



TRANSPORTATION IMPROVEMENT ASSOCIATION

100 E. Big Beaver Rd., Suite 910, Troy, Michigan 48083
Office (248) 334-4971 • Fax (248) 475-3434
www.tiasafety.us

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June 24, 2024

To Whom It May Concern:

The Transportation Improvement Association (TIA) is soliciting proposals for services experienced consultants that will provide proven comprehensive programming to instill highway safety messaging through presentations to high school students. The presentation/programming should be evidence-based, interactive, teen culture oriented, educational, and fact based related to Michigan law and crash statistics. It should be a high impact safe driving awareness program that informs, educates, and demonstrates the potentially deadly consequences resulting from poor choices and decisions made by the operator of a motor vehicle.

The proposal will be evaluated based upon how well the applicant understands the project, the methodology used for the project proposed, management of the project, the team experience and qualifications, and cost. Detailed information on what is required for each of these criteria can be found in Attachment A.

TIA will select up to three proposals. Once proposals are selected, TIA will be required to submit a grant through the Michigan Office of Highway Safety Planning's (OHSP) on-line grant system. The grant will be administered by TIA on a cost-reimbursement basis.

The organizations awarded the grant must agree to the OHSP's Grant Management Requirements and Certifications and Assurances. A copy of these requirements can be found in Attachment B and C.

To be considered for this grant, you must submit your proposal to TIA's Chief Operating Officer, Monica Yesh at myesh@tiasafety.us. The deadline for submissions is August 2, 2024

Please send all questions to Monica Yesh at myesh@tiasafety.us no later than July 12, 2024. Questions, with answers, will be posted within three days of receipt.

Thank you in advance for your interest in this proposal.

Sincerely,

Jim Santilli, CEO
Transportation Improvement Association

Attachment A

Summary

The Transportation Improvement Association (TIA) is soliciting proposals for services from an experienced consultant that will provide proven comprehensive programming to instill highway safety messaging through presentations to local high school students. The presentation/programming should be evidence-based, interactive, teen culture oriented, educational and fact based related to Michigan law and crash statistics. It should be a high impact safe driving awareness program that informs, educates, and demonstrates the potentially deadly consequences resulting from poor choices and decisions made by the operator of a motor vehicle. The program should utilize several methods for educating and demonstrating the effects and consequences that are direct results of these poor choices. Funding will support production of the school-based program for up to 20 high schools in counties with the largest number of traffic crash fatalities and serious injuries involving a teen driver. Locations will be chosen by the Transportation Improvement Association and the Office of Highway Safety Planning. Locations will be selected based on teen driver crash fatality and serious injury data.

Scope of Work Requirements

The program presentations should be engaging and involve student participation. Each scheduled school presentation shall conclude on a single day. The length of the presentation will be proposed by the selected consultant based on prior experience. The consultant will work with individual schools to accommodate their schedules. The selected consultant presentation schedule will be determined based on funding availability and crash statistics. The consultant will be responsible for scheduling and coordinating the targeted date/time and venue of each of the selected schools. TIA must receive a copy of school presentation schedule in advance for approval.

The overarching goal of the program will focus on young drivers to positive behavioral changes related to traffic safety program areas, particularly distracted driving, speeding, impaired driving and occupant protection. Each individual presentation made to each school, as well as the overall program, is required to have an evaluation component that measures the potential behavioral change. The consultant will conduct pre and post knowledge tests to students to measure knowledge learned. Monthly invoices must be accompanied by a monthly progress report, summarizing the work performed that month, along with a summary of knowledge learned at each school. School administrator evaluations must also be conducted and submitted by the consultant for each of the scheduled schools identified. The project will conclude with a final comprehensive evaluation report based on the survey data collected and detailing the knowledge changes indicated because of the total presentations performed.

Proposal

1. Consultant is to submit the proposal by August 2, 2024.
2. Cost proposal shall reflect a lump sum cost per presentation.
3. Consultant must provide a detailed technical synopsis of their proposed service based on the TIA request including any technical issues that will or may be confronted at each stage of the project. Proposed approach will be assessed for its feasibility.
4. The consultant proposal cost must be applicable for three (3) years.
5. Cost proposal will reflect the consultant(s) pricing per presentation fully inclusive of labor, overhead, materials, equipment, travel, any other elements necessary for the completion of work.
6. The selected consultant will be responsible for working with the schools to schedule and coordinate the presentations with input from TIA.
7. Content should be tailored to the high school audience.

The consultant will conduct pre and post tests with each school they attend as well as analyze and submit this data along with each monthly invoice.

Federal General Management Requirements (GMR)

1. All correspondence to the Office of Highway Safety Planning (OHSP) regarding this project shall include the project number, example: 2024-PT-09-00.
2. Each grant is required to have at a minimum three separate individuals responsible for grant management: one serving as an authorizing official, one as a project director, and one as a financial officer. A change in project director, agency contact, financial officer, authorizing official, addresses, email, or telephone numbers requires written notification to the OHSP. The project director will be responsible for also making these changes in the online grant management system.
3. The OHSP is required by the National Highway Traffic Safety Administration (NHTSA) to evaluate and document the risk for each entity applying for federal grant funds prior to making an award. The project director must register or annually update the registration in the online System for Award Management (SAM) to be eligible for federal and state grants. The OHSP will verify, within the SAM, there are no outstanding issues or concerns. Project directors must update their FY2024 online grant application with the new Unique Entity Identifier (UEI).
4. The OHSP may conduct a monitoring review of highway safety grants in accordance with Title 2 CFR 200, the NHTSA regulations, and these GMRs to determine adherence to project objectives, to review financial procedures, and to ensure compliance with grant requirements. All grantees are expected to cooperate with all reasonable requests for information as part of the monitoring review process.
5. The grantees must take reasonable measures to safeguard protected personally identifiable information. This information is based on what the NHTSA or the OHSP designate as sensitive, or that the subrecipient considers sensitive, consistent with applicable federal, state, and local laws regarding privacy and obligations of confidentiality as prescribed under 2 CFR Part 200.303.
6. All project proposals, applications, and amendments are required to be entered in the online grant management system (Michigan Grants System – MGX). “Grantees” includes all sub-recipients, contractors, sub-grantees, or participants throughout this document.
7. The published information generated from this project must include the following disclosure statement:

This was prepared in cooperation with, and funding from, the Michigan Office of Highway Safety Planning and U.S. Department of Transportation, National Highway Traffic Safety Administration. The opinions, findings, and conclusions expressed are those of the author(s) and are not necessarily those of the Michigan Office of Highway Safety Planning or the U.S. Department of Transportation, National Highway Traffic Safety Administration.

NONDISCRIMINATION

The State highway safety agency will comply with all Federal statutes and implement regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

7. Title VI of the Civil Rights Act of 1964
8. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
9. Federal-Aid Highway Act of 1973 and Title IX of the Education Amendments of 1972
10. Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27.
11. The Age Discrimination Act of 1975
12. The Civil Rights Restoration Act of 1987
13. TITLES II and III of the Americans With Disabilities Act and 49 CFR parts 37 and 38.
14. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
15. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency and (70 FR at 74087 to 74100).

The State highway safety agency—

- a. Will take all measures necessary to ensure that all persons in the United States shall, comply with the above classes protected by Federal Nondiscrimination Authorities.
- b. Will administer the program in a manner that reasonably ensures that any of its grantees receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance.
- c. Agrees to comply with all applicable provisions of law governing the US DOT's or the NHTSA's access any documents conducted by any Federal Nondiscrimination Authority.
- d. Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance.
- e. Insert in all contracts and funding agreements with other State grantee agrees— *(insert this clause, including paragraphs a through d, in every subcontract and in every solicitation which receives Federal funds under this program)*.
- f. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time.
- g. Not to participate directly or indirectly in the discrimination prohibited by any Federal nondiscrimination law as set forth in [Appendix B of 49 CFR Part 21](#) herein.
- h. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT, or NHTSA.
- i. That, in the event a grantee fails to comply with any nondiscrimination provisions in this funding agreement, the State highway safety agency will have the right to impose sanctions including withholding payments to the grantee until they comply; and/or cancel, terminate, or suspend a funding agreement.

POLITICAL ACTIVITY (HATCH ACT)

The State will comply with provisions of the [Hatch Act \(5 U.S.C. 1501-1508\)](#), which limits the political activities of employees whose principal employment activities are funded with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

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

16. No Federal funds have been paid to any person for influencing/attempting to influence an employee of any agency, a Member or employee of Congress, in connection with the awarding/continuation of any Federal grant.
17. If any funds other than Federal appropriated funds have been paid/will be paid to any person for influencing/attempting to influence employee of any agency, a Member/employer of Congress, in connection with this grant the undersigned shall complete and submit [Standard Form-LLL, "Disclosure Form to Report Lobbying"](#).
18. The undersigned shall require that the language of this certification be included in the award documents that person 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 into this transaction imposed by [Section 1352, Title 31, U.S. Code](#).

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with the NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

19. By signing and submitting this proposal, the prospective primary grantee is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.

20. The inability of a person to provide the certification required below will not necessarily result in denial of participation this covered transaction. The grantee shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter this transaction. However, failure of the primary grantee to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

21. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the primary grantee knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

22. The primary grantee shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the primary grantee learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

23. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR Parts 180. You may contact the department or the OHSP to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

24. The primary grantee agrees by submitting this proposal that, should the proposed project be entered into, it shall not be debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the NHTSA.

25. The primary grantee further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

26. A participant in a covered transaction may rely upon a certification of a grantee in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, 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 list of [Parties Excluded from Federal Procurement and Non-Procurement Programs](#).

27. 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.

28. If a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend participants or take other remedies as appropriate.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS-PRIMARY COVERED TRANSACTIONS

29. The primary grantee certifies to the best of its knowledge and belief, that its principals:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency.

b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of record, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and;

d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

30. Where the prospective primary grantee is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

INSTRUCTIONS FOR LOWER PARTICIPANT CERTIFICATION (SUCH AS A SUPPLIER)

31. By signing and submitting this proposal, the lower tier grantee is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.

32. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was established. If it is later determined that the lower tier grantee 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.

33. The lower tier grantee 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.

34. The terms ***covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded***, as used in this clause, are defined in 2 CFR Parts 180 and 1300. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

35. The lower tier grantee 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 proposed for debarment under 48 CFR part 9, subpart 9.4, 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.

36. The lower tier grantee further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

37. A grantee in a covered transaction may rely upon a certification of a grantee in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A grantee is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier grantees, each participant may but is not required to check the [System for Award Management](#) Exclusion's website.

38. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith 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.

39. Except for transactions authorized under paragraph 5 of these instructions, if a grantee in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, 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 or debarment.

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

40. The lower tier grantee certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

41. Where the lower tier grantee is unable to certify to any of the statements in this certification, such grantee shall attach an explanation to this proposal.

BUY AMERICA ACT

The State and each sub-recipient will comply with the Buy America requirement ([23 U.S.C. 313](#)) when purchasing items using Federal funds. Buy America requires a State, or sub-recipient, to purchase with Federal funds only steel, iron and

manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

The State and each sub-recipient will not use [23 U.S.C. Chapter 4](#) grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with [Executive Order 13043](#), Increasing Seat Belt Use in the United States, dated April 16, 1997, the grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the [Network of Employers for Traffic Safety \(NETS\)](#), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives on [www.trafficsafety.org](#). The [NHTSA](#) website also provides information on statistics, campaigns, and program evaluations and references. All grantees are required to use a seat belt. See [MCL 257.710e](#)

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with [Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving](#), States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, government-owned, leased or rented vehicles, or privately-owned when on official government business or when performing any work on behalf of the government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving. All grantees are not allowed to text while driving, except for an emergency. See [MCL 257.602b](#).

PUBLIC INFORMATION AND EDUCATION REQUIREMENTS

40. All original electronic files including designs, concepts, photographs, video, and audio financed with grant funds shall be delivered to the OHSP by an agreed upon due date between the OHSP and the grantee (and all sub-recipients and contractors). The items will remain the property of the OHSP and shall not be subject to copyright protection by the vendor or their agents. Items will be submitted to the OHSP immediately after production of the item. The OHSP will hold the final grant reimbursement until all the above items have been submitted. The grantee (and all sub-recipients and contractors) shall not enter into an agreement that includes any time limits on rights for music, talent, artwork, or photographs. The grantee (and all sub-recipients and contractors) shall inform all vendors, subcontractors, or their agents of this requirement before authorizing work to be performed.

41. All printed public information and education materials and videos are required to contain logos as designated by the OHSP, which are available in electronic formats upon request. See printing requirements below for more details. Audio materials must include an OHSP tag line (see State of Michigan Printing Requirements #3 below). All materials, including audio and video materials and scripts must be submitted for review and approval by the OHSP prior to production.

43. All businesses performing printing services must meet one of the following conditions: (a) bear the label of the branch of the allied printing trades council of the locality in which it is printed; (b) have on file 48 CFR part 9, subpart 9.4 with the secretary of state, a sworn statement indicating that work is performed; or (c) have a collective bargaining agreement in effect formed by an organization that is not in any way influenced or controlled by management. ([Per State of Michigan Procurement Policy Manual-Revised 6/12/18-Section: 1.3.13-State Printing Act.](#))

44. All videos, print photography, or graphics shall depict drivers and passengers to be properly restrained by seat belts or child passenger safety devices unless the lack of restraints is for demonstration or educational purposes. Helmets and other protective equipment shall be depicted for motorcyclists, motorcycle passengers, and bicyclists.

45. Messaging costs which are of a public relations nature and designed in-whole or in-part to promote either an individual or an agency is prohibited and not eligible for reimbursement.

46. Closed Captioning: All videos must be closed captioned. This includes online videos and hard copy DVDs.

a. Printed publications must be available in audio files via the Michigan Braille and Talking Book Library. See [ADA Guidance](#) from the Department of Justice published March 2022.

47. **Social Media Use and Approval:** The creation of social media accounts such as Facebook, Instagram, Snapchat, Tik Tok, and Twitter, etc. with federally funded grants and projects require prior approval from the OHSP before release to the public.

48. The purchase of program advertising space on TV, radio, magazines, newspapers, billboards, etc., may be approved on a case-by-case basis.

49. The following items require the prior approval of the OHSP program coordinator:

- a. flyers, posters, brochures
- b. training curriculum, excluding those developed by nationally approved agencies (i.e., the NHTSA, International Association of Chiefs of Police (IACP), etc.)
- c. annual reports
- d. newsletters

50. **Funding requirement statement:** The following byline shall be placed on all printed public information and education materials:

"This was prepared in cooperation with, and funding from, the Michigan Office of Highway Safety Planning and U.S. Department of Transportation, National Highway Traffic Safety Administration. The opinions, findings, and conclusions expressed are those of the author(s) and are not necessarily those of the Michigan Office of Highway Safety Planning or the U.S. Department of Transportation, National Highway Traffic Safety Administration."

51. The State of Michigan (SOM) prohibits use of the OHSP and/or MSP logos on non-SOM websites.

COPIES

52. The OHSP will require one electronic copy of any publication produced with traffic safety grant funds if print copies are not available or if the items are not distributed statewide, and it is not available online. The copy can be submitted via email, CD, or flash drive.

53. The OHSP will require one copy of any of the following produced with traffic safety grant funds if they are distributed statewide and are not available online. This copy is distributed throughout the state of Michigan's library system:

- a. annual reports
- b. manuals, handbooks, and training materials
- c. news releases
- d. statistics

54. The OHSP will require two of any of the following produced with traffic safety grant funds if they are distributed statewide and are not available online. These copies are housed as part of the SOM's library system:

- a. posters
- b. brochures
- c. flyers

55. If the publication is available on a publicly accessible website, no printed copy is required. However, an email which includes a link to the document must be provided to the OHSP. The SOM's library system will then include it in its digital archive.

PROGRAM REQUIREMENTS

56. Progress reports are required to be submitted throughout the grant period. The due dates for progress reports are specified in the grant approval letter and must be submitted in the online grant management system. Reports shall describe activities undertaken to accomplish each project goal, reason for non-activity, if necessary, activities planned for the next quarter, and obstacles encountered or anticipated. Progress reports must be submitted and approved by the OHSP program coordinator for the OHSP to process financial reimbursement. For traffic safety enforcement projects, enforcement reports must also be submitted in the online grant management system for the OHSP to process and approve financial reimbursement.

57. The final progress report is due on the date stated in the grant approval letter and shall include a summary of all activities and accomplishments for the entire grant period. Include the following information in the project summary:

- a. A list of significant accomplishments or activities of this project that addressed the project objectives.
- b. If no activity took place, a report must be submitted stating as such and reasons why.
- c. If goals were not met, a statement must be provided on why the goal was not achieved.
- d. Explanation of Impact that the project has had in the grantee's community or jurisdiction.

58. Out-of-state travel requires prior written approval by the OHSP Division Director. The OHSP Grantee Out-of-State Travel Request form, and appropriate support documentation, shall be submitted at least 30 days in advance of anticipated travel. Financial commitment (i.e., travel arrangements, conference fees, hotel reservations, etc.) shall not be made prior to the OHSP approval.

59. If a project amendment is required, the grantee shall contact the OHSP program coordinator for prior approval.

60. Grantees must have written and established policies and procedures listed below, where applicable, as required by [Title 2 Code of Federal Regulations 200](#) and were outlined elsewhere in these requirements. Shall meet the standards outlined in:

- a. [Procurement 2 CFR 200.318](#) and [2 CFR 200.320](#)
- b. [Salary and Wages – 2 CFR 200.430](#)
- c. [Fringe Benefits – 2 CFR 200.431](#)
- d. [Travel – 2 CFR 200.474](#)
- e. [Internal Controls – 2 CFR 200.303](#)
- f. [Contracting 2 CFR 200.320](#) and [2 CFR 200.323](#)
- g. [Indirect Costs 2 CFR 200.414](#)
- h. [Conflict of Interest 2 CFR 200.112](#)
- i. [Accounting/Finance 2 CFR 200.302](#), and [2 CFR 200.400](#)

61. For Overtime Traffic Enforcement Grants Only:

- a. The grantee shall verify all officers working the OHSP federally funded overtime have completed the Standardized Field Sobriety Testing (SFST) refresher course every three years. This does not apply to administrative staff hours billed to the grant.
- b. All law enforcement officers participating in an OHSP grant-funded traffic enforcement detail shall wear a properly fastened seat belt in accordance with state law. Officers found in violation of this requirement while working a grant-funded detail may be ineligible for funding reimbursement from the OHSP.
- c. Law enforcement agencies are encouraged to have a written vehicle pursuit policy in place.
- d. Traffic enforcement activity data shall be submitted to the OHSP within five days of the conclusion of the enforcement period if requested by the OHSP. Agencies shall use the enforcement report in the online grant management system, or a form provided by the OHSP.

Only [Michigan Commission on Law Enforcement Standards](#) certified police officers shall be used on enforcement projects, unless it is for commercial motor vehicle enforcement which must be commercial motor vehicle enforcement officers.

Grant funds CANNOT be used for activities such as response to calls for service, traffic control, property inspections, motorcades, or dignitary protection. The OHSP grant funds can only be used for activities approved in the grant.

Emergency response: A law enforcement emergency is defined as an imminent threat to life or property. If a law enforcement emergency occurs during a grant-funded detail and response is required by an officer(s) working that detail:

- a. The officer is allowed up to one hour of grant-time to respond and return to the traffic enforcement patrol.
- b. The agency must incur the costs (i.e., the grant cannot be charged) beyond an hour or for additional emergencies that arise during the detail.
- c. Response to non-emergency calls while on grant time must be charged to the agency.
- d. All emergency responses must be documented with a brief description on the officer daily.
- e. Traffic enforcement shifts shall be scheduled for a minimum of two consecutive hours.

- f. Traffic enforcement efforts shall be promoted to the community.
- g. As applicable, the grantee shall assist the OHSP with media events that will be conducted locally.
- h. Banners or other signage provided by the OHSP shall be displayed during the enforcement period.
- i. Traffic safety messages provided by the OHSP shall be posted on social media.
- j. The grantee and the chief or sheriff or post commander from each participating agency will sign the OHSP GMRs Acknowledgement and Agreement form signifying receipt of the GMRs and their agreement to comply with them as part of the online grant application process.
- k. The grantee must keep track of funds spent. In some cases, multiple funding sources are assigned to law enforcement grants. In these situations, the grantee must assign, document, and monitor expenditures to each designated funding source separately. Separate accounts must be established for each funding source. Each grant and federal funding sources may not be used interchangeably. In the event the grantee overspends, the difference will need to be covered by the grantee. Additional funding will not be provided to support overspending of any federal program.
- l. Law enforcement agencies receiving funding for overtime traffic enforcement cannot offer comp time in lieu of overtime pay.
- m. A daily activity log with a listing of activities performed must be completed for all time requested for reimbursement. It must include the following information in the body of the document to be acceptable documentation: The start time of the grant-funded enforcement detail, A brief description of every stop, and the end time of the grant-funded detail. All grant time must be accounted for and documented at a minimum of every hour, regardless of whether a traffic stop is made. This includes time spent on traffic stops, arrest, transporting and lodging of arrested subjects, report writing, serving as "zone spotters."
- n. Total personnel hours billed to the grant reported on the enforcement reports must match the hours requested for reimbursement on the financial report.
- o. The time on the daily must match the hours requested for reimbursement and supervisor approval must be documented electronically or in writing. If supervisor approval is given by means other than a signature on the daily, explanation of the approval process must be provided at the OHSP's request and kept as grant documentation records.

GENERAL FINANCIAL REQUIREMENTS

Compliance with the [Federal Funding Accountability and Transparency Act \(FFATA\) of 2006](#) is required. Signed into law on September 26, 2006, the Federal Funding Accountability Act provides the public with a single, searchable database of federal awards. The OHSP is responsible for reporting data into the FFATA database for each NHTSA award that equals or exceeds \$25,000. The FFATA reporting procedure also requires for each grantee agency is to maintain current registration in the federal SAM at <https://www.sam.gov> and obtain their new [Unique Entity Identifier \(UEI\)](#) in FY2024.

The following are financial requirements for the grantees.

- 62. Only program activities and expenses detailed in the approved grant budget and incurred during the grant period are eligible for reimbursement. Expenses incurred that are not detailed in the approved grant budget or outside of the grant period will not be reimbursed. **Costs cannot EXCEED the approved grant award.**
- 63. Goods purchased through the grant shall be received in acceptable condition. If goods are not received in acceptable condition within 30 days prior to the grant ending date, the grantee shall contact the OHSP program coordinator.
- 64. The grantee shall use generally accepted accounting principles.
- 65. Costs charged to this grant cannot be charged to any other program.
- 66. All costs shall be actual and supported by source documentation. Financial reimbursement will be delayed until all backup documentation is received by the OHSP. A document entitled "Acceptable Backup Documentation for Federal Cost Claims" is available from the OHSP to assist with identifying adequate backup documentation.
- 67. A separate account or fund must be established for this project. A separate account is required to be maintained by all agencies receiving grant funds from the OHSP regardless of the dollar amount. In addition, the grantee receiving funds from the OHSP for multiple grant projects must have a separate account for each grant project and funding type. It is the responsibility of the lead agency to ensure all sub-agencies meet this requirement. The general ledgers of the sub-agencies are not required to be submitted with requests for payment unless specifically requested by the OHSP.
- 68. Costs reported on the final Financial Status Report (FSR) must match the agency's separate account or fund that has been established for this project inside the agencies accounting system.
 - **Financial documents must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to**

establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

69. Comingling of funds on either a program-by-program or project-by-project basis is prohibited. The grantee's accounting system must maintain a clear audit trail for each source of funding for each fiscal budget period and include the following:

- a. Separate accountability of receipts, expenditures, disbursements, and balances.
- b. Itemized records supporting all grant receipts, expenditures, and match contributions in sufficient detail to show exact nature of activity.
- c. Data and information for each expenditure and match contribution with proper reference to be a supporting voucher or bill properly approved.
- d. Maintenance of payroll authorization and vouchers.
- e. Maintenance of records supporting charges of fringe benefits.
- f. Maintenance of inventory records for equipment purchased, rented, and donated.
- h. Maintenance of billing records for consumable supplies (i.e., paper, printing) purchased.
- i. Provisions for payment by check.
- j. Maintenance of travel records (i.e., mileage logs, parking, hotels, meal receipts).
- k. Lease agreements, contracted services, and equipment purchases that adhere to established procurement processes.

70. Costs must be net of all applicable credits such as purchase discounts, rebates, or adjustments of overpayments, or erroneous charges.

71. The following deviations from the approved budget require PRIOR approval from the OHSP: Once approved, appropriate amendments will need to be made to the grant agreement in the MGX.

- a. A specific item of cost not included in the approved budget.
- b. An increase in the number of a specific item over and above the total authorized.
- c. A transfer between major budget categories in excess of 10 percent of the budget category title being increased. (Personnel Costs, Contractual Services, Supplies/Operating Costs, Equipment, and Indirect – not the individual budget line-item titles.)

72. Procurement Methods:

- a. Competition: The grantee shall conduct all procurement and contractual transactions, without regard to dollar value, to provide maximum, open, and free competition. Maximum, open, and free competition shall be assured through the distribution of an adequate number of proposal solicitations.
- b. Small Purchase Procedures: Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$25,000 in total. If small purchase procedures are used, price or rate quotations must be obtained from at least three (3) Buy America Act qualified sources.
- c. The grantees shall follow their competitive bid process providing it is at least as restrictive as the process required by the [Title 2 Code of Federal Regulations 200.320](#), the State of Michigan, and complies with the Buy America Act. (A copy of the State of Michigan procurement policy is available upon request.) The grantee agrees to ensure that minority business 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 funds provided under this agreement. The grantee must document that multiple bids were sought in a competitive bidding process. When two or more responses were not received, the grantee shall indicate the selected bid was the only response.
- d. No employee or agent of the grantee shall participate supported by Federal funds if a conflict of interest, real or apparent, would be involved.
- e. A copy of the grantee's established procurement procedures must be readily available for audit purposes upon request from the OHSP. Records must sufficiently detail the procurement history for all purchases and should detail the rationale for the method of procurement and selection of contract type, written selection procedures, documented reasons for rejections, and the basis for the contract price.

73. Documentation for costs shall be maintained for three years following final reimbursement.

74. Any program income received shall be used exclusively to further traffic safety project activities. Program income is defined as gross income earned by the prospective primary participant from grant supported activities. Some examples are proceeds from the sale of items purchased or developed with grant funds, or revenue received from attendees at trainings or conferences paid for with grant funds. Program income must be netted against costs incurred within the grant or returned to the OHSP, unless prior permission is obtained from the OHSP to use the funds for other traffic safety projects. Contact the OHSP for further information.

75. Local Match: non-federal, in-kind costs that the grantee contributes to the grant project. The FAST Act 405(h) Nonmotorized Safety grant funds and the 2024 BIL 405(g) Nonmotorized Safety grant funds require a minimum 20 percent local match for the entire grant project cost. Local match costs must be supported with documentation. With prior approval from the OHSP, program income may be used to meet the cost sharing or matching requirement of the Federal award. For additional information on local match or "cost sharing" please reference 2 CFR 200.306.

76. General Cost of Business (formerly referred to as Supplanting): The replacement of routine and/or existing expenditures with the use of state or federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of a state or local agency or other grantee is general cost of business and is not allowable.

The grantees shall not use grant funds to replace state or local funds, or other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within 30 days. If the vacancy is not filled within 30 days, the grantee must stop charging the grant for the new position. Upon filling the vacancy, the grantee, may resume charging the grant position. The Financial Officer or Authorizing Official's straight time costs may not be funded under this grant.

77. All other financial management requirements as listed in [Title 2 Code of Federal Regulations 200.302](#) (Financial Management).

COST REIMBURSEMENT

78. All OHSP projects are based on the cost reimbursement concept, i.e., state, local, or private funds shall be expended before reimbursement is provided.

79. Reimbursement is based on submission and approval of progress, enforcement, and financial reports. All requested information should be submitted electronically through the online grant management system MGX. A financial report submitted to the OHSP by the grantee shall contain the following to be considered complete:

- a. Electronic signatures for the agency's Financial Officer, Project Director, Authorizing Official, or employee(s)
- b. A copy of a report for the current period generated by the grantees official accounting system which shows a description of the item and the actual amount spent. Some examples of acceptable reports include a detailed general ledger, a transaction ledger, a payroll journal, or a detailed budget/expenditure report. The report must match the amount being requested for reimbursement.
- c. For enforcement grants: Officer names, dates, and amounts paid for each agency participating in grant funded patrols.
- d. For non-enforcement grants with personnel costs: Activity logs as described in "Personnel Costs" under "Budget Cost Category Requirements."
- e. Copies of invoices must be included.
- f. Additional documentation as requested by the OHSP.

80. Financial reports are due, at a minimum, on a quarterly basis. Financial report due dates are specified in the grant approval letter. Financial reports must be submitted even when the project experiences no costs. In this case, a "zero" financial report shall be submitted. The submission of financial reports is mandatory, and non-compliance can result in termination of the grant. Financial reports will be considered delinquent if not submitted by the due dates specified in the grant approval letter.

81. The Project Director shall ensure that financial reports are submitted in compliance with reporting deadlines. If the financial report is submitted electronically without backup documentation, the financial report is not considered submitted and the grantee will receive a delinquent letter stating the same.

82. A delay in submitting support documentation may result in the suspension of all grant activity.

83. Failure to submit cost statements with adequate supporting documentation prior to the fiscal year close out deadline will result in non-reimbursement of those costs. Costs from one fiscal year cannot be paid in a subsequent fiscal year.

AUDIT REQUIREMENTS

This section applies to grantees designated as subrecipients by the OHSP.

84. Required Audit or Audit Exemption Notice. Grantees must submit to the OHSP either a Single Audit, Financial Related Audit, or Audit Exemption Notice as described below. A Financial Related Audit is applicable to for-profit and not for profit grantees that are designated as subrecipients. If submitting a Single Audit or Financial Related Audit, grantees must provide explanations in writing for any audit findings that impact the OHSP-funded programs and submit a Corrective Action Plan to address each finding on how they will correct the issues.

a. Single Audit. Grantees, sub-recipients, and contractors that are a state, county/local government, or non-profit or not for profit organization that expend \$750,000 or more in federal awards during the grantee's, sub-recipient's, and contractor's fiscal year, must submit a Single Audit to the OHSP, regardless of the amount of funding received from the OHSP. The Single Audit must comply with the requirements of [Title 2 Code of Federal Regulations, Subpart F](#). The Single Audit reporting package must include all components described in [Title 2 Code of Federal Regulations, Section 200.512\(c\)](#).

b. Financial Related Audit. Grantees that are for-profit organizations that expend \$750,000 or more in federal awards during the grantee's fiscal year must submit either a financial related audit prepared in accordance with Government Auditing Standards relating to all federal awards; or an audit that meets the requirements contained in [Title 2 Code of Federal Regulations, Subpart F](#), if required by the federal awarding agency.

c. Audit Exemption Notice. Grantees exempt from the Single Audit and Financial Related Audit requirements (a. and b. above) must submit an Audit Exemption Notice that certified these exemptions.

85. Financial Statement Audit. Grantees exempt from the Single Audit and Financial Related Audit requirements (that are required to submit an Audit Exemption Notice as described above) must also submit to the OHSP a Financial Statement Audit prepared in accordance with generally accepted auditing standards if the audit includes disclosures that may negatively impact the OHSP-funded programs including, but not limited to fraud, ongoing concern uncertainties, financial statement misstatements, and violations of contract and grant provisions. If submitting a Financial Statement Audit, grantees must also submit a corrective action plan for any audit findings that impact the OHSP-funded programs.

86. Other Audits. The OHSP or federal agencies may also conduct or arrange for "agreed upon procedures" or additional audits to meet their needs.

BUDGET COST CATEGORY REQUIREMENTS

(Refer to the following for specific requirements of budget cost categories. Only requirements for cost categories contained within your approved grant budget apply.)

PERSONNEL COSTS

87. Includes itemized monthly or hourly salary rate. Fringe benefits are included under personnel costs.

88. Payments for salaries and wages shall be supported by a time and attendance report, based on an after-the-fact distribution of time, which shows details of the activities performed. All time and attendance reports must be signed the employee and supervisor. Electronic signatures are accepted.

90. Federal guidelines prohibit using federal grant funds to pay for routine and/or existing state or local expenditures.

91. If the grant contains personnel services as part of the award, a job description for each position listed in the budget must be available to the OHSP upon request.

For enforcement grants (grantee)– See program requirements Section 5.

For non-enforcement grants – The grantees must maintain activity logs which document the actual amount of time spent on the grant project and describe the nature of the activities performed. If the grant is funded from multiple sources, the logs must show the activity by fund source. This documentation must be submitted with the financial reimbursement request.

92. Reimbursement for wages and fringe benefits shall be based on actual costs NOT budgeted rates. Only those fringe benefit costs that increase because of hours worked on this project can be claimed for reimbursement. For overtime wages, those costs typically include FICA, workers comp, and retirement, but if any of these costs are structured so that they do not increase with overtime, they cannot be reimbursed. For straight-time grant-funded positions, all fringe benefits associated with the position may be claimed to the extent that the position has been approved for reimbursement (e.g., if 50 percent of the position is grant funded, 50 percent of the fringes benefits can be claimed.) Fringe benefit rates must be reasonable and in accordance with federal cost principles.

93. The rate of pay for grant-funded enforcement shall be determined according to the grantee contract, or employment agreement. Overtime rates must be applied consistently to all activities of an agency – higher rates may not be established just for federal grants.

94. Agencies shall comply with all state labor laws.

CONTRACTUAL SERVICES

The grantee must have a written and established contracting policy that it will utilize when engaging in contracting services. At a minimum, this policy should include cost or price analysis, bid vs buy decision process, bid acquisition methods, and contractor monitoring. The contracting policy should follow [Title 2 Code of Federal Regulations part 200.318, 200.321, 200.323, 200.326, 200.330, and Appendix II to Part 200.](#)

Contractual services are services of individual consultants or consulting firms engaged in performing special services pertinent to highway safety. Contracts are allowable, when necessary, to achieve the goals of the grant agreement. Costs are allowable for products, highway safety consultants, personal services, and/or individuals for support services, provided applicable state and local procurement procedures are followed and documentation is available that describes the official contract and procurement practices. Contracts and procurements must include “special provisions” as provided by the OHSP. The grantee is responsible for verifying contractor eligibility by checking the national List of Parties Excluded from Federal Procurement and Non-Procurement Programs list available at www.govinfo.gov or adding a self-certification clause or condition to the contract.

All grantees awarding contracts or sub-contracts shall comply with the terms and conditions of [Title 49 Code of Federal Regulations, Part 18-Uniform Administrative Requirements for Grant and Cooperative Agreements to State and Local Governments, §18.36 Procurement](#). A signed copy of the contract, including the fully listed federal certifications and assurances, shall be submitted to the OHSP upon completion and is required for processing and approval of financial reimbursement requests.

The grantee awarding is responsible for managing all contracts issued using the OHSP grant funds including:

- a. Ensuring the contractor complies with all contract provisions.
- b. Ensuring services are performed according to the quality, quantity, objectives, timeframes, and manner specified in the contract.
- c. Ensuring that all work is completed and accepted before the contract expires.
- d. Assessing and requesting amendments, renewals or new contracts as required allowing sufficient time to process and execute these changes before the contract expires to prevent lapse in service.
- e. Ensuring that contracts are amended after any grant agreement amendment that affects the contract terms.
- f. Reviewing and approving invoices for payment, ensuring payments are made in accordance with contract terms, all costs are budgeted and allowable, and work has been performed.
- g. Monitoring contract expenditures to ensure there are sufficient funds to pay for all services rendered as required by the contract.
- h. Verifying all requirements of the contract are fulfilled before submitting the final invoice.
- i. Ensuring that all Personnel Activity log requirements are met.

SPECIAL PROVISIONS

The grantee awarding must insert in all contracts and funding agreements the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees: — (insert this clause, including paragraphs a through d in every subcontract and sub-agreement and in every solicitation for a subcontract or sub-agreement, which receives Federal funds under this program)

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time.

- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 2 and herein.
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the OHSP, the US DOT, or the NHTSA.
- d. That, in the event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the OHSP will have the right to impose such contract/agreement sanctions as it or the NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part.

OPERATING COSTS

96. Only eligible operating costs specifically listed in the approved grant budget will be reimbursed. These are costs not covered under other budget categories, including services not requiring contractual agreements and minor equipment such as office supplies, printing, and educational materials.
97. Automotive expenses submitted shall be based on actual costs incurred. In most cases, this will be calculated by multiplying actual miles driven times a mileage rate. The rate will be determined when the grant is approved but will generally be the Internal Revenue Service (IRS) business mileage rate. With prior approval, reimbursement may be allowed based on the actual costs incurred for gasoline, maintenance, insurance, and other vehicle expenses.
98. Postage, telephone, and grant-related travel costs shall be documented by log or meter and submitted with the reimbursement request.

TRAVEL COSTS

Out-of-state travel funded by federal grant funds require prior written approval by the OHSP Division Director. A written request shall be submitted on the form provided. Requests shall be submitted at least 30 days in advance of anticipated travel. Financial commitment (i.e., travel arrangements, conference fees, hotel reservations, etc.) shall not be made prior to the OHSP approval.

REIMBURSEMENT

The grantee will be reimbursed for travel cost (including mileage, meals, and lodging) budgeted and incurred related to services provided under this agreement. The grantee will have established and follow documented Travel Policies.

99. Reimbursements for travel (meals, lodging, mileage, etc.) cannot exceed the lesser of the grantee's published travel rates or the allowable State of Michigan travel rates. Exceptions require the OHSP approval during the grant application process. Grantees requesting an exception will attach their organization's travel policy when the first grant draft is submitted. The policy must be applicable to all organization travel. Policies will be reviewed by the OHSP fiscal manager or approval and cannot exceed the current federal travel reimbursement ratio.

100. The SOM travel rates may be found at the following website: <https://www.michigan.gov/dtmb/services/travel>

EQUIPMENT (INCLUDES SOFTWARE)

Items purchased for direct use by an agency or contractor (rather than for public distribution) are categorized as equipment. Please reference the federal law definition at 23 CFR 1300.31. Equipment is closely tracked pertaining to both federal and state regulations based on value and usable life.

In 2016, the NHTSA released a memorandum clarifying equipment purchases for federal highway safety grant projects. Equipment is eligible for reimbursement as a direct expense chargeable to a specific project agreement, provided the equipment is needed to perform that project. A project for which equipment is needed must be based on identification of a specific safety problem in Michigan.

In other words, a project must first be established based on problem identification. If that project requires the use of equipment for its performance, the cost of that equipment may be reimbursed under the grant. No project may be created solely to purchase equipment. Fundamentally, the NHTSA-funded highway safety grants are for safety activities, and equipment serves a supporting role in accomplishing those activities through defined projects.

The OHSP maintains an equipment log to track equipment purchased with federal funds based on use and value. When an agency needs to dispose of equipment, the OHSP must be contacted immediately, and appropriate disposal policy must be followed. Specific attention must be given to disposal of equipment that is still within its useful life. Department of Technology, Management, and Budget's policy indicates a maximum useful life of 10 years and is valued at over \$5,000.

101. Only eligible equipment specifically listed in the equipment section of the approved grant budget will be reimbursed. Equipment costs shall be reimbursed according to the match requirements as specified in the approved grant budget.

102. Equipment purchases shall be initiated within the time specified in the approved grant. "Initiated" means bids were solicited, accepted, and items have been ordered. If there is a reason the grantee is unable to meet this requirement, the OHSP program coordinator shall be contacted immediately.

103. Equipment purchased through this grant shall be used only for highway safety activities throughout its useful life, whether the project or program continues to be supported by the Federal award.

104. Equipment with a cost of \$5,000 or more shall be tracked by the grantee inventory control purposes. In addition, the OHSP Equipment Record System Form with all applicable information completed shall be submitted with the prospective participant's or sub-recipient's reimbursement request. The grantee shall make the item available for physical review by the OHSP staff when requested.

105. All equipment purchases with the NHTSA funds shall comply with the Buy America Act requirements before costs will be reimbursed. Please refer to section eleven under the heading Grant Management Requirements for specific terms of the Buy America Act.

DIRECT COST ALLOCATION PRINCIPLES

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Where the purchase of equipment or other capital asset is specifically authorized under a federal award, the costs are assignable to the Federal award regardless of the use that may be made of the equipment or other capital asset involved when no longer needed for the purpose for which it was originally required.

DISPOSITION OF EQUIPMENT

106. If the equipment is to be disposed of or ceases to be used for highway safety activities the grantee is required to contact the OHSP prior to such disposition action. The OHSP reserves the right to follow [2 CFR 200.331\(e\) Disposition](#). This section gives the awarding agency the right to transfer the property to another grantee who could utilize the equipment for their grant related project. If no grantee can be found, the OHSP will contact the NHTSA for disposition instruction as the NHTSA could transfer the property to another state for utilization of the equipment. If the equipment is determined to have a Current Fair Market Value of \$5,000 or more, the OHSP must contact the NHTSA for disposition instructions. If no response is provided within 120 days, the OHSP reserves the right to retain or transfer title of all items.

If the equipment is then sold, the OHSP will deduct \$500 or ten percent of the proceeds, whichever is less, for the selling and handling expenses. The OHSP will decide whether to share those proceeds with the grantee.

107. The OHSP may allow the holder of the equipment to retain title of the equipment and reimburse the federal or State share of the fair market value of such equipment. The Current Fair Market Value shall be determined as follows:

- a. Appraisal by an independent source with expertise in valuation of similar items is the preferred method of valuation for equipment.
- b. For vehicles, [Kelley Blue Book](#), [National Automobile Dealer Association \(NADA\) Guides](#), or a similar third-party vehicle valuation service, may be used when valuing the condition of the vehicle, or
- c. If a fair market value based on appraisal or a third-party valuation service cannot be determined, the value may be based on [IRS depreciation schedules](#). Only straight-line depreciation may be used.

COLLECTION OF UNALLOWABLE COSTS

Payments made for costs determined to be unallowable by either the Federal awarding agency, cognizant agency for indirect costs, or pass-through entity, either as direct or indirect costs, must be refunded (including interest) to the Federal Government in accordance with instructions from the Federal agency that determined the costs are unallowable unless Federal statute or regulation directs otherwise. See also [Subpart D—Post Federal Award Requirements](#) of this part, and [Part 200.300 Statutory and National Policy Requirements through 200.309 Period Of Performance](#).

INDIRECT COSTS

Title 2 CFR 200 provides guidance on indirect cost as follows:

Section 200.414 Indirect (F&A) Cost -(F): In addition to the procedures outlined in the appendices in paragraph (e) of this section, any non-Federal entity that has not negotiated an indirect cost rate, except for those non-Federal entities described in Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph D.1.b, may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC) which may be used indefinitely. As described in §200.403, factors affecting allowability of costs, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time.

CONFLICT OF INTEREST AND CODE OF CONDUCT STANDARDS

108. The grantee is subject to the provisions of 1968 PA 317, as amended, 1973 PA 196, as amended, and Title 2 Code of Federal Regulations Section 200.318 (c) (1) and (2) 2 CFR 1201.112.

109. The grantee must have established conflict of interest policies, in accordance with Title 2 Code of Federal Regulations Section 200.112.

110. The grantee will uphold high ethical standards and is prohibited from:

- a. Holding or acquiring an interest that would conflict with this agreement.
- b. Doing anything that creates an appearance of impropriety with respect to the award or performance of this agreement.
- c. Attempting to influence or appearing to influence any state employee by the direct or indirect offer of anything of value;
or,
- d. Paying or agreeing to pay any person, other than employees and consultants upon the award of this agreement.

TERMINATION

The OHSP retains the right to terminate a grant for failure to meet the grant management requirements or for not satisfying project goals or objects, which is to be decided by an OHSP management review. When a grant is terminated by the OHSP, the grantee shall not be eligible to seek grant funding for a period of two years. To obtain a grant after the two-year period, the grantee will be required to submit written assurance that the identified deficiencies have been corrected. Additionally, the agency may be required to submit monthly financial reports to allow for increased financial monitoring.

MANDATORY DISCLOSURES

111. Disclose to the Department in writing within 14 days of receiving notice of any litigation, investigation, arbitration, or other proceeding (collectively, "proceeding") involving grantee, a subcontractor, or an officer or director of grantee or subcontract, or that arises during the term of this agreement including:

- a. All violations of federal and state criminal law involving fraud, bribery, or gratuity violations potentially affecting the agreement.
- b. A criminal proceeding;
- c. A parole or probation proceeding;
- d. A proceeding under the Sarbanes-Oxley Act;
- e. A civil proceeding involving a claim that might reasonably be expected to adversely affect grantee's viability or financial stability; or
- f. A governmental or public entity's claim or written allegation of fraud;

112. Notify the OHSP, at least 90 calendar days before the effective date, of a change in grantee's ownership and/or executive management.

REFERENCES

Statutes

Highway Safety Act of 1966: 23 U.S.C. Chapter 4

Rules

The rules which govern the Highway Safety Grant Programs is available at:
Part 1300 – Uniform procedures for state highway safety grant programs

Title 2: Grants and agreements Part 200 (2 CFR 200) [Uniform administrative requirements, cost principles, and audit requirements for federal awards.](#)

[Federal Electronic Code of Regulations](#)

[NHTSA allowable and unallowable costs](#)

[NHTSA Highway Safety Grants Program Resource Guide](#)