



Project Work Plan and Time Line
2014 Air Quality Awareness Grant
Bicycling Safety Program
(Bus Wraps - "Every Lane is a Bike Lane")

Submitted by: The City of Norman

Date: June 13, 2014

Project Description

The project will help establish a public information campaign that targets motor vehicle operators and reminds them that bicyclists have the right to use public roadways, which on occasion, may require that the bicyclist use a full traffic lane. The campaign features a poster-like advertisement wrapped on the back side of one of the transit buses operated by CART.

The goals of the campaign are to raise awareness of bicyclists riding on City of Norman roadways, to improve bicyclist safety, to increase the number of daily riders, to decrease the volume of motor vehicle traffic, and to improve air quality in the City of Norman and in Central Oklahoma region.

The project will be implemented by the City of Norman in partnership with CART.



Work Plan

If the grant is approved, City of Norman and CART staffs will work with the company currently under contract with CART for the development of advertising products displayed on buses. A design concept similar to the 'bus wrap' in the above picture will be developed and presented to the City of Norman Bicycle Advisory Committee for approval. Upon approval, CART will issue the notice authorizing fabrication of the "bus wrap" which will be installed on one of the buses and displayed for a period of one year, with the option to continue displaying for two more years.

Time Line

Acceptance of Grant by Norman City Council	July 22, 2014
Approval of "Bus Wrap" Design by Norman's Bicycle Advisory Committee	August 11, 2014
Fabrication of "Bus Wrap"	August 2014
Mounting of "Bus Wrap" and Display	September 2014 - August 2015

Program Budget

The budget for the program has two elements. First is the cost associated with the fabrication of the “bus wrap”. Second is the monthly cost of displaying the public announcement on one of CART’s buses.

Cost of ‘Bus Wrap’	\$ 575.00
Annual Cost of Displaying “Bus Wrap” (\$500 per month)	\$6,000.00
Total Program Cost	\$6,575.00

Federal Share	\$5,260.00
Local Share	\$1,315.00 (City of Norman - \$657.50) (CART - \$657.50)

City of Norman will up-front 100% of the cost and solicit reimbursements from ACOG at the appropriate times.



Exhibit A

Exhibit A

1. Name of Applying Entity/Organization

City of Norman

2. Please identify which type of eligible applicant you are:

Local government (city or county)

3. Does your entity/organization currently receive CMAQ funds?

No

4. Title of Project or Program

Bicycling Safety Program - Bus Wraps - (Every Lane is a Bike Lane)

5. Grant Award Amount Requested

\$6,575

6. Grant Application Author

Name: Angelo Lombardo

Title: Transportation Engineer

Email: angelo.lombardo@normanok.gov

Phone: 405-366-5327

Mailing Address: 201 A West Gray / P.O. Box 370 Norman, OK 73070

7. I understand and acknowledge the ACOG Air Quality Awareness grant program is a reimbursement program; any funds awarded will not be released until after submission and review of invoices and documentation of eligible costs.

Yes

8. I understand and acknowledge Air Quality Awareness Grants require a minimum of 20% local matching funds from a non-federal source and that in-kind is not allowed.

Yes

9. Please describe how your project or program will improve air quality through a reduction in ozone-forming emissions and/or single-occupancy vehicle trips. Be as specific as possible.

The program is a public safety campaign to raise awareness of bicyclists riding on City of Norman roadways. The goal is to develop a safer riding environment for bicyclists and to encourage more people to use their bicycles as a basic means of transportation.

10. Please describe the participation of key stakeholders in your project or program. Are additional community organizations or groups involved? How did you earn buy-in?

The City of Norman will partner with the local transit services agency (CART) to fund the local match (50% each). One CART bus will be used to display the message. The program has also been fully endorsed by and is actually the "brain child" of the City's Citizens Bicycle Advisory Committee.

11. Does your project or program play a role in ongoing air quality initiatives within your organization or community? Please describe.

Yes. The City of Norman supports green initiatives that improve air quality and intermodal transportation (CART buses are equipped with bike racks. Norman recently adopted its first Comprehensive Transportation Plan which introduces a new vision for the transportation

Exhibit A

system - one that is multimodal in nature with complete streets and numerous enhancements to the bicycle transportation network.

12. Please describe your financial preparedness and experience. Have local matching funds been secured? If not, how do you plan to pursue them? Can you provide overmatch? Does your organization have experience managing grant funds and projects?

Both the City of Norman and CART have secured the local matching funds (\$657.50 each). The City of Norman also has extensive experience managing grant funds and projects (e.g., CDBG, Transportation Enhancements, etc.)

13. Please describe the community benefit of your project or program. Will the program or project specifically help populations particularly vulnerable to ground-level ozone such as children, the elderly and people with chronic respiratory illnesses?

Increased biking activity will reduce vehicle emissions and increase physical activity, especially among school age children.

14. Please describe the means by which you will document and evaluate your project or program. What data will you capture and how? How will you determine success? What goals must be met and when?

The program will be evaluated using the following metrics:

1. Number of daily transit patrons who use the bike racks on buses.
2. Change in the number of daily bicyclists riding on specific routes.

15. Please describe how the project or program educates the public about personal actions to improve Central Oklahoma's air quality.

The program will increase awareness of bicyclists using the City's transportation system, reminding motor vehicle operators that bicyclists have the right to occupy part of the roadway. This will in turn encourage more people to commute with their bicycles leaving their cars behind. The message in the "bus wrap" will also include a statement of the benefit of biking on the environment (e.g., less emissions).

16. Project or Program Work Plan and Time Line

Please provide a detailed work plan and accompanying timeline for your project or program. Include estimated start date, estimated completion date, milestone dates to mark important accomplishments and dates the grant applicant will submit progress reports to ACOG.

17. Project or Program Budget

To better understand how your program will allocate costs, ensure costs are eligible for reimbursement and provide oversight, please provide a detailed project or program budget. Because this budget, in conjunction with the work plan and time line, will serve as the financial plan should your project or program receive funding, you are required to be as precise as possible.

18. Project Maintenance

Many of the small infrastructure projects require on-going maintenance and care. ACOG will in no way be responsible for said maintenance and care; if your proposal includes small infrastructure, please include details regarding when and by whom maintenance and care shall be performed. This is required for any application that includes infrastructure.

Exhibit A

19. You have completed the Air Quality Awareness Grants application. Are you ready to submit your application?

Yes

Exhibit B



association of central oklahoma governments

Chair Elizabeth Waner
Edmond Councilmember

Vice-Chair Pete White
Oklahoma City Councilmember

Secretary/Treasurer Willa Johnson
Oklahoma County Commissioner

Executive Director
John G. Johnson

2014 Air Quality Awareness Grants



Association of Central Oklahoma Governments
Transportation & Planning Services
21 E. Main Street
Suite 100
Oklahoma City, Oklahoma
73104-2405

INTRODUCTION

In 2014 the Association of Central Oklahoma Governments (ACOG), acting as the metropolitan planning organization (MPO) for Central Oklahoma, will launch a one-year pilot grant program to fund small active transportation infrastructure and public education programs for the betterment of regional air quality.

A minimum of \$75,000 in grant awards will be made available to eligible applicants through a competitive grant process. Applicants are required to provide a minimum of 20% in matching local funds, and grant awards will be conferred as reimbursement. A variety of projects and programs are eligible, but all serve to address long-term reduction in transportation-related emissions that contribute to the formation of ground-level ozone.

Summer months, particularly May through September, see conditions conducive to a chemical reaction that creates ground-level ozone pollution. Transportation is a significant source of precursors such as volatile organic compounds (VOCs) and nitrogen oxides (NOx), the gasses that react to form ozone. Referred to as mobile source emissions, these precursors are emitted through vehicle exhaust and fuel evaporation, reacting to sunlight in windless conditions to create tropospheric ozone pollution.

Research continues to demonstrate the effects of ozone pollution on all populations, but children, the elderly and anyone with respiratory illnesses such as asthma are particularly vulnerable. Any reduction of ozone-forming emissions translates to increased quality of life for everyone in Central Oklahoma.

Every five years, the MPO completes a long-range transportation plan that projects Central Oklahoma's growth over a three-decade period and identifies necessary changes to the region's transportation network. The most recent plan, adopted in 2011, includes a series of goals and strategies to guide transportation planning efforts into the future. Of those strategies, the Air Quality Awareness Grants have been developed to address the following:

1. The continuation of regional air quality education efforts
2. The promotion of alternative modes of transportation
3. Investment in projects that complement the existing transportation infrastructure
4. Provision of efficient connections within and between modes and facilities

The implementation of these strategies is made possible by the use of funds through the federal Congestion Mitigation and Air Quality (CMAQ) Improvement Program. Because these funds are intended to assist transportation projects and programs meet and maintain the requirements of the Clean Air Act, CMAQ funds are ideal in addressing improvements to Central Oklahoma's air quality and offer unique flexibility in their application.

The goal of the Air Quality Awareness Grants is to improve regional air quality by reducing reliance on the single-occupancy vehicle trip. This program will accomplish that goal through two approaches:

1. Funding small active transportation infrastructure projects across Central Oklahoma
2. Funding targeted air quality public education programs across Central Oklahoma

The Air Quality Awareness Grants call for proposals opens Monday, April 28th, 2014, the first day of Air Quality Awareness Week 2014.

The Air Quality Awareness Grants proposal submission deadline is 5:00PM CST on Friday, June 13th, 2014.

All projects and programs have one year upon execution of a grant award contract to be completed in full.

ELIGIBLE PROJECTS AND PROGRAMS

First and foremost, applicants should ensure their project or program meets the minimum eligibility laid out in the most recent CMAQ guidance published by the Federal Highway Administration, [Interim Program Guidance Under MAP-21](#).

Because ACOG is permitted to further limit project and program eligibility to reflect funding limitations and regional priorities, there are additional eligibility requirements beyond those provided through CMAQ.

Applications for any projects or programs are encouraged to be a minimum of \$5,000 but applications will be considered on a case by case basis. Additionally, no single entity, be it city, county, school or university, can receive more than 56% of the total available funding for the Air Quality Awareness grant program. ACOG reserves the right to negotiate grant awards.

There are two categories eligible for funding through Air Quality Awareness Grants: small infrastructure projects and public education programs. While similar, both have unique and specific requirements intended to address regional air quality. In evaluation and scoring, both categories will be treated equally.

1. Small Infrastructure Projects

Infrastructure projects must be defined as low-cost additions or improvements. These small infrastructure projects are **required** to include a public education component that informs about the infrastructure project itself, the infrastructure project's contribution to improved air quality and/or the importance of air quality.

Eligible small infrastructure projects include:

- Bicycle racks
- Bicycle shelters
- Bicycle lockers
- Bicycle public service/repair stations
- Bicycle signage
- Pedestrian signage
- Pedestrian lighting
- Bicycle/pedestrian pavement markings

See Appendix I for more information on these specific types of infrastructure projects with examples. Additionally, we have provided manufacturers from whom many of these products are available solely for illustrative purposes; you are in no way required to use any of the provided manufacturers for your product.

Note that CMAQ guidance specifies that fundable bicycle and pedestrian facilities, including support facilities such as bicycle racks, must not be exclusively recreational but serve to reduce vehicle trips.

Infrastructure projects **require** inclusion of a maintenance plan to demonstrate applicant ownership and sustainable long-term care of funded projects.

Exhibit B

2. Public Education Programs

As defined in the most recent published guidance, CMAQ-funded public education activities should serve “to educate the public, community leaders, and potential project sponsors about connections among trip making and transportation mode choices, traffic congestion, and air quality.”

Under this category, activities eligible for funding include the development of messages and advertising material, market research and technical assistance. Eligible public education programs include but are not limited to:

- The Environmental Protection Agency’s School Flag program
- Carpool and school bus idle reduction programs
- Bicycling and/or pedestrian safety programs
- Walking school bus programs
- School bicycle train programs
- Bike to School/Walk to School Day programs

See Appendix II for more information and some specific examples of public education programs launched elsewhere in the United States.

Applicants are not limited to types of projects or programs listed here. We encourage innovation and customization to achieve the best results in reducing transportation emissions and meeting the needs of your community. ACOG staff can work with prospective applicants to develop projects or programs as needed.

Ineligible Projects and Programs

CMAQ guidance provides some specification on ineligible projects and programs. Although a broad scope is eligible the Air Quality Awareness Grants’ limited funds and administrative needs require additional ineligibility. Air Quality Awareness Grants will not fund the following:

- Use of funds as salaries or stipends
- Use of funds to defray administrative costs
- Use of funds as a sub-grant program
- Use of funds to add new capacity for single occupancy vehicles
- Use of funds to model or monitor emissions or networks
- Use of funds for planning documents such as master plans, environmental analyses and comprehensive plans
- Use of funds to subsidize transit fare
- Use of funds for routine maintenance and rehabilitation projects including road repavement and repair
- Use of funds to purchase conventional or alternative fuel
- Use of funds for residential, commercial or industrial energy efficiency
- Use of funds for the purchase of street furniture such as waste receptacles, benches, bollards or tables

Prospective applicants are encouraged to contact ACOG staff with questions regarding project or program eligibility.

Exhibit B

PROJECT AND PROGRAM BRANDING

All funded projects and programs will be required to use the logos of both ACOG and the ACOG air quality program, Better Together. This includes any and all collateral, digital assets, advertising, et cetera. Additionally, small infrastructure projects are **required** to address how the branding will be applied to infrastructure.

This cost can be covered by the grant award but should be included as a line item within the proposed budget. Logos and brand standards will be furnished by ACOG.

APPLICANT ELIGIBILITY

Eligibility for Air Quality Awareness Grants is limited. Eligible applicants within the OCARTS boundaries are:

1. Local governments (cities and counties)
2. Public school districts, public schools or public universities
3. Tribal governments

All applicants must be located within the Oklahoma City Area Regional Transportation Study (OCARTS) boundaries. To learn more about the OCARTS boundaries and review a regional map, please see Appendix III.

Although organizations such as neighborhood associations, non-profits, private schools and private universities are not eligible as applicants, these organizations are encouraged to collaborate with their local governments on project or program applications.

Because CMAQ funds are based on reimbursement and require a minimum 20% match of local funds, such collaborations can benefit all parties involved. In-kind match is not allowed. All applicants are encouraged to secure partnerships to demonstrate community buy-in and benefit.

PROJECT AND PROGRAM SELECTION CRITERIA

A committee composed of representatives from the Association of Central Oklahoma Governments, the Oklahoma Department of Transportation, the Oklahoma Department of Environmental Quality, the Oklahoma City-County Health Department and the Oklahoma Department of Health will receive, evaluate and score all grants.

Committee members will review each application and score based on a 100-point system:

1. How well will the project or program contribute to a reduction in ozone-forming emissions and/or single-occupancy vehicle trips? (0 to 15 points)
2. How involved was the community in the development and support of this project or program? (0 to 10 points)
3. How well does the project or program contribute to existing air quality initiatives within the region or community? (0 to 5 points)
4. How well is the applicant prepared to secure local matching funds? Will overmatch be provided?
5. How well will the community benefit from the project or program? (0 to 10 points)
6. How, if at all, will the project or program address air quality among populations particularly vulnerable to poor air quality? (0 to 10 points)
7. How well does the project or program work plan reflect a well-thought-out timeline likely to lead to a successful execution and implementation? (0 to 10 points)
8. How well will the applicant gather meaningful evaluation metrics? (0 to 10 points)
9. How well does the project or program educate the public about personal choices and actions to improve air quality throughout Central Oklahoma? (0 to 15 points)

Additionally, all applications must be complete, including the addition of any required paperwork, to be considered.

Exhibit B

APPLICATION REQUIREMENTS

1. All applications must be completed in full. Applications must include all requested information. Any materials submitted with an application will not be returned.
2. All involved partner entities and organizations should include, at minimum, a signed letter of partnership specific to the proposed Air Quality Awareness Grant project or program.
3. Because ACOG will be in no way responsible for maintenance and upkeep, a signed maintenance plan must be included with all infrastructure project applications.
4. All applicants for infrastructure projects must include details on applying program branding to infrastructure and ensure the cost is included in the overall proposed budget.

DEADLINE

All applications **must** be submitted no later than 5:00PM CST on Friday, June 13th, 2014. Applications, including supplemental documents such as letters of partnership, project or program budget and work plans, must all be completed and submitted online: <http://acogok.org/air-quality-awareness-grants>

All submitted applications will be provided a confirmation of receipt through email.

Applicants will be notified of status the week of Monday, July 7th, 2014.

If you have questions regarding the Air Quality Awareness Grants, please contact [Ryan Baker](#).

Grant #: CMAQ2014-03

**AIR QUALITY AWARENESS GRANT CONTRACT
BETWEEN THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS
AND
THE CITY OF NORMAN**

This Grant Contract, dated the ____ day of _____, 2014, by and between the Association of Central Oklahoma Governments, a public agency (hereinafter "ACOG"), and the City of Norman, a city government located within the Oklahoma City Area Regional Transportation Study (OCARTS) area, (hereinafter "Grantee") is for the provision of reimbursement of certain costs incurred for the purchase of one (1) bus wrap and one (1) calendar year of placement as further defined in the "SCOPE OF SERVICES."

Amount of Grant not to exceed: Five thousand, two hundred and sixty dollars (\$5,260) or 80% of the total project cost of six thousand, five hundred and seventy-five dollars (\$6,575).

A. SCOPE OF SERVICES

- A.1. The Grantee shall provide all services and deliverables as required, described, and detailed by this Scope of Services and incorporating the RFP issued by ACOG on Monday, April 28th, 2014 (attached hereto as Exhibit A), and the Grantee's application in response thereto dated Thursday, June 12th, 2014 (attached hereto as Exhibit B), and shall meet all service and delivery timelines specified in the Scope of Services section or elsewhere in this Grant Contract.
- A.1.a. Grantee agrees these grant funds shall be used for the provision of reimbursement of certain costs incurred for the purchase of one (1) bus wrap and one (1) calendar year of placement.
- A.1.b. Grantee shall provide local matching funds of one thousand, three hundred and fifteen dollars (\$1,315) or 20% of the total project cost of six thousand, five hundred and seventy-five dollars (\$6,575).
- A.1.c. Grantee shall obtain all required City permits and approvals.
- A.1.d. Grantee shall digitally provide to ACOG design of the bus wrap prior to purchase to be approved and agreed upon by both parties in writing.
- A.2. The intention of ACOG in awarding these grant funds is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide (CO) and particulate matter as delineated by the Federal Highway Administration's Congestion Mitigation Air Quality funding guidelines within the Central Oklahoma region to reduce vehicle emissions and to support the Clean Air Act and its amendments.

B. GRANT CONTRACT TERMS

- B.1. Grant Contract Terms: ACOG shall have no obligation for costs incurred by the Grantee outside the period commencing October 15, 2014 and ending October 15, 2015, hereinafter referred to as Part I of Contract Terms.

C. PAYMENT TERMS AND CONDITIONS

- C.1. Limitation of Liability:** In no event shall the maximum liability of ACOG under this Grant Contract exceed five thousand, two hundred and sixty dollars (\$5,260).
- C.2. Payment Methodology:** The Grantee shall be reimbursed for Allowable Costs related to the purchase of one (1) bus wrap and one (1) calendar year of placement as described in Section A.2.b., not to exceed the maximum liability established in Section C.1.
- C.2.a** Allowable Costs are defined as expenditures directly related to the purchase, installation, branding (e.g. decals) and marketing for items described in Section A.1.a.
- C.2.b.** The Grantee shall submit invoices accompanied by bills of sale and documentation as further described in Sections C.3.a., below, prior to reimbursement of Allowable Costs.
- C.3. Invoice Requirements:** Grantee shall mail or email all invoices to ACOG, with all necessary supporting documentation, to:

ACOG
Attn: Ryan Baker, Special Programs Officer
21 E. Main Street, Suite 100
Oklahoma City, OK 73104-2405
Telephone: 405-234-2264; FAX: 405-234-2200
Email: RBaker@acogok.org

- C.3.a.** Each invoice shall clearly and accurately detail the following required information:
- (1) Invoice/Reference Number (assigned by the Grantee);
 - (2) Invoice Date;
 - (3) Grant Contract Number (CMAQ2014-03, assigned by ACOG to this Grant Contract);
 - (4) Grantee Name;
 - (5) Grantee Federal Employer Identification Number;
 - (6) Grantee Remittance Address;
 - (7) Grantee Contact (name, phone, and/or email address for the individual to contact with invoice questions);
 - (8) Complete Itemization of Reimbursement Requested which shall include documentation of paid expenses and shall include each of the following:
 - i. Itemized Bill of Sale showing dates of sale/service
 - ii. Itemized Invoices for any Capital Costs for which reimbursement is requested
 - iii. Total reimbursement amount requested
- C.4.** The Grantee understands and agrees that an invoice to ACOG under this Grant Contract shall include only reimbursement requests for actual expenditures as described in Section A.1.a. and Sections C.2., C.2.a. and C.2.b. of this Grant Contract subject to the liability limits of the Grant Award as described in Section C.1.
- C.4.a.** All invoices for reimbursement for costs incurred through June 30, 2015 must be received by

ACOG no later than July 31, 2015.

- C.4.b. The Grantee's failure to provide all invoices to ACOG by 30 days after October 15, 2015, as required, shall result in the Grantee being deemed ineligible for reimbursement of those invoices under this Grant Contract, and any and all financial and legal liabilities related to the awarded project shall be upon the Grantee and not the responsibility or liability of ACOG.
- C.5. **Payment of Invoice:** ACOG shall, within 90 days of receipt of invoice for allowable costs relating to the Scope of Services as described, issue payment to Grantee for those allowable costs.
- C.6. **Unallowable Costs:** The Grantee's invoice shall be subject to reduction for amounts included in any invoice which are determined by ACOG, on the basis of the terms of this Grant Contract and stated intent of the Grant Award, not to constitute allowable costs.

D. STANDARD TERMS AND CONDITIONS

- D.1. **Required Approvals:** ACOG is not bound by this Grant Contract until it is approved by the appropriate government entity legal signatory in accordance with applicable laws and regulations.
- D.2. **Notice to Proceed:** Reimbursable costs cannot be incurred until Grant Contract is fully executed and a letter of Notice to Proceed is issued to Grantee.
- D.3. **Modification and Amendment:** This Grant Contract may be modified only by a written amendment executed by all parties hereto and approved by ACOG.
- D.4. **Termination for Cause:** If the Grantee fails to properly perform its obligations under this Grant Contract in a timely or proper manner, or if the Grantee violates any terms of this Grant Contract, ACOG shall have the right to terminate the Grant Contract and withhold any and all award funds for reimbursement regardless of any financial liability for equipment or services incurred by the Grantee. Notwithstanding the above, the Grantee shall not be relieved of liability to ACOG for damages sustained by virtue of any breach of this Grant Contract by the Grantee.
- D.5. **Records:** The Grantee shall maintain documentation for all purchases and installations under this Contract. The books, records, and documents of the Grantee, insofar as they relate to money received under this Contract, shall be maintained for a period of three (3) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by ACOG, the Oklahoma Department of Transportation and/or Federal Highway Administration, the Oklahoma State Auditor and Inspector, or their duly appointed representatives.
- D.6. **ACOG Liability:** Except for circumstances described in Section D.7, Grantee agrees that any and all liability of any kind stemming from the purchase and use of infrastructure and related materials shall remain with and will be the sole responsibility of the Grantee.
- D.7. **Force Majeure:** The obligations of the parties to this Grant Contract are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, acts of God, riots, wars, epidemics or any other similar cause.

- D.8. **State and Federal Compliance:** The Grantee shall comply with all applicable state and federal laws and regulations in the performance of this Grant Contract.
- D.9. **Governing Law:** This Grant Contract shall be governed by and construed in accordance with the laws of the State of Oklahoma.
- D.10. **Completeness:** This Grant Contract and attachments is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions of the parties' agreement. This Grant Contract supersedes any and all prior understandings, representations, negotiations, and discussions between the parties relating hereto, whether written or oral.
- D.11. **Severability:** If any terms and conditions of this Grant Contract are held to be invalid or unenforceable as a matter of law, the other terms and conditions hereof shall not be affected thereby and shall remain in full force and effect.

E. SPECIAL TERMS AND CONDITIONS

- E.1. **Conflicting Terms and Conditions:** Should any of these special terms and conditions conflict with any other terms and conditions of this Grant Contract, these special terms and conditions shall control.
- E.2. **Communications and Contacts:** All instructions, notices, consents, demands, or other communications required or contemplated by this Grant Contract shall be in writing and shall be made by certified, first class mail, return receipt requested and postage prepaid, by overnight courier service with an asset tracking system, or by email or facsimile transmission with recipient confirmation. Any such communications, regardless of method of transmission, shall be addressed to the respective party at the appropriate mailing address, facsimile number, or email address as set forth below or to that of such other party or address, as may be hereafter specified by written notice.

ACOG:

Ryan Baker, Special Programs Officer
21 E. Main Street, Suite 100
Oklahoma City, OK 73104-2405
Telephone: 405-234-2264, ext. 126; FAX: 405-234-2200
Email: RBaker@acogok.org

Grantee:

The City of Norman
c/o Angelo Lombardo, Transportation Engineer
201 A West Gray
Norman, OK 73070
Telephone: (405) 366-5327
Email: Angelo.Lombardo@NormanOK.gov
FEIN: _____

All instructions, notices, consents, demands, or other communications shall be considered effectively given upon receipt or recipient confirmation as may be required.

E.3. **Hold Harmless:** To the extent that Oklahoma law permits, the Grantee agrees to hold harmless ACOG as well as its officers, agents, and employees from and against any and all claims, liabilities, losses, and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of the Grantee, its employees, or any person acting for or on its or their behalf relating to this Grant Contract. The Grantee further agrees it shall be liable for the reasonable cost of attorneys for ACOG in the event such service is necessitated to enforce the terms of this Grant Contract or otherwise enforce the obligations of the Grantee to ACOG.

Likewise, ACOG agrees to hold harmless Grantee as well as its officers, agents, and employees from and against any and all claims, liabilities, losses, and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of ACOG, its employees, or any person acting for or on its or their behalf relating to this Grant Contract. ACOG further agrees it shall be liable for the reasonable cost of attorneys for Grantee in the event such service is necessitated to enforce the terms of this Grant Contract or otherwise enforce the obligations of ACOG to Grantee.

In the event of any such suit or claim, the Grantee shall give ACOG immediate notice thereof and shall provide all assistance required by ACOG in ACOG's defense. ACOG shall give the Grantee written notice of any such claim or suit, and the Grantee shall have full right and obligation to conduct the Grantee's own defense thereof. Nothing contained herein shall be deemed to accord to the Grantee, through its attorney(s), the right to represent ACOG in any legal matter.

IN WITNESS WHEREOF:

City of Norman

Grantee Legal Entity Name

Grantee Signature

Date

Printed Name and Title of Grantee Signatory (above)

John G. Johnson, Executive Director
Association of Central Oklahoma Governments

Date

EXHIBIT A (page 1 of 7)

1. Name of Applying Entity/Organization

City of Norman

2. Please identify which type of eligible applicant you are:

Local government (city or county)

3. Does your entity/organization currently receive CMAQ funds?

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4. Title of Project or Program

Bicycling Safety Program - Bus Wraps - (Every Lane is a Bike Lane)

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Name: Angelo Lombardo

Title: Transportation Engineer

Email: angelo.lombardo@normanok.gov

Phone: 405-366-5327

Mailing Address: 201 A West Gray / P.O. Box 370 Norman, OK 73070

7. I understand and acknowledge the ACOG Air Quality Awareness grant program is a reimbursement program; any funds awarded will not be released until after submission and review of invoices and documentation of eligible costs.

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EXHIBIT A (page 2 of 7)

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12. Please describe your financial preparedness and experience. Have local matching funds been secured? If not, how do you plan to pursue them? Can you provide overmatch? Does your organization have experience managing grant funds and projects?

Both the City of Norman and CART have secured the local matching funds (\$657.50 each). The City of Norman also has extensive experience managing grant funds and projects (e.g., CDBG, Transportation Enhancements, etc.)

13. Please describe the community benefit of your project or program. Will the program or project specifically help populations particularly vulnerable to ground-level ozone such as children, the elderly and people with chronic respiratory illnesses?

Increased biking activity will reduce vehicle emissions and increase physical activity, especially among school age children.

14. Please describe the means by which you will document and evaluate your project or program. What data will you capture and how? How will you determine success? What goals must be met and when?

The program will be evaluated using the following metrics:

1. Number of daily transit patrons who use the bike racks on buses.
2. Change in the number of daily bicyclists riding on specific routes.

15. Please describe how the project or program educates the public about personal actions to improve Central Oklahoma's air quality.

The program will increase awareness of bicyclists using the City's transportation system, reminding motor vehicle operators that bicyclists have the right to occupy part of the roadway. This will in turn encourage more people to commute with their bicycles leaving their cars behind. The message in the "bus wrap" will also include a statement of the benefit of biking on the environment (e.g., less emissions).

16. Project or Program Work Plan and Time Line

Please provide a detailed work plan and accompanying timeline for your project or program. Include estimated start date, estimated completion date, milestone dates to mark important accomplishments and dates the grant applicant will submit progress reports to ACOG.

17. Project or Program Budget

To better understand how your program will allocate costs, ensure costs are eligible for reimbursement and provide oversight, please provide a detailed project or program budget. Because this budget, in conjunction with the work plan and time line, will serve as the financial plan should your project or program receive funding, you are required to be as precise as possible.

18. Project Maintenance

EXHIBIT A (page 3 of 7)

Many of the small infrastructure projects require on-going maintenance and care. ACOG will in no way be responsible for said maintenance and care; if your proposal includes small infrastructure, please include details regarding when and by whom maintenance and care shall be performed. This is required for any application that includes infrastructure.

19. You have completed the Air Quality Awareness Grants application. Are you ready to submit your application?

Yes

EXHIBIT A (page 4 of 7)



EXHIBIT A (page 5 of 7)

Program Budget

The budget for the program has two elements. First is the cost associated with the fabrication of the "bus wrap". Second is the monthly cost of displaying the public announcement on one of CART's buses.

Cost of "Bus Wrap"		\$ 575.00
Annual Cost of Displaying "Bus Wrap"	(\$500 per month)	\$6,000.00
Total Program Cost		\$6,575.00
 Federal Share		 \$5,260.00
Local Share		\$1,315.00
		(City of Norman - \$657.50)
		(CART - \$657.50)

City of Norman will up-front 100% of the cost and solicit reimbursements from ACOG at the appropriate times.



EXHIBIT A (page 6 of 7)



Cleveland Area Rapid Transit
5101 Chesapeake, Norman OK 73109-5128
P (405) 325-2228 / (405) 325-7490
Web: CART.com/CARTaps.com
@CARTNorman on Twitter
CART 2014 © 2004

June 12, 2014

To whom it may concern:

Cleveland Area Rapid Transit (CART) is pleased to support the 2014 Air Quality Awareness Grant application submitted by the City of Norman to develop a public education campaign that will raise awareness of bicyclists riding on city streets, encourage more cycling activity, and improve air quality in our region.

CART has a contract with Transit Advertising, Inc. to provide advertising and wraps on our fixed route buses. We commit our resources to produce the bus wrap design as presented in this application, to install the wrap, and to maintain the wrap in good condition for the life of this project and beyond up to the typical 3-year life of the wrap.

In addition, CART will share the local match requirement with the City of Norman and provide 10% of the required local match to keep this public education wrap on the back of one fixed route bus for a minimum of one year.

CART, as the public transportation provider for the City of Norman, provides bike racks on all our buses. CART is committed to improving air quality for our community and our region through public transit, use of alternative fuels and promoting more bicycle activity.

Sincerely,


Douglas W. Myers
Director
Parking and Transportation Services



Douglas Myers/Director
CART Parking and Transportation Services
(405) 325-2046/dwmyers@carter.com

EXHIBIT A (page 7 of 7)



City of Norman Bicycle Advisory Committee

June 10, 2014

To whom it may concern:

The City of Norman Bicycle Advisory Committee enthusiastically endorses the 2014 Air Quality Awareness Grant application submitted by the City of Norman for the development of a public education campaign designed to raise awareness of bicyclists riding on City streets, to encourage a higher level of biking activity in the City, and to improve air quality in the region.

The idea of the public education campaign using a message mounted on the back of transit buses (e.g., bus wrap) was suggested by one of the members of the committee who had seen a similar effort in another City. The committee voted unanimously in favor of the program and asked City staff to look for funding opportunities.

The City of Norman and surrounding region continues to experience significant growth, and along with it, a steady rise in the number of cyclists. The Bicycle Advisory Committee works with City staff and the Norman City Council as an advocacy group that encourages more biking as a transportation choice to encourage physical fitness, reduce traffic congestion and the related emissions and to improve air quality in Norman and the Central Oklahoma region.

We are delighted that the current grant program offers a funding mechanism for implementation of this important safety campaign and whole heartedly endorse the City of Norman's application.

Sincerely,

Gary C. Miller
Chair, City of Norman Bicycle Advisory Committee



association of central oklahoma governments

EXHIBIT B (page 6 of 6)

K-1415-47
Chair Elizabeth Wahler
Edmond Councilmember

Vice-Chair Pete Winte
Oklahoma City Councilmember

Secretary/Treasurer Willa Johnson
Oklahoma County Commissioner

Executive Director
John E. Johnson

2014 Air Quality Awareness Grants



Association of Central Oklahoma Governments
Transportation & Planning Services
21 E. Main Street
Suite 100
Oklahoma City, Oklahoma
73104-2405

INTRODUCTION

In 2014 the Association of Central Oklahoma Governments (ACOG), acting as the metropolitan planning organization (MPO) for Central Oklahoma, will launch a one-year pilot grant program to fund small active transportation infrastructure and public education programs for the betterment of regional air quality.

A minimum of \$75,000 in grant awards will be made available to eligible applicants through a competitive grant process. Applicants are required to provide a minimum of 20% in matching local funds, and grant awards will be conferred as reimbursement. A variety of projects and programs are eligible, but all serve to address long-term reduction in transportation-related emissions that contribute to the formation of ground-level ozone.

Summer months, particularly May through September, see conditions conducive to a chemical reaction that creates ground-level ozone pollution. Transportation is a significant source of precursors such as volatile organic compounds (VOCs) and nitrogen oxides (NOx), the gasses that react to form ozone. Referred to as mobile source emissions, these precursors are emitted through vehicle exhaust and fuel evaporation, reacting to sunlight in windless conditions to create tropospheric ozone pollution.

Research continues to demonstrate the effects of ozone pollution on all populations, but children, the elderly and anyone with respiratory illnesses such as asthma are particularly vulnerable. Any reduction of ozone-forming emissions translates to increased quality of life for everyone in Central Oklahoma.

Every five years, the MPO completes a long-range transportation plan that projects Central Oklahoma's growth over a three-decade period and identifies necessary changes to the region's transportation network. The most recent plan, adopted in 2011, includes a series of goals and strategies to guide transportation planning efforts into the future. Of those strategies, the Air Quality Awareness Grants have been developed to address the following:

1. The continuation of regional air quality education efforts
2. The promotion of alternative modes of transportation
3. Investment in projects that complement the existing transportation infrastructure
4. Provision of efficient connections within and between modes and facilities

The implementation of these strategies is made possible by the use of funds through the federal Congestion Mitigation and Air Quality (CMAQ) Improvement Program. Because these funds are intended to assist transportation projects and programs meet and maintain the requirements of the Clean Air Act, CMAQ funds are ideal in addressing improvements to Central Oklahoma's air quality and offer unique flexibility in their application.

The goal of the Air Quality Awareness Grants is to improve regional air quality by reducing reliance on the single-occupancy vehicle trip. This program will accomplish that goal through two approaches:

1. Funding small active transportation infrastructure projects across Central Oklahoma
2. Funding targeted air quality public education programs across Central Oklahoma

The Air Quality Awareness Grants call for proposals opens Monday, April 28th, 2014, the first day of Air Quality Awareness Week 2014.

The Air Quality Awareness Grants proposal submission deadline is 5:00PM CST on Friday, June 13th, 2014.

All projects and programs have one year upon execution of a grant award contract to be completed in full.

ELIGIBLE PROJECTS AND PROGRAMS

First and foremost, applicants should ensure their project or program meets the minimum eligibility laid out in the most recent CMAQ guidance published by the Federal Highway Administration, [Interim Program Guidance Under MAP-21](#).

Because ACOG is permitted to further limit project and program eligibility to reflect funding limitations and regional priorities, there are additional eligibility requirements beyond those provided through CMAQ.

Applications for any projects or programs are encouraged to be a minimum of \$5,000 but applications will be considered on a case by case basis. Additionally, no single entity, be it city, county, school or university, can receive more than 56% of the total available funding for the Air Quality Awareness grant program. ACOG reserves the right to negotiate grant awards.

There are two categories eligible for funding through Air Quality Awareness Grants: small infrastructure projects and public education programs. While similar, both have unique and specific requirements intended to address regional air quality. In evaluation and scoring, both categories will be treated equally.

1. Small Infrastructure Projects

Infrastructure projects must be defined as low-cost additions or improvements. These small infrastructure projects are required to include a public education component that informs about the infrastructure project itself, the infrastructure project's contribution to improved air quality and/or the importance of air quality.

Eligible small infrastructure projects include:

- Bicycle racks
- Bicycle shelters
- Bicycle lockers
- Bicycle public service/repair stations
- Bicycle signage
- Pedestrian signage
- Pedestrian lighting
- Bicycle/pedestrian pavement markings

See Appendix I for more information on these specific types of infrastructure projects with examples. Additionally, we have provided manufacturers from whom many of these products are available solely for illustrative purposes; you are in no way required to use any of the provided manufacturers for your product.

Note that CMAQ guidance specifies that fundable bicycle and pedestrian facilities, including support facilities such as bicycle racks, must not be exclusively recreational but serve to reduce vehicle trips.

Infrastructure projects **require** inclusion of a maintenance plan to demonstrate applicant ownership and sustainable long-term care of funded projects.

2. Public Education Programs

As defined in the most recent published guidance, CMAQ-funded public education activities should serve “to educate the public, community leaders, and potential project sponsors about connections among trip making and transportation mode choices, traffic congestion, and air quality.”

Under this category, activities eligible for funding include the development of messages and advertising material, market research and technical assistance. Eligible public education programs include but are not limited to:

- The Environmental Protection Agency’s School Flag program
- Carpool and school bus idle reduction programs
- Bicycling and/or pedestrian safety programs
- Walking school bus programs
- School bicycle train programs
- Bike to School/Walk to School Day programs

See Appendix II for more information and some specific examples of public education programs launched elsewhere in the United States.

Applicants are not limited to types of projects or programs listed here. We encourage innovation and customization to achieve the best results in reducing transportation emissions and meeting the needs of your community. ACOG staff can work with prospective applicants to develop projects or programs as needed.

Ineligible Projects and Programs

CMAQ guidance provides some specification on ineligible projects and programs. Although a broad scope is eligible the Air Quality Awareness Grants’ limited funds and administrative needs require additional ineligibility. Air Quality Awareness Grants will not fund the following:

- Use of funds as salaries or stipends
- Use of funds to defray administrative costs
- Use of funds as a sub-grant program
- Use of funds to add new capacity for single occupancy vehicles
- Use of funds to model or monitor emissions or networks
- Use of funds for planning documents such as master plans, environmental analyses and comprehensive plans
- Use of funds to subsidize transit fare
- Use of funds for routine maintenance and rehabilitation projects including road repavement and repair
- Use of funds to purchase conventional or alternative fuel
- Use of funds for residential, commercial or industrial energy efficiency
- Use of funds for the purchase of street furniture such as waste receptacles, benches, bollards or tables

Prospective applicants are encouraged to contact ACOG staff with questions regarding project or program eligibility.

PROJECT AND PROGRAM BRANDING

All funded projects and programs will be required to use the logos of both ACOG and the ACOG air quality program, Better Together. This includes any and all collateral, digital assets, advertising, et cetera. Additionally, small infrastructure projects are required to address how the branding will be applied to infrastructure.

This cost can be covered by the grant award but should be included as a line item within the proposed budget. Logos and brand standards will be furnished by ACOG.

APPLICANT ELIGIBILITY

Eligibility for Air Quality Awareness Grants is limited. Eligible applicants within the OCARTS boundaries are:

1. Local governments (cities and counties)
2. Public school districts, public schools or public universities
3. Tribal governments

All applicants must be located within the Oklahoma City Area Regional Transportation Study (OCARTS) boundaries. To learn more about the OCARTS boundaries and review a regional map, please see Appendix III.

Although organizations such as neighborhood associations, non-profits, private schools and private universities are not eligible as applicants, these organizations are encouraged to collaborate with their local governments on project or program applications.

Because CMAQ funds are based on reimbursement and require a minimum 20% match of local funds, such collaborations can benefit all parties involved. In-kind match is not allowed. All applicants are encouraged to secure partnerships to demonstrate community buy-in and benefit.

PROJECT AND PROGRAM SELECTION CRITERIA

A committee composed of representatives from the Association of Central Oklahoma Governments, the Oklahoma Department of Transportation, the Oklahoma Department of Environmental Quality, the Oklahoma City-County Health Department and the Oklahoma Department of Health will receive, evaluate and score all grants.

Committee members will review each application and score based on a 100-point system:

1. How well will the project or program contribute to a reduction in ozone-forming emissions and/or single-occupancy vehicle trips? (0 to 15 points)
2. How involved was the community in the development and support of this project or program? (0 to 10 points)
3. How well does the project or program contribute to existing air quality initiatives within the region or community? (0 to 5 points)
4. How well is the applicant prepared to secure local matching funds? Will overmatch be provided?
5. How well will the community benefit from the project or program? (0 to 10 points)
6. How, if at all, will the project or program address air quality among populations particularly vulnerable to poor air quality? (0 to 10 points)
7. How well does the project or program work plan reflect a well thought-out timeline likely to lead to a successful execution and implementation? (0 to 10 points)
8. How well will the applicant gather meaningful evaluation metrics? (0 to 10 points)
9. How well does the project or program educate the public about personal choices and actions to improve air quality throughout Central Oklahoma? (0 to 15 points)

Additionally, all applications must be complete, including the addition of any required paperwork, to be considered.

APPLICATION REQUIREMENTS

1. All applications must be completed in full. Applications must include all requested information. Any materials submitted with an application will not be returned.
2. All involved partner entities and organizations should include, at minimum, a signed letter of partnership specific to the proposed Air Quality Awareness Grant project or program.
3. Because ACOG will be in no way responsible for maintenance and upkeep, a signed maintenance plan must be included with all infrastructure project applications.
4. All applicants for infrastructure projects must include details on applying program branding to infrastructure and ensure the cost is included in the overall proposed budget.

DEADLINE

All applications **must** be submitted no later than 5:00PM CST on Friday, June 13th, 2014. Applications, including supplemental documents such as letters of partnership, project or program budget and work plans, must all be completed and submitted online: <http://acogok.org/air-quality-awareness-grants>

All submitted applications will be provided a confirmation of receipt through email.

Applicants will be notified of status the week of Monday, July 7th, 2014.

If you have questions regarding the Air Quality Awareness Grants, please contact [Ryan Baker](#).

EXHIBIT C

FEDERAL-AID ELIGIBILITY CERTIFICATION

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

- (1) That he or she is the fully authorized agent of the Prospective Participant in this project which involves, Federal funding and has full knowledge and authority to make this certification.

- (2) That, neither the Prospective Participant nor any person associated therewith in the capacity of director, officer, manager, auditor or accountant, nor any person in a position involving the administration of federal funds:
 - a. Is currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; and
 - b. Has been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three (3) years; and
 - c. Has a proposed debarment pending; and
 - d. Has been indicted, convicted, or had a civil judgment rendered against any of the aforementioned by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years, except:

None

(If none so state by entering the word none.)

Date

City Clerk, City of Norman

EXHIBIT D (page 1 of 2)

ADDENDUM TO FORM FHWA-1273, REQUIRED CONTRACT PROVISIONS

This certification applies to subcontractors, material suppliers, vendors and other lower tier participants.

- Appendix B of 49 CFR Part 29 -

Appendix B – Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower 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 this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospect 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 Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which 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.

EXHIBIT D (page 2 of 2)

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 transactions.
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 Nonprocurement 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 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 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 statements in this certification, such prospective participant shall attach an explanation to this proposal.

EXHIBIT E (page 1 of 3)

NONDISCRIMINATION OF EMPLOYEES

During the performance of this contract, Norman, for itself, its assignees, and successors in interest hereby covenants and agrees as follows:

- (1) Norman and its subcontractors shall provide equal employment opportunities for all qualified persons within the limitations hereinafter set forth, and shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, or handicap.
- (2) That any subcontract entered into by Norman for performance of any portion of the work covered under this Contract shall incorporate all of the provisions of this Special Provision, "Nondiscrimination of Employees," and the same shall be appended to said subcontract and incorporated therein by reference.
- (3) Norman shall refrain from "discriminatory practices," as hereinafter defined. It is a discriminatory practice for Norman to:
 - (a) Fail or refuse to hire, to discharge or otherwise to discriminate against an individual with respect to compensation or the terms, conditions, privileges or responsibilities or employment, because of race, color, religion, sex, national origin, age or handicap; or
 - (b) To limit, segregate or classify an employee in a way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee, because of race, color, religion, sex, national origin, age or handicap; or
 - (c) Discriminate against an individual because of race, color, religion, sex, national origin, age or handicap, in admission to, or employment in, any program established to provide apprenticeship, on-the-job training or retraining; or
 - (d) Publish or cause to be printed or published any notice or advertisement relating to employment by Norman indicating a preference, limitation, specification, or discrimination, based on race, color, religion, sex, national origin, age or handicap, except where such preference, limitation, specification or discrimination based on religion, sex or national origin is a bona fide occupational qualification for employment; or

EXHIBIT E (page 2 of 3)

- (e) Retaliate or discriminate against a person because said person has opposed a discriminatory practice, or because said person has made a charge, filed a complaint, testified, assisted or participated in an investigation, proceeding or hearing under Chapter 21, Title 25, Oklahoma Statutes, 1991; or
 - (f) Aid, abet, incite or coerce a person to engage in a discriminatory practice; or
 - (g) Willfully interfere with the performance of a duty or the exercise of a power by the Oklahoma Human Rights Commission or one of its members or representatives; or
 - (h) Willfully obstruct or prevent a person from complying with the provisions of Chapter 21, Title 25, Oklahoma Statutes, 1991; or
 - (i) Attempt to commit, directly or indirectly, a discriminatory practice, as defined herein and as defined in Chapter 21, Title 25, Oklahoma Statutes, 1991.
- (4) Norman further agrees to refrain from discrimination by reason of race, color, religion, sex, national origin, age or handicap, against any persons, firm or corporation furnishing independent contract labor or materials to Norman in the performance of this Contract.
- (5) Sanctions for Noncompliance - In the event Norman violates or refuses to abide by any of the provisions herein set forth, ACOG reserves the right and option to:
- (a) Withhold payments to Norman until Norman furnishes satisfactory evidence of compliance and correction of all violations; or
 - (b) Cancel, terminate or suspend the Contract, in whole or in part, without further liability to ACOG other than payment for work performed up to the effective date of cancellation or termination of the contract.
 - (c) All violations which are not corrected by Norman within such time as is specified by ACOG in its notice of violation, shall be reported to the Oklahoma Human Rights Commission for such further proceedings as said Commission deems reasonable and necessary.
- (6) Immediately upon notification of Contract award, Norman shall submit to ACOG's Internal Equal Employment Officer a list by number, percentage, and position, including the identifying minority group employees who will be actively engaged in the Contract performance.

EXHIBIT E (page 3 of 3)

- (7) Norman hereby agrees to be bound by and subject itself to the provisions of Title 29, Code of Federal Regulations, Parts 1601-1605, inclusive, insofar as the same have been adopted by the Oklahoma Human Rights Commission for governing procedural matters concerning the administrative operations, functions, duties and responsibilities of said Commission.
- (8) Norman further agrees to be bound by and be subject to any and all laws, statutes, or regulations of administrative agencies of the State of Oklahoma, pertaining to employment practices in contracts being funded either in whole or in part with funds of the State of Oklahoma, and to the requirements of any and all laws, statutes or regulations of administrative agencies of the State of Oklahoma, and to the requirements of any and all laws, statutes or regulations of administrative agencies of the State of Oklahoma pertaining to equal employment opportunity and nondiscrimination requirements in such contracts and public projects being so funded.

EXHIBIT F (page 1 of 2)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS/WOMEN'S BUSINESS ENTERPRISES

POLICY STATEMENT

It is the policy of the Oklahoma Department of Transportation to ensure that Disadvantaged Business/Women's Enterprises (DBE/WBE) 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 CONTRACT. Consequently, the DBE/WBE (formerly MBE) requirements of 49 CFR Part 23 apply to this CONTRACT.

The Oklahoma Department of Transportation or its Consultants which are recipients of Federal-aid funds agree to ensure that disadvantaged business/women's 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 CONTRACT. In this regard, the Oklahoma Department of Transportation, ACOG, Norman, and Consultants shall take all necessary and reasonable steps in accordance with 40 CFR Part 23 to ensure that disadvantaged business/women's business enterprises have the maximum opportunity to compete for and perform contracts. The Oklahoma Department of Transportation, ACOG, Norman, and Consultants shall not discriminate on the basis of race, color, national origin, religion, or sex in the award and performance of Oklahoma Department of Transportation assisted contracts.

Failure to carry out the requirements set forth above shall constitute a breach of contract and, after the notification of the Department of Transportation, may result in termination of the contract by the recipient or other such remedy as the recipient deems appropriate.

EXHIBIT F (page 2 of 2)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

CONTRACTING WITH SMALL AND MINORITY FIRMS, WOMEN'S

BUSINESS ENTERPRISE AND LABOR SURPLUS AREA FIRMS

- (1) It is national policy to award a fair share of contracts to small and minority business firms. Accordingly, affirmative steps must be taken to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, and services. Affirmative steps shall include the following:
 - (a) Including qualified small and minority business on solicitation lists.
 - (b) Assuring that small and minority businesses are solicited whenever they are potential sources.
 - (c) When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority business participation.
 - (d) Where the requirement permits, establishing delivery schedules which will encourage participation by small and minority business.
 - (e) Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce and the Community Services Administration as required.
 - (f) If any subcontracts are to be let, requiring the prime contractor to take the affirmative steps in (a) through (e) above.
- (2) Grantees shall take similar appropriate affirmative action in support of women's business enterprises.
- (3) Grantees are encouraged to procure goods and services from labor surplus areas.
- (4) Grantor agencies may impose additional regulations and requirements in the foregoing areas only to the extent specifically mandated by statute or presidential direction.

EXHIBIT G

CERTIFICATION FOR FEDERAL-AID CONTRACTS

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

- (1) 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 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.
- (2) 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 Forms to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards in excess of \$100,000, at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Date

City Clerk, City of Norman