

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



**Notice of Availability of Grant Funds (AGF)
for
FFY 2022 Traffic Safety Grant Program for State Government
Agencies**

March 17, 2021

**Charles D. Baker
Governor**

**Karyn E. Polito
Lieutenant Governor**

**Thomas A. Turco III
Secretary**

**Kevin J. Stanton
Executive Director**

I. Introduction

The Office of Grants and Research (OGR) is pleased to make up to \$4.25 million in FFY 2022 National Highway Traffic Safety Administration (NHTSA) grant funding available to Massachusetts state government agencies. OGR is the State Administering Agency for NHTSA's traffic safety grants to reduce roadway crashes, injuries, fatalities, and their associated economic losses in Massachusetts.

Applications must focus on addressing one or more of the following road safety priority areas:

- Alcohol and/or Drug-Impaired Driving -
- Bicyclist Safety
- Child Passenger Safety
- Distracted Driving
- Drowsy Driving
- Motorcyclist Safety
- Older Drivers \geq 65 years old
- Pedestrian Safety
- Seat Belt Usage
- Speeding/Aggressive Driving
- Younger Drivers \leq 21 years old

Funds will be awarded on a **competitive** basis to Massachusetts state government agencies qualified and legally authorized to provide the activities listed for them within this AGF or otherwise allowed under state law and regulation.

Agencies seeking funds for multiple projects MUST submit a separate application (Attachment A) and budget (Attachment B) for each request. See page 10 for more submission details. These and other AGF-related documents are available at www.mass.gov/service-details/traffic-safety-grants.

This AGF does not apply to Traffic Records program proposals, including the RMV-FARS Program. A Traffic Records AGF and associated application for FFY 22 funding is expected to be released in late 2021.

II. Background

OGR is required to submit a Highway Safety Plan (HSP) by July 1, 2021, to NHTSA that details how OGR proposes to administer traffic safety grant funding for the federal fiscal year (FFY) 2022 that will run from October 1, 2021, through September 30, 2022. Projects selected for funding as a result of this AGF process will be included in the FFY22 HSP. OGR expects to receive HSP approval from NHTSA by August 15, 2021; then, OGR will announce state agency awards and start contracting.

Funding for the projects awarded via this AGF 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 USC 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 USC 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 USC 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: Non-motorized safety grants - This section establishes criteria, in accordance with 23 USC 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.*

III. Key Dates

AGF POSTED	March 17, 2021
AGF QUESTIONS BY	March 29, 2021
AGF ANSWERS POSTED	March 31, 2021
DUE DATE	April 15, 2021 @ 4 PM EST
AWARD ANNOUNCEMENTS	August 2021
GRANT PERIOD START DATE	On or after October 1, 2021

END DATE	September 2022
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IV. Budget Information

Each AGF response must include a budget (Attachment B) that aligns with the scope of work proposed in the application (Attachment A).

The categories of budget items may include personnel, fringe, indirect, consultants/contracts, equipment, travel, supplies, and other expenses related to the project.

Definitions of each budget cost category are provided below.

Allowable Budget Cost Categories	Definitions and Documentation Requirements
Personnel Costs	<ul style="list-style-type: none"> • Full or part-time regular salaried employees working on the grant. • Overtime Costs (see OGR related policy below).
Fringe Benefit Costs	Eligible costs include the <u>employer share</u> 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 a copy of the 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 identified do not fit into one specific direct cost category. Include a copy of the 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	Supplies required for the program (pens, pencils, postage, training materials, copying paper, and other expendable items such as books, ink, etc.).
Other Costs	Items (e.g., telephone costs, training material costs)

Match

Non-EOPSS state agency subrecipients must provide a minimum of 20% match of the total project cost (e.g., if the total project cost is \$100,000, OGR will provide up to \$80,000 the state agency must provide at least \$20,000 match). Match may be (state, not federal) funding directly provided by the subrecipient for the project and/or (state, not federal) resources provided by the subrecipient that directly benefit the project.

The match must be:

- An allowable expense(s) per this AGF
- Incurred during the same period as the project
- Auditable and documentable expenditures

The source and amount of match must be detailed in the applicant's application (section #12) and reported monthly, along with project expenditures, to OGR.

The match expenses may not be utilized as match for any other federally funded project.

For more information on what constitutes match, please review 2 CFR Part 200.306 (Cost sharing or matching).

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](#)- 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 eligible through their department for **backfill and/or overtime costs** (and pre-approved 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 this policy, definitions for the key terms referenced within are listed below:

- *Overtime*-Expenses are limited to the additional costs resulting 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 approved performance activities related to the project receiving federal funding.
- *Backfill-related Overtime* - Expenses are limited to overtime costs resulting from personnel working overtime (as identified above) to perform the duties of other personnel 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 for 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 when an award is made to justify and support such reimbursement costs being charged against the grant.

Other Personnel Cost Information:

- Compensation for full-time officers will be reimbursed at their regular overtime pay rates 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 pay rate.
- Subrecipients will be reimbursed only for hours worked performing authorized grant-funded activities.
- 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.

Equipment

Any proposed equipment purchases (including software-related expenses) and the costs to put these assets to use (i.e., delivery, installation, etc.) must be included in the agency's application and budget. An agency must prove the need within the application for any equipment items being requested and describe how the equipment will be used to benefit the overall grant program. Agencies must also provide information regarding their current inventory for these equipment items to justify such need further. Purchases of \$5,000 or over will require separate

NHTSA approval and must align with the Buy America Act (49 USC 5323(j)). More information on this act can be found in Addendum 5 of OGR's General Subrecipient Grant Conditions.

Unallowable Costs

- Any costs not specifically allowed in the Final Rule 23 CFR Part 1300.
- Traffic Records-related costs.
- Some examples of common unallowable expenses include food or beverages for programming, training, conferences, or staff meetings
- Prizes/rewards/entertainment/trinkets (or any type of monetary incentive)
- Standard firearms or ammunition
- Construction, office furniture, or other like purchases
- Vehicles, including insurance and/or leasing costs
- Luxury items
- Real estate

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.

V. 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:

Element	Maximum Points
Problem identification supported by data and/or other evidence. Current subrecipients should provide data that shows previous effectiveness to justify support for continued funds.	25
The proposed activities are clearly explained and justified.	25
Identification of realistic and measurable goals and objectives, with a viable evaluation plan	25
The budget narrative is reasonable and cost-effective. It describes and justifies the need for each line item cost. Excel attachment is complete, and costs appear to be the overall best value for the Commonwealth.	25
Maximum Score	100

VI. Award Information

- Awards will be based on each proposal's strengths as determined by the above scoring process and the overall value to the Commonwealth.
- Notification of awards is expected to be made during August 2021.
- The grant award period will vary depending on the program scope of work, timeline, and funds availability.
- 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.
- Award subrecipients must accept their awards no later than 30 days from the award date. Failure to accept a grant award within the 30-day timeframe may result in a loss of funds.
- Subrecipients are expected to initiate program activities within 90 days of accepting the award unless there are extenuating circumstances. The subrecipient is responsible for reporting such circumstances to OGR.

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 monthly reimbursement requests to OGR.

Pre-Agreement Cost

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

VII. 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, an agency's eligibility to receive future NHTSA grant funding from OGR will be based on an evaluation of prior years' performance (if applicable). This evaluation may be based on the following criteria:

- Performance against goals/benchmarks 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 funding sources. 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-approved monthly Programmatic Activity, Match, and Financial Expenditure Reports.
- Reports are due no later than fifteen (15) days after the end of the current month.
- A subrecipient may request an extension of a report's due date in certain circumstances and within reason. OGR must authorize this request before the late submission of the report.
- Each subrecipient's required report contents may vary, depending on the program's needs.
- Individuals working on grant-funded activities may not sign off on the Expenditure Reports. Additionally, an authorized signatory may not sign off on the Expenditure Report if it involves 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 in 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 federal funding management.
- Subrecipients must submit a Final Narrative Report no later than fifteen (15) days after the grant period's termination. 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 agency may begin grant activities until the awarded funds are loaded into MMARS and available to the agency. Agencies that are not part of the MMARS system must receive official written notification from OGR to commence grant activities.
 - *No costs incurred before funds are loaded into MMARS or before the agency 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 occur, 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 be ineligible for future OGR grant funding.
- All awardees will be expected to begin services within 90 days of a contract or ISA being executed unless reasons are clearly stated in monthly reporting.

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

VIII. Submission Process and Deadline

Application Deadline – April 15, 2021.

OGR is only accepting electronically submitted applications in PDF format.

Only completed and ‘wet’ hand-signed OGR-provided AGF response documents will be considered.

Incomplete packets may be disqualified.

Electronic versions of the Funding Application (Attachment A), Budget Summary and Detail Worksheet (Attachment B), and all other required documents are available at www.mass.gov/service-details/traffic-safety-grants.

Application packets must include the following documents submitted in PDF format:

- Funding Application – AGF Attachment A that includes a 'wet' hand signature (not an electronic version of the signature)
- Budget Summary and Detail Worksheet – AGF Attachment B
- Federally approved fringe/indirect rate documentation, if applicable.

- OGR Subrecipient Risk Assessment Form
- Organization's Seat Belt Policy, but only if a non-Executive branch entity.
- Organization's Overtime Policy

Complete application packets must be submitted electronically in PDF format by the deadline to Jeff.larason@mass.gov

Given this AGF process's competitive nature, all questions posed regarding this AGF process must be submitted in writing to Jeff Larason at the email address above by March 29, 2021. No questions may be asked regarding the merits of a particular proposal. All questions submitted and all answers provided will be posted in an attributable manner as part of the AGF information at www.mass.gov/service-details/traffic-safety-grants. [This Q&A document will be posted by March 26, 2021.](#)