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|  | **Commonwealth of Massachusetts Executive Office of Public Safety and Security Office of Grants and Research** |  |

**Notice of Availability of Grant Funds (AGF)**

**for**

**FFY 2021 Traffic Safety Grant Program for State Government Agencies**

**March 2, 2020**

**Charles D. Baker**

**Governor**

**Thomas A. Turco III**

**Secretary**

**Karyn E. Polito**

**Lieutenant Governor**

**Kevin J. Stanton**

**Executive Director**

# Introduction

The Office of Grants and Research (OGR) is the State Administering Agency for traffic safety grants provided by the National Highway Traffic Safety Administration (NHTSA). Each year, OGR is required to submit a Highway Safety Plan (HSP) on or before July 1st to NHTSA that details how OGR proposes to administer future highway safety federal grant dollars, awarded in September. OGR anticipates allocating approximately **$3.5 million** in future FFY 2021 NHTSA grant funding for state agencies to receive. The purpose of this AGF, is to allow current and new state agencies the opportunity to be included for funding in our FFY21 HSP. This grant opportunity is limited to Massachusetts state government agencies that are qualified and legally authorized to provide the scope of services listed within this AGF. The primary intent of this grant program is to help reduce roadway crashes, injuries, fatalities, and their associated economic losses in Massachusetts.

**Continuation Subrecipients/Specified Planned Activity Proposals:** Funds will be provided to eligible Massachusetts state government agencies for implementation of the following Planned Activities that are anticipated to be included in the upcoming Massachusetts FFY 2021 Highway Safety Plan. The following FFY 2020 grantees and their specific projects listed below are eligible to apply for a continuation grant based on the applicant’s ability to continue to show need and previous success.

This is a competitive grant opportunity and all applications are subject to a thorough and fair review process. Awards will be determined based on available funds as well as the content provided to OGR within the applications. **Agencies eligible and/or seeking funds for multiple projects/activities, MUST submit a separate application for each request.**

1. Alcoholic Beverages Control Commission (ABCC) - Enforcement Program to Prevent the Sale of Alcohol to Intoxicated Persons
2. ABCC - Underage Drinking Compliance Checks Program
3. Massachusetts Trial Court- Judicial Education Program
4. Massachusetts District Attorney’s Association- Traffic Safety Resource Prosecutor
5. Municipal Police Training Committee (MPTC) - Drug Evaluation and Classification Program (DEC)
6. MPTC - Impaired Driving Law Enforcement Specialized Training
7. MPTC- Municipal Police Training
8. Massachusetts State Police (MSP)- Child Passenger Safety Car Seat Checkpoints
9. MSP- Distracted Driving Enforcement
10. MSP- Drug Recognition Expert (DRE) Training
11. MSP Occupant Protection CIOT Enforcement Campaign
12. MSP- Sobriety Checkpoint & Saturation Patrols
13. MSP- Speed Enforcement
14. MSP- Law Enforcement Liaison
15. MSP- Sustained Traffic Enforcement Program (STEP)
16. MSP- Young Drivers Education Program
17. MSP- Office of Alcohol Testing Training
18. Registry of Motor Vehicles (RMV)- Motorcycle Safety Program Enhancements
19. RMV- Fatality Analysis Reporting System Cooperative Agreement

**Unspecified Competitive Proposals:** In addition to the Planned Activities listed above, OGR will also give consideration to proposals from Massachusetts state government agencies for activities that are not identified above. Proposed activities may address road safety issues related to driving behavior such as impaired driving, distracted driving, occupant protection, non-motorized (i.e., pedestrian or bicyclists safety), motorcyclists safety, or speeding and aggressive driving.

Proposals for unspecified projects will also be subject to a competitive review process. Proposals will be reviewed by no less than three (3) reviewers.

This AGF does not apply to Traffic Records program proposals with the exception of the RMV- FARS Cooperative Agreement. The Traffic Records AGF and associated application will be released separately.

# Key Dates

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| **AGF POSTED** | March 2, 2020 |
| **DUE DATE** | April 3, 2020 @ 4 PM EST |
| **AWARD ANNOUNCEMENTS** | On or around September 1, 2020 |
| **GRANT PERIOD START DATE** | On or around October 1, 2020 |
| **END DATE** | September 15, 2021 |

# Budget Information

Each proposal must include a budget and budget narrative that aligns with the scope of work proposed in the application. The categories of budget items may include personnel, fringe, indirect, consultants, contracts, travel, equipment, supplies, and other expenses as they relate to the project.

Definitions of each budget cost category are provided on the following page.

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| **Allowable Budget Cost Categories** | **Definitions and Documentation Requirements** |
| Personnel Costs | * Full or part-time regular salaried employees working on the grant. * Overtime Costs |
| Fringe Benefit Costs | Eligible costs include the employer share of the following:  life insurance, health insurance, social security, pension, unemployment insurance, and workers compensation insurance. Direct fringe benefits can be either actual costs or rates per employee calculated by the fiscal or human resource unit in your organization (rate computations must be included). Include copy of approved rate agreement in the application response. |
| Indirect Costs | Costs can only be shown here if the applicant has a federally approved indirect cost rate. If the applicant’s accounting system permits, costs may be allocated to the applicable direct cost category in the budget including the category “other” if the costs being identified do not fit into one of the specific direct cost categories.  Include copy of rate agreement in the application response. |
| Consultants/  Contract Costs | Consultant or contractor fees.  The maximum rate for consultants is $650 for an eight hour day or $81.25 per hour (excluding travel and subsistence costs). Any request for compensation over $650 per day hour day or $81.25 per hour requires prior written approval by OGR. This rate is the exception not the rule. |
| Equipment Costs | Tangible non-expendable personal property having a useful life of more than one year; cost based on classification of equipment.  Must be directly related to the program implementation. |
| Travel Costs | Travel directly related to the purpose of the grant.  In-state travel costs associated with the grant shall include mileage rates not in excess of $0.45 per mile, as well as the actual costs of tolls and parking.  No grant funds may be spent for out of state conference fees, out of state travel or out of state lodging without prior written approval from OGR. |
| Supplies and Other Costs | Supplies required for program (pens, pencils, postage, training materials, copying paper, and other expendable items such as books, ink, etc.). |

Applicants must submit the budget in the Excel spreadsheet form that can be downloaded from [www.mass.gov/service-details/traffic-safety-grants](http://www.mass.gov/service-details/traffic-safety-grants)

* Compensation for full-time officers will be reimbursed at their regular or overtime rates of pay as established by the department and/or municipality. Holiday rates of pay may be used, if applicable.
* Part-time or auxiliary officers who have attended an approved MPTC Reserve/Intermittent Academy will be reimbursed at their normal rate of pay.
* Subrecipients will be reimbursed only for hours worked performing authorized grant-funded activities.
* This is a cost-reimbursement grant program.
* Command staff may participate in and be compensated for enforcement details if acting in a traffic enforcement role rather than acting exclusively in a supervisory role overseeing officers engaged in traffic enforcement. Supervisor time associated with OGR authorized sobriety checkpoints will be allowed.

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# Unallowable Costs

* Any costs not specifically allowed in the [Final Rule 23 CFR Part 1300](https://www.govinfo.gov/content/pkg/FR-2018-01-25/pdf/2018-01266.pdf) described previously
* Supplanting of funds is prohibited. Supplanting includes: (a.) replacing routine and/or existing state or local allocations with federal grant funds and/or (b.) using federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of the state, local, or federally-recognized Indian tribal governments. Funds for programs and services provided through this grant are intended to supplement, not supplant, state, or local funding sources.

1. **Application Review Process**

This is a competitive grant and will be subject to a peer review process. Applications will be reviewed and scored based on the following criteria:

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| **Element** | **Maximum Points** |
| Needs Assessment including a problem statement describing a well-defined need, based upon problem identification supported by data and/or other evidence. Current recipients should provide data that shows previous effectiveness to justify support for continued funds. | 20 |
| Identification of realistic and measurable goals and objectives | 15 |
| Evaluation Criteria including a viable plan to measure the effectiveness of the program, such as pre and post surveys of knowledge, attitudes, or observed behaviors. | 15 |
| Well defined project narrative including focus on high-risk groups or behaviors, replication or enhancement of proven programs (countermeasures) | 25 |
| Budget narrative is reasonable and cost effective, describes and justifies the need for each line item cost, Excel attachment is complete and costs appear to be overall best value for the Commonwealth. | 25 |
| **Maximum Score** | 100 |

# Award Information

* Notification of awards is expected to be made on a rolling basis beginning around September 1, 2020.
* Planned Activities listed in Section “A” are not guaranteed for full or partial funding.
* Selection for funding will be based on the strength of each proposal and the overall value to the Commonwealth.
* Awards and funding levels are not predetermined or guaranteed.
* Funding decisions are at the discretion of the Executive Director of OGR and Secretary of Public Safety and Security.
* All awards will be subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.
* OGR will evaluate awards for proposed Planned Activities that were not specifically identified in Section “A” for alignment with the traffic safety goals of OGR, the strength of the application, and the overall value to the Commonwealth. OGR, at its option, may solicit additional opinions from one or more outside reviewers about the merits of such proposals.

*Funding Sources*

Funding for these activities will come from one or more of the following federal grant programs as established in Title 23, Chapter 4, and 23 CFR Part 1300 sections as follows:

* *402: Highway Safety Programs - Programs (1) to reduce injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits, (2) to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles, (3) to reduce deaths and injuries resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance, (4) to prevent crashes and reduce deaths and injuries resulting from crashes involving motor vehicles and motorcycles, (5) to reduce injuries and deaths resulting from crashes involving school buses, and (6) to reduce crashes resulting from unsafe driving behavior (including aggressive or fatigued driving and distracted driving arising from the use of electronic devices in vehicles) and (7) to improve law enforcement services in motor vehicle crash prevention, traffic supervision, and post-crash procedures.*
* *405b: Occupant Protection Grants - This section establishes criteria, in accordance with 23 U.S.C. 405(b), for awarding grants to States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles.*
* *405d: Impaired Driving Countermeasures Grants - This section establishes criteria, in accordance with 23 U.S.C. 405(d), for awarding grants to States that adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving motor vehicles while under the influence of alcohol, drugs, or the combination of alcohol and drugs*
* *405f: Motorcyclist safety grants - This section establishes criteria, in accordance with 23 U.S.C. 405(f), for awarding grants to States that adopt and implement effective programs to reduce the number of single-vehicle and multiple-vehicle crashes involving motorcyclists.*
* *405h: Nonmotorized safety grants - This section establishes criteria, in accordance with 23 U.S.C. 405(h), for awarding grants to States for the purpose of decreasing pedestrian and bicyclist fatalities and injuries that result from crashes involving a motor vehicle. This section establishes criteria, in accordance with 23 U.S.C. 405(h), for awarding grants to States for the purpose of decreasing pedestrian and bicyclist fatalities and injuries that result from crashes involving a motor vehicle.*

*Award Period*

The grant award period will vary depending on the program scope of work and timeline, and availability of funds. Upon NHTSA’s approval of the FFY 2021 Highway Safety Plan, OGR will begin processing award documents on a rolling basis that will be tailored to individual program timeline requirements. Awards will be effective no earlier than October 1, 2020, and most will end on or before September 15, 2020.

*Award Amounts*

Total funding available through this AGF is anticipated to be approximately $3.5 million. Every applicant must propose a budget that accurately aligns with the scope of work and timeline. Applicants should make no assumptions of funding amounts based on past-year’s award levels. OGR intends to carry out a fair and transparent process for reviewing all applications. The award selection process will be facilitated by the OGR. If an applicant is selected to receive an award amount that is different than what was requested, a revised scope of work, budget, and timeline will be required.

*Funds Disbursement*

This is a cost-reimbursement grant. State agencies will draw down funds through the Massachusetts Management Accounting and Reporting System (MMARS). Organizations that are not part of the MMARS system will submit reimbursement requests to OGR either quarterly or monthly, depending on the program.

*Pre-Agreement Cost*

Pre-agreement costs are not allowable. Any costs incurred prior to the start date of the contract will not be reimbursed.

**Office of Grants and Research Overtime Policy**

This policy applies to all subrecipients and contractors that receive a Federal grant award from the Executive Office of Public Safety and Security’s Office of Grants and Research (OGR).

* Allowable overtime cost must be consistent with:
* [Title 2 CFR Part 200](https://www.govinfo.gov/app/details/CFR-2014-title2-vol1/CFR-2014-title2-vol1-part200)- UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS, §200.430 Compensation—personal services
* NHTSA rules and regulations
* OGR, local, and state policies

State and local first responders that are eligible through their department for **backfill and/or overtime costs** (and preapproved by OGR) may be reimbursed for backfill and/or overtime costs **related to grant funded activities ONLY.**

**Overtime** hours being charged against a federal grant award provided by OGR may only seek reimbursement for **actual hours worked** regardless of union contract rules.   For example, an officer working one hour of overtime on a federally funded project awarded by OGR is **prohibited** from **charging the grant award for 4 hours of overtime** due to a union contract.  A department that must allow for this will need to cover the remaining 3 hours of overtime from their own state or local budget.  **Departments found violating this policy will be subject to immediate termination of a grant award and must return all misspent funds back to OGR.**

**Definitions**

For the purpose of this policy, definitions for the key terms referenced within are listed below:

* *Overtime*-Expenses limited to the additional costs that result from state and local first responders such as sworn law enforcement personnel working over and above their weekly full-time/part-time schedule as direct result of their performance of approved activities related to the project receiving federal funding.
* *Backfill related Overtime-*Expenses limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to an approved grant activity outside of their core responsibilities.
* *Subrecipient-*An entity receiving a grant award from OGR.
* *First Responder*-State or local law enforcement, fire services, emergency medical services, emergency management, health care, hazardous materials, public safety communications, public health, public works, and government administrative type employees.  ***Note: each federal award has different criteria as to the type of individual allowed to be reimbursed for overtime costs.  Please reference your specific grant application or OGR point of contact to determine qualifying personnel for overtime.***

If awarded to utilize grant funding for overtime costs, OGR staff will provide additional criteria and reporting forms needed at the time an award is made to justify and support such reimbursement costs being charged against the grant.

**Equipment**

Unless specifically authorized in the contract or ISA for the grant funding, equipment purchases (includes software related expenses) having a useful life of more than one year and a per-unit acquisition cost of $1,000 or more, including all costs necessary to put that asset into use (i.e., delivery, installation, etc.), requires prior, separate, written OGR approval. A key NHTSA requirement for equipment purchases (includes software related expenses) is NHTSA approval, secured through OGR, for purchase of $5,000 or over. Such purchases must also align with the Buy America Act (49 U.S.C. 5323(j). More information on this act is in Addendum 5 of OGR’s General Subrecipient Grant Conditions.

# Post-Award Requirements

Based on OGR’s efforts to utilize federal funds in the most efficient and effective manner, increase program participation, and administer funds with fairness to all participating subrecipients, a department’s eligibility to receive a continuation award will be based on an evaluation of a prior year’s performance (if applicable) by a subrecipient. This evaluation may be based on the following criteria:

* + Performance against goals
  + Benchmarks and performance measures stated in the original application
  + Meeting outcome and deliverable requirements
  + Timely submission of required reports
  + Satisfactory OGR Site Visit reports
  + Unspent funding rate
* Funding is subject to appropriation and is contingent upon compliance with all grant conditions and eligibility requirements. If the federal government determines that a subrecipient agency is not in compliance with federal eligibility requirements, OGR will not provide alternative sources of funding. It is the obligation of the subrecipient agency to ensure compliance with all eligibility requirements.
* All subrecipients who are law enforcement agencies receiving any state or federal grant award from OGR will be required to participate and submit case-specific information on officer-administration of Narcan/Naloxone using a reporting tool as determined by EOPSS.

Grant Compliance and Conditions

State Agencies will have specific grant conditions embedded into the Interdepartmental Service Agreements. A copy of the conditions document can be downloaded from <https://www.mass.gov/service-details/traffic-safety-grants>. The document does not need to be signed and submitted with the application, however, applicants should thoroughly review the conditions prior to applying for funds.

*Reporting and Recordkeeping*

* All subrecipients must submit to OGR both Programmatic Activity and Financial Expenditure Reports. Submission frequency may be monthly, quarterly, or at some other interval that will be determined by the OGR program coordinator at the time of the award.
* Reports are due no later than fifteen (15) days after the end of the reporting period.
* In certain circumstances and within reason, a subrecipient may request an extension of the due date of a report. This request must be authorized by OGR before the late submission of the report.
* Each subrecipients required report contents may vary, depending on the program needs.
* Individuals working on grant-funded activities may not sign off on the Expenditure Reports. An authorized signatory may not sign off on the Expenditure Report if reimbursement is requested for his/her spouse, child, sibling, or another person that may cause a conflict of interest.
* With 48 hours’ notice, a site visit may be conducted of grant records at departments.
* All subrecipients must comply with the Federal Funding Accountability and Transparency Act (FFATA). Compliance only requires subrecipients to submit the required information to OGR in the FFATA form included as part of the application package. OGR will enter all required information to the FFATA Subaward Reporting System (FSRS) to meet the federal reporting requirements. The blank form is available at <https://www.mass.gov/service-details/traffic-safety-grants>
* In addition to the requirements set forth above, subrecipients will be required to agree to and abide by all state and federal rules, regulations, and conditions pertaining to the receipt, administration, and management of federal funding.
* Applicants must read, sign and submit the OGR subrecipient grant conditions document located online at <https://www.mass.gov/service-details/traffic-safety-grants>
* Subrecipients must submit a Final Narrative Report no later than fifteen (15) days after the termination of the grant period. The report must summarize accomplishments, challenges, and progress towards meeting measurable goals, as stated in the application.
* Failure to comply with reporting requirements may result in non-reimbursement of funds or suspension of the grant award.
* No department may begin grant activities until the department receives official written notification to proceed from OGR.
  + *No costs incurred before the department receives written notification will be reimbursed.*
  + *No costs incurred after the grant award terminates will be reimbursed.*
* All goods and services must be provided and all program activities must be completed no later than the termination date of the grant period.

*Risk-Assessment and Compliance Monitoring*

* All subrecipients are subject to compliance monitoring.
* If OGR perceives issues relating to any of the requirements above, appropriate action will take place, including, but not limited to, a site visit, file reviews, and suspension of funding.
* Subrecipients that do not observe reporting deadlines, submit incomplete reports, fail to follow the timeline promised in the grant application, or engage in other practices not in keeping with grant requirements will be at risk for losing OGR grant funding and becoming ineligible to receive any future OGR grant funding.

OGR **OVERTIME POLICY** FOR STATE AND LOCAL LAW ENFORCEMENT DEPARTMENTS RECEIVING FEDERAL FUNDS

This policy applies to all subrecipients and contractors that receive a Federal grant award from the Executive Office of Public Safety and Security’s Office of Grants and Research (OGR).

State and local first responders that are eligible through their department for **backfill and/or overtime costs** (and preapproved by OGR) may be reimbursed for backfill and/or overtime costs **related to grant-funded activities ONLY.**

**Overtime** hours being charged against a federal grant award provided by OGR may only seek reimbursement for **actual hours worked** regardless of union contract rules.   For example, an officer working one hour of overtime on a federally funded project awarded by OGR is **prohibited** from **charging the grant award for 4 hours of overtime** due to a union contract.  A department that must allow for this will need to cover the remaining 3 hours of overtime from their own state or local budget.  **Departments found violating this policy will be subject to immediate termination of a grant award and must return all misspent funds to OGR.**

**Definitions**

For the purpose of this policy, definitions for the key terms referenced within are listed below:

* Overtime - Expenses limited to the additional costs that result from state and local first responders such as sworn law enforcement personnel working over and above their weekly full-time/part-time schedule as a direct result of their performance of approved activities related to the project receiving federal funding.
* Backfill related Overtime - Expenses limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to an approved grant activity outside of their core responsibilities.
* Subrecipient - An entity receiving a grant award from OGR.
* First Responder - State or local law enforcement, fire services, emergency medical services, emergency management, health care, hazardous materials, public safety communications, public health, public works, and government administrative type employees.

If awarded to utilize grant funding for overtime costs, OGR staff will provide additional criteria and reporting forms needed at the time an award is made to justify and support such reimbursement costs being charged against the grant.

OGR reserves the right to discuss and modify any program or budget elements with applicants prior to final award selection.

# Submission Process and Deadline

***Application Deadline – April 3, 2020***

Only completed and signed OGR-provided AGF response documents will be considered. Electronic versions of the Application Template (Attachment A), Excel Budget Detail Worksheet (Attachment B) and all other required documents are available at [www.mass.gov/service-details/traffic-safety-grants](http://www.mass.gov/service-details/traffic-safety-grants). The Application Template contains detailed instructions and checklists of all required elements.

Application packets must include the following documents:

* Application Template (Attachment A)- one signed in blue ink and stamped “original,” and one copy, stamped “copy.”
* Attachment B-Excel Budget Detail Worksheet

Incomplete packets may be disqualified. Only application packets with original signatures will be accepted.

***Note:*** *A signed Assurance sheet acknowledging having read and understood the entire AGF is required and is located within the application. Please sign and return the AGF Assurance Form with the application. Do not return this AGF document. Please keep this AGF for your records.*

All original application packets must be submitted either via U.S. Postal Service (USPS), United Parcel Service (UPS), FedEx, or hand delivery to OGR at the exact address below. Applicants are encouraged to use tracking numbers if submitted via USPS, UPS, or FedEx.

Office of Grants and Research

ATTN: Highway Safety Division, Jeffrey Brownell

10 Park Plaza, Suite 3720-A

Boston, MA 02116 -3933

An electronic copy of the application and budget must be sent via email to the appropriate addresses below:

[jeffrey.brownell@mass.gov](mailto:jeffrey.brownell@mass.gov)

If you have any additional questions regarding the application or the program more, please contact Jeffrey Brownell at the email address above.

The AGF, application form, and all other related documents can be found here:

<https://www.mass.gov/service-details/traffic-safety-grants>