcement  
    Mileage costs  
    Travel time  
    Training hours  
    Administrative costs  
    Volunteer time  
    Time spent at media events  
    Other items that contribute toward project activity

**Equipment Purchase (Attachment #2)**

<b>GRANT AWARD</b>			
<b>ITEM</b>	<b>FEDERAL GRANT</b>	<b>LOCAL MATCH</b>	<b>TOTALS</b>
Panasonic Arbitrator Video Camera	4000	\$633.00	\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
<b>TOTAL</b>	<b>\$4,000.00</b>	<b>\$ 633.00</b>	<b>\$ 0.00</b>

**1. Equipment Requirements:**

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

Unit to be purchased is an Panasonic Arbitrator Video Camera Kit 360 for the Panasonic Toughbook. The price for this unit is under the DOA State Contract 11-20454-601 of \$4633.00.

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

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

**2. Approved Equipment:**

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

NHTSA and WisDOT have approved the following items for reimbursement:

- Radar or laser speed enforcement devices
- mobile video cameras
- PBT's
- mobile radios
- speed boards
- Fatal Vision goggles
- visual light bars
- GPS and other devices compatible with TraCS

See <http://www.dot.wisconsin.gov/drivers/drivers/enforce/tracs/tracshardware.htm> for a list of all TraCS compatible equipment.

Attachment #2