Commonwealth of Massachusetts
Office of Grants & Research
Highway Safety Division

Notice of Availability of Grant Funds (AGF)
for Second Round of FFY 2024 State Traffic Safety Information
System Improvements Grant, Section 405(c) Funding

Posted: March 21, 2024

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Notice of Availability of Grant Funds (AGF)
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Improvements Grant, Section 405(c) Funding

Responses Due: *May 7, 2024; 4:00 p.m.*

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1. Overview:

The **Office of Grants and Research (OGR)** is the State Administering Agency for the **National Highway Traffic Safety Administration (NHTSA)** Section 405(c) grant funding received annually by the Commonwealth of Massachusetts.

Funding made available through this AGF comes from a federal grant program, described in 23 U.S. Code § 405 and 23 CFR § 1300.22, known as the **405(c) - State Traffic Safety Information System Improvements Grant.**

A State may use grant funds awarded under 23 U.S.C. 405(c) only to make data program improvements to core highway safety databases relating to quantifiable, measurable progress in the accuracy, completeness, timeliness, uniformity, accessibility, or integration of data in a core highway safety database, including through:

(1) Software or applications to identify, collect, and report data to State and local government agencies, and enter data into State core highway safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle data;

(2) Purchasing equipment to improve a process by which data are identified, collated, and reported to State and local government agencies, including technology for use by law enforcement for near-real time, electronic reporting of crash data;

(3) Improving the compatibility and interoperability of the core highway safety databases of the State with national data systems and data systems of other States, including the National EMS Information System;

(4) Enhancing the ability of a State and the Secretary to observe and analyze local, State, and national trends in crash occurrences, rates, outcomes, and circumstances;

(5) Supporting traffic records improvement training and expenditures for law enforcement, emergency medical, judicial, prosecutorial, and traffic records professionals;

(6) Hiring traffic records professionals for the purpose of improving traffic information systems (including a State Fatality Analysis Reporting System (FARS) liaison);

(7) Adoption of the Model Minimum Uniform Crash Criteria, or providing to the public information regarding why any of those criteria will not be used, if applicable;

(8) Supporting reporting criteria relating to emerging topics, including— (i) Impaired driving as a result of drug, alcohol, or polysubstance consumption; and (ii) Advanced technologies present on motor vehicles; and

(9) Conducting research relating to State traffic safety information systems, including developing programs to improve core highway safety databases and processes by which data are identified, collected, reported to State and local government agencies, and entered into State core safety databases.

OGR is issuing this competitive AGF to make one or more grant awards totaling up to $1,200,000 in FFY 2024.

Only units of state and local government, state higher educational institutions, or not-for-profit organizations with a public purpose in Massachusetts are eligible to apply for this funding. Private sector organizations are not eligible to receive this funding.

OGR reserves the right to adjust or cancel the amount of funding being made available through this AGF process, as any awards made will be contingent upon receipt and availability of NHTSA grant funds.

OGR may require a state agency subrecipient receiving grant funds through this AGF to receive the funding through multiple ISAs, as this AGF has two 405c funding sources: Section 405(c) BIL and 405(c) BIL Supplemental.

The funding made available through this AGF process is further contingent upon NHTSA's acceptance of these projects into OGR's FFY 2024 Annual Grant Application (AGA) or subsequent AGAs.

It is anticipated that projects awarded funding through this AGF will have a start date on or after October 1, 2024, though projects could start earlier at OGR's discretion. Funded projects must conclude by September 30, 2025.

Agencies awarded funds through this AGF will be expected to adhere to the project timelines and task plans in their grant agreements. Notice of any changes to the AGF will be posted at www.mass.gov/info-details/state-traffic-safety-information-system-improvements-grant.

Key Dates:

AGF Posted:	March 21, 2024
Letters of Intent Due:	April 30, 2024; 4:00 p.m.
Deadline for Q & A Submission:	May 2, 2024; 4:00 p.m.
Electronic AGF Responses Due:	May 7, 2024; 4:00 p.m.
Project Presentations (Tentative):	May 14, 2024
ETRCC Review of Projects (Tentative):	June 4, 2024, 10:30 am to Noon
Award Announcements (Tentative):	June 25, 2024
Performance Period:	July 2024 – September 30, 2025

2. Program Background:

Traffic Records Coordinating Committee (TRCC)

The TRCC is a NHTSA requirement attached to the Section 405(c) grant program. The Massachusetts TRCC mission is as follows:

"Through the coordinated efforts of its member organizations, provide a forum for the creation, implementation, management, and dissemination of accessible, accurate, complete, integrated, timely, and uniform traffic records data to aid decision-makers working to reduce transportation-related fatalities, injuries, and economic losses in Massachusetts."

The TRCC assists OGR with identifying projects to receive Section 405(c) funding, monitoring project progress, and maintaining strategic direction for our traffic records systems. Each year, the TRCC helps OGR update and provides approval of a Strategic Plan for Traffic Records Improvements as part of an annual application by OGR for 405(c) funding to NHTSA. The TRCC is composed of representatives of the six core data systems and key data collectors and users. More information on the TRCC and examples of current and prior 405(c) funded projects are available in the FFY 2024 Strategic Plan at www.mass.gov/info-details/traffic-records.

Traffic Records Self-Assessment and Other Resources

OGR and its TRCC partners finalized a NHTSA-required traffic records self-assessment in October 2023. This self-assessment and its recommendations are a critical source of project ideas for TRCC members and other traffic records stakeholders, as well as a resource during the OGR/TRCC review and selection of projects. Below are the currently unmet recommendations. The full self-assessment is available at www.mass.gov/service-details/traffic-records. The status of these recommendations and related self-assessment questions can be found in the FFY 2024 Strategic Plan at the above-referenced web address.

Unmet Recommendations:

1. **Strategic Planning Recommendation:** Strengthen the TRCC's abilities for strategic planning that reflects best practices identified in NHTSA's 2018 Traffic Records Program Assessment Advisory (Advisory).
2. **Crash Recommendations:** Improve the applicable guidelines for, interfaces with, and data quality control program for the system to reflect best practices in the Advisory.
3. **Driver Recommendation:** Improve the data quality control program for the system to reflect best practices in the Advisory.
4. **Vehicle Recommendations:** Improve the description and contents of and data quality control program for the system to reflect best practices in the Advisory.
5. **Roadway Recommendations:** Improve the data dictionary and data quality control program for the system to reflect best practices in the Advisory.
6. **Citation and Adjudication Recommendations:** Improve the description and contents of, data dictionary, and data quality control program for the system to reflect best practices in the Advisory.
7. **Injury Surveillance/EMS Recommendations:** Improve the interfaces with and data quality control program for the systems to reflect best practices in the Advisory.

8. **Data Use & Integration Recommendation:** Improve the traffic records systems' capacity to integrate data to reflect best practices identified in the Advisory.

Another useful information source for project ideas is the Massachusetts Strategic Highway Safety Plan at www.mass.gov/service-details/strategic-highway-safety-plan.

3. Application Information and Requirements:

- Applicants must submit a non-binding letter of intent by **4 PM, April 30, 2024.** A letter of intent must be on an organization's letterhead, signed by an appropriate representative of the organization, and include the following information:

  - project title,
  - description of the proposed project and key partners *(recommended maximum of four sentences)*,
  - cite number(s) from use of grant funding text in the above Overview section of this AGF that proposed project aligns with,
  - confirmation that the organization's senior IT official supports the project,
  - expected start and end dates, and
  - the anticipated amount of funding sought.

  Send the letter as a PDF to Mr. Brook Chipman, Program Manager, Office of Grants and Research as a PDF to brook.chipman@mass.gov.

- **Responses to this AGF must be submitted on the provided documents, Attachment A - Application, and Attachment B - Budget Worksheets, by the due date highlighted in the Key Dates section above.** Refer to these attachments and the information below for additional response requirements. These attachments and other required documents necessary for an award to be finalized are available at www.mass.gov/info-details/state-traffic-safety-information-system-improvements-grant.

- If an organization is requesting funding for more than one project, you must submit a separate Attachment A - Application and Attachment B - Budget Worksheets for each project.

- Projects related to the Massachusetts citation and/or crash systems must align with the Motor Vehicle Automated Citation and Crash System (MACCS) overseen by the Department of Criminal Justice Information Services.

- Applications for projects dependent upon state or regional-level public sector partner(s) must be supported with a signed letter(s) on partner letterhead from the CEO or CIO and submitted with an application.

- Projects must work to meet **at least one** unmet recommendation from the Commonwealth's *2023 Traffic Records Self-Assessment,* available at www.mass.gov/service-details/traffic-records.

- Projects must have **<u>a minimum of one</u>** measurable benchmark and performance measure related to a performance attribute of one of the six core traffic records systems. Ideally, this benchmark and performance measure will be based on the methodology set forth in the *Model Performance Measures for State Traffic Records Systems* (DOT HS 811 441), as updated, at crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811441.

- As applicable, proposed projects must comply with the latest version of the *Electronic and Information Technology Accessibility Standards under Section 508 of the Rehabilitation Act of 1973*, at www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh, and other related federal requirements as well as (2) the *Web Accessibility Standards*, issued by the Massachusetts Executive Office of Technology Services and Security at www.mass.gov/eotss, and other related state requirements.

- Supplanting of state or local funds with federal grant funds from this grant program 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 government. Funds provided through this grant must supplement, not supplant, state or local funding sources.

- Applicants with current Section 405(c) grant awards cannot receive new 405(c) grant awards until their first awarded funds are 30% or more spent down in the state accounting system or committed (i.e., in a purchase order) at the time of application. Such applicants should consult with OGR prior to applying.

- **Applicants not under the Executive Office of Public Safety and Security must show in their AGF responses how they would provide a minimum 20% state or local funded hard and/or soft match based on the proposed total project cost.** (For example, if the total project is $100,000, OGR will provide up to $80,000, and a subrecipient must provide at least a $20,000 match). The related formula is .25 x awarded federal grant funds spent = state and/or local match requirement.

  Match must be from state, or local (not federal) funding or resources provided by the subrecipient that directly benefits the project. Match expenses must be an allowable expense(s) per this AGF, incurred during the same period as the project, as well as auditable and documentable.

  The source and match amount must be briefly explained in the applicant's proposal and detailed in their budget. It must also be reported in a subrecipient's monthly activity and expenditure reporting to OGR. Match expenses may not be utilized for any other federally funded project. For more information on match, please review 2 CFR Part 200.306 (Cost sharing or Matching).

- **Applicants not under the Executive Branch must have and submit a copy of their employee seat belt use policy to be eligible for funding. Failure to submit a copy of the policy will result in an application not being eligible for funding.** A sample safety belt use policy is available on request at brook.chipman@mass.gov.

Executive Branch agencies are covered by the policy on safety belt use in the Commonwealth's New Employee Orientation Guide (4.14) and any related agency-specific policy which OGR has on file.

- If additional guidance is provided by NHTSA regarding Section 405c funding, OGR may be required to negotiate with an applicant to amend their project application and/or budget to ensure alignment with the latest 405c funding requirements.

4. Allowable Costs and Budget Related Requirements:

Allowable Budget Cost Categories	Definitions and Documentation Requirements
Personnel Costs	Full- or part-time regular salaried employees working on the grant. At a minimum, reporting will need to detail employee names, hours worked per pay period, and the hourly rate
Fringe Benefit Costs	**Eligible costs include the employer share of the following:** • Life insurance • Health insurance • Social security costs • Pension costs • Unemployment insurance costs • Workers compensation insurance • Payroll taxes Cost amounts for 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 federally approved rate agreement in the application response**
Indirect Cost	Applicants that want to charge indirect costs using an indirect cost rate may use a federally approved indirect cost rate agreement. **Must include a copy of the federally approved rate agreement in the application response**. Applicants that don't have a currently negotiated (including provisional) federally approved indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs (and do so indefinitely). If the applicant's accounting system permits, indirect costs may instead be allocated in the budget, including the category "other" if the costs being identified do not fit into one of the direct cost categories. For more information, see Title 2 CFR Part 200, in particular 200.414.

Consultant/Contract Costs	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/Software 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 project need/ implementation. (***see below for additional information***)
Travel Costs	Travel directly related to the purpose of the grant. In-state travel costs associated with the grant shall include mileage rates, not more than $0.62 cents 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 lodging whether in or out-of-state, without prior written approval from OGR.
Supplies Costs	Supplies required for the program (pens, pencils, postage, training materials, copying paper, and other expendable items such as books, ink, etc.).
Other Costs	Miscellaneous items (e.g., telephone costs, training material costs). Allowable with prior OGR approval.

* More on Equipment/Software Costs

No "stand-alone" purchases are permitted. NHTSA requires that all equipment/software acquired with grant funds is intended to address a project need and be necessary for project implementation. OGR strongly recommends applicants inquire beforehand whether a proposed equipment/software purchase meets this requirement. An AGF response must explain if grant-funded equipment/software will be used for any other purpose(s) beyond traffic records and related traffic enforcement/safety activities. The response must indicate the proportional amount of the total equipment/software cost assignable to traffic records and related activities and the amount to an additional purpose(s). Grant funds can only be used for the documentable percentage of the total equipment/software cost that will be used for traffic records and related activities.

Subrecipients seeking to purchase equipment/software of $5,000 or more must secure prior written approval from NHTSA. This approval will be secured after an award is made through an equipment/software request letter prepared by OGR with the subrecipient's assistance. NHTSA approval must be renewed for each federal fiscal year a project is conducted. Such purchases must also align with the Buy America Act (23 U.S.C. §313).

Examples of equipment that will **not** be approved include, but are not limited to, motor vehicles, radar detectors, lidar, portable or vehicle radios, security cameras, speed radar signs or trailers, and variable message boards.

Unallowable Costs

In addition to the supplanting prohibition noted above, there are unallowable costs and other restrictions noted in Title 2 CFR Chapter II Part 200 - UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS (in particular Subpart E – Cost Principles) at www.ecfr.gov/current/title-2/part-200. Also, within NHTSA guidance that applies to Section 405(c) funds and other federal grant funding at www.nhtsa.gov/highway-safety-grants-program/resources-guide.

OGR does **not** allow overtime or separately purchased warranty/service plan expenses under this grant program.

5. Application Review Process

At the start of the application review process, an OGR-selected AGF review committee composed of OGR staff and one or more outside reviewers as available will ensure AGF responses adhere to the AGF requirements. OGR anticipates recruiting one or more outside reviewers from the TRCC (an external reviewer can't be from an entity that has submitted an AGF response or be associated with a response).

As part of the committee's process, applicants must present their projects virtually to the committee on or about May 14, 2024. These presentations will be open to all TRCC members. Applicants must make available recordings of their presentations to post on the OGR website within two business days following their presentations.

The committee will then review proposed projects using a Four-Box Analysis and Scoring Tool. The committee will first prioritize projects using the following Four Box Analysis, with A representing the highest priority, then B, C, and finally D.

A - LOW COST – HIGH PAYOFF (good opportunity/high priority)	B - HIGH COST – HIGH PAYOFF (moderate opportunity/higher to middle priority)
C - LOW COSTS – LOW PAYOFF (moderate opportunity/lower to middle priority)	D - HIGH COST – LOW PAYOFF (poor opportunity/low priority)

The projects will then be further prioritized within each of the boxes using the following scoring tool.

- Project Overview/Description/Needs Assessment/Timeline (**up to 50 Points**)
- Project Benchmark and Performance Measure (**up to 20 Points**)
- Budget (**up to 20 Points**)
- Project Presentation (**up to 10 points**)

Scores from reviewers will be added together and averaged, and any differing award recommendations reconciled through committee deliberation.

The committee will then produce a report on its deliberations, with a ranked ordering of the scores of the proposed projects as well as suggested award amounts/project conditions. The report will also have information on any Section 405(c) funded grant work done to that point in FFY 2023-24 by an applicant being considered for new funding. This information will include performance against the benchmark(s) in the original application or any accepted update, project reporting issues, and level of unspent funding. This report, applicant presentation materials, and the AGF responses will be shared with the TRCC.

An Executive-level TRCC (ETRCC) meeting is scheduled for June 4, 2024. The ETRCC can do one of the following:

1. Accept the project recommendations in full, including suggested award amounts/project conditions in the AGF review committee's report;

2. Make minor adjustments to the AGF review committee project recommendations and suggested award amounts/project conditions, then approve the updated report; or

3. Use a Four-Box Analysis and Scoring Tool process like that used by the AGF review committee to develop and approve its own project recommendations and suggested award amounts/project conditions.

ETRCC members from entities with applications under consideration in the AGF process cannot participate in any vote to select projects.

The resulting project recommendations and suggested award amounts/project conditions from the ETRCC will then advance to NHTSA for consideration and anticipated acceptance in OGR's FFY 2024 Annual Grant Application. OGR will then forward these decisions to the Executive Director of OGR, Secretary of Public Safety and Security, and Governor's Office for review and final approval.

6. Post-Award Requirements and Information:

- **If an award occurs based on a response to this AGF**, the applicant will be required to complete one or more of the following documents to finalize a grant agreement based on the State Contract or ISA:

  o OGR General Subrecipient Grant Conditions,

  o Contractor Authorized Signatory Listing (unless a current, acceptable version of this form is on file at OGR),

  o Federal Funding Accountability and Transparency Act (FFATA),

  o Other applicant specific forms that may be required.

These forms are at www.mass.gov/info-details/state-traffic-safety-information-system-improvements-grant.

- Depending on the start and end dates of a project, OGR may require an entity awarded funds to provide a breakdown by federal fiscal years of its project budget and related programmatic/deliverables details.

- For non-state agencies, this is a cost-reimbursement style grant that requires the submission of monthly reports described below. State agencies will receive grant funding through the state accounting system (MMARS) that will allow them to start to incur project expenses. State agencies must also submit monthly reports.

- Monthly expenditure and activity reports in a format approved by OGR will be required on or about the fifteenth (15) day following the close of a month. Activity reports must be signed by the project manager, and the expenditure reports signed by an appropriate departmental representative. Electronic submission of these reports in PDF format is preferred in. OGR reserves the right to require submission of original, hand-signed reports. During any federal fiscal year the project operates, the last activity report must summarize all significant project accomplishments, in particular progress made from the benchmark(s) towards performance measure(s). Summary must be 150 to 175 words in length. Expenditure reports must be supported with required backup (i.e., MMARS reports, paid vendor bills, etc.).

- All subrecipients who are law enforcement agencies receiving any state or federal grant award from OGR will be required to gather and submit case-specific information on officer-administration of Narcan/Naloxone using a reporting tool as determined by EOPSS.

- No costs incurred by a subrecipient before or after the effective period for a State Contract or ISA will be reimbursable.

- Grant-funded contractor or consultant expenses or equipment or supply purchases not specifically approved in the subrecipient's State Contract or ISA must be reviewed by and receive written approval in advance from OGR. The review will include the intended procurement approach that is expected to be competitive. The resulting subcontract or purchase must reflect all applicable requirements of the subrecipient's ISA or state contract with OGR.

- Subrecipients that do not observe reporting deadlines, submit incomplete reports, fail to follow the timeline in the State Contract or ISA, or engage in other practices not in keeping with good grant management will be at risk for losing OGR grant funding and becoming ineligible for future OGR funding.

- Based on our efforts to utilize federal funds in the most efficient and effective manner, to increase program participation, and to administer with fairness to all participating subrecipients, OGR shares with the TRCC during the AGF process information on recent 405(c) grant-funded work of applicants being considered for new funding. The following subjects will be addressed:

performance against the benchmark(s) in the original application or any accepted update, project reporting issues, and unspent funding level.

- Be advised that an OGR grant award to a subrecipient does not guarantee reimbursement. 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 does not comply with federal eligibility requirements, OGR cannot guarantee alternative funding sources. The subrecipient must ensure compliance with all grant conditions and eligibility requirements.

- Please note any entity sent a grant award packet (State Contract or ISA) resulting from this AGF process will have a maximum of 30 days from the date of receipt to return all signed award documents to OGR. Failure to do so may result in termination of the grant award.

- OGR expects all entities receiving awards through this AGF process and entering into grant agreements to begin grant-funded services within 90 days of funding access (unless a later service start date is noted in the timeline and task plan of the agreement). Failure to do so may result in termination of the grant award.

- At its discretion, OGR may, on behalf of the ETRCC, provide grant funding that becomes available from a canceled project or retracted award associated with this AGF process to a qualified applicant(s) who did not receive funding through this AGF process.

- **OGR reserves the right to adjust or cancel the amount of funding being made available through this AGF process, as any awards made will be contingent upon receipt and availability of NHTSA grant funds.**

7. Submission Process and Deadline

Completed and signed AGF response documents (Attachment A - Application & Attachment B – Budget Worksheets) and supporting documents (i.e., partner support letter(s), federally approved indirect cost and/or fringe rate agreement, risk assessment form, employee seat belt policy) must be e-mailed as a single PDF to Brook Chipman, Program Manager, at [brook.chipman@mass.gov,](mailto:brook.chipman@mass.gov) **by 4 PM, May 7, 2024**.

Acceptable Forms of Authorized Signatures for Applications and Related Forms:

- Traditional "wet signature" (ink on paper) included within a scanned document.

- Electronic signature that is either: a. Hand drawn using a mouse or finger if working from a touch screen device; or b. An uploaded picture of the signatory's hand-drawn signature.

- Electronic signatures affixed by a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory's name and title, and must be accompanied by a signature date.

If you have any questions regarding this AGF process, please contact Mr. Chipman at brook.chipman@mass.gov by 4 pm on May 2, 2024. Given the competitive nature of this AGF, no questions on the merits of a proposed project can be answered. All questions received and answers provided will be posted in a non-attributable manner at www.mass.gov/info-details/state-traffic-safety-information-system-improvements-grant on or about May 3, 2024.

9. Application Checklist

__ Letter of intent in PDF format submitted by e-mail by **4 pm, April 30, 2024.**

__ E-mail submission of the completed and signed AGF response documents and supporting documents a single PDF document **by 4 pm, May 7, 2024.** Document should contain:

  __ Attachment A – Application

  __ Attachment B – Budget Worksheets

  __ Risk Assessment Form

  __ Partner Support Letter(s) (if applicable)

  __ Federally Approved Indirect Cost and/or Fringe Rate Agreements (if applicable)

  __ Employee Seat Belt Policy (if applicant is not an Executive Branch Agency)