

Nebraska Office of Highway Safety Program Management Manual



Nebraska Office of Highway Safety
P.O. Box 94612
Lincoln NE 68509
402-471-2515
402-471-3865 FAX
www.transportation.nebraska.gov/nohs

March 2016

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Chapter 1

Introduction

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Section 1 – Background and Purpose

The purpose of this Manual is to establish consistent program and project management procedures for staff and contractors to guide the administration of the State's traffic safety program in compliance with U.S. Department of Transportation (DOT), National Highway Traffic Safety Administration (NHTSA) regulations. Best practice requires that the Nebraska Office of Highway Safety (NOHS) have in place a current Manual which documents standard operating procedures and the management of the traffic safety program. The Manual contains a written record of approved current administrative and financial procedures. It serves as a guide to assist staff and administrators in performing their assigned functions.

This Manual does not, however, specifically address all regulations which must be followed. Occasional references to other Department manuals and policies are necessary.

This Manual is intended for use by NOHS personnel, Department employees, State and Local government officials, and anyone interested in the procedures which are followed by the NOHS.

All members of the NOHS staff receive a copy of this Manual and are held accountable for following the processes outlined in this Manual. Where applicable, NOHS staff performance evaluations may be tied to compliance with this Manual.

Section 2 – Updating the Manual

The NOHS should review the contents of the Manual at least on an annual basis to ensure the procedures remain current and accurate. Program and regulatory revisions received from State and Federal sources shall be made and distributed immediately upon receipt of notification.

The NOHS Administrator assigns the responsibility of updating the Manual, including the Table of Contents and Appendices, on at least an annual basis. Revisions requiring immediate attention may be initiated at any time. The Manual should be maintained on the NOHS website for easy access by NOHS staff and other interested persons. NOHS staff should be notified by email of any updates made to the Manual. A group email list should be maintained of all NOHS staff and other interested persons who should be notified of the Manual updates.

Section 3 – Reference to State Department Policies and Procedures

The laws and regulations of the State of Nebraska and the Department of Roads (NDOR) also govern the NOHS traffic safety program. The Department has created policies and procedures that may be pertinent to the administration of the traffic safety program. These policies should be reviewed periodically and serve as a guide to assist NOHS staff and administrators in performing their assigned functions.

References:

State of Nebraska:

[State Accounting Manual](#) – Administrative Services State Accounting

[Nebraska State Contracts Database](#) - LB429

Nebraska Department of Roads (NDOR):

Department of Roads Accounting Manual

Human Resources Policy & Procedures Manual

LINK – State Accounting Policies/Procedures

[Purchasing Card Program](#)

Report System Portal

Roads Payment System (RPS)

Nebraska Office of Highway Safety:

Grant Contract Proposal Application Guide and Policies and Procedures

Nebraska Office of Highway Safety Program Management Manual

Federal:

NHTSA Highway Safety Grants Management Resources

Grant Tracking System (GTS) State Highway Safety Office User's Manual (NHTSA)

Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS)

[Uniform Administrative Requirements, Cost Principles, and Audit Requirements](#) – 2 CFR 200 (NHTSA)

Federal Audit Clearinghouse (FAC)

Section 4 – Federal Laws and Regulations

Background

The United States Congress authorizes traffic safety funds to be appropriated to the United States Department of Transportation, National Highway Traffic Safety Administration (NHTSA). NHTSA apportions and distributes these funds to the States. NHTSA apportions and provides a limitation on obligations that indicates the amount of funds available for each State. The States liquidate these funds through the annual State Highway Safety Plan (HSP) that is subject to NHTSA review and approval.

Federal regulations govern the daily administration of traffic safety grants at the State level. Administrators of traffic safety grants shall be familiar with and follow each cited title and rule to effectively design and manage programs. Thorough knowledge of these regulations will reduce a majority of grant questions before they become problems.

The Highway Safety Act of 1966

The NOHS operates under the provision of the Federal Highway Safety Act of 1966, [23 USC 402, et seq., specifically 402\(b\)\(1\)](#).

Under Section 402, federal agencies are given considerable leeway to modify the Traffic Safety program as necessary. This authorization requires these programs to have certain features under the Highway Safety Plan before they are approved. These features are contained in the following regulations:

- The corresponding regulation contained in the Code of Federal Regulations (CFR), [23 CFR Part 1200.10 - 15](#) requires the State's Highway Safety Performance Plan (HSPP) to have certain features before it is approved. These features are contained in a number of Federal regulations and guidelines.
- The Federal Highway Safety Act of 1966 makes the State's Governor responsible for preparing and administering a statewide traffic safety program designed to reduce traffic crashes and the resulting injuries, fatalities and property damage. The Governor has named the Director of the Department of Roads to act as his or her representative for the State's traffic safety program. The NOHS is located within the Department of Roads.

The reauthorization of funding to support highway safety programs is a separate act. Most recently Congress enacted in 2015 the Fixing America's Surface Transportation (FAST) Act which will be effective for most behavioral safety programs with the FY2017 grant year. The Act contains funding authorization for five years beginning with 2016.

OMB Uniform Guidance FY2016 Grants

Effective with FY2016 grants, the U.S. Department of Transportation adopted the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200), referred to as the Uniform Guidance. This part supersedes and repeals the requirements of the DOT Common Rules (49 CFR part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and 49 CFR part 19—Uniform Administrative Requirements—Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations), except that grants and cooperative agreements executed prior to December 26, 2014, shall continue to be subject to 49 CFR parts 18 and 19 as in effect on the date of such grants or agreements.

Lobbying Restrictions

Lobbying restrictions are contained in two Federal laws. The Anti-Lobbying Act, 18 U.S.C., Part 1913, prohibits the use of Federal funds for “grassroots” lobbying campaigns that encourage third parties, members of special interest groups or the general public to contact members of Congress; of a State or local legislature; or an official of any government in support of or in opposition to a legislative, policy or appropriations matter. It applies to activities both before and after the introduction of legislation. These prohibitions apply to all DOT funds, including NHTSA funds awarded to States under grants, cooperative agreements and contracts. These prohibitions apply to State officials whose salaries are supported, in whole or in part, by NHTSA funds and to recipients of NHTSA funds awarded under contracts, grants, cooperative agreements and sub awards.

The Transportation Equity Act for the 21st Century (TEA-21), which is unchanged by SAFETEA-LU and the most recent reauthorization Moving Ahead for Progress in the 21st Century Act (MAP-21), prohibits the use of NHTSA funds for “any activity specifically designed to urge a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body.” These restrictions do not apply to State officials engaged in State-sanctioned communications with their legislatures, even if their salaries are supported, in whole or in part, with NHTSA funds. Any direct communications between State executive officials and State or local legislators properly are governed by the laws, regulations and customary practices in the State.

State and local officials and legislative bodies are authorized to invite Federal officials to testify before legislative bodies on pending legislation. Such invitations should be documented in writing.

These restrictions apply to contractors as well. Contractor certifications must include a prohibition from using federal grant funds in violation of the lobbying restrictions. If any funds other than federal funds have been paid for by lobbying, the provisions of the federal Lobbying Disclosure Act of 1995, as amended (2 U.S.C. Part 1601) must be followed. For additional federal guidance, see [NHTSA Guidance on Lobbying Restrictions](#).

State officials and contractors may engage in advocacy activities as distinguished from lobbying. Such advocacy may include but not be limited to: holding periodic briefings for elected officials, developing general materials about legislation such as fact sheets, sharing research reports with legislative staff, giving testimony upon request (unless prohibited by State restrictions) and involving elected officials in programs, meetings and press events.

Internal Management Controls

The NOHS has policies and procedures to reasonably ensure that: (a) programs achieve their intended results; (b) resources are consistent with agency mission; (c) programs and resources are protected from waste, fraud and mismanagement; (d) federal laws and regulations are followed; and (e) reliable and timely information is obtained, maintained, reported and used for decision making; and (f) reasonable measures are taken to safeguard protected personally identifiable information and other information designated as sensitive, see 2 CFR Part 200.303.

Other Applicable Office of Management and Budget Circulars

Beginning with the FY2016 highway safety grants, the Federal regulations at 2 CFR Parts 200 and 1201 supersede requirements from OMB Circulars A-21, A-50, A-87, A-89, A-102, A-110, A-122 and A-133. **NHTSA grantees are responsible for following all standards in 2 CFR Part 200 as modified by 2 CFR Part 1202. (See Appendix B. OMB Circulars).**

Documents Available on the Internet

Most of the referenced Federal regulations and other cited procedural documents are available in the [NHTSA Highway Safety Grants Management Resources](#) which is available on the Internet.

Section 5 – State Laws and Regulations

The laws and regulations of the State of Nebraska and the Department of Roads also govern the NOHS Traffic Safety program.

Nebraska Office of Highway Safety: Establishment via Enabling Legislation

Governor Norbert Tiemann, established the Nebraska Safety Program within the Governor's Office, agency #7, in 1967 in accordance with the 1966 Highway Safety Act.

David McLaughlin was designated by Governor Tiemann as the State's first Governor's Highway Safety Representative. The Highway Safety program remained in the Governor's Office until 1969, when Legislative Bill 1398, introduced on behalf of the Governor, was passed and approved on August 4, 1969. LB 1398, created a new cabinet level state agency, under the authority of the Governor. The agency, Office of Planning and Programming (#79), was given the review and approval authority over any federal grant application by any state agency.

The Office of Planning and Programming was also authorized to be the applicant for the State of Nebraska for additional federal grants and loans. The Office of Planning and Programming was also given authority over a number of existing federal grant programs, including the Nebraska Highway Safety Program. The Highway Safety Program, later identified in the budget as program 644, remained in the Planning and Programming agency until 1971.

LB 1027 and LB 1025, both State appropriation bills, were introduced on behalf of then Governor J. James Exon. With LB 1027 and LB 1025 Governor Exon moved the Highway Safety Program, along with the authorized budget and appropriation, program 644, to another cabinet level agency, the Department of Motor Vehicles, agency #24. In addition, Governor Exon established that the Governor's appointed Director of the Department Motor Vehicles would also carry the additional responsibility of the designated Governor's Highway Safety Representatives in accordance with the federal requirements.

LB 219 was introduced on behalf of Governor Heineman. With LB 219 Governor Heineman moved the Highway Safety Program, along with the authorized budget and appropriation to another cabinet level agency, the Nebraska Department of Roads (NDOR), agency #27. Effective July 1, 2009, the Highway Safety Program transferred to the NDOR to be a section of the Traffic Engineering Division. The Governor's appointed Director of the NDOR is the designated Governor's Highway Safety Representative.

Mission Statement and Program Target

The program's overall performance target, as well as the mission of the NOHS, is to reduce the State's traffic crashes, fatalities, and injuries on the roads through leadership, innovation, facilitation, and program support in partnership with other public and private organizations.

NOHS strives to accomplish this mission by identifying traffic safety problems and then enabling state and community leaders to develop and conduct effective programs and activities to address them. Accomplishing this mission is dependent on developing and maintaining partnerships and working cooperatively with partners interested in achieving the same targets.

Section 6 – Definitions and Acronyms

This manual uses the following terms and acronyms to designate individuals, offices and processes involved in Nebraska’s Traffic Safety program.

ACH – Electronic Transfer of Funds

Accrued Expenditures - The charges incurred by the sub-grantee during a given period requiring the provision of funds for: (1) Goods and other tangible property received; (2) services performed by employees, contractors, sub-grantees, sub-contractors, and other payees; and (3) other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments. Accrued income means the sum of: (1) Earnings during a given period from services performed by the grantee and goods and other tangible property delivered to purchasers, and (2) amounts becoming owed to the grantee for which no current services or performance is required by the grantee.

Acquisition Cost – The net invoice unit price of purchased equipment including the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the property usable for the purpose for which it was acquired. Other charges such as the cost of installation, transportation, taxes, duty, or protective in-transit insurance, shall be included or excluded from the unit acquisition cost in accordance with the contractor’s regular accounting practices.

Administrative Requirements – Those matters common to grants in general, such as financial management, kinds and frequency of reports, and retention of records. These are distinguished from “programmatic” requirements, which concern matters that can be treated only on a program-by-program or grant-by-grant basis, such as kinds of activities that can be supported by grants under a particular program.

AR – Annual Report

Audit – A review of programmatic and financial records conducted by a certified public accountant, which is the basis of an organization’s legally required audit report.

Awarding Agency – (1) With respect to a grant, the Federal agency; and (2) with respect to a sub-grant, the party that awarded the sub-grant.

CAGE – Commercial and Government Entity (CAGE) Code

Cash Contributions – The contractor’s cash outlay, including the outlay of money contributed to the contractor by other public agencies, institutions, private organizations and individuals. When authorized by Federal legislation, Federal funds received from other assistance agreements may be considered as sub-grantee cash contributions.

CFDA – Catalog of Federal Domestic Assistance

CFR – Code of Federal Regulations

Contract – The written document outlining the contractor’s project and activities. The submitted Grant Contract Proposal Application, after negotiated revisions, becomes the Contract.

Contract Award – See Grant Contract Award.

Contractor – The recipient of a NOHS Contract Award. In this manual, “Contractor” refers to the organization that has been awarded funds by the Nebraska Office of Highway Safety (NOHS).

Cost Sharing or Matching – The value of the third party in-kind contributions and the portion of the costs of a federally assisted project or program not borne by the Federal Government. Cost-type contract means, a contract or subcontract under a grant in which the contractor or subcontractor is paid on the basis of the costs it incurs, with or without a fee.

CR – Claim for Reimbursement

Designee – A person or legal entity authorized by contract to perform certain duties on behalf of the NOHS.

DUNS – Data Universal Numbering System (DUNS) Number

Equipment – Tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of (\$5,000) or more per unit. A contractor may use its own definition of equipment provided that such definition would at least include all equipment defined above.

FARS – Fatality Analysis Reporting System

FAST Act - Fixing America's Surface Transportation Act - Public Law 114-94

FFATA – Federal Funding Accountability and Transparency Act

FHWA – Federal Highway Administration

FSRS – Federal Funding Accountability and Transparency Act Sub-Award Reporting System

GHSA – Governors Highway Safety Association

Government – A state or local government or a federally recognized Indian tribal government.

Grant - An award of financial assistance, including cooperative agreements, in the form of money, or property in lieu of money, by the Federal Government to an eligible grantee. The term does not include technical assistance which provides services instead of money, or other assistance in the form of revenue sharing, loans, loan guarantees, interest subsidies, insurance, or direct appropriations. Also, the term does not include assistance, such as a fellowship or other lump sum award, which the grantee is not required to account for.

Grant Contract Award – The written agreement between the NOHS and the contractor under which the NOHS agrees to provide funds in exchange for the contractor's performance of one or more projects supporting the NOHS targets.

Grantee (NHTSA Definition) – The government to which a grant is awarded and which is accountable for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document.

GTS – Grant Tracking System

Guide – The "Grant Contract Proposal Guide and Policies and Procedures" which outlines the procedures for NOHS funding.

HCS – Highway Cost Summary

HSIP – Highway Safety Improvement Program

HSO – Highway Safety Office

HSP - Nebraska's Performance Based Strategic Traffic Safety Plan

HSPP – Highway Safety Performance Plan

Local Government – A county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937) school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of local government.

MAP-21 – Moving Ahead for Progress in the 21st Century Act – Public Law 112-141

MCR – Mini-Grant Contract Claim for Reimbursement

Monitoring – A process whereby the NOHS assesses program progress and compliance by reviewing project related reports and files, financial records, and interviews contractors.

NDOR – Nebraska Department of Roads

NHTSA – National Highway Traffic Safety Administration

NOHS – Nebraska Office of Highway Safety

NTP – Notice to Proceed

Obligations – The amounts of orders placed, contracts and sub-contracts awarded, goods and services received, and similar transactions during a given period that will require payment or reimbursement by the grantee during the same or a future period.

OMB – United States Office of Management and Budget

Outlays (Expenditures) – Charges made to the project or program. They may be reported on a cash or accrual basis. For reports prepared on a cash basis, outlays are the sum of actual cash disbursement for direct charges for goods and services, the amount of indirect expense incurred, the value of in-kind contributions applied, and the amount of cash advances and payments made to contractors and sub-grantees. For reports prepared on an accrued expenditure basis, outlays are the sum of actual cash disbursements, the amount of indirect expense incurred, the value of in-kind contributions applied, and the new increase (or decrease) in the amounts owed by the grantee for goods and other property received, for services performed by employees, contractors, sub-grantees, subcontractors, and other payees, and other amounts becoming owed under programs for which no current services or performance are required, such as annuities, insurance claims, and other benefit payments.

PAR – Personnel Activity Sheets

P & A – Planning and Administration

P I & E – Public Information and Education

PM – Project Manager

Prior Approval – Documentation evidencing consent prior to incurring specific costs.

Program Area – An area within a highway safety program eligible for traffic safety funding. Examples include: Alcohol (AL), Occupant Protection (OP), Traffic Records (TR), Police Traffic Services (PT), Planning & Administration (PA), etc.

Project – Activities proposed or implemented by the NOHS to address highway safety problems falling within one or more program areas.

Project Director – The person assigned by the contractor to assume direct responsibility for administering all phases of the project agreement.

Project Manager/Traffic Safety Specialist – The staff person at the NOHS assigned to monitor and oversee project activities.

Real Property – Land, including land improvements, structures and appurtenances thereto, excluding movable machinery and equipment.

RFP – Request for Proposal

RPS – Roads Payment System

SAFETEA-LU – Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users, Public Law 109-59

Scope of Work – The objectives and activities noted in the contract, which the contractor agrees to perform in compliance with instruction provided by the NOHS. The contractor shall provide and charge only for those services requested by the NOHS.

Share - When referring to the awarding agency's portion of real property, equipment or supplies, means the same percentage as the awarding agency's portion of the acquiring party's total costs under the grant to which the acquisition costs under the grant to which the acquisition cost of the property was charged. Only costs are to be counted--not the value of third-party in-kind contributions.

SHSP – Strategic Highway Safety Plan

State – Any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and territory or possession of the United States, or any agency or instrumentality of a State exclusive of local governments. The term does not include any public and Indian housing agency under United States Housing Act of 1937.

Sub-grant - An award of financial assistance in the form of money, or property in lieu of money, made under a grant by a grantee to an eligible sub-grantee. The term includes financial assistance when provided by contractual legal agreement, but does not include procurement purchases, nor does it include any form of assistance which is excluded from the definition of "grant" in this part.

Sub-grantee - The government or other legal entity to which a sub-grant is awarded and which is accountable to the grantee for the use of the funds provided.

Supplies - All tangible personal property other than "equipment" as defined in this part.

Suspension - Depending on the context, either (1) temporary withdrawal of the authority to obligate grant funds pending corrective action by the grantee or sub-grantee or a decision to terminate the grant, or (2) an action taken by a suspending official in accordance with agency regulations implementing E.O. 12549 to immediately exclude a person from participating in grant transactions for a period, pending completion of an investigation and such legal or debarment proceedings as may ensue.

Target – The anticipated long-term results of the project must impact one or more of the specific emphasis areas.

TEA-21 - Transportation Equity Act for the 21st Century, Public Law 105-178

Termination - Permanent withdrawal of the authority to obligate.

Chapter 2

Planning

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Section 1 – Overview and Eligible Fund Uses

This chapter describes the NOHS planning process for traffic safety-related projects at the State and Local levels.

Each Federal fiscal year (October 1 – September 30) the NOHS shall develop a plan to qualify for Federal highway safety funding. The HSP and the Annual Report are submitted electronically to the NHTSA Regional Office. NHTSA posts each State's HSP and Annual Report on their website.

Federal approval of the HSP is in the form of a letter acknowledging the State's submission of the performance plan, Highway Safety Plan, Certificates and Assurances, and cost summary that complies with all Federal requirements. The HSP is due on July 1 annually and is submitted to NHTSA. The NHTSA Regional Office provides submittal instructions. The National Priority Safety Programs, or incentive grant programs, are codified in a single section, 23 CFR 405 and referred to as Section 405. The six priority programs include Occupant Protection, State Traffic Safety Information Systems (Traffic Records), Impaired Driving Countermeasures, Motorcyclist Safety, Distracted Driving, State Graduated Driver Licensing. A seventh Section 405 program, Nonmotorized Safety, was established by the Fixing America's Surface Transportation (FAST) Act effective with FY2017. A consolidated application process for the Section 402 program and six National Priority Safety Programs, codified into a single section as the Section 405 program, was established effective with the fiscal year 2014 application year

At the beginning of the HSP development process, the NOHS considers a number of factors in determining project priorities and areas of emphasis. These factors are as follows:

- Federal Legislation
- State Statutes
- Federal and National Priorities and Goals
- State and Local Problems
- Crash, driver, vehicle, population, and public health data

Other influences can be Federal and State legislative bodies, community-based organizations, local and national interest groups, State and local traffic safety related non-profit organizations and local governments. Projects can be proposed by members of any of these organizations, directly or indirectly. The key goal is to assure that all projects in the HSP are data driven as required by Federal law.

From time to time, Congress designates or earmarks Federal highway safety funds for specific purposes and uses. Projects developed in response to these earmarked funds must be data driven as well, with the earmarked funds dedicated to the areas of the State with the greatest threat to public safety.

Uniform Guidelines promulgated by the U.S. DOT Secretary list the eligible program uses:

- Speeding
- Occupant protection
- Alcohol or drug impaired driving
- Motorcycle, bike and pedestrian safety
- Aggressive, fatigued and distracted driving
- Driver performance
- Traffic records
- School bus safety and emergency medical services (EMS).

The NHTSA interim regulations under MAP-21 eliminated the national priority areas. States may use grant funds more broadly in accordance with an HSP approved by NHTSA to address their traffic safety

problems. These program areas then form the framework for providing detailed descriptions of the selected traffic safety projects.

Prior to FY2017, MAP-21 provided for two new uses for funds apportioned under Section 402. A State may use the funds in cooperation with neighboring States for highway safety programs or related projects that may confer benefits on neighboring States. And States may use Section 402 funds to assist in demonstration projects carried out by NHTSA under Section 403 research and development projects. For FY2017 however the FAST Act removed the language pertaining to demonstration projects and States are now allowed to use Section 402 funds for research projects.

Section 2 – Nebraska Performance-Based Strategic Traffic Safety Plan (HSP)

The HSP is required by the U.S. Department of Transportation (U.S. DOT) and NHTSA regulations. The HSP consists of four major sections: Performance Plan, Highway Safety Plan (HSP), certifications and assurances, HS Form 217 Cost Summary and Section 405 grant application.

The Performance Plan describes the processes used to identify Nebraska's traffic safety problems, establish performance measures, and propose the projects and activities the NOHS plans to implement to reach its performance targets. Performance measures for each target track progress from a baseline toward meeting the target by the specified date.

The HSP development process consists of the following number of stages:

- Problem identification
- Planning to select and prioritize targets, objectives, and performance measures
- Participation from traffic safety-related partners
- Development of funding priorities, the Program Cost Summary and list of projects
- Issuance of requests for contract proposals
- Review, negotiation, and approval of contracts
- Implementation

The NOHS's HSP is produced annually and is developed through discussions and meetings coordinated by the NOHS. The NOHS works with inter-agency groups, State and local government agencies, community coalitions, previous grant recipients, and many others to develop the annual HSP. The initial planning meetings may be attended by NOHS staff only. These initial internal meetings allow for the review of previous year's comments on prior activities, the assignment of staff to assist with the drafting of the HSP program areas, the development of an initial budget, and the production of rough drafts for each program area.

NHTSA Review, Approval and Appeal Procedures

The NOHS is required to submit the HSP electronically to NHTSA no later than **July 1** preceding the fiscal year to which the HSP applies. The deadline is **FIRM**. NHTSA must approve or disapprove the HSP within 45 days after receipt. NHTSA may need to request additional information from the HSO regarding the contents of the HSP to determine whether the statutory requirements have been met. To ensure that the HSP is approved or disapproved the NOHS must respond promptly to any requests from NHTSA. Failure to respond promptly may delay approval and funding of the State's Section 402 grant, see 23 CFR §1200.12.

Within 45 days, NHTSA will issue a letter of approval/ disapproval to the State's GR and may specify conditions. If the HSP is disapproved, the reasons will be specified. The NOHS is then required to resubmit the HSP with the necessary modifications. NHTSA will notify the NOHS within 30 days of receipt of the revised HSP, via a letter, whether the HSP is approved or disapproved. The decision of the Regional Administrator (RA) may be appealed by submitting a letter. The letter will be forwarded by the RA for consideration by the Associate Administrator, Regional Operations and Program Delivery, at NHTSA Headquarters. If the State's HSP is not approved, NHTSA shall reduce the Section 402 funds by 20% of the amount that would otherwise be apportioned. The funds can either later be apportioned to the State when the HSP is approved, or, if not approved, the funds will be apportioned to the other States.

Beginning in FY2014, the Section 405 grant application is consolidated with the HSP. NHTSA notifies States in writing, and specify any conditions or limitations, of Section 405 grant qualification before the start of the fiscal year of the grant and to notify States of grant award amounts early in the fiscal year. The decision of the NHTSA Administrator is final – there is no appeal process. Because the calculation depends on the number of States meeting the qualifications, States must respond promptly to NHTSA's requests for additional information. Failure to provide requested information may result in **disqualification** from receiving consideration for Section 405 grants, see 23 CFR §1200.14 (a).

| Month | Activity |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| June (cont.) | Finalize HSP budget. Schedule pre-award conference with new contractors. Update NOHS time sheets for new Fiscal Year. |
| July 1 | Submit the final HSP to NHTSA Regional Office for formal review. Notify successful applicants and develop final grant agreements. Send final report reminder to current fiscal year's contractors. Issue Notice To Proceed to selected grantees. |
| September 1 | Finalize NOHS internal contracts. |
| October 1 | Implement HSP, grants and contracts. |
| November November 30 | Begin preparation of Annual Report for previous fiscal year. Annual reports due from contractors by the second Thursday in November. Final CR due from contractors. |
| December | Internal Annual Reports due on second Thursday in December. |
| December 31 | Submit Annual Report to NHTSA Regional Office. |

Section 3 – Coordination with the State Strategic Highway Safety Plan (SHSP)

The NOHS is structurally located within the Department of Roads. The Nebraska Department of Motor Vehicles (DMV), Nebraska Department of Roads (NDOR) and the Nebraska State Patrol (NSP) are responsible for the development of the State's SHSP.

The NOHS shall coordinate closely with the NDOR staff responsible for development of the SHSP to maximize integration and utilization of data analysis resources, fully represent driver behavior issues and strategies, and utilize any statewide safety committees to obtain input from State and local traffic safety partners for the NOHS's HSP. The NOHS shall ensure the targets and objectives contained in the SHSP are considered in the annual development of the HSP and incorporated to the fullest extent possible. The NOHS shall review the SHSP and HSP to identify any gaps in addressing driver behavior issues and eliminate any redundancy to ensure the maximum use of resources.

The State is required to include in the HSP a description of the efforts made by the State to coordinate the HSP, and the outcomes of the coordination, data collection and information systems with the State SHSP. Examples of outcomes might include the joint use of the same databases, common targets in the HSP as derived from the SHSP or the creation of joint teams to collaboratively develop countermeasure strategies.

This information can be provided within the HSP in a number of ways. Some States include a description of their State's SHSP process while highlighting the specific interaction between the SHSP and the HSP planning processes. A link to the State's SHSP can also be included in the HSP. Another method is to include relevant segments of the SHSP within the HSP, such as listing the SHSP emphasis areas or strategies and targets or inserting the relevant SHSP information in the corresponding program section of the HSP.

Beginning with grants awarded after FY2014, the performance measures common to the State's HSP and the State Highway Safety Improvement Program (HSIP) (fatalities, fatality rate and serious injuries) are required to be defined identically, as coordinated through the State's SHSP

Section 4 – Governors Highway Safety Association (GHSA) Guidance

The Governors Highway Safety Association (GHSA) represents agencies in each of the States and territories responsible for developing and managing statewide and local highway safety programs designed to reduce the human and economic consequences of crashes, injuries and fatalities experienced by the nation's road users.

To assist the States, the GHSA has developed guidance, see GHSA Guidance for Development Highway Safety Plans. The guidance describes the required elements of the HSP as well as providing suggested processes for problem identification, data analysis, setting performance targets and developing and selecting performance measures-

The GHSA HSP Guidance is located on the GHSA website in the Resource/Planning page. This page on the site also contains the [GHSA Annual Report Guidance](#).

References to the applicable Federal regulations are provided in the GHSA HSP Guidance. The NOHS may include additional analysis and information in the HSP at its discretion. In development of the annual HSP, the NOHS shall follow and reference the GHSA HSP Guidance to assure that all of the federally mandated and recommended information and documentation of the HSP development process are addressed. For this purpose, an "HSP Quick Review Checklist" is the first item contained in the Guidance and should be used during and at completion of the draft HSP to ensure that all required elements have been included.

Section 5 – Identification of State and Local Problems (Data Analysis Procedure)

A description of the data sources and processes used by Nebraska to identify its highway safety problems is required in the HSP. Nebraska is also required to identify the participants involved (committees, stakeholders, constituent groups, etc.). The information and all data sources utilized in these processes must be listed. The Core required performance measures should be examined as part of this initial problem identification process.

The purpose of the HSP's problem identification and assessment process is to:

- Understand the scope of Nebraska's traffic crash problem and causation factors.
- Develop effective countermeasures to reduce or eliminate the problems.
- Design evaluation mechanisms to measure changes in problem severity.
- Manage influencing factors by using statistical crash data to highlight a particular problem in order to obtain the necessary support for instituting an effective countermeasure.

The Performance Plan section of the annual HSP is required to include a brief description of the processes used each year by the NOHS to identify its highway safety problems. In describing these processes, the NOHS shall identify the participants in the processes (e.g., highway safety committees, community, and constituent groups) and lists the information and data sources consulted.

The problem identification process used by the NOHS includes analysis of traffic safety data from established statewide sources. The process is completed by NOHS staff by January 31 annually and provided to all NOHS staff for review. The statistics analyzed are historical data collected over time through a uniform process. These statistics include the following:

- State traffic crash database - crash, vehicle, location, and person data.
- Data on average daily traffic counts and vehicle miles traveled.
- The Federal Fatality Analysis Reporting System (FARS).
- Vehicle and Driver Information - the State's driver license, vehicle registration, and citation/conviction files.
- Trauma Registry, injury data, CODES, NEMSIS, and hospital data.
- Census and demographic data from the United States Census Bureau.

The result of the NOHS problem identification process is the establishment of the major traffic safety program areas in which to focus efforts.

Data elements fall into three general categories: people, vehicles, and roadways. These categories may be broken down into subgroups and assigned relevant characteristics, as shown in the following table.

Categories of Traffic Safety Data

| Data Category | Subgroups | Notes: |
|----------------------|------------------------------------------------------------|--------------------------------------------------------------------------------------|
| People | Drivers, occupants, pedestrians | Age, gender, blood alcohol level, driver's education, experience and training. |
| Vehicles | Passenger cars, trucks, buses, motorcycles, bicycles, etc. | Sedans, SUVs, convertibles, airbags, anti-lock brakes, electronic stability control. |
| Roadway | Interstate, primary, secondary | Political subdivisions, lighting conditions, surface conditions. |

Data subgroups should be reviewed to determine over-representation. Such over-represented subgroups indicate traffic safety problems. A good example is the high percentage of crashes among teenage drivers compared to the lower percentage of crashes among all drivers. Further analysis should focus on

identifying subgroup characteristics (for example, increased severity) or any other specific factors suggested by the data when asking the traditional “who, what, where, why, and how” questions.

Over-represented factors can be determined by comparing the rate of crashes for a subgroup or characteristic within the jurisdiction to the same rate in a comparable or larger jurisdiction. The rate may be expressed either as a percentage or a ratio.

Percentage Example: If the percentage of adult vehicle occupants that do *not* use safety belts within a jurisdiction is greater than the statewide percentage, then that characteristic is over-represented.

Ratio Example: Dividing nighttime (9 p.m. to 6 a.m.) crashes by the total number of crashes for the jurisdiction within a given time frame produces a ratio. If that ratio is higher than the statewide ratio, a driving while impaired (DWI) problem may be indicated since typically most nighttime crashes are DWI related.

Asking the following questions may help with data analysis and ultimately problem identification:

Questions to Help with Data Analysis and Program Identification

| Question | Examples |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Are high crash incidence locations identified? | Specific road sections, highways, streets, and intersections |
| What appears to be the major crash causation? | Alcohol, other drugs, speed, other traffic violations, weather, and/or road conditions |
| What characteristics are over-represented or occur more frequently than would be expected in the crash picture? | Number of crashes involving 16- to 19-year-olds versus other age groups, or number of alcohol crashes occurring on a particular roadway segment as compared with other segments |
| Are there factors that increase crash severity which are or should be addressed? | Non-use of occupant protection devices (seat belts, motorcycle helmets, etc.) |

The following table shows an array of information that may be applied in the analysis of a crash problem:

Information That May Be Applied to Problem Analysis

| Causal Factors: | Crash Characteristics: | Factors Affecting Severity: |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Violation • Loss of Control • Weather • Alcohol Involvement • Roadway Design | <ul style="list-style-type: none"> • Time of Day • Day of Week • Age of Driver • Gender of Driver | <ul style="list-style-type: none"> • Occupant Protection Non-Use • Position in Vehicle • Roadway Elements (Markings, Guardrail, Shoulders, Surface, etc.) • Speed |

NOHS staff should be alert to the following factors that may impede effective problem identification and make appropriate adjustments when they appear:

- Data access restrictions.
- Inability to link automated files.
- Lack of location-specific data.
- Poor data quality.
- Reporting threshold fluctuations (variations among jurisdictions in the minimum damage or crash severity they routinely report).
- Insufficient data (property damage only, non-reportable crashes, near misses, bicycle crashes, etc.).

Section 6 – Key Program Areas, Targets, and Strategies

Using the data and information gathered through the problem identification process, the NOHS then selects key program areas for emphasis. Then NOHS coordinates the development of priority traffic safety performance targets, performance measures and strategies for each program area using a planning process documented in the HSP. See a list of the eligible program uses below:

| Title |
|--------------------------------------|
| Alcohol-Impaired and Drugged Driving |
| Seat Belts and Child Restraints |
| Aggressive Driving and Speeding |
| Distracted and Drowsy Driving |
| Motorcycle Safety |
| Young Drivers |
| Older Drivers |
| Pedestrian and Bicycle Safety |
| Emergency Medical Services |

Description of Target Setting Processes

The HSP is required to include a brief description of the processes used by NOHS to define its highway safety targets and develop projects and activities to address its problems and achieve its targets. The description of the process followed should be thorough and complete. In describing these processes, the NOHS lists all the information and identifies all data sources consulted. The NOHS process for setting targets must be based on data trends and a resource allocation assessment. The HSP is required to identify all participants, agencies and organizations involved in the process and the manner in which they were involved must be described. Collaboration strategies should be included.

Performance Targets

The performance plan is required to list the performance measures and data-driven targets the NOHS plans to implement in the fiscal year. At least one performance measure and performance target that is data driven is required for each program area that enables the NOHS to track progress, from a specific baseline, toward meeting the target (e.g., a target to increase seat belt use from X percent in Year 1 to Y percent in Year 2," using a performance measure of percent of restrained occupants in front outboard seating positions in passenger motor vehicles"). See Section 7. Performance Measures.

Selected targets should, whenever reasonable, represent an improvement from the current status rather than a simple maintenance of the current number or rate. Targets for each program area should be consistent, compatible and provide sufficient coverage of State geographic areas and road users.

For performance targets that are common across DOT agencies, the projects that will be deployed to achieve those targets may be a combination of those projects contained in the NOHS HSP and other State and local plans. If so, it is required that the funds used to carry out the program area strategies from those other sources, including Federal, State, local and private sector funds, be identified in the HSP.

A template for developing clear and concise performance target statements was developed by GHSA in conjunction with NHTSA for the Core performance measures. All States are encouraged to use the template which lays out a target statement that is clear and concise. The template includes a sample target statement for the 11 Core performance measures which must be used as a minimum in developing the State's performance measures and targets. They were developed by NHTSA in collaboration with

GHSA and others in [Traffic Safety Performance Measures for States and Federal Agencies](#). The GHSA HSP Guidance is referenced for the GHSA Core Performance Measures Template." Another resource is the NHTSA-GHSA webinar, "Tracking Core Outcome Measures and Performance Targets" May 22, 2013. The slides are available on the GHSA website on the Members Only/Webinars page.

The [Uniform Guidelines for State Highway Safety Programs](#) promulgated by NHTSA describe the guidelines areas that each State's program must comply. The overall State target is to reduce traffic safety-related crashes, deaths and injuries.

Evidence-Based Countermeasure Strategies

This section of the HSP is typically organized by program area and can be organized in the same order that the performance measures and targets are listed in the performance plan. Although it is not necessary to restate the performance measures and targets, the NOHS may choose to do so. Each task or activity must be identified with the corresponding target the State intends to reach by selecting that countermeasure. This is done to clearly show that the selected activities and funding are directly related to the targets determined earlier through data analysis and problem identification.

The HSP is required, at a minimum, to describe one year of Section 402 and Section 405 countermeasure strategies and projects, and, identify funds from other sources, including Federal, State, local and private sector funds that the HSO plans to use for such projects or to achieve program area performance targets. In addition, the HSP is required to include a description of the projects that make up each program area that will implement the program area strategies.

The HSP is required to provide a description of the process used and participants consulted (ensure the correct disciplines are included) to develop and select evidence-based countermeasure strategies and projects to address its problems and achieve its performance targets. When aggregated, strategies should lead logically to overall statewide performance and be linked to the anticipated success of the countermeasures or strategies selected and funded in the HSP (23 CFR 1200.11(b)). In selecting the strategies and projects, HSOs should be guided by the data and data analysis supporting the effectiveness of the proposed countermeasures. All data and data analysis supporting the effectiveness of the proposed countermeasures are required to be included. If applicable, the emphasis areas in the State SHSP may also be a reference source and may be included within the HSP.

A complete listing of the HSP program areas with their respective and applicable Federal two - or three - letter alpha character accounting code designators is available.

Evidence-Based Traffic Safety Enforcement Program

The HSP is required to include a description of the evidence-based (data driven) traffic safety enforcement program which will be implemented during the year by the NOHS to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. At a minimum, the State is required to provide: (i) an analysis of crashes, crash fatalities, and injuries in areas of highest risk; (ii) deployment of resources based on that analysis; and (iii) continuous follow-up and adjustment of the enforcement plan. The NOHS may either develop a comprehensive enforcement program which covers all program areas, or, provide a separate enforcement program in each applicable program area. If a comprehensive enforcement program is developed, a reference to the applicable page within the HSP should be made in each program area. The NOHS must specifically describe within this section(s) the NOHS's planned process for ensuring that there will be continuous follow up and adjustment of the enforcement plan(s) by the NOHS during the fiscal year.

National Mobilizations

The NOHS is required to include in the HSP a description of the NOHS's planned high visibility enforcement strategies to support national mobilizations (which is referenced in 23 CFR Part 1200, Appendix A, Section 402 Certifications and Assurances).

The FAST Act requires not less than 3 high-visibility enforcement campaigns be carried out in each of fiscal years 2016 through 2020 related to not less than 1 of the following objectives: reduce alcohol-impaired or drug impaired driving or increase seat belt use.

Section 7 – Performance Measures

The performance plan of the HSP includes performance measures for each NOHS target to track progress from a baseline toward meeting the target by the specified date using absolute numbers, percentages or rates. Performance measures are reviewed and updated each year. The purpose of measuring performance is to determine whether programs are working and to what extent.

In Nebraska's performance plan section of the HSP, each target is accompanied by at least one performance measure that enables Nebraska to track progress from a specific baseline toward meeting the target (e.g., a target to "increase seat belt use from XX percent in 20XX to YY percent in 20XX," using a performance measure of "percent of restrained occupants in front outboard seating positions in passenger motor vehicles"). The most recently released State and FARS data shall be used by the State.

Core Performance Measures

Beginning with MAP-21, 11 Core performance measures developed by NHTSA in collaboration with GHSA and others, described in [Traffic Safety Performance Measures for States and Federal Agencies](#), (DOT HS 811 025), are required to be used as a minimum in developing the State's performance measures and targets. Therefore it is essential to examine each of these measures as part of the initial problem identification process. There are also three activity measures which must be reported annually. The measures are:

OUTCOME AND BEHAVIOR MEASURES

1. Fatalities (actual-FARS)
2. Number of serious injuries (State crash file)
3. Fatality rate per 100M VMT (FARS, FHWA)
4. Number of unrestrained passenger vehicle occupant fatalities, all seating positions (FARS)
5. Number of fatalities involving driver or motorcycle operator with .08 BAC or above (FARS)
6. Number of speeding-related fatalities (FARS)
7. Number of motorcyclist fatalities (FARS)
8. Number of unhelmeted motorcyclist fatalities (FARS)
9. Number of drivers age 20 or younger involved in fatal crashes (FARS)
10. Number of pedestrian fatalities (FARS)
11. Number of bicyclist fatalities (FARS) (FY2015)
12. Percent observed belt use for passenger vehicles – front seat outboard occupants (State survey)

ACTIVITY MEASURES

13. Number of seat belt citations issued during grant-funded enforcement activities (grant activity reports)
14. Number of impaired driving citations issued and arrests made during grant-funded enforcement activities (grant activity reports)
15. Number of speeding citations issued and arrests made during grant-funded enforcement activities (grant activity reports)

Program areas outside of the GHSA-NHTSA Core performance measures may be included if sufficient justification for addressing those issues has been established in the problem identification process and appropriate performance measures have been developed by the State, such as, distracted driving and bicycle safety.

Performance measures (and corresponding performance targets) are required to be developed for each program area that receives funding by the NOHS. If the NOHS intends to fund programs outside the Core

measures, for each of these other programs, performance measures are required as well as: (i) documentation of current safety levels; (ii) quantifiable annual performance targets, and; (iii) justification for each performance target that explains why the target is appropriate and data driven.

NOTE: Beginning with grants awarded after FY2014, the performance measures common to the State's HSP and the State Highway Safety Improvement Program (HSIP) (fatalities, fatality rate and serious injuries) are required to be defined identically, as coordinated through the State's SHSP. The State's annual targets are required to support the longer range SHSP targets.

A performance measure is an indicator to express the activity that will be used to establish a performance target and must be directly aligned to the target(s) of a project. Performance measures when combined with the performance target provide the basis for determining the degree of achievement of established targets. Acceptable activity levels or outputs shall be established as part of each grant agreement.

There are two common types of performance measures: direct and proxy. *Direct measures* are preferred. Examples of direct measures include: number of crashes, citations, people trained, units purchased, etc. Sometimes it is impossible to obtain direct measures. If such is the case, a proxy measure might be used. *Proxy measures* are indicators that provide an indirect assessment of desired activity. An example is a self-reporting survey conducted among a statistically valid sample of the population to determine behavioral change (recognition of public service announcements on television or radio, seat belt usage, impaired driving issues, etc.).

The characteristics of a good performance measure are as follows:

- Quantifiable Where Possible
- Directly Linked to Objectives
- Accurate and Clearly Defined
- Understandable
- Objective
- Practical

States began conducting an annual attitudes survey in FY 2010. The survey contains nine recommended (or equivalent) questions on occupant protection, impaired driving and speeding that States may use. See the following on the GHSA website, Projects page: [Survey Recommendations for the NHTSA-GHSA Working Group](#). Additional related resources are available on this page. The results of the annual attitudes survey should be summarized in the data section of the following year's annual HSP and the complete findings reported in the following year's Annual Report.

The Performance Plan shall also include a brief description of the process used to define its performance measures. In describing this process, the NOHS shall identify the participants in the process and list the information and data sources consulted.

Within the NOHS, responsibility for development and review of the annual performance measures is assigned to the NOHS staff as determined by the Administrator.

Section 8 - Section 405 Application Information

Beginning with FY2014, there is a single application deadline for all highway safety grants including the traditional Section 402 program and incentive grant programs. The National Priority Safety Programs, or incentive grant programs, are codified in a single section, 23 CFR 405 and referred to as Section 405. These programs include: Occupant Protection; State Traffic Safety Information Systems (Traffic Records); Impaired Driving Countermeasures; Motorcyclist Safety; Distracted Driving; State Graduated Driver Licensing; and for FY17 a new program, Nonmotorized Safety.

The Interim Final Regulations (IFR) issued on January 23, 2013, in the Federal Register to implement MAP-21 are posted by NHTSA at [Part 1200 Uniform Procedures for State Highway Safety Programs](#). The specific requirements are detailed in the IFR for States who want to make application for any of the Section 405 grant programs. The 2016 Revised Regulations are expected to implement the changes and additions in the FAST Act effective with FY2017 grants.

Within the IFR and electronically provided by NHTSA, is a required template (Appendix D) for States wishing to apply for these grant programs. As part of the Section 405 application, the State is required to provide specific information which varies depending on the National Priority Safety Program incentive grant(s) for which the State wishes to receive funding consideration. This information may either be provided as attachments to the HSP or be included within the HSP. In some instances the information is lengthy or is contained in a separate document that may be available electronically on the internet. In those instances, the only practical method to include the information is as an HSP attachment or an electronic link. However, the IFR should be referenced to determine specific requirements.

Although a consolidated Section 402 and Section 405 application is required to be submitted by the NOHS, it is recommended that the NOHS prepare separate sections within the HSP for Section 402 and for Section 405. The Section 402 application is reviewed by the NHTSA Regional Office. The program portion of the Section 405 application is reviewed by a NHTSA Team and the legal requirements are reviewed by the NHTSA legal counsel. In order to avoid providing redundant information in the Section 405 portion, the NOHS may provide reference to the pertinent page number(s) within the HSP where the required information can be located. The shared information typically related to the program area, such as, problem identification, data analysis, performance measures and performance targets.

At the end of each program area, the NOHS may include two separate Program and Budget Summaries for each program area: one for the projects to be funded by Section 402 and other funding sources and one for the projects that would be funded under the Section 405 grant program. Or, the NOHS may decide to provide a combined Program and Budget Summary which includes all projects within the program area and identifies the appropriate funding source within the table.

Maintenance of Effort

MAP-21 mandates maintenance of effort (MOE) when States receive Section 405 funding for occupant protection, State traffic safety information systems and impaired driving countermeasures. Prior to FY2017, States are required to maintain aggregate levels of expenditures for all State and local sources at or above the average level in fiscal years 2010 and 2011. "Local sources" means the amount of State funds provided to and spent by locals. MOE must be documented and consistent from year to year. MOE consists of direct State expenditures, State match and indirect costs by the NOHS and other State agencies, such as highway patrol, health, etc. Highway safety programs are defined as eligible for use of MAP-21 funds. There must be like uses only for the MOE required of each program. NHTSA will not examine activities funded solely by local dollars. The same programs were covered under SAFETEA LU (base years 2004-2005). Section 402 was not included. For additional information, see the [NHTSA Highway Safety Grants Management Resources/ MAP-21/Maintenance of Effort GHSA-NHTSA Update Webinar 1/2014, GHSA Members Only/Webinars and GHSA MOE Advisory](#). For FY2017, for MOE the HSO

shall provide a certification that the lead State agency responsible for those traffic safety programs is maintaining aggregate expenditures at or above the average level of such expenditures in the two fiscal years prior to the date of enactment of the FAST Act. WAIVER: There is a one-time exception allowed for the NOHS to request a waiver which is typically for fiscal and natural disasters.

Planning and Administration (P&A) Costs

No P&A costs are allowed from Section 405 grant funds.

Eligible Uses of Section 405 Funds

The eligible uses of grant funds awarded under Section 405 is dependent upon the specific program and fiscal year for which funds are awarded and shall be limited to the following, see 23 CFR§1200.21 - 26:

| Section 405 Program | Eligible Uses and Limitations |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Occupant Protection (OP) §1200.21</p> <p>Lower Use States cannot use Section 405 funds for OP Assessments. High Use States can use Section 405(b) funds for Section 402 activities including OP Assessment costs.</p> | <ul style="list-style-type: none"> • High Use States: Up to 75% prior to FY2017 and 100% for FY2017 for any project or activity eligible for funding under 23 USC 402 and the balance for the OP projects below. • Lower Use States – only the following: <ul style="list-style-type: none"> - High-visibility enforcement mobilizations including paid media that emphasizes publicity for the program and law enforcement - Training OP safety professionals, police, fire and EM personnel, educators and parents concerning all aspects of the use of child restraints and OP - Educating the public on the proper use and installation of child restraints including related equipment and information systems - Providing community CPS services including programs on proper seating positions for children and how to reduce the improper use of child restraints - Establishing and maintaining information systems containing data concerning OP including the collection and administration of CPS and OP surveys, and, - Purchasing and distributing child restraints to low-income families provided not more than 5% of the funds received in a fiscal year are used for such purpose |
| <p>Traffic Records §1200.22 (no change for FY2017)</p> | <p>100% to make quantifiable, measurable progress improvements in the accuracy, completeness, timeliness, uniformity, accessibility or integration of data in a core highway safety database</p> |
| <p>Impaired Driving (AL) §1200.23</p> <p>For formula grant States (identified as low, mid or high range) Section 405 funds cannot be used for AL Assessments.</p> <p>Prior to FY2017 see NHTSA Q&A August 2014 on Sect.405 (d) Use of Funds for drug-impaired driving programs. *Programs specific to alcohol impairment only unless using</p> | <ul style="list-style-type: none"> • Low Range State: <ul style="list-style-type: none"> - For FY2017, up to 50% for Section 402 eligible projects - High-visibility enforcement (HVE) efforts - *Hiring a full-time or part-time AL coordinator - Court support of HVE efforts, training and education of CJ professionals to assist in handling AL cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons and establishing DWI courts - *Alcohol ignition interlock programs - *Improving BAC testing and reporting - Paid and earned media in support of HVE of impaired- driving laws and conducting SFST training, ARIDE training and DRE training for law enforcement, equipment and related expenses used in connection with impaired driving enforcement - *Training on the use of alcohol screening and brief intervention |

| Section 405 Program | Eligible Uses and Limitations |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>catchall problem ID category. For FY2017, funds may be used for alcohol, drug or both, programs</p> | <ul style="list-style-type: none"> - For FY2017 training for and implementation of impaired driving assessment programs for identifying recidivism or mental health/substance abuse treatment - Developing impaired driving information systems - Costs associated with 24 – 7 sobriety programs - Programs designed to reduce impaired driving based on problem ID (catchall for any program that covers impairment from AL or drugs provided the State has justification through problem ID) • Mid-Range State: Any of the programs listed for Low Range States IF advance approval is received from NHTSA • High Range State: Any of the programs listed for Low Range States IF the proposed uses are described in a statewide AL plan submitted to and approved by NHTSA prior to incurred expenses or vouchers submitted. See §1200.23 penalties for failure to timely provide the AL plan. |
| <p>Ignition Interlock §1200.23 (4)</p> | <ul style="list-style-type: none"> • For any authorized use described in §1200.23 AL • For any eligible project or activity under Section 402 including AL Assessments and drug-impaired driving programs. |
| <p>FY2017 24/7 Program</p> | <ul style="list-style-type: none"> • For any authorized use described in §1200.23 AL • For any eligible project or activity under Section 402 including AL Assessments and drug-impaired driving programs |
| <p>Distracted Driving (DD) §1200.24 Additional limited DD grants available for FY17 and FY18</p> | <ul style="list-style-type: none"> • At least 50% to educate the public through advertising concerning information about the dangers of texting or using a cell phone while driving, for traffic signs that notify drivers about the DD State law or for law enforcement costs related to DD law enforcement • Not more than 50% for any eligible project/activity under Sec. 402 and for FY2017 not more than 75% if the State has conformed its distracted driving data to the most current MMUCC |
| <p>Motorcyclist Safety (MC) §1200.25 (Territories not eligible) Note: A State that receives a MC grant may sub allocate funds to a nonprofit organization incorporated in that State to carry out grant activities under this section.</p> | <ul style="list-style-type: none"> • Improvements to MC training curricula • Improvements in program delivery of motorcycle training to both urban and rural areas including (A) purchase or repair of practice motorcycles; (B) instructional materials; (C) mobile training units; (D) leasing or purchasing facilities for closed-course motorcycle skill training • Measures designed to increase recruitment or retention of MC training instructors, and, • Public awareness, PSAs and other outreach programs to enhance driver awareness of motorcyclists • FY2017- allows up to 50% for any eligible project or activity under Section 402 if State qualifies under specific performance criteria |
| <p>Graduated Driver Licensing (GDL) §1200.26</p> | <p>Prior to FY2017:</p> <ul style="list-style-type: none"> • At least 25% in connection with the State’s GDL law to: (i) enforce the GDL process; (ii) provide training for law enforcement and other relevant State agency personnel relating to enforcement of the GDL process; (iii) publish relevant educational materials that pertain to the State’s GDL law directly or indirectly; (iv) carry out administrative duties to implement the GDL process; or, (v) carry out a teen traffic safety program described in 23 USC 402 (m) • Not more than 75% for any eligible project/activity under Sec. 402 • FY2017 – Up to 100% for any eligible project or activity under Section 402 if the State qualifies under specific performance criteria |

| Section 405 Program | Eligible Uses and Limitations |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Nonmotorized Safety | <ul style="list-style-type: none"> • Training of law enforcement officials on State laws applicable to pedestrians and bicycle safety • Enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrians and bicycle safety • Public education and awareness programs designed to inform motorists, pedestrians and bicyclists of State traffic laws applicable to pedestrians and bicycle safety |

NHTSA Section 405 Award Determinations and Appeals

After reviewing applications and making award determinations, NHTSA shall, in writing, distribute funds available for obligation to qualifying States and specify any conditions or limitations imposed by law on the use of the funds. Beginning with FY2017, NHTSA is required, within 60 days after the date of the Section 405 awards, to make publicly available on the U.S. DOT website an identification of the States awarded grants, the States that applied and were not awarded grants, the States that did not apply for a grant and a list of the deficiencies that made a State ineligible for a grant.

Grant awards are subject to the availability of funds. If there are insufficient funds to award full grant amounts to qualifying States, NHTSA may release interim amounts and release the remainder, up to the State’s proportionate share of available funds, when it becomes available in the fiscal year. See 23 CFR §1200.61. The Section 405 application review is a final decision of the NHTSA Administrator and is not subject to appeal.

Section 9 - Performance Report

Within the HSP, the HSO is required to provide a program-area level report on the State's success in meeting its performance targets which were identified in the previous fiscal year's HSP. NHTSA is planning to provide States with a suggested template for reporting this information. At a minimum the State should provide an update on the previous year's performance measures and targets using the most recent data available. This could be in the form of an update of the performance measures matrix from the previous year.

NOTE: This is NOT the same level of information which is required of the States to provide in the comprehensive Annual Report (AR) under 23 CFR 1200.33. This is a much briefer status report focusing mainly on the prior year's results for the State's Core performance measures.

Section 10 – Public Outreach

NHTSA regulations require that NOHS provide a brief description in the HSP of the processes used to identify its highway safety problems, define its highway safety targets and performance measures, and develop strategies and activities to address its problems and achieve its targets. In describing these processes, the NOHS shall identify the participants in the processes (e.g., highway safety committees, community, and constituent groups), discuss the strategies for project or activity selection (e.g., constituent outreach, public meetings, solicitation of proposals), and list the information and data sources consulted.

To the extent possible, the NOHS should summarize information that shows an understanding of the major highway safety activities of other agencies and organizations and how the NOHS is collaborating with other agencies and partners. One method used by many States to reach their constituency groups is a pre-proposal application conference or meeting.

The NOHS strives to prevent the loss of life, personal injury, and property damage caused by traffic crashes and to reduce the resulting economic losses to the residents of Nebraska. The efforts necessary to reach these targets require partnering with public agencies and special interest groups to foster the sense of cooperation vital to accomplishing the mission. This includes:

- **Community Coalitions:** The NOHS encourages the development of community-based coalitions in order to engage citizen involvement in the health and safety of communities by demonstrating local commitment and community support.
- **Inter-Agency Working Groups:** The NOHS makes an effort to promote inter-agency cooperation relating to highway safety issues using the resources of various State departments and agencies to the best advantage possible.
- **Internal Working Group:** The NOHS “Nebraska Advocates for Highway Safety” is one example that combines community coalitions, state and local agencies.
- **Pedestrian, Motorcyclist and Bicycle Safety Groups:** The NOHS makes an effort to work with various safety groups, including representatives of pedestrian, motorcycle and bicycle groups to promote highway safety issues using the resources of various State departments and agencies to the best advantage possible.

Section 11 – Funding and Program Cost Summary

The U. S. Congress authorizes traffic safety funds to be appropriated to the U.S. DOT, NHTSA. NHTSA apportions and distributes these funds to the States. The States obligate these funds through the annual State Highway Safety Plan (HSP) that is subject to NHTSA review. Any earmarked or special purpose funds shall be used only in that particular program area and cannot be transferred to any other program area. When developing the HSP, new revenue estimates for each funding source are obtained annually from the NHTSA Regional Office by the NOHS typically in the first quarter of the calendar year for the following fiscal year. This information along with estimated prior year unexpended funds is used to develop the “estimated” total highway safety funding available for the upcoming fiscal year.

The NOHS is responsible for annually allocating the estimated amount of revenue by program area for the HSP budget based on the information gathered in the problem identification, performance targets and strategy processes. This assures the greatest potential impact on Nebraska’s overall target of reducing traffic safety-related crashes, deaths, and injuries. The process for making the budget allocation decision should be documented in the HSP.

Beginning in FY2014, Nebraska submits a consolidated application for Section 402 funds and Section 405 funds for the National Priority Safety Program Grant programs. The NOHS may also receive penalty transfer funds. Planned funds are subject to revision depending on the actual amount of funding received by the State.

Program Cost Summary Form (HS Form 217)

A Program Cost Summary Form (HS Form 217 or its electronic equivalent) is required to be completed and submitted with the annual HSP to reflect the proposed allocation of funds (including carry-forward funds) by program area based on the targets and activities identified in the Performance Plan and the projects and activities identified in the HSP. The funding level used shall be an estimate of available funding for the upcoming fiscal year.

In addition to the cost information, other information required includes the State name, number, date and the names and titles of State and Federal authorizing officials. The HS Form 217 is not required to be signed. The NOHS has the option of completing a HSP Program Cost Summary HS Form 217 form or its electronic equivalent; the other sections in HS Form 217 form should be provided as part of the complete certification document (HSP).

List of Projects

For each program area the NOHS is required to include a list of projects and an estimated amount of Federal funds for each project that the State proposes to conduct for the upcoming fiscal year to meet the identified performance targets. The NOHS should ensure the accuracy of the project list by using a cross referencing process. All projects identified on the list must be described within the HSP. The NOHS may also provide this information as a separate list from the HS Form 217 even if other information is included as long as the required level of detail is provided and the aggregate of the project level funds matches the total funding in that program area. No specific format is required as long as the list includes the projects, project identifier and estimated Federal funding for each project. If the NOHS reports at the project level in the Grant Tracking System (GTS), this will satisfy the project list requirement providing the information in GTS meets the requirements of 23 CFR 1200.11, 1200. 15, 1200.32 and 1200.33

Changes and Updates to the HS Form 217 Cost Summary Form

The HS Form 217 is required to be resubmitted by the NOHS to the NHTSA Regional Office within 30 days of any reallocation of funds between program areas or changes including an updated list of projects under each program area. The amended HS Form 217 and list of projects is subject to the approval of the NHTSA Regional Office, see 23 CFR Part 1200.32.

Prior to and as a condition of reimbursement, the project list is also required to be **updated** to include identifying project numbers for each project on the list. (This may also be necessary if the project numbers are not available at the time of submitting the HSP for NHTSA approval.)

Highway Safety Improvement Program Funds and Other Funding Sources

Prior to FY2017, if the State has shifted Highway Safety Improvement Program (HSIP) funds from the State DOT to the NOHS, programs funded with those monies are required to be identified in the HSP. Beginning with FY2017, and new obligations of HSIP carryforward beginning on the effective date of the FAST Act, HSIP funds may no longer be used for behavioral safety programs. NOTE: The NOHS is also required to identify funding from other sources for projects that the NOHS is considering as necessary to reach the performance targets identified in the HSP. This is especially true of State designated funds and major projects where the NOHS is directly partnering with agencies to achieve a target included in the HSP. However it is not necessary for the NOHS to search out every activity of that type within the State which may possibly be taking place.

Planning and Administration Costs

The tasks and related costs for Planning and Administration (P&A) are required to be included in a P&A program area within the HSP. There are definitions of P&A eligible costs, limitations on the federal share of total P&A costs and sources of funds, and, limits on the amount of funds that can be spent on P&A programs. If the State is using HSO indirect costs as P&A match, such costs can only be applied to P&A expenditures. See Chapter 4. Grant Selection and Execution, Section 8. Development of NOHS Internal Contracts for additional information.

Automated Traffic Enforcement Systems Prohibition

The NOHS may not expend funds apportioned under Section 402 to carry out a program to purchase, operate or maintain an automated traffic enforcement system with the exception of school zones. The prohibition includes any camera which captures an image of a vehicle for the purposes only of red light and speed enforcement. NOTE: This does not include hand-held radar and other devices operated by law enforcement to make an on-the-scene traffic stop, issue a traffic citation or other enforcement action at the time of the violation. See also Chapter 6. Fiscal Procedures, Section 4. Allowable Costs. Beginning with FY2017, the FAST Act requires States with automated traffic enforcement systems to use Section 402 funds to conduct a biennial survey that lists the systems in the State, data to measure transparency, accountability and safety, and, a comparison of the systems to U.S. DOT guidelines on Speed Enforcement and Red Light Running.

Motorcycle Checkpoint Funding Prohibition

For FY2017 and beyond, the FAST Act prohibits the NOHS from expending NHTSA grant funds for any program to check motorcycle helmet usage or to create check points that specifically target motorcycle operators or motorcycle passengers.

Apportionment and Obligation of Federal Funds

The funds distributed are available for expenditure by the State to satisfy the Federal share of expenses under the approved traffic safety program, and shall constitute a contractual obligation of the Federal Government, subject to any conditions or limitations identified in the distributing documentation. Reimbursement of State expenses shall be contingent upon the submission of an updated HS Form 217 (or its electronic equivalent) within 30 days after either the beginning of the fiscal year or the date of the written approval required under 23 CFR 1200.14, whichever is later. The updated electronic HS Form 217 shall reflect the State's allocation of funds made available for expenditure during the fiscal year including known carry forward funds under 23 CFR 1200.15. Vouchers that request reimbursement for projects whose project numbers or amounts claimed do not match the list of projects (submitted by the HSO) or exceed the estimated amount of Federal funds provided under 23 CFR §1200.11 (e), or exceed the allocation of funds to a program area in the HS Form 217 shall be rejected, in whole or in part, until an amended list of projects and/or estimated amount of Federal funds and an amended HS Form 217 is submitted to and approved by the NHTSA Regional Office in accordance with 23 CFR §1200.32.

In the event that authorizations exist but no applicable appropriation act has been enacted by Congress by October 1 of a fiscal year the NHTSA Administrator shall, in writing, distribute a part of the funds authorized under 23 USC Chapter 4 contract authority to ensure program continuity and shall specify any conditions or limitations imposed by law on the use of the funds. Upon appropriation of Section 402 funds, the NHTSA Administrator shall, in writing, promptly adjust the obligation limitation and specify any conditions or limitations imposed by law on the use of the funds. See 23 CFR § 1200.15 (b).

Within the NOHS, responsibility for development of the estimated annual HSP budget is assigned to the NOHS Administrator. The required HS Form 217 Cost Summary form, list of projects and any necessary revisions are prepared for approval by the NOHS Administrator and included in the HSP submitted annually to NHTSA Regional Office.

Section 12 – Benefit to Locals

States are required to ensure that at least 40 percent of all (new) Federal funds apportioned under Section 402 for any fiscal year are **expended*** by the political (local) subdivisions of the State, including Indian tribal governments, in carrying out local highway safety programs. These local highway safety programs must be approved and operated in accordance with the minimum standards established by the Secretary under Section 402. See [23 USC Chapter 4, Section 402\(b\)](#) and [Appendix E to 23 CFR Part 1200 - Participation by Political Subdivisions](#).

When sub-grants are directed to State agencies and local benefit is claimed, the HSO shall ensure that local benefit source documentation is readily available on site including evidence of an active local voice in the initiation, development and implementation of the programs. There are exceptions for a political subdivision which has not had an active voice but agrees in advance of implementation to accept or requests the benefits of the program. Evidence of the acceptance or request must be established in writing and maintained on file until all such funds are expended.

When the State proposes to use the salary and benefits of a State employee toward meeting the 40 percent requirement, the State should ensure that the required documentation is in place before any work is carried out and that it evidences that the local government consented and accepted the work of the State employee on its behalf. Refer to the Local Benefit guidance issued by NHTSA on December 1, 2011, for a description of the type of activities that may be considered.

With regard to State expenditures, such as Nebraska State Patrol and law enforcement or statewide paid media, the State may designate such expenditures as benefiting local government to meet the 40 percent requirement. The NOHS may credit such expenditures only where the political subdivision has had either an active voice, or agreed in advance of implementation to accept the benefits of the program. And, the active voice or pre-agreement must be documented annually in writing from the local government.

***NOTE:** The NOHS is required not only to obligate 40 percent of the Section 402 funds to benefit of locals but must also ensure that the required percentage of funds is actually expended by or for the benefit of locals. This requires the NOHS to periodically monitor local grant expenditure rates during the fiscal year. Each voucher entered into the Federal Grant Tracking System (GTS) shall provide the dollar amount of Federal funds for each program area which was allocated to local benefit at least at mid-year (by March 31) and with the final voucher at fiscal year closeout. If at March 31 the percentage of local benefit reported appears to be significantly low, further research should be done to determine the cause including slow vouchering by sub-grantees or an insufficient number or dollar amount of local sub-grants.

The NOHS must document annually the expenditures by and for the benefit of locals. If the NOHS meets the 40 percent requirement with its grants to local units of government, no further documentation by the NOHS of local benefit is needed.

Section 13 – Advertising

The NHTSA Advertising and public relations was updated March 28, 2016 "[Guidance for States Using Section 402 Funds for Purchasing Advertising for Highway Safety Messages](#)" updated in May 2013 to provide information on using highway safety funds to purchase advertising for highway safety messages. The NOHS has had the authority to use funds to purchase advertising in a variety of mediums including television and radio, cinema, internet, print, outdoor (billboard space) and sports marketing for highway safety messages. States are still required to report on the purchase of media with Federal funds and its effectiveness in their Annual Report. NHTSA advocates the use of a sustained high visibility enforcement model that focuses on strategically deploying enforcement and communications resources at targeted times and locations throughout the year based on State problem identification. The objective is to influence and sustain year-round behavioral change while getting higher returns on investment and further improvements in traffic safety.

When Nebraska plans to use funds for this purpose, the NOHS shall document in their annual HSP information describing the following:

- what program/policy the advertising is supporting,
- how the advertising will be implemented to support an operational enforcement program whether it be a periodic crackdown/mobilization or an on-going saturation or roving patrol;
- the amount allocated for paid advertising, and
- the measures that will be used to assess message recognition and penetration of target audience.

If a sub-grantee is granted advertising funds the sub-grantee should likewise be required to report this information to the State so that the information can be included in their Annual Report.

As with other activities, paid advertising must be part of a comprehensive program to address specific highway safety targets identified in the NOHS Performance Plan. Advertising should not be a standalone program or activity. For example, the communications plan should be preceded by the enforcement plan.

Federal funds are to be used only for certain specified **advertising** and **public relations** costs. *See 2 CFR Part 200.421*. Federal grant funds are *never* available to cover the costs of **promotional items** and **memorabilia**.

Sports Marketing: If the State enters into a sports marketing sponsorship agreement, with a team, stadium or arena, it must further the achievement of the program's performance targets. In conjunction with the purchase of paid advertising, attendance at sporting and entertainment events that charge admission may occur which could be deemed an unallowable cost. See Chapter 5, Section 5. Public Information and Education (PI&E) for guidance on applicable tests for such expenditures and examples of possible circumstances and their appropriate resolution.

Section 14 – Certifications and Assurances

Each fiscal year, the NOHS sign Certifications and Assurances with the submission of the Plan that Nebraska complies with all applicable Federal statutes, regulations, and directives in effect with respect to the period for which it is receiving grant funding. The NOHS grant application form requires compliance by sub-grantees with the NHTSA Certifications and Assurances.

A Certification Statement for the Section 402 program, which can be signed only by the State's Governor's Representative for Highway Safety, is required in the Plan. The statement provides assurances that the State will comply with applicable laws and regulations, financial and programmatic requirements, and the special funding conditions of the programs. The State must use only the exact format and language specified in Appendix A (make no changes in the required language) and include every certification. NOTE: NHTSA will provide an electronic Certification and Assurances document for use by the States. An electronic signature will not be accepted.

The NHTSA Regional office should be consulted annually to assure that the State is using the most current version. Sub-Grantee (Sub-Recipient) Certifications and Assurances: The NOHS must also be aware that Federal regulations require that the NOHS ensure that every sub-grant and contract (i.e. purchase orders) include any clauses required by Federal statute and Executive Order and their implementing regulations and that the sub-grantee or contractor is aware of the requirements imposed upon them. [See 2 CFR Part 200.331\(a\)\(2\)](#). (For prior to FY2016, see 49 CFR Part 18.37, 49 CFR Part 18.36).

Under MAP-21 Appendix A of Part 1200 identifies for the NOHS the following certifications and assurances that are required to be imposed upon sub-grantees (sub-recipients). They are:

- Non discrimination
- Buy America Act
- Political Activity (Hatch Act)
- Certification Regarding Federal Lobbying
- Restriction on State Lobbying
- Certification Regarding Debarment and Suspension

The NOHS may alter the language of the Federal certifications and assurances for contractors (only) as it is ultimately the State's responsibility to ensure that contractors are complying with the terms of the grant. The NOHS may at their option require additional contractor State certifications and assurances, such as, seat belt use policies or training requirements for law enforcement officers.

Failure to comply with applicable Federal statutes, regulations, and directives may subject State officials to civil or criminal penalties and/or place the State in a high-risk grantee status in accordance with 49 CFR §18.12 prior to FY2015 and for FY2016 and forward see [2 CFR Part 200 Remedies for NonCompliance Part 338 - 342](#) . See Chapter 4. Grant Selection and Execution – Section 4. Final Grant Contract Award for additional information. .

Section 15– Three Years Plus One Federal Expenditure Restriction

According to 23 CFR Chapter 1, Subchapter I, Part 118(2) it states, "Except as otherwise specifically provided, funds apportioned or allocated pursuant to this title (other than for Interstate construction) in a State shall remain available for obligation in that State for a period of 3 years after the last day of the fiscal year for which the funds are authorized. Any amounts so apportioned or allocated that remain unobligated at the end of that period shall lapse."

The NOHS shall monitor the obligation of Federal highway safety funds by year and by funding source.

Section 402 and Section 405 grant funds are authorized for apportionment or allocation each fiscal year. States should, to the fullest extent possible, expend these funds during the fiscal year. When developing the annual HSP funding plan, the NOHS is aware of the limitations placed upon the length of time that the funds are available. Grant funds are available for expenditure for three years after the last day of the fiscal year of apportionment or allocation (referred to as "three years plus one).

NOTE: Beginning with MAP-21, during the last year of availability of funds, NHTSA will notify States of unexpended grant funds subject to this requirement not later than 180 days before the end of the period of availability. The State may then commit the unexpended grant funds to a specific project before the end of the period of the availability. The funds committed to a specific project must then be expended before the end of the succeeding fiscal year and only on that project. At the end of that time period, unexpended grant funds will **lapse** and NHTSA will **deobligate** unexpended balances.

Section 16 – Fund Liquidation

The NOHS shall promptly obligate and expend Federal highway safety grant funds and track fund liquidation including transfer and incentive funds by funding year and source. The oldest funds should be expended first whenever possible.

The NOHS Accountant shall be responsible for periodically examining the current liquidation of each funding source by year, looking back at least five years, and shall promptly notify the NOHS Administrator of any unreasonably large amounts of unliquidated funds. This examination shall include a prompt review of the GTS fund liquidation reports and reconciliation of all categories with the NOHS records. The NOHS shall monitor closely the spending rates of all sub-grantees and make periodic projections to assure the prompt start of projects and determine if there are impediments to full expenditure of funds by the project end. The NOHS shall deobligate unspent funds in a timely manner to allow carryover into the next fiscal year.

The NOHS should receive a quarterly report from the NHTSA Regional Office of the amount of carryover and current fiscal year funds from the GTS. The NOHS should review the report to ensure that funds are obligated expeditiously and older funds are expended first.

Section 17 – Delegation of Authority

NHTSA regulations require a formalized process be established by the State as to who can act on behalf of the NOHS Administrator in his or her absence. The NOHS is required to establish a written Delegation of Authority.

The following table lists signature authority related to the NOHS traffic safety grant program.

| Delegation of Signature Authority | |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Document | Signature Authority |
| Highway Safety Performance Plan | Governor's Highway Safety Representative or NOHS Administrator |
| Certifications and Assurances of the Highway Safety Performance Plan | Governor's Highway Safety Representative |
| Highway Safety Program Cost Summary | Governor's Highway Safety Representative or NOHS Administrator |
| Federal Cooperative Agreements | Governor's Highway Safety Representative or NOHS Administrator |
| Certifications and Assurances for National Priority Safety Program Grants (Section 405) Appendix D | Governor's Highway Safety Representative |
| National Highway Traffic Safety Administration Agreements | Governor's Highway Safety Representative or NOHS Administrator |
| Federal Grant Applications | Governor's Highway Safety Representative or NOHS Administrator |
| Internal NOHS Planning and Administration and Program Management grants | NOHS Administrator |
| Reimbursable Service Agreements | Governor's Highway Safety Representative or NOHS Administrator |
| Traffic Safety Program Grant Agreements and Amendments (any amount) | Governor's Highway Safety Representative or NOHS Administrator |
| State Vouchers for Federal Reimbursement | NOHS Administrator or NOHS Accountant |
| Requests to NHTSA to purchase equipment (\$5,000 or more) with Federal funds | Governor's Highway Safety Representative or NOHS Administrator |

In the absence of the NOHS Administrator, NOHS signature authority is delegated to the Governor's Highway Safety Representative.

The NHTSA Regional Office shall be notified in writing of the name and type of authorization and provided with the signature of each person currently assigned signature authority on behalf of the NOHS. Whenever a temporary or permanent change occurs in the authorization assignment or the person assigned to the named authorized position, the NHTSA Regional Office shall immediately be notified in writing and provided the new information.

Section 18 – Buy America Act

Under MAP-21 Appendix A of Part 1200 identifies for the HSO all of the certifications and assurances that are required, see Chapter II-Planning, subsection P. Certifications and Assurances. One of the required certifications is compliance with the Buy America Act, 23 U.S.C. Section 313. The Act prohibits States from using highway grant funds under 23 U.S.C. Chapter 4 to purchase products unless they are produced in the United States. The prohibition applies to steel, iron and all manufactured products unless a waiver has been requested from the Secretary of Transportation. The Secretary may waive the requirement if: it would be inconsistent with the public interest; the products are not produced in the United States in sufficient and reasonably available quantities and of satisfactory quality; or, use of the products produced in the United States would increase the overall cost by more than 25 percent.

NHTSA has determined that for compliance purposes American-made covers any product that is manufactured **OR assembled** in the United States. This requirement applies to all items purchased with Federal funds including office supplies. There are no waivers for classes of items. The waiver process generally takes 60 days. The waiver goes into effect at the time of its publication in the Federal Register. The waiver determination will state if the waiver applies only to the requestor or to others wishing to purchase the same item. The duration of the waiver will be stated in the Federal Register publication.

A public interest waiver issued by NHTSA became effective July 30, 2015. The waiver allows States to purchase any manufactured product with a purchase price of \$5,000 or less, excluding a motor vehicle defined in 49 USC 30102(a)(6), when the product is purchased using Federal grant funds administered under Chapter 4 of Title 23 of the U.S. Code. The purchase of foreign-made cars, motorcycles, trailers and other similar conveyances must be made with using a waiver regardless of price. Effective July 30, 2015, any pending waiver requests for an item with a purchase price of \$5,000 or less were no longer necessary.

NHTSA has issued Guidance dated January 23, 2014, which details the waiver criteria and the process for submitting a written waiver request to the applicable NHTSA Regional Administrator. NHTSA and GHSA conducted a webinar on January 29, 2014, "NHTSA Highway Safety Grant Program Updated GHSA-NHTSA Webinar" which included additional information on the Buy America Act requirements and waiver process, see the GHSA website/Members Only/Webinar for a complete copy of the presentation.

Each fiscal year the NOHS is required to submit Certifications and Assurances with the HSP which ensure that the State complies with all applicable Federal statutes, regulations, and directives in effect with respect to the period for which it is receiving grant funding. Federal regulations also require that the NOHS ensure that every sub-grant and contract (i.e. purchase orders) include any clauses required by Federal statute and Executive Order and their implementing regulations and that the sub-grantee or contractor is aware of the requirements imposed upon them; see [49 CFR Part 18.37](#)- [49 CFR Part 18.36](#).

Chapter 3

Project Development

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Section 1 – Overview

In alignment with the problem identification performance targets and key strategies identified in the annual Performance Plan section of the HSP, the NOHS solicits proposals and awards grants to fund projects designed to reduce the number of deaths and serious injuries resulting from traffic crashes.

Traffic safety projects are initiated as a result of several types of “needs” including:

- Statewide and Local Problem Identification
- State Agency Initiative
- Community Initiative
- Key Events

The development of the final contract is a process. Grant contract proposals are submitted to the NOHS by potential contractors following a prescribed process. For successful applicants, the grant contract proposal becomes the final project. This chapter describes the proposal process.

Grant contract proposals must include the most current data available to identify a traffic safety problem, a workable solution linked to the identified problem, performance targets, detailed action plans, budgets that demonstrate an understanding of the various issues to be resolved, and a reasonable approach to resolving the identified problem. Proposed projects must be data driven and the NOHS must be able to show that the strategies chosen are evidence-based.

The NOHS contract award is a legally binding document when fully executed by both parties. It has as attachments other documents such as terms and conditions, detailed project descriptions, the approved budget, and certain required certifications and assurances.

Section 2 – Request for Grant Contract Proposal

Annually the NOHS develops and distributes the Grant Contract Proposal Guide and Policies and Procedures (Guide) to solicit contract proposals from interested applicants. The Guide contains the information needed by applicants to submit a grant contract proposal. All proposals remain confidential until the grant agreement is signed by the applicant and the NOHS Administrator. After both parties have signed, the grant agreements are public records as defined in the State's "Public Records Act". The Guide is revised as annually and posted on the website.

Section 3 – Grant Contract Proposal Guide

The purpose of the Guide is to establish program and grant management procedures and provide guidance to contractors for the development and administration of grant contracts. The guidance should assist contractors in understanding grant development requirements including an outline of the specific objectives of the project, budget, performance measures, and commitment of responsibility by the NOHS and the contractor. The Guide shall contain the following:

- Grant Contract Proposal Cover
- Key Elements of the Grant Application
- Grant Review and Approval Process
- Reimbursement Procedures
- Grant Revision Instructions
- Certifications and Assurances
- Policies and Procedures
- Other Information

Revisions will be made as soon as possible to accommodate any changes in State or Federal laws or regulations. Periodic training may be provided for HSO staff when revisions are made to the Manual.

The Guide is available online at the website or a printed Guide may be requested from the NOHS.

Section 4 – Grant Contract Proposal Development Calendar

The NOHS grant contract proposal application process is comprised of three steps.

During the month of February, grant contract proposal application solicitation notices containing the issues to be addressed including identified problems and targets are published on the website by NOHS and sent to public and non-profit organizations/agencies that will best be able to help attain the NOHS targets.

Potential contractors are asked to submit to NOHS a grant contract proposal application form containing a problem statement, a description of proposed activities, and a complete budget. It is emphasized that to be funded, projects must have a direct link to the NOHS identified problems and targets.

The NOHS staff reviews each application to verify that it addresses the identified problems and meets all of the application requirements and reviews the budget component of each proposal. If necessary, the NOHS staff works with the potential contractors to resolve any questions and develop a fully detailed and complete grant contract proposal application. The NOHS staff scores the proposals and resolves any remaining questions. The NOHS Administrator then makes the final grant selection, determination, and approval.

Grant Development Calendar

| Month | Activity |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February | Post Grant Contract Proposal Guide on website. |
| April | Receive and review the grant contract proposal applications and contact applicants for clarification or missing information. Develop NOHS internal grants. Review of grant contract proposal applications by NOHS staff and identify applications for potential funding. |
| June | Complete grant negotiations and make final selection. |
| July 1 | Submit the Plan to the National Highway Traffic Safety Administration (NHTSA) Regional Office via the required transmission method. |
| September 1 | Notify successful applicants, the complete pre-award risk assessment, and finalize grant agreements. Issue Notice to Proceed to selected contractors. Obtain approval for grants and contracts from the appropriate Department officials. Finalize NOHS internal grants. |
| October 1 | Implement grant agreements. |

Section 5 – Grant Contract Proposal Preparation Process

Grant contract proposal application must support the targets and strategies established for the emphasis program areas in the NOHS Plan. Grant projects implement the Plan.

The purposes for developing the grant contract proposal applications are to:

- Produce a clearly defined problem statement.
- Produce a clearly specified work statement.
- Clearly define targets, objectives and performance measures.
- Clearly define respective roles and responsibilities.
- Achieve understanding among all parties.
- Reach consensus.
- Ensure accountability.

The key elements of a proposed grant application are:

- Problem Identification.
- Objectives and Targets (applicable targets are listed in the HSP).
- Performance measures.
- Tasks and activities.
- Milestones or action plan.
- Training needs.
- Evaluation plan.
- Budget.
- Reporting requirements.
- Financial planning.
- Contractor's certifications and assurances (general and special terms and conditions).

The grant contract proposal application development process begins with the submission of proposals to the NOHS by applicants. The Grant Contract Proposal Cover of the grant application is the Authorization cover page which requires the applicant to identify the primary emphasis area described by their proposal and provide their agency name, address, and authorizing official signature.

The Grant Contract Proposal Guide includes the following nine elements in narrative form:

- Project Title and Summary
- Organizational Background
- Problem Identification
- Targets and Objectives
- Strategies/Activities
- Evaluation
- Budget Proposal/Budget Narrative
- Cost Assumption

Grant contract proposal applications should include the most current data available to identify a traffic safety problem, a workable solution linked to the identified problem, a performance target and detailed action plans, and budgets that demonstrate an understanding of the various issues to be resolved and a reasonable approach to resolving the identified problem.

Proposals should be closely related to the NOHS problem identification results, which are provided in the current year's NOHS Plan. The NOHS review of grant contract proposal applications will be conducted on the basis of the issues identified including problem identification, the reasonableness of the problem solution, and other factors pertinent to the resolution of the identified problem.

Additional guidance is provided in the NOHS Guide on reporting and reimbursement requirements, funding (allowable and unallowable costs), lobbying restrictions, and certifications and assurances.

Grant Contract Period

The grant contract period is the time during which the contractor may incur reimbursable costs to carry out the project. The typical grant contract period is October 1 through September 30. Funding assistance is intended to be used as "start up" or "seed money" to implement a project. Project activity that is successful is expected to continue after the NOHS funding assistance ends. Projects may be considered for funding assistance for up to three consecutive years with annual grant contracts between the NOHS and the funded project. In the first year, the NOHS typically provides funding assistance to projects at 90% or 100% (but NOHS may establish any other appropriate funding/matching formulas). If a second year is applied for, it is considered for no more than 75% of the first year's project cost. In the event a third year is applied for, no more than 50% of the first year's costs will be considered. The applicant must provide the remaining funding. The NOHS only issues one year grant contracts. Agencies interested in submitting multiple year proposals must resubmit their grant agreement on an annual basis.

Project Title and Summary

Select a name for the proposed project. The summary should provide a **clear and concise** overview of the request. It should appear at the beginning of the proposal, although it will be the last item completed during preparation. The summary should include:

- Identification of the applicant/organization.
- The reason for the project, the issue, problem or need to be met.
- The target of the project.
- The objectives to be achieved.
- The kinds of activities to be conducted to accomplish the objectives.
- The total cost of the project, funds already committed, and the amount requested in the proposal.

Organizational Background

This section is one or two short paragraphs of background information and history about the applicant's organization providing credibility.

The NOHS must determine if the applicant agency is qualified to receive Federal highway safety grant funds and is the appropriate agency to conduct the proposed project activity based on past experience, education, skills, and/or community or statewide leadership authority. The applicant must provide information in the proposed grant contract application regarding the agency's background, such as, prior funds managed, relevant project experience, etc. This is especially important if the NOHS has no past experience working with the applicant.

Eligible agencies must be able to perform the following:

- Deliver services promptly.
- Manage public funds efficiently.
- Collaborate with other community, governmental, and private organizations.
- Develop data-driven, problem-solving plans.
- Adequately evaluate the success of a project.

Problem Identification

Problem identification is the most critical part of the proposed project. It represents the justification for the proposal and focuses on the conditions the applicant wishes to change. The problem identification section of the proposed grant application should include a problem statement, which is supported by crash data analysis, program and community needs assessment information, or other relevant data. The NOHS may assist potential applicants with obtaining the necessary data.

All grant contract proposal applications must support the primary target of reducing the number of injuries and fatalities resulting from traffic crashes. The problem identification section must focus on one of the primary targets and emphasis areas described in the NOHS Guide.

Targets

Grant contract proposal applications must address one or more of the NOHS targets stated in the NOHS Guide in order to receive consideration. The anticipated long-term results of the project must impact one or more of the following emphasis areas:

- Overall Target: Fatal, A and B injury crashes.
- Alcohol-related fatal and serious (*A & B type) injury crashes.
- Occupant restraint use.
- Speed-related fatal and serious (*A & B type) injury crashes.
- Youth (ages 16-20) involved fatal and serious (*A & B type) injury crashes.
(*Injury type: A - disabling; B - visible but not disabling)

Objectives

In order for any project to be successful, it must contain measurable end results. The most useful objectives tell **who** is going to be doing **what, when, how much,** and **how** it will be measured.

- Describe objective(s) to address the problem.
- Use actual numbers (baseline data) to support percentages.
- Do not describe strategies.

Strategies (Activities)

The next step is to identify the strategies (activities) used to achieve the objectives. Strategies must be identified in the grant contract proposal application and must clearly explain in detail the anticipated activities that will be funded. This explanation should show a logical sequence of events that will take place to accomplish the objectives. The strategies should flow naturally from the problems and implement the objectives. The proposed activity must be an evidence-based countermeasure. In selecting the strategies and projects, the sub-grantee should be guided by the data and data analysis supporting the effectiveness of the proposed countermeasures. Innovative countermeasures that may not be scientifically proven to work but that contain promise based on limited practical applications are encouraged when a clear data-driven safety need has been identified. Justification of new countermeasures can also be based on the prior success of specific elements from other effective countermeasures.

- Clearly describe the activities.
- List activities in sequence.
- Present reasonable activities that can be accomplished within the time allotted for the project and include completion dates.

Evaluation

Comprehensive evaluation involves an analysis of whether the project has achieved its stated objectives. It also involves an analysis of the role project activities have played in the accomplishment of those objectives. Contractors should detail how they will evaluate and measure the effectiveness of their project toward achieving its targets. Evaluation should be expressed in terms of what they intend to measure (numbers, attitudes, knowledge, etc.), what they plan to accomplish, or a measure of what will change. These measures and standards provide guidelines to determine the efficiency and effectiveness of the project. A well thought-out project evaluation process is critical.

- List final products.
- Each objective must be evaluated to determine success.
- Describe data gathering methods.
- Describe the process of data analysis.
- Show how evaluation will be used for project improvements.
- Describe evaluation reports to be produced.

Budget Proposal/Budget Narrative

The proposed budget for the project is an estimate but should be as specific as possible in identifying cost items. Examples of estimated costs for a project proposal include: costs of materials acquired and consumed specifically for the purpose of the contract, printing, postage, costs of office space, and special equipment added as part of the project. Avoid using the terms "miscellaneous" or "etc." Include a Budget Narrative which includes explanation of each item listed in the budget proposal.

- Estimate the costs of the project as accurately as possible.
- Include reasonable, necessary, and appropriate costs.
- Justify the costs to anticipated results.
- Provide a budget narrative for each cost listed including out-of-state travel.

The NOHS Guide provides applicants with a Budget Proposal format which must be completed and submitted with the grant contract proposal application. A detailed cost breakdown must be provided to justify proposed costs. The approved project budget should be as detailed as appropriate for fiscal control.

The Budget Proposal may include the following line items:

- Salaries and Wages
- Fringe Benefits
- Travel and Subsistence
- Contractual Services
- Equipment (Each individual piece of equipment valued at \$5,000 or more must be identified.)
- Other Direct Costs

For each line item the applicant is required to identify both the NOHS share requested and the Applicant's matching share (if applicable).

Costs incurred before the grant agreement is signed by the NOHS are not eligible for reimbursement. Costs incurred after the grant agreement expires are also not eligible for reimbursement. No reimbursement is allowed before work has been performed or costs have been incurred.

Any deviation by the contractor from the approved budget requires PRIOR approval by the NOHS.

Actual Cost: Actual cost agreements authorize the NOHS to reimburse the contractor for all costs incurred under the project, subject to cost principles included in [2 CFR Part 225](#) prior to FY2016, [2 CFR Part 200, Subpart E](#) for FY2016 and forward. This is the most common type of agreement.

Traffic safety grants are limited to the amounts and items authorized in the budget. Adjustments within the budget are allowed with prior written approval from the NOHS.

Overtime Rate: The majority of grants involving increased enforcement of traffic laws rely on the payment of overtime hours for patrol officers. The overtime pay rate for officers is based on actual cost per employee in accordance with the contractor's policy for payroll and salary rate. When a project includes overtime salary or wages, traffic safety funds can pay for the additional cost of fringe benefits directly associated with the overtime hours not covered by the employee's basic benefit package (an example of an eligible fringe benefit cost associated with overtime would be an employer's contribution to a retirement plan). The costs of fringe benefits are allowable to the extent that the benefits are reasonable and are required by law, employee agreement, or an established policy.

Allowable Costs: Reference should be made to Chapter 6, Fiscal Procedures, Section 5. Allowable Costs for discussion of contractors' allowable costs.

Proportionate Funding: For all activities and equipment to be funded, which have components both related and unrelated to a highway safety grant, the Federal share shall be based proportionately on the projected utilization for the National Highway Traffic Safety Administration's (NHTSA) grant purposes. For example, the NHTSA participation in the cost of Gas Chromatograph Mass Spectrometers for quantitative testing of drug evidential samples shall be on a pro-rata basis. If a police department plans

to use this equipment 20 percent of the time to identify drugged driving evidence and 80 percent of the time to identify evidence for the narcotics squad, the Federal participation must not exceed 20 percent of the total cost of the equipment.

Contractual Services

Contractual services are services of individual consultants or consulting firms engaged in performing a special service pertinent to traffic safety. All contractors awarding subcontracts shall comply with the terms and conditions of 49 CFR Part 18.36 Procurement prior to FY2016, and [2 CFR Part 200.317](#) for FY2016 and forward. A contractor shall not enter into any subcontract without prior written approval by the NOHS. The costs of such services are identified in the Budget as "contractual services."

Subcontracts shall contain all required provisions of the contractors grant agreement terms and conditions. No subcontract will relieve the contractor of its responsibilities under the grant contract agreement. Subcontracts can be between governmental agencies as well as with non-government entities for professional services.

Per the NHTSA [Highway Safety Grant Funding Policy for Field-Administered Grants](#) – "Costs are allowable for highway safety consultant services from universities, public agencies, non-government organizations, and individuals for State or local highway safety support services or products consistent with the applicable Cost Principles, provided applicable State procurement procedures are followed and the State's official contract and procurement manual is maintained in the State's Highway Safety Office."

Travel and Subsistence

Travel directly related to traffic safety and linked to the grant objective(s) is allowable at prevailing State rates and subject to State travel regulations.

The Department's reimbursement for airfare, meals, lodging, and other travel costs will be based on the contractor's travel policy, but reimbursement of travel costs cannot exceed established State rates unless negotiated in the grant agreement and is for actual cost only.

Grant Extensions

If both the NOHS and the contractor agree that the project has demonstrated great merit and has potential long-range benefit, or if the project scope is modified or expanded, the contractor may apply for continued funding assistance. The NOHS Administrator should explain this requirement to the potential contractor during project negotiations.

Although not mandatory, a general rule is to limit grant projects to not more than three years. Any project being considered for extension beyond three years should be reviewed for exceptional project performance and:

- Include revisions or expansions to the scope of the project (assuming that the sub-grantee will continue the portion of the project previously supported with Federal funds).
- Document a continued need for the project.
- Receive specific approval from the NOHS Administrator.

Like any grant agreement, multi-year projects may be stopped or cancelled for cause or convenience, including termination for poor or non-performance. A letter to the sub grantee is required if funds are not available to continue the project.

Section 6 – State Agency Grant Contract Agreements

Grant contract proposals may be submitted by state agencies within the State of Nebraska. All previously outlined application requirements apply to state agencies submitting proposals.

Section 7 – Multiple Funding Sources

If a single applicant is requesting a grant to be funded under multiple Federal program funding sections, the applicant is required to submit a separate grant application, which includes specific dollar amounts, to the NOHS for each Federal program funding source.

Chapter 4

Grant Selection and Execution

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Section 1 – Grant Contract Proposal Application Process

Grant contract selection procedures will fully comply with the State and Federal regulations. High priority shall be given to proposed grant contract applications that address the traffic safety issues identified through the NOHS problem identification process. The grant selection procedure shall be reviewed and updated annually. The Grant Contract Proposal Guide shall be posted on the website to ensure adequate and uniform notice to all prospective contractors of the prescribed requirements and deadlines.

The following are eligible to submit applications for NOHS traffic safety grants:

- State Agencies
- Cities, Counties, and Local Subdivisions
- Non-profit Organizations with existing IRS 501(c)(3) status

Proposals must be either:

- An evidence-based countermeasure or strategy, or,
- A demonstration project supported with a strong evaluation plan that will allow the NOHS to assess the effectiveness of the project at its conclusion.

Proposal Submission Instructions:

1. The grant contract proposal application original should be submitted with original signatures to the NOHS.
2. Applications received by the NOHS will be directed to the NOHS Administrator.
3. Applicants mailing applications will be instructed to allow normal mail delivery time to ensure timely receipt. Applicants assume the risk of non-delivery or late arrival associated with the method of delivery selected. The NOHS assumes no responsibility for delays caused by external delivery systems.
4. The NOHS will notify applicants by mail of receipt of their applications.
5. Applicants who do not receive a notice within fifteen days of submitting their application should contact the NOHS to confirm their application has been received.
6. Organizations claiming non-profit or not-for-profit status must submit with their application a letter showing their current 501(c) (3) status, been granted by the IRS.

Section 2 – Grant Contract Proposal Application/Distribution Log

The NOHS Grant Contract Proposal Application Distribution Log is created to track the receipt and handling of all grant contract proposal applications received by the NOHS annually. The purpose of the log is to assure that all required actions are completed in a timely manner.

The designated NOHS staff is responsible for making the initial entries and periodically updating the NOHS Grant Contract Proposal Application Distribution Log to reflect the current status of the applications.

Section 3 – Grant Selection Process

NOHS Initial Review

Grant contract proposal applications are first reviewed internally by the designated NOHS staff to:

- Ensure the application meets the required criteria.
- Check for budget availability and available resources.
- Compare the application with current activities.
- Determine whether the proposed grant activity will impact traffic safety; will work towards established targets by ensuring the problem is adequately described; and that objectives, performance measures, and resources requested will address the problem.
- Determine the potential contractor is the appropriate entity to perform the activities.

A Grant Contract Proposal Application Review Form will be completed by the NOHS reviewing staff to record all comments, questions, and additional information obtained from the applicant. After the first review of each proposed grant application within the NOHS, the designated NOHS staff will request any additional information needed by contacting the applicant.

The determination of whether the application has the potential to impact traffic safety targets will be based on its ability to be innovative, implement proven strategies, show a commitment to sustain and contribute to success, have measurable outcomes, and address the greatest demonstrable need/problem. Proposals that target high-risk populations, high-risk behaviors, and high-crash locations will receive additional consideration. The proposed strategy must be either an evidence-based strategy supported by research, or, a demonstration project if a clear data-driven safety need has been identified or the project is supported with a strong evaluation plan that will allow the NOHS to assess the effectiveness of the activity at its conclusion.

The following are some guiding questions for NOHS staff conducting a technical analysis of a proposed grant application:

- Has a traffic safety-related problem been adequately identified and appropriately described in the problem statement?
- Do the objectives, targets and performance measures directly address the identified problem?
- Are the objectives clearly stated and achievable?
 - Is a completion date indicated for each objective?
 - Is sufficient time allocated to achieve each objective?
- Will performance measures provide adequate evidence of project activity and accomplishment of objectives?
- Are personnel needs accurately identified? For example:
 - If an objective involves public information and education activity, does the contractor have the resources available to perform and complete the activity? Is the contractor aware of the NOHS's traffic safety public information and education policies and are they able to meet the requirements?
 - If the objectives involve law enforcement agencies, a sufficient number of appropriately trained officers must be available.
- Will any special equipment be needed? If so, will it be available for grant implementation or does the applicant require funding to acquire the equipment?
- Are there other considerations that might affect the contractor's performance? If so, are they adequately addressed?

Grant Review Team

Grant contract proposal applications are reviewed and rated by the Grant Review Team comprised of all NOHS staff members. The Grant Review Team reviews and scores proposals to establish a fair process for selecting grants.

Grant Proposal Evaluation Procedure

- When the grant reviewer has received an application, they read through each one completely at least one time with no points awarded. This method ensures a full understanding of each proposal before awarding points.
- Each grant reviewer will be supplied with a scoring sheet. When scoring, only whole numbers are used (not 3.5 or 4.76).
- Comments should be added as needed for clarification on the reason(s) points were awarded. The application reviewer may "insert comment" directly onto the scoring sheet or supply comments on separate documentation. Grant reviewers are not responsible for determining the actual award of the proposal; they are only scoring the proposal.
- Any questions identified will be resolved by the NOHS before a final selection is made.
- Final selections are made only with the approval of the NOHS Administrator.

Pre-Award Risk Assessment

Beginning with FY2016 grants, the NOHS developed and follow a procedure to conduct a risk evaluation for each sub-grantee (not contractors) receiving NHTSA funds prior to making the grant award. The NOHS, as a pass-through entity, is required to evaluate each sub-grantee's risk of noncompliance with Federal statutes, regulations and the terms and conditions of the sub-grant for purposes of determining the appropriate sub-grantee monitoring. The NOHS has developed, implement and document the outcome of a risk assessment process containing the four factors listed in [2 CFR Part 200.331\(b\)](#):

- (1) The sub-grantee's prior experience with the same or similar sub-grants;
- (2) The results of previous audits including whether or not the sub-grantee receives a Single Audit in accordance with [Subpart F—Audit Requirements of Part 200.331\(b\)](#), and the extent to which the same or similar sub-grant has been audited as a major program;
- (3) Whether the sub-grantee has new personnel or new or substantially changed systems; and
- (4) The extent and results of Federal awarding agency monitoring (e.g., if the sub-grantee also receives Federal awards directly from a Federal awarding agency).

If a sub-grantee of the NOHS passes on Federal grant funds via a sub-grant, the sub-grantee has the same obligation as a pass-through entity for all requirements of 2 CFR Part 200.331 including conducting a pre-award risk assessment of their sub-grantee.

The NOHS shall consider imposing specific sub-grant conditions upon a sub-grantee if appropriate as described in [2 CFR Part 200.207](#) Specific conditions. See also Chapter 5, Section 14 - Monitoring.

Grant Negotiations

After a successful applicant has been notified their grant contract proposal application has been accepted, the applicant completes any final development issues through negotiations and discussions with the NOHS. The grant contract proposal application outlines the specific components of the project, the final authorized budget, the specific performance measures and objectives, and the commitment of responsibilities by the NOHS and the contractor.

Final grant contract proposal application development typically involves some level of negotiation to ensure the final contract meets all of the NOHS requirements, expectations, and conditions. The NOHS

Administrator negotiates on behalf of the NOHS. Negotiations allow the NOHS and the applicant to arrive at an understanding on the specific details of the grant contract proposal (such as; budget detail amounts, enforcement activity locations, evaluation criteria, etc.). Negotiations may involve discussion, clarification, or modifications to the proposed grant application. Items to be discussed during the negotiation phase include, but are not limited to, the following:

- Problem Identification
- Project Description
- Anticipated Outcome
- Time Period
- Location and Frequency of Activity
- Acquisition of Equipment or Other Items
- Frequency of Reporting and Invoice Submissions
- Budget Content
- Performance Measures

The following table lists the steps a typical proposed grant contract proposal application follows from initial development to final execution (also shown are the parties responsible for each step).

Project Proposal and Grant Agreement Preparation Process Overview

| Step | Action | Responsible Parties |
|-------------|------------------------------------------------------------------------------|-------------------------------------|
| 1 | Project development and grant contract proposal application submission. | Applicant |
| 2 | Receive grant contract proposal application and log in. | NOHS Staff (Grant Distribution Log) |
| 3 | Grant contract proposal application review and clarification with applicant. | NOHS Staff and Applicant |
| 4 | Scoring the grant application. | Grant Review Team |
| 5 | Final Grant Contract Proposal Application negotiations. | NOHS Staff and Applicant |
| 6 | Pre-Award Risk Assessment | NOHS Staff |
| 7 | NOHS formal approval. | NOHS Administrator |
| 8 | Notice to Proceed (NTP) is processed | NOHS Administrator |

Award

When possible, all applicants will be notified in writing of their official award status by September 1. Following successful completion of negotiations and receipt of all required documentation, the NOHS issues a NTP to each successful applicant by October 1 of the new grant year. Each NTP shall be signed by the NOHS Administrator.

Debriefing Conference

Upon request, a debriefing conference may be scheduled for an unsuccessful applicant by contacting the NOHS Administrator after receiving notice the application was not accepted. The NOHS will schedule the debriefing conference upon receipt of the request. The NOHS may conduct debriefing conferences in person or by telephone. Discussion will be limited to a critique of the grant contract proposal application. Comparisons between other applications or evaluations of other applications are not permitted.

Section 4 – Final Grant Contract Award Preparation

Special Conditions

In addition to the general required terms and conditions which apply to every traffic safety grant agreement, the NOHS may determine that special conditions should be imposed upon a specific contractor. Some reasons for the special conditions may be the results of the pre-award risk assessment, nature of the specific strategy being addressed, past experience with the contractor, or a special requirement that is not otherwise addressed in the general terms and conditions. If a special condition is imposed upon a contractor, the special condition shall be documented in the NOHS NTP. Following are some examples of a special condition:

- The contractor is required to share equipment purchased under the grant with other agencies in their geographic region.
- The contractor is limited to using specific personnel to complete grant activity.

Signatures

NOHS requirements - When the NOHS Administrator executes a Grant Contract Award by signing it, he or she is certifying the agreement:

- Is legal and payable.
- Includes all required and applicable provisions.
- Complies with all applicable Federal and State regulations and laws.
- Has received Federal approval when such approval is required.
- Has been budgeted with available funds.
- Has been authorized by the NOHS as part of the Plan.

Before approval, all Grant Contract Awards will be reviewed for form and content, applicable provisions, eligibility of costs, consistency, and accuracy.

Contractor requirements - A final Grant Contract Award submitted to the NOHS must be signed by the authorizing official (person with contracting authority) for the applicant's agency or organization. The authorizing official, and in some cases the Project Director, must also certify and ensure all of the conditions contained in the Certifications and Assurances, Reporting Requirements, and Invoicing Requirements sections of the grant agreement will be met including any special conditions.

For local grants, the agreement must be made with the unit of local government or political subdivision of the State, not with an operating division or function of the local governmental unit or political subdivision of the State. Likewise, for statewide grants the agreement must be made with the parent agency, not a bureau or division.

A Grant Contract Award must be approved and executed in accordance with contractor's procedures as well. This may involve placement on the agenda for a city council meeting, the county commissioners, or a State agency's director, board, or commission. Scheduling time frames vary from agency to agency. Scheduling requirements must be considered in the approval process to ensure the grant can be activated on time.

Educational Institutions - 2 CFR Parts 215 and 220 for grants prior to FY2016 and [2 CFR Part 200 Appendix III](#) (Indirect Costs Identification and Assignment, and Rate Determination for Institutions of Higher Education) for FY2016 grants require educational institutions and hospitals provide a "Certificate of Indirect Costs (F&A) Costs" for federally funded projects. The certificate must be signed on behalf of the institution by the chief financial officer or an individual designated by an individual at a level no lower than vice president or chief financial officer. An indirect (F&A) cost rate is not binding upon the Federal Government if the most recent required proposal from the institution has not been certified. [Appendix IX of 2 CFR Part 200](#) states that the existing OMB principles located at 45 CFR Part 75 Appendix E, entitled "Principles for Determining Cost Applicable to Research and Development Under Grants and Contracts

with Hospitals,” remain in effect until such time as revised OMB guidance is proposed and implemented for hospitals.

Certifications and Assurances

The NOHS Grant Contract Award form must contain Required Terms and Conditions as well as requiring compliance with the NHTSA Certifications and Assurances. These sections provide the terms and conditions governing the grant and certify a contractor will comply with the applicable regulations, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal or State funds for the project.

Contractors are required to become familiar with the contents of the Grant Contract Award form and are notified that failure to do so will not excuse nonperformance or noncompliance.

The contractor must be aware of the requirements imposed upon them, see [23 CFR Part 1200 Appendix A](#) and [2 CFR Part 200.331\(a\)\(2\)](#). Appendix A of Part 1200 identifies the following certifications and assurances that are required to be imposed upon contractors. They are:

- Non discrimination
- Buy America Act
- Political Activity (Hatch Act)
- Certification Regarding Federal Lobbying
- Restriction on State Lobbying
- Certification Regarding Debarment and Suspension

The NOHS shall ensure that for each grant proposal the sub-grantee has been checked on the [Federal Debarment and Suspension List by State](#) to ensure they are not suspended or debarred. Sub-grantees are required to become familiar with the contents of the final grant agreement form and be on notice that failure to do so will not excuse nonperformance or noncompliance.

If non-Federal entity fails to comply with applicable Federal statutes, regulations, or the terms and conditions of a Federal award, the Federal awarding agency or pass-through entity may impose additional conditions, as described in [2 CFR Part 200.207](#) Specific conditions, or terminate the award in whole or part as provided in [2 CFR Part 200.337 and 338](#). Each fiscal year the NOHS signs Certifications and Assurances with the submission of the Plan that the State complies with all applicable Federal statutes, regulations, and directives in effect with respect to the period for which it is receiving grant funding. The State Certifications and Assurances are explained in the [NHTSA Highway Safety Grants Management Resources](#) which is available on line and should be referenced to ensure the most current requirements have been incorporated.

Section 5 – NHTSA Equipment Purchase Approval of \$5,000 or More

For all major equipment purchases and replacement purchases with a useful life of more than one year and an item acquisition cost of \$5,000 or more in value, the NOHS shall receive prior written approval from the NHTSA Regional Administrator. This procedure is required by [23 CFR Part 1200.31](#) and the NHTSA Highway Safety Grant Funding Guidance Part III.A. The regulations look to the cost of the equipment regardless of the portion of funding supported by Federal or other funds if the total cost was \$5,000 or more. See also [2 CFR Part 200.439](#) on capital equipment.

The NOHS shall include a “contractor’s procedure” in the Guide for purchases of major equipment of \$5,000 or more in value in accordance with the applicable State and NHTSA regulations. The Guide will also describe allowable and unallowable equipment purchases as specified by the Federal regulations. The unit cost for equipment is the unit’s purchase price **plus** any accessories necessary to make the equipment operational for its intended purpose.

During the review of proposed grant applications, the NOHS staff shall identify all equipment purchase requests by contractors which meet the above criteria. The NOHS staff shall ensure the equipment has been identified within the NOHS’s Plan and written approval from NHTSA has been obtained by preparing a letter to be signed by the NOHS Administrator and then submitted to the NHTSA Regional Administrator for specific approval. The letter request shall describe the type, a complete description of the equipment, contractor’s organization name, total cost, useful life, and how the equipment would support the State’s highway safety program.

If approved, the NOHS shall inform the contractor to proceed with the equipment purchase by sending a written communication and providing specific instructions for the purchase of the equipment.

Before initiating the purchase of new and replacement equipment with a useful life of more than one year and an acquisition cost of \$5,000 or more, a contractor must obtain written notice from the NOHS Administrator stating that both NOHS and the NHTSA Regional Administrator have formally approved the equipment purchase. When making the equipment purchase, the purchaser should also obtain the expected service life and warranty of the equipment from the vendor or the manufacturer.

The [NHTSA Highway Safety Grant Funding Guidance, Part IV.A](#). States costs for purchase of office furnishings and fixtures are **unallowable**. The following are some examples:

| | | |
|-----------|----------------|------------------------|
| desk | credenza | storage cabinet |
| chair | bookcase | portable partition |
| table | filing cabinet | picture or wall clock |
| shelving | floor covering | draperies and hardware |
| coat rack | office planter | fixed lighting or lamp |

The NOHS, as part of its oversight responsibility, shall systematically monitor all contractors with grant-funded equipment to ensure that contractors are in compliance with all Federal and any State requirements for property management, inventory, and disposition.

Equipment shall be used by the contractor for the purpose for which it was acquired as long as needed, whether the program continues to be supported by NOHS funds. When no longer needed for the original program, the equipment may be used in other traffic safety activities. If it is determined that the equipment is no longer needed for the purpose acquired or any other traffic safety purpose, the equipment shall be handled in accordance with NOHS policy and Federal requirements.

Prior written approval must be received from the NHTSA Regional Office by the NOHS for the disposition of equipment with a value of \$5,000 or more unless the equipment has exceeded its useful life as determined under State law and procedures.

Section 6 – Reporting Requirements

The NOHS requires three types of progress reports in conjunction with traffic safety grant projects: monthly reports during the life of a grant, an annual report at the conclusion of each grant year, and special reports as required.

Progress reports provide NOHS with information that can be used to strengthen the overall traffic safety program. These reports keep the NOHS informed of a grant's progress, explain any difficulties encountered, provide background information that can be shared with others, and suggest ways in which the NOHS can assist and aid in the distribution of funds.

Monthly Report

All grant contractors must submit a monthly activity report to the NOHS by the 15th of each month unless otherwise expressly approved by the NOHS. The monthly report shall contain the same targets and objectives as in the Grant Contract Proposal. Each target/objective/strategy must be addressed in the monthly activity report in the same format as the proposal. Claims for reimbursement may be held if the grant contract recipient is delinquent in the submission of reports.

Items in the monthly report may or may not include copies of publications, training reports, and any statistical data generated in grant execution. Monthly reports should also include the following:

1. Completed studies should be included.
2. Equipment purchased must be identified.
3. Any unanticipated issues that affected the project.
4. Third party performance if applicable.
5. A copy of any consultant reports should be included.

Annual Report

Annual reports are due from grant contractors to the NOHS no later than the second Thursday in November. The Annual Report must contain the following:

1. All accomplishments and activities utilized to meet the target/objectives outlined in the Grant Contract Proposal Application.
2. Each objective must be addressed.
3. The project's measurable impact on traffic safety must be included.
4. The Annual Report should be no longer than two pages in length.

*The Annual Report Format Form is available on the NOHS website at http://www.transportation.nebraska.gov/nohs/contract.html#Annual_Report_Format_Form

Special Reporting

Special reporting may be required. If so, reporting frequency and requirements will be detailed by NOHS.

Section 7 – Contract Revisions

Grant contract proposal applications may be altered or amended prior to or after signing. The alterations or amendments are not binding unless they are in writing and signed by persons authorized to bind each of the parties. The signature of the NOHS Administrator is necessary to authorize the revision. If additional tasks or costs are authorized in the revision the contractor must not begin work on the additional tasks or incur the additional costs until the revisions are fully executed. A revision cannot be used to authorize new or different work not related to the scope of the grant being revised.

The NOHS procedure for review and approval of grant contract proposal application revisions are:

- Contractor submits in writing the request for a grant contract revision(s).
- NOHS Project Manager reviews the revision request and makes a recommendation for approval or denial.
- If recommended for approval, the NOHS Project Manager forwards the revision request to the NOHS Administrator for approval.
- Upon NOHS Administrator approval, the NOHS Project Manager notifies the contractor and issues a written approval.
- All related paperwork is retained in the project file.
- If the contract revision results in additional funds to the original contract award, the NOHS Accountant will revise the Contract Award.
- If recommended for denial, the NOHS Project Manager prepares an explanation for the denial and notifies the contractor in writing.
- All related paperwork is retained in the project file.

The HSP Cost Summary (HS Form 217) is required to be resubmitted by the NOHS to the NHTSA Regional Office within 30 days of any reallocation of funds between program areas or changes including an updated list of projects under each program area. The amended HS Form 217 and list of projects is subject to the approval of the NHTSA Regional Office, see 23 CFR Part 1200.32.

Section 8 – Development of NOHS Internal Contracts

In anticipation of the beginning of each new fiscal year, the NOHS Administrator and NOHS Accountant will estimate how much funding is needed for Planning and Administration (P&A) and Program Management costs to support the operation of the NOHS Highway Safety Program. Estimates will take into consideration any anticipated increases in costs as well as recurring costs. A proposed internal contract will be completed and approved for each program operated by the NOHS. The contract will describe the problem identification, targets, objectives, activities, performance measures, and a budget narrative for the upcoming year. NOHS internal contract awards will be approved by the Project Manager and the NOHS Administrator. The NOHS shall ensure that the internal contracts are developed and approved by September 30 of each fiscal year.

Definition of P&A Costs: P&A costs are those direct and indirect expenses that are attributable to the overall management of the State's Highway Safety Plan. Costs include salaries and related personnel benefits for the NOHS Administrator and for other technical, administrative, and clerical staff for the NOHS. P&A costs also include other costs such as travel, equipment, supplies, rent, and utility expenses necessary to carry out the functions of the NOHS.

Definition of Program Management Costs: Program management costs are those direct and indirect expenses that are attributable to the highway safety program area. Costs include salaries and related personnel benefits and other related costs such as travel, equipment, materials, and supplies.

All costs related to internal operation of the NOHS program will be charged only to the NOHS internal grants.

P&A Match Requirements

The NOHS Administrator shall ensure the internal P&A grant complies with applicable Federal regulations including the provision of a match of State funds in the amount of 50 percent of the costs claimed for eligible P&A functions. These requirements are contained in the [NHTSA Highway Safety Grant Funding Guidance Part I.A and B](#).

Match is defined as the direct expenditure of actual State funds or State or local funds that are expended in support of other qualifying traffic safety programs (such as, the salaries of highway safety related State-funded employees) and have not been utilized by another Federal, State, or local agency as matching funds for a separate Federal project. The State must have documentation to support an audit.

States can carry over unexpended P&A funds if they were programmed in GTS by September 30.

The Federal P&A share shall not exceed 50 percent of total P&A costs. No match is required for Section 163 funds, Section 406, Section 154 or Section 164 funds transferred to Section 402 purposes, for U.S. Territories (23 U.S.C. 120(i)), or for Federally recognized Indian Tribal governments (as defined by 23 CFR 1402 (h)) under the Indian highway safety program. From its annual State appropriations, the NDOR shall ensure the availability of the funds needed by the NOHS to support the program match for the State's P&A share.

The NOHS shall limit Federal participation in P&A funding to not exceed 50 percent of the total cost of such activities. The NOHS shall ensure the Federal contribution does not exceed 13 percent (increased in MAP-21 from 10 percent beginning FY2014) of the total new funds the State receives annually under Section 402 and for Section 154 and Section 164 transfer funds (when used for Section 402 purposes to support impaired driving programs).

If a NOHS is found by NHTSA to have miscalculated or not provided sufficient P&A match, the correct amount will be determined by NHTSA and the NOHS will be required to take the appropriate corrective action.

NOHS Employee Time Allocation and Certification Requirement

As provided by 2 CFR Part 225 Appendix B (8) (h) prior to FY2016 and [2 CFR Part 200.430](#) for FY2016 and forward, charges to Federal awards for salaries and wages, whether treated as direct or indirect costs, will be based on payrolls documented in accordance with the generally accepted practice of the governmental unit and approved by a responsible official(s) of the governmental unit. **Prior to FY2016** NHTSA developed specific guidance on timekeeping. To ensure compliance prior to FY2016 the NOHS must consult the NHTSA guidance and compare the various scenarios to the specific funding circumstances of each NOHS employee (and sub-grantee employee) to determine the required action for completion of timekeeping records.

For FY2016 and forward [2 CFR Part 200.430](#) requires the NOHS to rely on strong internal control standards and allows more flexibility on how to meet those standards. Biannual certifications and personnel activity reports (PAR) are no longer required although the NOHS is encouraged to choose to use them. Charges to Federal awards for salaries and wages must be based on records that accurately reflect work performed. Part 430 (i) establishes *Standards for Documentation of Personnel Expenses*. Part 430 (8) states that where the records of the sub-grantee does not meet these standards, the Federal agency may require PARs including certifications that support the records as required by this section.

Personnel Activity Report (PAR) is a timesheet or log maintained by the employee which contemporaneously accounts for 100 percent of their time. The objective is to identify effort spent on multiple programs/Federal funds. Where a PAR is required per the [NHTSA Timekeeping Matrix](#), the PAR shall meet the following standards:

- Reflect an after-the-fact distribution of time of each employee by program/Federal fund.
- Account for the total activity by program/Federal fund for which each employee is compensated (whether grant related or not).
- Must be prepared at least monthly and must coincide with one or more pay periods.
- Must be signed by the employee.

The NOHS shall periodically examine the process and the cost data used to determine employee time allocation and certification methods to ensure continued accuracy and amend the data when significant changes occur. The NOHS shall ensure that documentation for costs vouchered to P&A and program management are charged as described in the HSP.

For NOHS employees working on P&A functions, the NOHS shall ensure that only direct and indirect expenses for salaries and other costs that are attributable to the overall management of the State's Plan and necessary to carry out its functions are charged to P&A. A NOHS employee who works solely on P&A and is funded from a single P&A account does not have to complete a PAR. The NOHS shall ensure that employees who process grant claims or perform other P&A type duties are working on P&A for only the applicable fund program type e.g. an employee charging 100% to 410 or 154AL P&A must work on P&A only for alcohol programs.

The NOHS shall periodically determine compliance through review of the NOHS employee timesheets to verify the time distribution and costs by employee position and specific program to ensure that P&A and program funds are being appropriately charged. See [NHTSA Highway Safety Funding Policy for Field Administered Grants, Part 1, A, 23 CFR Part 1252.2 and 1252.5](#)

Time and Attendance Records

All employee time and attendance records shall be signed by the appropriate supervisor or timekeeper as required by State law, regulation, rule, policy or guideline. The time captured should be program specific, where required, to ensure the time is applied to the appropriate fund. The attendance record of salaried employees shall also be accurately documented whether federally funded or funded by State match.

LEAVE TIME: When an employee is charging time to more than one award (e.g. 402 and 405) the allocation of leave time must be equitably and reasonably charged to the funds. The NOHS may choose at the beginning of the year to cost allocate leave time throughout the year based on proportional work,

number of projects and/or funds managed. The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences, such as annual leave, sick leave, holidays, etc., are allowable if: they are provided under established written leave policies, the costs are equitably allocated to all related activities including Federal awards, and, the accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the governmental unit, see 2 CFR Part 225 Appendix B, 8.d. (2) prior to FY2016 and [2 CFR Part 200.431](#) for FY2016 and forward.

Contractor Timekeeping Requirements

Contractors are subject to the same requirements for time allocation and certification as the primary award recipients. The NOHS shall ensure that contractors are informed of the applicable Federal time allocation and certification requirements and are operating in compliance by periodically examining their records to verify full compliance with these provisions.

The NOHS employee shall document the time worked in writing as provided above and their supervisor shall certify their time accordingly. The NOHS shall allocate the proportionate salary and related costs to the appropriate funding source or contract based only on the record of the actual time worked.

NOHS Invoicing and Reporting

The NOHS shall complete and submit at least quarterly invoices to NHTSA to request Federal reimbursement for allowable costs and prepare periodic progress reports for documenting the activities completed for the internal grants. If the NOHS receives or expends more than \$1 million annually, then the invoice shall be submitted monthly and within 15 working days of the end of each month.

Chapter 5

Grant Administration and Management

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Section 1 – Overview

This chapter contains sections on a wide range of procedures most of which are administrative in nature for specific methods involved in the administration and management of the Nebraska's traffic safety program.

Some of the sections contained in this chapter pertain to contractors, some only to the specific staff within the NOHS, and some to all involved in the traffic safety program.

Section 2 – Grant Management

The NOHS employee responsible for the day-to-day oversight of a grant is called the Project Manager. The Project Manager is responsible for tasks associated with their assigned projects. Failure to perform these tasks correctly can result in significant grant management and payment problems.

The Project Manager will monitor and evaluate the performance and will expedite invoice processing without unnecessary delays of all assigned projects.

Assigned contracts may include “external” projects and/or “internal” projects.

External Projects – Grant Contract Proposal Application awarded to external contractors who implement and carryout all aspects of the project.

Internal Projects – Projects awarded internally to the NOHS to provide funding for project management, public information and education, law enforcement overtime, law enforcement equipment, etc. Internal projects are written, implemented, and monitored by the project manager. All aspects of internal projects are the responsibility of the Project Manager.

The Project Manager will *not*:

- Impose any task upon the contractor or permit any substitute activity not specifically provided for in the grant agreement.
- Approve expenses for activities that do not meet performance specifications contained in the contract.
- Authorize expenditure of funds except in accordance with the specific terms of the contract.
- Offer advice to the contractor that may adversely affect performance, compromise NOHS’s rights, or provide the basis of a claim against the NOHS that may affect any pending or future determination of fault or negligence.
- Authorize or agree to any change in the contract, standard provisions, certifications, project period, and delivery schedule, maximum amount eligible for reimbursement, or other terms and conditions of the contract, unless such change is specifically authorized in the contract.
- Allow supplanting (e.g. replacing routine and/or existing State or local expenditures with the use of Federal grant funds and/or using Federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of State, local, or Federally-recognized Indian tribal governments.)
- Promise that a future grant or extension of a grant for another year is approved prior to the NOHS Administrator’s approval.

Section 3 – Fraud Prevention

Investigations by the federal Office of the Inspector General (OIG) and NHTSA have detected more cases of fraud involving contractors receiving federal highway safety grant funds. A comprehensive monitoring program is one of the most effective ways to prevent fraud. Also essential is sufficient management oversight to ensure that the monitoring program is fully implemented. On-site monitoring of grants which include personnel services is essential. The following information has been compiled to assist the NOHS in communicating with contractors, implementing safeguards, monitoring and taking action when fraud is detected.

NOTE: Personnel services grants – including law enforcement overtime typically associated with Selective Traffic Enforcement program (STEP) grants and grants containing subcontracts – have been identified as high risk for fraud. Such grants should require strong internal supervision by the sub-grantee and extra attention by the NOHS.

Special Attention for High Risk Grants and Activities

- Identify law enforcement and other types of grants which contain claims for personnel services as requiring special attention to detect fraud.
- Closely examine and compare personnel log sheets to actual activity documentation (such as date and time worked as recorded on paper tickets and time reports) to ensure that only actual time worked on grant-funded, approved activities is submitted for reimbursement.
- Ensure that only approved hourly rates for contractors and vendors are charged to the grant and that legitimate original invoices from contractors and vendors for actual work completed are available for examination.

Recognition of Risk Factors for Personnel Services Grants

- Lack of communication of specific clear benchmarks, targets and deliverables for enforcement and other contracts.
- Lack of training for supervisors and officers to emphasize unique conditions of grant programs.
- Lack of supervision of grant procedures during overtime patrols, time and attendance quality checks and use of paper forms.

Incorporation of Prevention Strategies into NOHS Policies and Monitoring Practices

- Provide specific pre-award guidance to contractors to explain the federal requirements and discuss the need for their own internal control systems.
- Require contractors to submit their policy/internal controls to the NOHS to certify compliance with generally accepted practices.
 - ✓ Do supervisors sign off on completed work?
 - ✓ Do officers check in and out of shifts with a supervisor or dispatch?
 - ✓ Do supervisors conduct reviews and spot checks of officer records?
 - ✓ Are work schedules prepared in advance?
 - ✓ Do managers have access to global positioning system (GPS) records or other location records for patrol vehicles?
- Review original documents (not copies) at the contractors or third party sub contract level.
 - ✓ Could an officer falsify elements like date and time of the violation?
 - ✓ Are records retained for review?
- When conducting onsite monitoring, over sample vouchers.
- Establish clear performance benchmarks and expectations.

- Develop an action plan to follow when possible fraud is detected.
- Use State auditors to randomly audit selected sub-grantees and to follow up fraud allegations for the NOHS.
- Document and disseminate information on identified cases of fraud and the consequences to law enforcement officers, project personnel and their departments as a deterrent.

Preventive Oversight for Law Enforcement Agencies

- Build supervision into the grant project.
- Develop and implement an enforcement or project action plan based on the data.
- Utilize GPS units on patrol vehicles.
- Use log sheets or personal activity reports (PARs) to verify actual hours worked on shifts (see the OIG Information Memo [OIG Memo 5-21-12 on STEP Fraud](#) Attachment 4 for a sample blank log sheet to gather the information needed to verify actual hours worked in a shift)
- Providing training including refresher roll call reviews of expectations
 - ✓ Are officers informed about requirements and expectations?
 - ✓ Are veteran officers asked to complete refresher training?
 - ✓ Do managers have adequate training on grant administration?
 - ✓ Is there any emphasis placed on detecting fraud or conducting periodic reviews?
 - ✓ Are training records maintained?
- Review the type of ticketing system – automated systems are less likely to be subject to fraudulent activities than hand written paper citations.

Utilization of Federal and Other Training Resources

- Identify and incorporate into NOHS procedures the “risk level decision tree” available from NHTSA Regional Offices.

Section 4 – Processing External Claim for Reimbursements and Internal Invoices

Processing External Grant Contract Claim for Reimbursement (CR)

Reimbursement of eligible costs is contingent upon the following conditions:

- The availability of appropriated funds.
- Actual costs having been incurred (services provided, hours worked, etc.) in accordance with the approved project budget.
- Compliance with the cost principles established in the Office of Management and Budget (OMB) circulars referenced in the grant contract award.

Advances are not allowed. Reimbursement will be made only for costs incurred during the grant period.

Reimbursement Procedures/Documentation

All eligible costs associated with the grant contract will be reimbursed **after** the expenses have been incurred, submitted for reimbursement, and approved by NOHS. The Claim for Reimbursement (CR) form is used to request a monthly reimbursement. The most current CR template is found on the NOHS website at <http://www.transportation.nebraska.gov/nohs/contract.html>. The following instructions are for completing and submitting the CR:

- The contractor must submit **monthly** CR.
- On the CR, enter the following information as listed on the NOHS grant award letter:
 - a) Contractor – The agency's name;
 - b) Contract #;
 - c) Contract Title;
 - d) the Month of Expenditures;
 - e) if applicable, indicate Final Claim.
- Within the table below "Project Financial Summary," complete the following:
 - a) Enter the current month's claimed expenditures in the "Current Month" box.
 - b) Complete the "Previous Months" and "Total to Date" columns.
 - c) If applicable, enter the "Current Month" income generated by the grant contract in the corresponding box.
 - d) Complete the "Previous Months" and "Total to Date" columns of income generated.
 - e) Reconcile and record the Net Amounts for "Current Month," "Previous Months," and "Total to Date" columns.
- The Project Director and Authorized Official must sign (in ink) and date the CR form.
- Reimbursement **will not be considered** if not accompanied by appropriate supporting documentation such as the following:
 - a) Weekly time reports.
 - b) Itemized personal services breakdown (available on NOHS website)
 - c) Invoices/statements.
 - d) Itemized receipts.
 - e) Canceled checks or credit card statements.
 - f) Equipment inventory log.
 - g) Competitive bids.
- Submit the signed completed CR and all support documentation to the NOHS.
- A final claim for each grant contract must be submitted by the second Thursday in November following the final grant date – September 30.
- On the fiscal year end CR must be marked "**Final Claim.**"

Upon receipt of the CR, the assigned Project Manager reviews all submitted documentation to ensure accuracy, completeness, and that all reimbursement requests are eligible as authorized expenditures contained in the approved project budget.

After reviewing the CR, the Project Manager approves the CR by initialing and dating. Upon approval by the Project Manager, the CR is forwarded to the NOHS Supervisor and Administrator or his/her designee for approval and then routed to the NOHS Accountant for reimbursement processing.

If upon review by the Project Manager an issue becomes apparent, the Project Manager will contact the Project Director for additional clarification and/or documentation.

The NOHS requires the contractor to submit and maintain complete financial and programmatic documentation of all claims in the form of source documents to support the amounts claimed.

The NOHS requires the contractor submit the source documents with the CR (unless otherwise instructed) including time sheets, receipts, and other documentation of costs incurred or program income.

All documentation considered pertinent to program regulations or grant agreement, are required to be maintained per 49 CFR Part 18.42 prior to December 26, 2014 or per [2 CFR Part 200.333](#) if after December 26, 2014

All documentation must be retained for a period of three (3) years after reimbursement of the "Final Claim" by NOHS.

Processing Internal Invoices

The activities associated with internal projects generate invoices from outside entities and/or transfers within the State Accounting System (i.e. payroll, postage, rent, etc.).

Invoices received for internal projects are routed to the Project Manager for review and approval. All approved invoices are routed to the NOHS Supervisor and Administrator or his/her designee for approval. Once approved, all invoices are routed to the NOHS Accountant for payment processing.

Internal payment transfers that are automatically processed for projects, such as payroll, copy/scan costs, etc., are documented by the NOHS Accountant and included on the monthly "General Ledger" generated for each internal project.

Section 5 - Public Information and Education (PI&E)

NHTSA issued significantly revised guidance regarding Public Information and Educational materials which became effective January 19, 2016. See "NHTSA Memorandum Use of NHTSA Funds to Purchase Items for Distribution".

Promotional Items Prohibited

No promotional items or memorabilia are allowable costs under Federal grants (see below). Use of NHTSA grant funds to purchase promotional items or memorabilia is illegal and could result in a Management Review finding and the requirement to repay the misused funds.

An unallowable promotional item is an item whose purpose is to be used as an incentive, to increase goodwill or that is a giveaway. Distribution of items where the recipient keeps the item after the event (whether to members of the public at a State fair, to groups at a training event, or to police officers to maintain partnerships) is never a necessary expense for performance of projects under the grant.

In order for a State grantee or a sub-grantee to give out items that are paid for using Federal funds, there must be specific statutory authority. NHTSA (and by extension, NHTSA fund recipients and subrecipients) has only two authorities of this kind. States may use Section 405 occupant protection funds to provide child restraints to low-income families, subject to a cap of 5% of funds received. 23 U.S.C. §405(b)(4)(A)(v). NHTSA also has authority under 49 U.S.C. §20134 to "purchase items of nominal value and distribute them to the public without charge as part of an education or awareness program" to promote railroad grade crossing safety. NHTSA clarified on February 12, 2016, that this does not apply to the purchase of child restraints and bicycle helmets in the current FY16. States and State sub-grantee may continue to purchase these items using Section 402 highway safety grant funds for FY16 programs.

States and State sub-grantees may use State funds or privately collected funds/private sponsorships to purchase promotional items, subject to applicable State laws and policies. Items donated by private entities are considered program income subject to the applicable regulations, see Chapter 5 Section 11. Program Income.

Educational Materials

Any use of NHTSA grant funds must support State traffic safety targets. When determining whether to purchase educational materials, a State or sub-grantee should use good judgment as a responsible caretaker of tax dollars intended to support traffic safety. As always, all costs charged to NHTSA highway safety grants must be within the scope of the grant, address a highway safety problem, and help meet performance measures. Paper, pamphlets, flash drives and CD-ROMs that contain educational materials are allowable because their purpose is to contain and convey educational information. In order to be considered educational, distributed material must provide substantial information and educational content (not merely a slogan) to the public **and** have the **sole** purpose of conveying that information. If a grantee or sub-grantee chooses to provide educational content on a flash drive or CD-ROM, that device must be an economical method of conveying the information.

Examples of allowable educational materials are:

- Traffic safety-themed coloring book given to children at a school event, state fair, etc.
- A pamphlet including statistical information such as "X number of people lose their lives every year when not wearing a seat belt" and safety tips distributed at a state fair.
- A flash drive containing information about the dangers of texting and driving (i.e., statistics, ideas to prevent texting while driving).

- A folder containing information about child passenger safety (i.e., statistics car seat/ booster seat laws, proper car seat installation and use, danger of leaving children unattended in hot or cold cars, etc.) and relevant safety tips provided to parents at a car seat inspection station.
- A CD-ROM or flash drive containing training/conference materials given to attendees at a highway safety conference hosted by the grantee/sub-grantee.

The content of all newly developed PI&E materials to be purchased with Federal funds must be submitted to the NOHS for written approval prior to final production.

Reproduction of NHTSA or other Federal government endorsed material already approved is permissible without NOHS approval. The cost of the items must still, however, be included in the grant agreement budget.

- Target audience
- Explanation of how the activity will help meet the objective of the project
- Description of how the results of the activity will be used and reported

Promotional items cannot be freely distributed to the public without any action on a recipient's part. Persons receiving promotional items should interact with the sub-grantees in some manner related to the target of the project to receive them, such as attend a presentation, sign a pledge sheet, fill out a survey form, answer a traffic safety question, etc. The results of the interactive activity must be reported in the quarterly progress report.

Safety Supplies and Equipment

An item that serves a safety function required to protect personnel during performance of a project is an allowable project expense. To qualify, these items must be supplies or equipment needed to carry out work under the grant and are kept for use by the program, **not** distributed for retention by the recipient. An example is a reflective safety vest for use by an employee conducting a roadside survey at night and retained by the program. Other examples are provided in the NHTSA Memorandum.

Recognition Awards

NHTSA highway safety grant funds may be used to purchase awards, where appropriate, under a formalized program that recognizes superior performance or exceptional contributions to the purposes served by the NHTSA grant. An appropriate award may be a certificate, plaque, coin, or medal, if it is given under a limited, formalized recognition program. An example is a plaque given by the NOHS to a police department at the annual highway safety conference for specific outstanding enforcement efforts. Other examples are provided in the NHTSA Memorandum.

Advertising

The Uniform Guidelines for the Section 402 program provide that "the State should enlist the support of a variety of media, including mass media, to improve public awareness and knowledge and to support enforcement efforts about seat belts, air bags, and child safety seats."

The limited purchase of media time or space (television and radio ads, ads for social media, banners and posters) for traffic safety grant-funded PI&E campaigns is permitted and must be specifically approved by the NOHS and be included in the NOHS Highway Safety Plan (HSP). Examples of allowable advertising materials are provided in the NHTSA Memorandum.

Federally-funded public service announcements or video materials intended for television or cable television must be closed captioned.

Contractors that obtain grant funds to support paid advertising are subject to the same requirements as the NOHS and must provide the required Federal reporting information in their progress reports to the NOHS.

Federal funds are to be used only for certain specified **advertising** and **public relations** costs. See 2 C.F.R. § 200.421.

The only allowable **advertising** costs are for:

- Recruitment of personnel required for performance of a Federal award;
- Procurement of goods and services for the performance of a Federal award;
- Disposal of scrap or surplus materials acquired in the performance of a Federal award except when reimbursed for disposal costs at a predetermined amount; or
- Program outreach and other specific purposes necessary to meet the requirements of the award.

The only allowable **public relations** costs are for:

- Costs specifically required for the Federal award;
- Costs of communicating with the public and press pertaining to specific activities or accomplishments which result from performance of the Federal award; or
- Costs of conducting general liaison with news media and government public relations officers, to the extent that such activities are limited to communication and liaison necessary to keep the public informed on matters of public concern, such as notices of funding opportunities, financial matters, etc.

The Uniform Guidance *excludes* all other advertising and public relations costs, and *specifically excludes* “costs of **promotional items** and **memorabilia**, including models, gifts, and souvenirs”. See [2 CFR Part 200.421\(e\)\(3\)](#). Federal grant funds are *never* available to cover the costs of **promotional items** and **memorabilia**. The Uniform Guidance has other provisions that may apply to certain items that fall with the above categories. Certain educational items may be subject to the provision on [Conference Costs, Subpart E](#) on Cost Principles of the Uniform Guidance should be consulted to determine if there are any additional provisions that pertain to a particular items or use of that item.

Sports Marketing

When considering communications, public information and paid media expenditures that involve attendance at sporting and entertainment events that charge admission, specific tests must be applied in order to ensure compliance with 2 CFR Part 225, Appendix B.14. Costs of entertainment prior to FY2016 and [2 CFR Part 200.438](#) for FY2016 and forward. This section states that such costs (i.e. tickets to shows or sports events) are unallowable. The tests that should be applied and additional useful guidance has been provided in the [NHTSA Guidelines for Sports Marketing January 22, 2011](#) NOHS must also determine whether any State or local regulations concerning the purchase and acceptance of entertainment-related events may apply.

Section 6 – Procurement of Goods and Services - Contracts

The NOHS shall follow the State and department procurement rules and regulations for the purchase of goods and services for the direct use and benefit of NOHS operations. Questions regarding the procurement rules should be directed to the NOHS Accountant. Such contracts must include the contractor's certifications and assurances required of other contractors.

For FY2016 and forward, all other non-Federal entities, including sub-grantee of a State, will follow [2 CFR Part 200.318-200.326](#). For the procurement standards in 2 CFR Part 200.317-200.326, non-Federal entities may continue to comply with the procurement standards in previous OMB guidance (superseded as described in Part 200.104) for two additional full fiscal years after the Guidance went into effect (December 26, 2014). If a non-Federal entity chooses to use the previous procurement standards for an additional two fiscal years before adopting the new procurement standards, the non-Federal entity must document this decision in their internal procurement policies.

Contractors must follow the procedures outlined in the Guide when purchasing equipment.

State Contracts

- The NOHS will solicit bids through the State's Materiel/Purchasing Division as needed to generate a State contract for equipment and services.
- State contracts may be utilized by local entities.

Section 7 – Food/Beverage Costs

NOHS and Contractor Purchases – Federal Requirements

In addition to the Department restrictions, Federal traffic safety grant regulations only allow the reimbursement of meeting and conference costs including meals, transportation, rental of meeting facilities, and other incidental costs when the training supports objectives of the State's highway safety program. This requirement applies to the NOHS and contractors. Records must be maintained to document that the primary purpose of the meeting was the dissemination of technical information and the persons in attendance.

The NOHS meeting and conference documentation or a sub-grantee's progress report shall include a statement describing the date, location, number and/or names of attendees, the food and beverage items to be purchased, and a description of the meeting purpose. NOHS meeting and conference attendees must sign or initial attendance sheet.

Costs of **alcoholic beverages** are unallowable.

Costs of **entertainment**, including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable.

For additional information, refer to [Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements For Federal Awards](#). For FY2016 and forward [2 CFR Part 200.423 Alcoholic beverages](#) and [2 CFR Part 200.438 Entertainment](#).

NOHS Purchases – State Requirements

The NOHS shall comply with the Department regulations as outlined in the State of Nebraska [State Accounting Manual](#).

Section 8 – Property Management

Federal and State Requirements and Thresholds

Federal requirements regarding the use, management, and disposition of grant-funded equipment are found in 23 CFR §1200.31(e); and specify that the State and their sub-grantees manage and dispose of equipment acquired under 23 USC Chapter 4 in accordance with State laws and procedures.

State laws and procedures pertaining to property management are found in [LINK to Administrative Services](#) which establishes requirements that all departments and agencies must follow regarding the management of State property.

The NOHS staff will ensure compliance with all applicable Federal and Department policies.

Equipment with a useful life of more than one year and an acquisition cost of \$5,000 or more must have prior approval from the NHTSA Regional Office.

Contractor Property Management Systems

Contractors must establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of property furnished to them by the NOHS or purchased through a contract or other agreement in accordance with their own property management procedure provided the procedures are not in conflict with the standards contained in this section or Federal property management standards procedures specified in 49 CFR Part 18.36, prior to FY2016 and [2 CFR Part 200.313 Equipment](#) for FY2016 and forward as appropriate.

Any property purchased, regardless of the unit cost, must be specifically authorized in the Grant Contract Proposal. Equipment and other property acquired under a grant contract for use in highway safety projects shall be used and kept in operation for highway safety purposes.

State Agencies: For Property management standards contact the NOHS.

Local Agencies and Other Non-State Contractors: Standards for property management described in 49 CFR Part 18.32 (c) through (e)) prior to FY 16 and [2 CFR Part 200.313 Equipment](#) for FY2016 and forward will be used in accounting for equipment purchased under an agreement. The applicant agency shall seek disposition instructions from the NOHS prior to disposing of any item of equipment purchased. The contractor may follow their own existing property management standards if they exceed the requirements.

Contractor Property Records Requirements

The contractor property management requirements include, but are not limited to, the maintenance of accurate property records. Such records will include:

- A description of the property
- Manufacturer's serial number, model number, Federal stock number, national stock number, or other identification number
- Inventory number
- Source of funding for the property (including the FAIN-Federal Award Identification Number or grant or agreement number)
- Indication of with whom title is vested (generally vests with the sub-grantee)
- Acquisition date
- Percentage (at the end of the budget year) of Federal participation in the cost
- Location, use, and condition of the property and the date the information was reported
- Unit acquisition cost (total cost from all funding sources)
- Ultimate disposition date in accordance with [2 CFR Part 200.313\(e\)](#) (including date of disposal and sales price or the method used to determine current fair market value).

Contractor Inventory

Contractors will maintain an inventory control system to ensure adequate safeguards to prevent loss, damage, or theft of the property. Contractors will provide a copy of their inventory policies and procedures to the NOHS. Contractors will institute adequate maintenance procedures to keep the property in good condition.

NOHS Equipment Inventory Policy

Each NOHS staff member shall be responsible for implementing the following equipment inventory procedures for each assigned project.

Equipment Inventory Procedures - \$5,000.00 or More

Equipment with a purchase price over \$5,000.00 purchased in whole or in part with Highway Safety funds, regardless of the reimbursement allowance, must receive prior written approval from the NHTSA Regional Office and will be accounted for and depreciated according to useful life expectancy being determined by use.

Equipment purchases of \$5,000.00 or more must receive prior written approval from the NHTSA Regional Office.

Once approval is granted, a copy of the approved letter must be placed in the project file with an additional copy provided to the NOHS Administrator for the Equipment Inventory book.

Upon receipt of the equipment, either by the NOHS or the grantee, an "Equipment Inventory Log" must be completed and placed in the project file with an additional copy provided to the NOHS Administrator for the Equipment Inventory book.

Each NOHS staff member shall be responsible for entering all pertinent information from the "Equipment Inventory Log" into the Master Inventory List - NOHS located on the computers' "SHARED" drive in the "Z:\\" Roads folder.

Each NOHS staff member shall be responsible for ensuring an NOHS inventory tag is placed on all equipment purchases over of \$5,000.00 or more. If the equipment comes into the NOHS, the NOHS staff member shall place the tag on the equipment. If the equipment is sent directly to the contractor, the inventory tag shall be sent to the contractor with instructions to affix the inventory tag to the equipment.

For all equipment purchases of \$5,000.00 of more, the serial number for the item shall be considered the inventory number.

Annually, the NOHS will complete a physical inventory and document the location and condition of the equipment. The contractor will sign off on the document acknowledging completion of the physical inventory process. Physical inventory will be conducted on all equipment purchases over \$5,000.00.

Annually, the NOHS will complete forward a physical inventory request form to each contractor requesting a physical inventory be conducted of equipment purchases of \$5,000.00 or more. Items will be kept on record for five years-

No equipment purchased with Highway Safety funds shall be sold, disposed of, traded, scrapped or relocated without prior approval from the NOHS. No contractor shall dispose of any equipment without written approval from NOHS.

Life Expectancy of Equipment

| | |
|--------------------------------------------------|---------|
| Preliminary Breath Testing Instruments | 4 years |
| Evidentiary Breath Testing Instruments | 5 years |
| In-Car Cameras (digital) | 5 years |
| Speed Measuring Devices – Radar Standard & Laser | 5 years |

Other equipment not listed will be assigned a life expectancy of 5 years unless otherwise designated by the NOHS. Life Expectancy of Equipment

Equipment Inventory Procedures - \$150.00 to \$4,999.99

Each NOHS staff member shall be responsible for ensuring that an NOHS inventory tag is placed on all equipment purchases of \$150.00 to \$4,999.99. If the equipment comes into the NOHS, an NOHS staff member shall place the tag on the equipment. If the equipment is sent directly to the contractor, the inventory tag shall be sent to the contractor with instructions to affix the inventory tag to the equipment.

No equipment purchased with Highway Safety funds shall be sold, disposed of, traded, scrapped or relocated without prior approval from the NOHS. No contractor shall dispose of any equipment without written approval from NOHS. Disposal of the equipment will be according to the applicable State and Federal regulations.

Section 9 – Contractor Travel

Reimbursement for out-of-state travel expenses by contractors requires prior approval by the NOHS Administrator or designee. To request approval for out-of-state travel, a contractor must complete the following:

1. Ensure the grant contract proposal application includes a provision for the travel and there are sufficient funds to cover the cost of the trip.
2. If not included in the original grant contract budget, a request for out-of-state travel must be submitted to the NOHS for approval at least 30 days prior to travel. The request must include the following:
 - The participant’s name
 - Date, description, and location of the training/conference and a copy of the agenda.
 - An itemized breakdown of all expenses associated with the training/conference.
 - A statement why the training/conference is needed and how it will benefit the project.
 - If the training has pass/fail criteria, the participant must successfully complete the course and submit a copy of the course completion certificate to be eligible for reimbursement.
 - The Grant Funded Training/Conference Evaluation Report Form is located on the NOHS website at www.transportation.nebraska.gov/nohs/contract.html. This form must be submitted with the Claim for Reimbursement.

To qualify for approval and reimbursement, the travel must be:

- **Necessary** to assist in the completion of project and program targets and objectives.
- **Specific** to the purpose of the grant (for example, an anti-impaired driving conference for a community alcohol project).
- **Appropriate** to the position and responsibility of the individual or individuals traveling (for example, project director to attend a community project seminar).
- **Of direct benefit** to the State, with such benefit unavailable through other means (for example, travel for a national, one-of-a-kind event).

For travel to be considered for approval, the grant must include the following:

Requirements for Approval of Travel Under a Grant

| Requirement | Explanation |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sufficient Travel Funds | The contract budget should contain funds for travel. A line item for out-of-state travel or specific trips is not required. However, an indication of specific trips is recommended when known at the time of contract negotiations and approval. |
| Sufficient Funds to Cover Registration Fee, if Required | If the conference or out-of-state event requires a registration fee, sufficient funds will need to be budgeted and included in the approved budget. |
| Provisions for Out-of-State Travel | The contract must contain a provision that allows for out-of-state travel upon NOHS approval and requires this approval prior to travel and reimbursement. |

Travel to attend in-state meetings/trainings not included in the approved grant contract requires the contractor to submit a written request for prior approval by the NOHS Administrator or designee.

Contractors are eligible for meals and lodging reimbursement for actual in-state or out-of-state travel costs.

Upon receiving a request for travel in writing, NOHS will send a written response (email or correspondence) approving or denying the trip, with an explanation, to the contractor.

To request travel reimbursement, the contractor must complete/include the following:

- The cost of the travel is reimbursed through the monthly CR.
- A receipt for any registration fee (if registration fee includes certain meals, then these meals should not be claimed again for reimbursement), airfare, lodging, or any other approved costs.
- The Grant Funded Training/Conference Evaluation Report Form is located on the NOHS website at www.transportation.nebraska.gov/nohs/contract.html. This form must be submitted with the Claim for Reimbursement.

Section 10 – Indirect Costs

Indirect costs are those costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned directly to Federal awards and other activities as appropriate, indirect costs are those costs remaining to be allocated to benefited cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost.

Indirect costs are normally charged to Federal awards by the use of an indirect cost rate. A separate indirect cost rate(s) (IDCRs) is usually necessary for each department or agency of the governmental unit claiming indirect costs under Federal awards.

Effective with FY2016, [Uniform Guidance](#) issued by the Office of Management and Budget (OMB) became effective for NHTSA funded highway safety grants. Several prior OMB circulars were consolidated into the Uniform Guidance. **The following information on IDCRs applies to FY2016 grants.** For information regarding the requirements for grants prior to FY2016, reference should be made to 2 CFR Part 225, [Appendix VIII Part 200](#) (Non Profits) and [Appendix III Part 220 "Cost Principles for Institutions of Higher Education"](#) (Educational Institutions). Contact NOHS for additional information.

Section 11 – Program Income

Most traffic safety contracts are intended to provide financial start-up for projects so they can become self-sustaining. Some projects conduct activities that generate income to cover present and future costs. When contractors earn money for their services or products, they may be earning what is defined in the Federal regulations as “program income”. Income earned by the contractor with respect to the conduct of the grant (e.g. sale of publications, registration fees, service charges, etc.) must be accounted for fully and applied to project purposes or used to reduce costs.

As defined in [23 CFR, Part 1200.24](#), program income means gross income earned by the contractor directly generated by a program supported activity or earned only as a result of the grant agreement during the period of time between the effective date and the expiration date of the grant award. Such earnings may include but are not limited to:

- Income from fees for service performed.
- Sale of commodities or items fabricated under the grant.
- Usage or rental fees from real or personal property (equipment) acquired with grant funds.
- Payment of principal and interest on loans made with grant funds.

NOHS must approve a contractor’s request to earn program income. There must be an indication in the NOHS HSPP project description that the grant will generate program income and the total income earned must be reported by the Contractor in the Annual Report (AR). There also must be a clause in the contract which states the grant will earn program income and the contractor will spend the monies to fulfill the objectives of the program area under which it was generated. Recommended language for grants generating “program income” is as follows:

- All program income earned during the grant period shall be retained by the contractor and, in accordance with the grant or other agreement, shall be added to Federal funds committed to the project and be used to further eligible program objectives.
- Program income unexpended after the grant ends, shall continue to be committed to the original grant objectives.

Contractors must record the receipt of program income as a part of the grant project transactions in accordance with the grant agreement. Program income should be recorded on the CR and submitted monthly.

Contractors must also record and report the expenditure and disbursement of program income revenues as a part of the grant transactions in accordance with the grant agreement. Program income expenditures must be recorded on the CR.

For projects that **accumulate** program income, each claim form must contain information entitled Program Income. The following information must be included:

- The amount of program income earned in this period (supported by an entry on the form for reporting program income received).
- The previously accumulated program income by cost category where it was expended (supported by previous entries on the form for reporting program income received).
- The amount of program income previously expended.
- The amount of program income expended in the current period (supported by entries reporting program income disbursed).
- Any remaining program income balance.

Donations (monetary or in-kind) are considered program income if the contractor receives funds directly generated by a grant supported activity or earned as a result of the grant agreement during the relevant time period.

Section 12 – Supplanting

The replacement of routine and/or existing State or local expenditures with the use of Federal grant funds for the cost of activities that constitute general expenses required to carry out the overall responsibility of a State or local agency or federally recognized Indian tribal governments is considered to be supplanting and is **not** allowable. Refer to: [NHTSA Highway Safety Grant Funding Guidance, Part IV, D](#), Program Administration.

The sub-grantee shall not use grant funds to supplant State or Local funds or other resources that would otherwise have been made available for the grant program.

Contractor Employees: If a position created by a grant is filled from within the contractor's agency, the vacancy created by this action must be filled within 60 days. If the vacancy is not filled within 60 days, the contractor must cease charging the grant for the new position. Upon filling the vacancy, the contractor may resume charging the grant for the grant position. The Financial Officer and the Authorizing Official for a contractor may not be funded under a grant.

Section 13 – Project File Maintenance and Organization

Sound fiscal and program management of the NOHS traffic safety program can be verified through the development and maintenance of complete, accurate and accessible files. The NOHS must establish a physical project file for every grant. The contents of the file record will vary depending on the type of agreement. The file of record will include any or all of the following:

- Signed Grant Contract Proposal Application/Grant Contract Award
- Grant Contract Proposal Application Review Form
- Original Signed Agreements and any Amendments
- Documents Referenced in the Agreement (Official Resolutions or Proclamations of Local Governing Bodies, Letter Indicating the Delegation of Signature Authority for Various Project Related Reports, etc.)
- Correspondence (including Emails)
- CR with All Supporting Documentation
- Monthly Reports with All Supporting Documentation
- Monitoring Reports
- Pre-approvals
- Equipment Inventory Forms
- Data Collection and Trainings Conducted
- Other Supporting Documentation
 - Pre-Award Risk Assessment (Pocket Folder in front of Project files.)

Public access: All file information is a matter of public record except any documents or information that may contain personal information is protected under federal or state privacy act laws. However, proper file management precludes public access to the files, which may include information of a sensitive nature such as personnel salaries, budget information, and internal correspondence. Access to the file of record will therefore generally be limited to those governmental officials with responsibility for the submission, operation, and close-out of the projects.

File retention: All contract and contract agreement records must be retained for three years from the date of final payment, until completion of audits, or until pending litigation has been fully resolved, whichever occurs last. The term "records" includes: all books, documents, papers, accounting records, and other evidence pertaining to costs incurred and work performed.

The NOHS Project Manager is responsible for maintenance of the grant filing system in compliance with this policy. Files should be reconciled annually after the fiscal year close out to assure all required documents are in place. The contents of the file will vary depending on the type of contract but it will be set up in accordance with the following NOHS guidelines:

External Contract Project Files

| | |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Left Inside Cover (Top to Bottom) | <ul style="list-style-type: none"> • Grant Contract Award • Grant Contract Proposal Application (Revised/Final Version) • State Purchasing Contracts • Grant Contract Proposal Application Review Forms |
| First Right Inside Divider | <ul style="list-style-type: none"> • Claim for Reimbursement (Recent on top, with all supporting documents stapled to the CR)(Label the tab CR) • Internal Contract Expenditure spreadsheet on top of the CR |
| First Left Inside Divider | <ul style="list-style-type: none"> • Highway Safety Monitoring/On-site Monitoring Reports and Contractor's Monthly Reports (Stapled together – Monitoring Report on top)(Recent on Top)(Label the tab Monitoring Reports) • Annual Report (On top of all Monitoring Reports) |
| Second Right Inside Divider | <ul style="list-style-type: none"> • To be used for overflow of CR or Monitoring Reports (do not combine)-(Use pocket file if too big for divider) Pending Invoices |

| | |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Second Left Inside Divider | <ul style="list-style-type: none"> Miscellaneous – surveys, newsletters, etc. (Recent on Top)(Label the tab Miscellaneous) |
| Right Inside Back Cover | <ul style="list-style-type: none"> Correspondence to and from Contractor, including emails. (Recent on Top) (Label the tab Correspondence) (Staple inquiry and response together) |

Internal Contract Project Files/Multiple Mini-Grant Contracts

| | |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Left Inside Cover (Top to Bottom) | <ul style="list-style-type: none"> Internal Contract Award Grant Contract Proposal State Purchasing Contracts |
| First Right Inside Divider | <ul style="list-style-type: none"> Claim for Reimbursement (Recent on top, with all supporting documents stapled to the CR)(Label the tab CR) Internal Contract Expenditure spreadsheet on top of the CR |
| First Left Inside Divider | <ul style="list-style-type: none"> Highway Safety Monitoring Reports. (Recent on Top)(Label the tab Monitoring Reports) Annual Report (On top of Monitoring Reports) |
| Second Right Inside Divider | <ul style="list-style-type: none"> To be determined by the Project Manager. Be consistent with all of your internal files and clearly label the tabs to reflect the contents. |
| Second Left Inside Divider | <ul style="list-style-type: none"> To be determined by the Project Manager. Be consistent with all of your internal files and clearly label the tabs to reflect the contents. |
| Right Inside Back Cover | <ul style="list-style-type: none"> To be determined by the Project Manager. Be consistent with all of your internal files and clearly label the tabs to reflect the contents. |

* Note: All Drug Free Workplace Policies and Safety Belt Policies are filed in the corresponding notebook by the Staff Assistant.

All Pre-Award Risk Assessments for projects requiring an assessment will be filed in pocket folder ahead of the first project grant file in cabinet.

Section 14 - Monitoring

Purpose

According to 49 CFR Part 18.40, prior to FY2016 and to [2 CFR Part 200.328\(a\)](#) for FY2016 and forward NOHS is responsible for managing the day-to-day operations of contract supported activities. The NOHS must monitor contract supported activities to assure compliance with applicable Federal requirements and that grant objectives and performance targets are being achieved. Monitoring must cover each program, function or activity.

Monitoring is done to maintain control of a project, detect problems, identify changes or training needs, provide data for planning, and evaluate and create an opportunity for NOHS to provide technical assistance when needed. It also is a way to encourage accountability on behalf of the contractor. Monitoring requires forms to be completed for documentation and maintained in the file.

The outcome of the 2 CFR Part 200.331(b) required pre-award risk assessment for each contractor must be used for purposes of determining the appropriate sub-grantee monitoring. Depending upon the pass-through entity's assessment of risk posed by the sub-grantee, the following monitoring tools may be useful to ensure proper accountability and compliance with program requirements and achievement of performance targets:

1. Providing contractors with training and technical assistance on program-related matters; and
2. Performing on-site reviews of the contractor's program operations;
3. Arranging for agreed-upon-procedures engagements as described in Part 200.425 Audit services.

Pass-through entity monitoring of the contractor must include:

1. Reviewing financial and performance reports required by the pass-through entity.
2. Following-up and ensuring that the contractor takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the contractor from the pass-through entity detected through audits, on-site monitoring, and other means.
3. Issuing a management decision for audit findings pertaining to the Federal award provided to the contractors from the pass-through entity as required by [2 CFR Part 200.521](#) Management decision.

Types of Monitoring

NOHS will utilize the following types of monitoring:

- Ongoing contact with the contractor through phone calls, meetings, email, and correspondence.
- On-site monitoring reviews of project operations, management, and financial systems
- Monthly review of activity reports and approval of CR.

Ongoing Monitoring

Ongoing monitoring occurs every time the Project Manager holds a discussion or communicates with a contractor through phone calls, meetings, email or correspondence.

- **Frequency:** Ongoing monitoring can occur daily, weekly, or monthly. Weekly phone calls may be appropriate if there are problems. Monthly status meetings might be needed for complex projects. Some form of ongoing monitoring shall be conducted by the Project Manager with each contractor in their program area at least monthly. The NOHS Administrator shall ensure all required on-going monitoring activity is completed by the Project Manager within the Federal fiscal year in compliance with NOHS policy.
- **Problems:** If problems are identified, the situation could require a meeting between the contractor and the Project Manager or even the scheduling of an on-site monitoring visit. The determination of the appropriate action to be taken should be made by the NOHS Administrator

and the NOHS Project Manager. Any additional monitoring requirements will be documented in the project file.

- **Approach:** The Project Manager will rely on regular correspondence and the annual on-site visit to handle routine project issues. The contractor's project director should monitor work under the agreement with sufficient frequency to be sure the work is progressing according to the plan and to quickly identify any major problems or variances from the plan. Careful monitoring of work is the best method of assuring compliance with the grant and preventing disputes.
- **Items:** Any item related to the progress and management of the contract should be covered in ongoing monitoring. Although usually limited to the progress of activities, ongoing monitoring should also cover budget issues, problems encountered, procurement procedures, projected changes, etc.
- **Participants:** Ongoing monitoring can involve any contract personnel with management or oversight responsibility for the project. In addition to the Project Director, this may include a financial officer and any other key project personnel.
- **Procedures:** The Project manager will routinely set aside time to call or meet with sub-grantee personnel. The Project Manager should make a list of issues or questions to cover prior to the contact. The Project Manager should ensure that all issues are covered or that a deadline has been agreed upon to resolve any issues. Routine meetings will be specified in the grant contract as necessary.
- **Documentation:** Copies of all correspondence are to be kept in the NOHS project file. A note to the file should be provided to document all meetings and significant discussions. This documentation becomes essential during the course of the project in case of changes in the project activities, budget, or personnel. The documentation is also extremely important at the end of the project as it is used to evaluate grant and contractor performance.

Monthly Monitoring

Monthly monitoring occurs when the Project Manager reviews the contractor's monthly activity report and monthly CR. During these reviews the Project Manager should:

Claim for Reimbursement (CR)

- Verify the "Previous Months" and "Total to Date" against the previous CR. Resolve any discrepancies.
- Review the CR to ensure all required signatures have been obtained from the contractor.
- Review all current month expenditures and supporting documentation to ensure expenses are eligible reimbursable expenses supported with the necessary documentation.
- Review any program income.
- Determine the Federal Reimbursement Percent (i.e. 100%, 75%, or 50%).
- The Project Manager should address and resolve any problems or discrepancies with the contractor prior to submitting the CR. These communications must be documented in the project file.
- The Project Manager initial's and dates in the designated area approving the reimbursement request and follows the process outlined in Chapter 6, Section 1.
- Project Manager files a copy in the project file until the original CR and supporting documents are processed and returned by the NOHS Accountant.

Activity Reports

- The Project Manager reviews the contractor's monthly activity report to determine the progress of the project.
- All activities should support the strategies and objectives in the Contract Proposal.

- The Project Manager should address and resolve any problems regarding the scope of activity with the contractor. These communications must be documented in the project file.

After conducting the monthly review of the contractor's CR and activity report, the Project Manager will complete an NOHS Monthly Monitoring Report reflecting the contractor's activities and expenditures. The NOHS Monthly Monitoring Report should address each objective outlined in the contract proposal. The monthly activity should support these objectives.

On-Site Monitoring

Calls, letters, and occasional meetings are generally not sufficient to adequately monitor a project, particularly those that are more complex. The Project Manager will need to go on-site to review project status, documents, contractor management, and financial systems annually. This type of in-depth review is called "on-site monitoring" because the Project Manager must actually go to the location of the project and the offices of the contractor to conduct this monitoring. The need for on-site monitoring may be identified during ongoing monitoring activity. (See Appendix E. On-Site Monitoring Form).

Frequency: The Project Manager shall conduct at least one on-site monitoring visit per year for contractors meeting the following criteria:

- Total cost of the contract exceeds \$50,000.
- Contracts include reimbursement of salaries.
- Contractor has identified a new project director.
- Contractor has a past history of poor performance.
- A recent ongoing monitoring identified a potential problem.

Items to Review: An on-site monitoring review includes an examination of all issues related to the effective and efficient operation of the project. The following, though not all-inclusive, are the most important items to review:

- Progress toward achievement of objectives and performance targets.
- Adherence to strategies and action plan.
- Resources are consistent with agency mission.
- Programs and resources are protected from waste, fraud and mismanagement.
- Laws and regulations are followed.
- Reliable and timely information is obtained, maintained, reported and used for decision making.
- Status of budget.
- Accounting records.
- Personnel records and time sheets.
- Any necessary pre-approvals (such as, equipment or out-of-state travel).
- Supporting documentation (signature authority letter, verification of costs, invoices, subcontracts, etc.).
- Equipment purchased or leased as part of the project (i.e., inventory purchased for the project) to ensure that it is being used for the purpose for which it was bought or leased under the contract agreement.

Advance Preparation: Prior to the on-site monitoring, the Project Manager should:

- Plan each site visit well in advance (preferably three to four weeks).
- Carefully review the contract agreement to determine which activities in the action plan should have been accomplished by the site monitoring date.
- Note any special terms or conditions that need monitoring.
- Review all correspondence, performance reports, and requests for CR submitted prior to the visit.
- Set appointments with the contractor's project staff.
- Provide to the contractor a list of the types of documents to be reviewed (i.e., time sheets, invoices, and forms).
- Note items requiring follow-up from previous monitoring visits or ongoing monitoring.

- Review of Source Documents: The Project Manager will review documents and evidence of task completion depending upon the activities to be conducted and the types of costs involved in the project. Examples of source documents to be included are shown in the following table:

Source Documents Reviewed During On-Site Monitoring

| Document Type | Notes |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Time Sheets | Time sheets, pay records, payroll registers, and possibly personnel records (salary rate) must be reviewed to determine salary and wage costs are fully supported. Time sheets must account for 100 percent of time regardless of the amount charged to a grant. If only a percent of time is to be reimbursed, then the prorated amount must be correct. |
| Fringe Benefits | If reimbursable, fringe benefits (such as health insurance, pension plan, etc.) must correspond to the amount or percent eligible. |
| Travel Costs | Only travel directly associated with the grant may be reimbursed. This might include; for example, travel to meetings called by the NOHS. |
| Claims and Payments | Only those costs in the approved budget may be reimbursed. Any discounts must be credited; the discounted amount would be reimbursable. Any payments must be directly attributable to the grant costs. |

In the case of a high volume of documents, a sampling methodology may be used either randomly or selectively (such as, every fifth voucher or every other time sheet). The purpose of the financial document review is to ensure costs claimed reconcile to the documentation.

Payment of overtime, especially in law enforcement grants, requires special attention by the NOHS during monitoring. The contractor's processes and procedures for scheduling, approval, tracking, accounting and supervision of overtime should be examined to ensure that there are in place adequate checks, balances and safeguards to validate all claims. See Section 3. Fraud Prevention.

- Review of Project Status: The Project Manager will review the status of project activities. Examples of evidence of progress towards task completion might include:
 - Attendance rosters for training projects or events.
 - Citations and warnings for enforcement projects.
 - Newspaper clippings of events for public information activities.
 - Analyses and reports for data or problem identification projects.
 - Survey or questionnaire results.
 - Personnel training records.
- Review of Budget Requirements: The Project Manager will review the records for adherence to the budget requirements including, but not limited to, determining whether:
 - Expenditures are on schedule.
 - Costs are in the approved budget or any subsequent amendment.
 - Any necessary prior approvals for travel, equipment purchases, or changes have been obtained.
 - Appropriate procedures have been followed for all expenditures.
 - Appropriate supporting documentation is available and filed.
 - Reimbursements are up to date.
- Direct Observations: Although not required, on-site monitoring may also include direct observation of activities performed. These might include attendance or participation in a:
 - Meeting, workshop, or training course.
 - Press conference or other media event.
 - Presentation to a school, organization, or civic club.
 - Task force or committee meeting.

- Shift of overtime enforcement.
- Documentation: The Project Manager will complete the required on-site NOHS monitoring record form. The Project Manager will sign the form according to the instructions provided and attach copies of all appropriate records and other documents reviewed during the visit. The checklist, with attachments, will be placed in the contractor file at NOHS.
- Contractor Notification-Compliance: If no corrective action is necessary, the contractor shall be notified of the results of the on-site monitoring by letter. The contractor may receive a copy of the Monitoring Form upon request.
- Contractor Notification-Noncompliance: If corrective action is needed, reference should be made to Section 14. Resolution of Monitoring Findings. The determination of the appropriate action will be made by the Project Manager and the NOHS Administrator. Any additional monitoring requirements will be documented in the project file.

On-Site Monitoring Warning Signs

| | |
|--------------------------|------------------------------------------------------------|
| Late project start | Frequent personnel changes |
| Low activity level | Revisions to the grant |
| Slow expenditure rate | No records or inconclusive records |
| Late reports | Evasive answers |
| Low morale/poor attitude | Submission of questionable claims or back-up documentation |
| Incorrect claims | Failure to obtain required NOHS approvals |

Section 15 – Resolution of Monitoring Findings

Minor Findings

The Project Manager shall notify the contractor's project director in writing upon any initial indication of minor discrepancies or errors in reporting, project implementation, or accounting. Examples of minor discrepancies include:

- Delays in activities that will not adversely affect the timely completion of the grant.
- Typographical errors in an invoice that would not affect the amount reimbursed.

A written notification of any finding must include the following information:

- A detailed description of the finding.
- A description of any actions or options the contractor may make in response to the finding.
- A date by which the contractor should implement the recommended action or advise NOHS of a proposed alternative or both. Under most circumstances, this date should be no more than 30 days after written notification by the NOHS.

Copies of this correspondence, including copies of email exchanges, are to be included in the project file.

Repeated Incidence/More Serious Findings

Upon a repeated incidence of a minor finding or a more serious error or discrepancy, the Project Manager will request through the NOHS Administrator that a written warning be sent to the contractor. Examples of more serious errors or discrepancies include:

- Untimely submission or omission of required reports or invoices including required supporting documentation.
- Invoice for an unallowable or unapproved item.
- Typographical or mathematical error that affects the amount of reimbursement.
- Actions taken without prior approval when the grant stipulated prior approval.
- Significant delay in achievement of objectives and performance targets.

In addition to the information required for a minor finding or first notification, the letter may include any potential ramifications or imposed requirements. These remedies might include temporary delays in reimbursement, modification of the contract including the reduction of funding, or cancellation of the contract.

Significant Findings Requiring Immediate Action

In the event there are serious problems or issues identified, the Project Manager will immediately notify the NOHS Administrator to determine appropriate course of action. If serious financial problems or fraud are identified, the NOHS may request a full audit be completed by an outside auditor before taking further action. Consideration should also be given to notifying the Regional Administrator.

Significant findings are to be addressed immediately with a written notice to the contractor with the NOHS Administrator approval and signature. Significant findings include, for example:

- Work not being performed as written in the contract.
- Delays that are likely to significantly impact the successful implementation of the contract.
- Indication of fraud or other illegal activity associated with management or implementation of a project.
- Continuing delays or omissions in the submission of required documents.
- Consistent failure to abide by a provision in the contract.

Resolution of Repeated, More Serious and Significant Findings

Immediate actions to correct the problem will be negotiated by the NOHS Administrator and the contractor and implemented by the contractor. The contractor will be required to submit a Corrective Action Plan (CAP) to NOHS which details how and when the identified deficiencies will be addressed and will be signed as appropriate by the parties involved. A date for an on-site follow-up review will be established and corrective action will be monitored by NOHS for compliance.

In addition, the following statement may be included in the CAP:

"NOHS has determined the contractor is 'On Notice' during Federal fiscal year (XXXX) due to the following reasons: (list applicable reason). Your agency is informed if similar failures to meet the contract requirements occur in the current fiscal year, NOHS may modify the agreement including the withholding of contract reimbursement, suspension of all or part of the contract, or cancellation of the contract as provided by [2 CFR Part 200.338](#). NOHS will work with your agency wherever possible to assist your agency in fulfilling the requirements of the contract."

If the problems or issues cannot or have not been resolved, the following actions may be imposed by NOHS consistent with [2 CFR Part 200.338](#) as described in [2 CFR Part 207](#):

1. Withhold contract reimbursement – Requires the NOHS Administrator to provide written notice to the contractor's Project Director detailing the specific problems or issues, the action required to correct the situation, and applicable penalty for failure to make the correction(s).
2. Suspension of contract or part of contract – Requires the NOHS Administrator to provide written notice to the contractor's Project Director at least ten days before effective date of suspension and should include the part or activity in the grant which is being suspended and the action to be taken by the contractor to remove the suspension.
3. Cancellation of contract – (A last-resort action to be used only when a contractor or any recipient of Federal funds under the grant fails to fulfill the terms and conditions of the contract in a timely and proper manner, refuses to abide by specific terms or conditions, or violates the terms of a Contract Agreement.) Requires the NOHS Administrator to provide written notice to the contractor's Project Director at least 30 days before effective date of cancellation and shall include:
 - a. Effective date of the contract cancellation.
 - b. Specific terms and/or conditions violated.
 - c. Requirement to forward to the NOHS all contract-related materials, whether or not completed.
4. Debarment - The enforcement remedies, including suspension and termination, do not preclude the contractor from being subject to "Debarment and Suspension" under E.O. 12549 [Executive Order 12549 - Debarment and Suspension](#).
5. Withhold further awards for the program, or, take other remedies that may be legally available.

In taking an enforcement action, the NOHS will provide the contractor an opportunity for such hearing, appeal, or other administrative proceeding to which the contractor is entitled under any statute or regulation applicable to the action involved. See [2 CFR Part 341](#).

The contractor is entitled to receive reasonable and equitable reimbursement for work satisfactorily completed. Equipment purchased with grant funds shall revert to the NOHS for disposition.

Copies of any action involving suspension or cancellation will also be forwarded to the Regional Administrator of the NHTSA Regional Office.

Removal of "On Notice" Status

A contractor designated as "On Notice" will remain as such until NOHS has determined through a review that all deficiencies have been corrected. If all deficiencies are found by NOHS to have been corrected, the contractor will be removed from "On Notice" status at the beginning of the next fiscal year. If one or more of the initial reasons for designating the contractor as an "On Notice" is found to still exist any time during the fiscal year, the contractor will remain as an "On Notice". If a contractor is designated as an "On Notice" for a duration of six months or more during the fiscal year, NOHS will automatically place any requests by the contractor for funding in the next fiscal year within the "not to be funded" category.

Section 16 – Processing Mini-Grant Contract Application and Awards

Mini-Grant Log-In Process

The NOHS Staff Assistant or NOHS Staff member date stamps all incoming Mini-Grant Contract Application and Awards (Mini-Grant) and logs on the appropriate "FY xx Mini-Grant Log" located in the "shared on 'dorimage\traffic\nohs' (Z:)". The Mini-Grant is then distributed to the appropriate Project Manager.

Review Process

Upon receipt of the Mini-Grant the Project Manager reviews to determine a funding recommendation. If funding is recommended the Project Manager assigns a "Mini-Grant Number" to that specific Mini-Grant.

Pre-Award Risk Assessment

Review the Mini-Grant Contract Application and Award for completeness.

- Go to the SHARED drive and open the Pre-Award Risk Assessment folder.
- Open the FY16 Pre-Award Risk Assessment Log to determine if the Contractor has had a Pre-Award Risk Assessment completed in FY16.
 - If the Contract Applicant/Contractor is not listed on the FY16 Pre-Award Risk Assessment Log, add them to the log in alphabetical order.
- If a Pre-Award Risk Assessment has already been completed for that Contractor, simply check the "RA" box in the "To Be Completed By NOHS" Section on the mini-grant form to document their risk has been assessed.
- If a Pre-Award Risk Assessment has not been completed, open up the NOHS Pre-Award Risk Assessment Form and complete the document with the exception of #2 which will need to be completed by the Accountant.
 - If the necessary information for #2 is already included on the FY16 Pre-Award Risk Assessment Log, transfer that information to the form. If the information for #2 is not on the log, send an email to the NOHS Accountant requesting the information so that you may complete the form.
 - The Accountant will provide the information by inputting the information into the log on the SHARED drive and advising you by email when it has been completed, so you may complete the form.
- After completing the Pre-Award Risk Assessment Form, print it and give it to the NOHS Supervisor.
- When the NOHS Supervisor and NOHS Administrator approve the document they will initial and date the document.
- The NOHS Supervisor will then advise the staff member who completed that assessment that it has been approved.
- At that time you will check the "RA" box in the "To Be Completed By NOHS" Section on the mini-grant form to document their risk has been assessed.
- The NOHS Supervisor will be responsible for adding the Pre-Award Risk Assessments to the log on the SHARED drive and filing the document in alphabetical order in a pocket folder located in the front of the first file of the appropriate federal fiscal year.

Mini-Grant Number

Upon completion and approval of the Pre-Risk Assessment, the Project Manager shall create a "Mini-Grant Numbering Log" for each project they are assigned that includes mini-grants. The Mini-Grant Log number shall be four groups of numbers, divided by hyphens with the following designations: The first number represents the funding source (402, 405b, 405c, 405d, 405f), the second number represents the fiscal year (16, 17, 18), the third number represents the project number (10, 12, 25, 33, 34, etc.), and the fourth number represents the sequential number assigned to that specific mini-grant (1, 2, 3, 11, 25,

108, etc.). (Sample Mini-Grant Number - 402-16-33-75.) The Mini-Grant number shall be recorded on the lower portion of the Mini-Grant under the block titled "Project No."

Denied Mini-Grants

If it is determined that the Mini-Grant will not be funded the Project Manager shall prepare the appropriate denial correspondence to the applicant and file a copy of the correspondence along with the Mini-Grant in the appropriate project file. The Project Manager shall record the word "Denied" along with the date on the "FYxx Mini-Grant Log" on the "shared on `dorimage\traffic\nohs' (Z:)"

Award Process

Upon determining that the Mini-Grant will be awarded, the Project Manager shall complete the lower portion of the Mini-Grant under the "TO BE COMPLETED BY NOHS" except for the Contract Approval date. The Project Manager shall scan the Mini-Grant document to the NOHS Staff Assistant, who will forward to the NOHS Administrator who will seek approval from NDOR. After all approvals have been obtained the NOHS Administrator will forward a copy of the scanned document back to the Project Manager. The Project Manager shall print a copy of the scanned document which contains the initials and date of the NDOR approval and attach to the original Mini-Grant document.

The Project Manager will then complete the award process and prepare correspondence awarding the funds for the NOHS Administrator's signature. The "Contract Approval Date" shall be completed on the lower portion of the Mini-Grant. After the NOHS Administrator has signed the Correspondence and the Mini-Grant, the Project Manager shall make the necessary copies, mail the original correspondence letter and a copy of the Mini-Grant to the applicant along with any necessary attachments. The original Mini-Grant and a copy of the correspondence shall be placed in the project file after the Project Manager records the mini-grant number, amount of the award and the date of the award on the "FY xx Mini-Grant Log" located in the "shared on `dorimage\traffic\nohs' (Z:)"

One additional copy of the signed mini-grant will be made by the project manager and provided to the staff assistant to scan in compliance with LB429 (Taxpayer Transparency Act).

Chapter 6

Fiscal Procedures

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Section 1 – Processing External/Internal Contract Payments and Federal Reimbursement Vouchers Procedures

NOHS External/Internal Contract Payment Review Process

The NOHS Project Manager reviews external/internal contract payments submitted by contractors for reimbursement of grant-related expenses. The NOHS Project Manager conducts a financial review of the expense claim and upon finding it accurate and appropriate submits the claim to the NOHS Supervisor and Administrator for review, approval and signature.

Upon NOHS Supervisor and Administrator approval, the expense claim is forwarded to the NOHS Accountant for payment.

The NOHS Accountant reviews the expense claim for compliance and performs required accounting actions within the NDOR Payment System (RPS) to assist with contractor payments. The NOHS Accountant utilizes a similar process for payments of invoices for NOHS internal contracts.

The following three (3) tables explain the steps involved in the review and processing of the following NOHS processes:

1. NOHS External Grant Contract Claim for Reimbursement (CR).
2. NOHS Mini-Grant Contract Claim for Reimbursement (MCR).
3. NOHS Internal Payment process.
4. GTS Reimbursement Voucher process.

The tables are followed by information regarding the NOHS Accountant’s additional responsibilities.

Note 1: It is imperative that NOHS assign a high priority to processing claims in order for reimbursements/payments to be made in a timely manner.

Note 2: Claims will not be approved for payment unless all required documentation and a progress report has been received from the contractor for the corresponding time period.

Note 3: Final claims will not be approved for payment without the receipt of the Annual Report by NOHS.

NOHS External Grant Contract Claim for Reimbursement Process

| Responsible Party | Action |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NOHS Staff | <ul style="list-style-type: none"> • All External Grant Contract Claims for Reimbursement (CR) are due to the NOHS on a monthly basis. • A NOHS staff member date stamps all incoming CRs and distributes CRs to the Accountant. • The NOHS Accountant reviews each CR for a NOHS CR Project Director and Authorized Official signatures, accuracy, and compliance. • The CR is imprinted at the right, top corner with the NDOR Doc stamp. • The contractor’s NIS AB# is added to the CR. • The CR is entered into the account payables log, and distributed to the Project Manager (PM) responsible for review and approval. • After the PM reviews, and approves the CR, it is routed to the NOHS Supervisor and Administrator for review and approval. • The NOHS Administrator notes the local benefit percentage. • After all NOHS approvals, the CR is returned to the NOHS Accountant for payment. • The CR is reviewed, coded, entered into the RPS, and assigned a NDOR document number by the NOHS Accountant. • The entered claim is forwarded to the NOHS Supervisor for review, RPS data entry verification, and returned to the NOHS Accountant. • The NOHS Accountant enters the NOHS and RPS information into the Accounts |

| | |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>Payable Log.</p> <ul style="list-style-type: none"> • The NOHS Accountant makes three copies of the approved CR; <ol style="list-style-type: none"> 1) The original CR is highlighted per NDOR policies and procedures and sent to NDOR Controller. 2) One copy of the CR is attached to the remaining original CR documentation and returned to the Project Manager. 3) The additional two CR copies are filed in the "Pending Account Payables" folder. • At least weekly, the NOHS Accountant reviews the RPS for CR payments. • Once paid, the RPS payment details are entered onto the two CR copies. • One CR copy is filed in the NOHS Accountant's monthly billing folder and then returned to the NOHS Project Manager with the monthly financial reports to be filed in the project's file. • The second CR copy is filed in the NOHS Accountant's account payables files by federal fiscal year, alphabetically by contractor, and by project number. |
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NOHS Mini-Grant Contract Claim for Reimbursement Payment Process

| Responsible Party | Action |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NOHS Staff and NOHS Accountant | <ul style="list-style-type: none"> • A NOHS staff member date stamps all incoming internal Mini-Grant Contract Claim for Reimbursements (MCR), invoices, contract payments, etc. and distributes to the NOHS Accountant. • The NOHS Accountant reviews each MCR for a NOHS MCR coversheet, Authorized Official's signature, accuracy, and compliance. • The MCR is imprinted at the right, top corner with the NDOR Doc stamp. • The contractor's NIS AB# is located and listed on the MCR. • The MCR is entered into the account payables log and distributed to the Project Manager (PM) for review and approval. • After the PM reviews and approves the MCR, the PM retains a copy of the MCR and files in the project's file. • The original is routed to the NOHS Supervisor and Administrator for review and approval. * See page 6-2. • After all approvals, all MCR's are returned to the Accountant. • The MCR is reviewed, support documentation is verified, and the payment is coded, entered into the RPS, and assigned a NDOR Doc number. • The entered MCR claim is forwarded to the NOHS Supervisor for review and RPS data entry verification. • Upon NOHS Supervisor approval; the MCR is returned to the NOHS Accountant, the account payables log is updated, one copy of the MCR is made, the original MCR is highlighted per NDOR policies and procedures and sent to NDOR Controller, the copy is attached to any remaining support documentation and the copy is filed in the "Pending Account Payables" folder. • At least weekly, the NOHS Accountant reviews the RPS for payment status. • Once paid, the payment details are entered onto the MCR, into the account payable log, and into the mini-grant log. • The copy is filed in the NOHS Accountant's account payable files by federal fiscal year, alphabetically by contractor and project number. |

NOHS Internal Contract Payment Process

| Responsible Party | Action |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NOHS Staff and NOHS Accountant | <ul style="list-style-type: none"> • A NOHS staff member date stamps all incoming internal, invoices, contract payments, etc. and distributes to the NOHS Accountant. • The NOHS Accountant reviews each internal payment request for an Authorized Official's signature (if applicable), accuracy, compliance and the required additional support documentation. • The internal payment is imprinted at the right, top corner with the NDOR Doc stamp, the NDOR coding stamp, and the NOHS project stamp. • The contractor's NIS AB# is located and listed on the internal payment. • The internal payment is entered into the account payables log and distributed to the Project Manager (PM) for review and approval. • After the PM reviews and approves the internal payment, the PM retains a copy of the internal payment and files in the project's file. • The original is routed to the NOHS Supervisor and Administrator for review and approval. * See page 6-2. • After all approvals, all internal payments are returned to the NOHS Accountant. • The internal payment is reviewed, support documentation is verified, and the payment is coded, entered into the RPS, and assigned a NDOR Doc number. • The entered internal payment is forwarded to the NOHS Supervisor for review and RPS data entry verification. • Upon NOHS Supervisor approval; the internal payment is returned to the NOHS Accountant, the account payables log is updated, one copy of the internal payment is made, the original internal payment is highlighted per NDOR policies and procedures and sent to NDOR Controller, the copy is attached to any remaining support documentation and the copy is filed in the "Pending Account Payables" folder. • At least weekly, the NOHS Accountant reviews the RPS for payment status. • Once paid, the payment details are entered onto the internal payment, into the account payable log, and if necessary into the contract payment log. • The copy is filed in the NOHS Accountant's account payable files by federal fiscal year, alphabetically by contractor and project number. |

NOHS Monthly Claim and GTS Process

| Responsible Party | Action |
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| NOHS Accountant | <ul style="list-style-type: none"> • At the beginning of each month, the Accountant receives the following from NDOR Controller: • A NDOR Official Billing (OB). • At the beginning of the month, the NOHS Accountant runs the following reports via NDOR Crystal Portal: <ul style="list-style-type: none"> • A NDOR NOHS Monthly General Ledger (GL) • A NDOR NOHS Monthly Project Status Report (PSR) • At the beginning of each month, the DMV Controller forwards NOHS agency match reports from DMV which are saved and printed for reporting purposes. • The OB is reconciled against the GL by the Accountant for accuracy and completeness and additional required support documentation. • All GL transactions are compared to the NOHS Account Payables log for local benefit amount. • The GL transactions are verified against the NOHS Account Payables log and if necessary added to the NOHS Account Payables log. • The NOHS Accountant matches each project's monthly OB amount to the corresponding grant project number listed on the NOHS monthly NDOR Deposit Log. • The NDOR Deposit Log total is reconciled against the NDOR OB, saved, printed, and forwarded to the NOHS Supervisor for approval. • The NOHS Accountant matches each project's monthly GL amount to the corresponding grant project number listed on the GTS Reimbursement Log. • The local match amount listed on the GL from the Account Payables log is added to the GTS Reimbursement Log. • The GTS Reimbursement Log auto-calculates the State's required match amount per project. • The GTS Reimbursement Log is reconciled against the OB, saved, printed, and forwarded to the NOHS Supervisor for approval. • The cumulative GTS Reimbursement Log is reconciled against the Project Status Report, saved, and printed. • Upon NOHS Supervisor approval of the NDOR Deposit Log and the GTS Reimbursement Log, the NOHS Accountant submits a GTS Reimbursement Request for the same amounts listed on the GTS Reimbursement Log. • Once the GTS Reimbursement Request is approved by NHTSA, the Accountant "post" the GTS Reimbursement Request. • Once the monthly Reimbursement Request "post" in GTS, the GTS Monthly Financial Report can be printed x2 and reconciled against the NDOR PSR and the cumulative GTS Reimbursement Log. • The NDOR Deposit Log is signed and copied. • The signed original is sent to NDOR Controller; the copy is held by the Accountant to be matched up to a copy of the corresponding State Treasurer's ACH-IBT created by the NDOR Controller and sent to NOHS. • The "Internal CR/CR" worksheets are updated with the new monthly OB project amount. • The updated "Internal CR/CR" balances are reconciled against the Project Status Report. • The updated "Internal CR/CR" worksheets are forwarded to NOHS Supervisor for approval. • Upon NOHS Supervisor's approval, the "Internal CR/CR" reports are saved and |

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| | <p>printed.</p> <ul style="list-style-type: none"> • Utilizing the NOHS "GTS Reimbursement Log", each project's billing expenditures (state, federal, local) are entered into NOHS's monthly grant program spreadsheets. • Each grant's spreadsheet is updated, reconciled, saved, printed, and copied. • A second copy of the monthly GL is printed to attach to the PM's reports. • Each project's GL is matched up to (if applicable) paid external CR, Internal CR/CR report, any additional support documentation listed on project's GL (e.g.; journal voucher documentation, copy/scan requests, etc.) and monthly program grant spreadsheet. • All NOHS correlated monthly billing project documentation is returned to the assigned NOHS PM for review. • Each grant's monthly totals are updated in the NOHS Grant Funding History report; two copies are made - one for the NOHS Accountant and one for the NOHS Administrator. • The DMV monthly match report amounts and the grant program monthly totals are updated in the NOHS Match Report and reviewed for compliance, saved, and printed x two (2); one (1) for NOHS Administrator and one (1) for NOHS Accountant. • File program grant spreadsheets, GTS Monthly Financial Report, updated NOHS grant Funding History, updated NOHS Match Report, and any additional relevant documentation in NOHS Administrator's notebook. • File program grant spreadsheets, NDOR Deposit Log, ACH-IBT, GTS Reimbursement Log, NHTSA transaction approval e-mails, GTS Monthly Financial report, NDOR OB, Project Status report, GL, updated NOHS Grant Funding History, updated NOHS Match Report, and DMV agency's match reports in corresponding NOHS Accountant notebooks. |
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Federal State/Local Matching Share

In addition to actual costs to be reimbursed to the State, federally required match funds must be calculated for each claim by the NOHS Accountant and entered into GTS. This calculation determines the total funds, Federal and State/Local match, which have been spent for all the National Highway Traffic Safety Administration (NHTSA) funding sources.

The NOHS established a reliable process which ensures Federal program match information entered into GTS for all traffic safety grants is based on the actual program match amounts reflected on the reimbursement/payment requests submitted to NOHS. NOHS shall ensure actual program match amounts reported and reflected in the GTS are fully supported and documented in each individual project file and the NOHS Account Payables Log. If in fact such program match amounts are insufficient to meet overall program match requirements, then NOHS shall arrange for additional sources of legitimate program match to eliminate the shortfall.

The entry of required State/Local match information into GTS should be completed with each monthly GTS reimbursement request, and reviewed upon each GTS submission for any discrepancies or GTS verification.

Reporting of Benefit to Locals

Local benefit expenditures must be reported in GTS by March 31 each year AND reconciled at closeout to ensure full compliance when preparing the final voucher. The NHTSA 402 Program 40% minimum need not be met by March 31, but whatever local benefit that has been expended should be reported by that date. If the percentage appears to be significantly low on March 31, the NOHS should do further research to determine the cause – i.e. slow vouchering by locals or insufficient number or dollar amount of local sub grants.. Current local benefit source documentation must be readily available on site including

evidence of an active local voice in the initiation, development and implementation of the programs when contracts are directed.

Submission of Federal Reimbursement Voucher

The NOHS Accountant shall submit a Federal reimbursement voucher to National Highway Traffic Safety Administration (NHTSA) at least monthly and no later than the 15th of the month following the billing cycle. Where a State receives funds by electronic transfer at an annualized rate of one million dollars or more, vouchers shall be submitted on a monthly basis no later than 15 working days after the end of each month. A final voucher shall be submitted no later than 90 days after the end of the fiscal year and all unexpended balances shall be carried forward to the current fiscal year.

At a minimum, each voucher shall provide the following information for expenses claimed in each program area:

- a) Program Area project numbers for which expenses were incurred and an itemization amount of Federal funds expended for each project for which reimbursement is being sought.
- b) Federal funds obligated.
- c) Amount of Federal funds allocated to local benefit (provided no less than midyear (by March 31) and with the final funds fiscal year reimbursement).
- d) Cumulative total cost to date.
- e) Cumulative federal funds expended.
- f) Previous amount claimed.
- g) Amount claimed this period.
- h) Matching rate (or special matching write off used, i.e. sliding scale rate).

Copies of each project's contract for which expenses are being claimed under the voucher (and support documentation for the vouchers) shall be made promptly available for review by the NHTSA Regional Office upon request. Each project's contract shall bear the project number to allow the NHTSA Regional Office to match the voucher to the corresponding activity.

The NDOR Controller division and the NOHS Accountant shall work together for the State and Federal accounting and reimbursement process to ensure Federal reimbursement vouchers are complete, accurate and in full compliance.

Federal Reimbursement Rejection

Failure to provide the required information shall result in rejection of the voucher. Failure to meet the stated deadlines may result in delayed reimbursement. Vouchers that request reimbursement for projects whose project numbers or amounts claimed do not match the list of projects (submitted by the NOHS) or exceed the estimated amount of Federal funds. or exceed the allocation of funds to a project in the HS Form 217 shall be rejected, in whole or in part, until an amended list of projects and/or estimated amount of Federal funds and an amended HS Form 217 is submitted to and approved by the NHTSA Regional Office.

Section 2 – Federal Grant Tracking System (GTS)

The GTS is a Windows-based database program developed by NHTSA to assist States in financial management of Federal grants. GTS was designed primarily to automate the financial information process, produce the required Federal financial documents at the program area/project level, and electronically transmit information to NHTSA's Accounting Department.

Types of GTS Transactions

GTS handles six major types of automated transactions. Each transaction type depends on the order of completion, validity, and accuracy. These six transaction types are:

- Highway Safety Plan (HSP)
- Highway Cost Summary (HCS)
- Advance
- Reimbursement Voucher
- Documents
- New Upload

Explanations of each of these transaction types follow.

- **Highway Safety Plan (HSP)** – The HSP is a planning document which includes the projects to be funded and estimates the upper most project spending limit. Therefore, it must be completed first in each fiscal year before any transactions can be processed. The HSP entries should include estimated current year funds and carry forward funds, estimated state match, and the anticipated amount to be applied towards local benefit. The first HSP document needs to be approved by NHTSA and should be submitted as a part of the State's Performance Plan.
- **Highway Cost Summary (HCS)** - The HCS is the next step and obligates available carry forward and current year funds for use. This process determines the Obligation Limitation in each project created in the HSP. It is also the process that officially obligates carry forward and current year funds within the Federal computerized accounting system (DELPHI). When this step is complete, all carry forward and current year funds should be obligated and will be ready to be claimed for reimbursement. Current or carry forward funds that are not obligated by the end of the fiscal year will be returned to the Federal government.
- **Advance** - The Advance is used to request funds prior to submission of a voucher. This step electronically request claimed funds to be transferred to the State's bank which will be used for reimbursement of highway safety projects. This is a GTS optional step that some States have elected to use.
- **Reimbursement Voucher** – The Reimbursement Voucher allows the NOHS Accountant to submit a Reimbursement Voucher for NOHS monthly approved project costs plus state and local project match amounts. Once the Reimbursement Voucher is "posted the Reimbursement Voucher documents and tracks NOHS spending. Expenditure of funds cannot exceed the dollar balance of the funds obligated for the Program, Project, Task, or Sub-Task category. The NHTSA Regional Office must approve all Reimbursement Vouchers.
- **Documents and New Upload** – These are the transactions listed in GTS under Transactions. Documents and New Upload are new features.

Voucher reductions can also be entered just like a Reimbursement Voucher, except the amount entered will be a credit entry. The NHTSA Regional Office must approve all Voucher reductions.

GTS Reports

A variety of GTS reports are available to streamline the State's fiscal management process and reduce the workload associated with meeting Federal reporting requirements. These reports include but are not limited to the following:

- **HSP Transaction (A)** - This report itemizes all Highway Safety Program (HSP) transactions, provides detailed information on Federal funds, and assists in determining data entry errors.
- **HSP Cost Summary (B)** - This report reflects detailed information by project and program area with specific funding sources sub-totaled by NHTSA grant sections. The format of this report replicates the Federal HS-217 Cost Summary Form and shows the increase or decrease for each project and program area. This report can be printed in detail showing each project or task or summarized by program level amounts only.
- **HSP Approved Program Amounts (C)** - This report details the same information as the HSP Cost Summary Report but does not report the decrease or increase for each project or program area.
- **HCS Obligation Transaction (D)** - This report lists all the transactions that were entered in the HCS Obligation transaction section. This report can assist in determining data entry errors or can be utilized as support documentation for data entry.
- **HCS Obligation Cost Summary (E)** - This report is strictly for Obligation purposes. The report format replicates the HS-217 Cost Summary Form and shows the increase or decrease for each program area. It can be printed in detail to reflect each project or task or summarized to show program level amounts only.
- **Voucher Transaction (G)** - This report details a selected voucher's transactions.
- **Status of Obligations and Expenditures (I)** - This report is for information purposes only and shows the unobligated and unexpended amounts for each program area.
- **Status of Current and Carry Forward Funds (J)** - This report separates the obligations, expenditures, and unexpended funds by carry-forward (from previous years) and current fiscal year. This report also shows State and local obligated amounts.

Electronic Transfer of Funds

Within 7-10 business days of approval of the Reimbursement Request by the NHTSA Regional Office, the requested funds are electronically transferred from NHTSA to the State Treasury.

Section 3 – Matching Funds

NHTSA “Match” funds are defined as State and local funds that are expended in support of other qualifying traffic safety programs which have not been utilized by another Federal, State, or local agency as “Match” funds for a separate/different Federal project.

[NOTE: If the NOHS requires that match be provided by subrecipients, the following paragraph should be utilized.]

Subrecipient match: The NOHS shall ensure the actual program match amounts reported by subrecipients and reflected in the GTS are fully supported and documented in the individual project files. If in fact such program match amounts are insufficient to meet overall program match requirements, then the NOHS shall arrange for additional sources of legitimate program match to eliminate the shortfall. The NOHS shall ensure that the Federal program match information entered into the GTS for all traffic safety grants is based on the actual program match amounts reflected on subrecipient vouchers submitted to the NOHS for reimbursement. The NOHS shall ensure that subrecipients clearly understand the program matching requirements of the funding source for their project and that the amount of match required may be substantially higher than the Federal funds they receive for expenditure.

As provided in the [NHTSA Highway Safety Grant Funding Guidance, Part II, B and Appendix A](#), the required State match amount is calculated as a percentage of the total (Federal and State) program costs.

NOTE: Those States affected by nontaxable Indian lands, Public Domain lands; National Forest, National Parks and Monuments that qualify for “Sliding Scale Matching Rates” should refer to [NHTSA Order 462-6C State Matching Rates](#). See also [23 CFR Part 1200.20\(f\) for section 405](#) and [23 USC Part 120\(b\)](#).

The NOHS is responsible for calculating, documenting and recording required match by program. *Special attention should be paid to unique requirements of specific programs.* Written documentation of match amounts must be on file and updated at least annually. The match funds must relate to the program type of the funding source (i.e. funds used to support impaired driving-related programs must be used to meet Section 405d match requirements). Section 402 match dollars may have a general traffic safety purpose. For all match funds identified and documented by the NOHS, no other program (Federal, State or local) may utilize the same dollars as program match.

INDIRECT COSTS: Indirect costs may be used as match for the Federal highway safety program. If the NOHS uses indirect costs as match, then the costs would be auditable. The NOHS also must document indirect costs to its share for the highway safety benefit only. If indirect costs are used as match, the NOHS must be able to document that the match is not being used elsewhere or for matching another program.

MAP– 21 and the FAST Act (beginning FY2014)

Section 402 and Section 405:

- Federal share is not to exceed 80% unless a special matching write off is used (i.e. sliding scale rate authorized under 23 USC 120(b)).
- No match is required for U.S. Territories or for the Indian Highway Safety Program.

Matching Requirements for P&A:

- Grant Program 402 (including grant programs 154 & 164 funds transferred to Section 402)
- The Federal P&A portion shall not exceed 50% of total P&A costs, except for select States using the sliding scale for Match (See NHTSA Order 462-6C).

- ☐ The limit on the amount of Section 402 funds (and repurposed 402 funds) that can be expended on P&A is 13 percent of the total new 402 funds programmed for expenditures. The funds are required to be used in support of alcohol-impaired driving programs only.
- ☐ No Match is required for U.S. Territories (23 U.S.C. 120(i)), or for Federally recognized Indian Tribal governments (23 USC 402 (h)) under the Indian highway safety program.

Summary of NHTSA Grant Fund Requirements for SAFETEA-LU Programs

| Program Area | State Match | Planning & Administration | Local Use | Miscellaneous Information |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 402 | 20% of total program costs; Exception: Select States use a sliding scale for State Match; Exempt: Indian Nations & Territories | Ceiling: P & A funds restricted to 10% of federal funds received annually; Note – Indian Nations restricted to 5% administrative takedown. Match: 50% match; Exception - Select States use a sliding scale for State Match; Exempt - Indian Nations & Territories | At least 40% of Federal funds spent by locals or designated as the benefit of locals; Exempt: DC, Puerto Rico. Note: Indian Nations and Territories A total of 95% of federal funds must be spent for local benefit/participation of Indian tribes. | |
| Section 405 - K2 | 25% 1st - 2 nd yr. 50% 3 rd - 4 th yr. 75% 5 th - 6 th yr. (of total program cost) *Beginning in FY04 for States awarded TEA-21 405 funds in FY03 and FY04. Exempt: Territories | None | None | State will maintain its aggregate expenditures from all other sources for occupant protection programs at or above the average level of expenditures for FYs 2004 & 2005 |

Section 4 - Allowable Costs

Prior to FY2016 49 CFR Part 18.22 of the "Uniform Administrative Requirements for Grants and Cooperative Agreements" and 2 CFR Part 225 established the principles for determining allowable costs. Beginning with FY2016 grants, [2 CFR Part 200 Uniform Guidance](#) is the controlling Federal regulation. Cost principles are contained in [2 CFR Part 200, Subpart E](#). Costs must be reasonable, allocable and necessary. Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards:

- (a) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- (b) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- (c) Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.
- (d) Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- (e) Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- (f) Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also Part 200.306 Cost sharing or matching paragraph (b).
- (g) Be adequately documented. See also Part 200.300 Statutory and national policy requirements through 200.309 Period of performance of this part.

Applicable Cost Principles. For each kind of organization, there is a set of Federal principles for determining allowable costs. Allowable costs will be determined in accordance with the cost principles applicable to the organization incurring the costs.

- The following table lists the kinds of organizations and the applicable cost principles:

Applicable Federal Cost Principles by Organization Type

| For the costs of a -- | Use the principles in -- |
|-------------------------------------------------|------------------------------------------|
| State, local or Indian tribal government. | 2 CFR Part 200 Subpart E |
| Nonprofit Organizations Exempted From Subpart E | Appendix VII to 2 CFR Part 200 |
| Hospitals | Appendix IX to 2 CFR Part 200 |

Federal Regulations – Allowable Costs

Prior to FY2016 [2 CFR Part 225 "Cost Principles for State, Local and Indian Tribal Government: \(OMB Circulate A-87\)](#) established principles for determining the allowable costs incurred by State, local, and federally-recognized Indian tribal governments (governmental units) under grants, cost reimbursement contracts, and other agreements with the Federal Government. Appendix A of A-87, General Principles for Determining Allowable Costs, provided principles to be applied in establishing the allowability or unallowability of certain items of cost. Appendix B of A-87, Selected Items of Cost for guidance regarding specific items commonly addressed by States.

For FY2016 and forward [2 CFR Part 200 General Provisions of Costs](#) is applicable, see Parts 421 – 475. This section provides principles to be applied in establishing the allowability of certain items involved in determining cost, in addition to the requirements of Subtitle II. Basic Considerations, of that subpart. These principles apply whether or not a particular item of cost is properly treated as direct cost or indirect (F&A) cost. Failure to mention a particular item of cost is not intended to imply that it is either allowable or unallowable; rather, determination as to allowability in each case should be based on the treatment provided for similar or related items of cost, and based on the principles described in Part 200.402 Composition of costs, through 200.411 Adjustment of previously negotiated indirect (F&A) cost rates containing unallowable costs. In case of a discrepancy between the provisions of a specific Federal award (NHTSA) and these provisions, the Federal award governs. Criteria outlined in Part 200.403 *Factors affecting allowability of costs*, must be applied in determining allowability. See also Part 200.102 *Exceptions*.

Grant Funding Policy - Allowable and Unallowable Costs

The [NHTSA Highway Safety Grant Funding Guidance, Part III and IV](#) Allowable Costs under "Specified Conditions or Limitations for Selected Items" and "Unallowable Costs for Selected Items" are available online and should be consulted.

Part III - Allowable costs under specific conditions or limitations for selected items.

- Equipment
- Travel
- Training
- Program Administration (consultant services; purchase of alcohol [also see Part IV, D.3.], but in no case for consumption, in "sting" type operations as long as the operations are not in conflict with any Federal, State or local law; meetings and conferences; research; working with neighboring States)
- Public Communications (Advertising Space)

Part IV. Unallowable costs for selected items:

- Facilities and Construction including Office Furnishings and Fixtures
- Equipment
- Training
- Program Administration (supplanting, civilian or military agencies, alcoholic beverages, entertainment, commercial driver, drug impaired activities with Section 154/164 funds)
- Lobbying

See also NHTSA Uniform Guidance Questions and Answers March 5, 2015 and August 20, 2015.

Automated Traffic Enforcement Systems Funding Prohibition

Beginning with MAP-21 in FY2014, the NOHS may not expend funds apportioned under Section 402 to carry out a program to purchase, operate or maintain an automated traffic enforcement system. The prohibition includes any camera which captures an image of a vehicle for the purposes only of red light and speed enforcement. NOTE: This does not include hand-held radar and other devices operated by law enforcement to make an on-the-scene traffic stop, issue a traffic citation or other enforcement action at the time of the violation. Beginning with FY2017, the FAST Act requires States with automated traffic enforcement systems to use Section 402 funds to conduct a biennial survey that lists the systems in the State, data to measure transparency, accountability and safety, and, a comparison of the systems to U.S. DOT guidelines on Speed Enforcement and Red Light Running.

Motorcycle Checkpoint Funding Prohibition

For FY2017 and beyond, the FAST Act prohibits the HSO from expending NHTSA grant funds for any program to check motorcycle helmet usage or to create check points that specifically target motorcycle operators or motorcycle passengers.

Proportional Benefits

The NOHS or a contractor may have a cost for a project or activity that benefits two or more projects or activities. As provided in the Uniform Guidance at [2 CFR Part 200.405](#) (Allocable costs), 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 inter-relationship of the work involved, then, notwithstanding this section, 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.

Collection of Unallowable Costs

As provided by [2 CFR Part 200.410](#), 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 [2 CFR Part 200.300](#) Statutory and national policy requirements through 200.309 Period of performance.

Section 5 - Single Audit Procedures – Federal Requirements

Prior to December 26, 2014, the Federal directive is contained in OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations" and the audit threshold was \$500,000 or more in Federal awards.

December 26, 2014 and forward the Federal directive is within the OMB Uniform Guidance at [2 CFR Subpart F 200.500 - 521](#) and the expended Federal awards threshold was increased to \$750,000 or more.

The Federal regulation implements the Single Audit Act amendments of 1996 and provides uniform single audit requirements for all non-Federal grantees including State and local governments, colleges, universities, hospitals, and other non-profit organizations.

December 26, 2014 and forward NOHS grant recipients **expending** \$750,000.00 or more in federal awards from all sources within a fiscal year shall have a single or program-specific audit conducted. NOHS shall determine whether the audit meets the requirements of the [2 CFR Subpart F Audit Requirements](#) and issue an administrative letter on audit findings within six months after receipt of the audit. NOHS shall ensure grant recipients take appropriate and timely corrective action in addressing audit findings.

The NOHS shall determine whether the audit meets the requirements of the Uniform Guidance. December 26, 2014 and forward, the auditor must report in findings any known questioned costs that are greater than \$25,000 for a type of compliance requirement for a major program, see Part 200.516. The contractors shall provide access to their records and financial statement as necessary; see Part 200.331(a). As provided in 2 CFR Part 331(g), as a pass-through entity the NOHS is responsible for issuing a management decision for audit findings that relate to Federal awards it makes to contractors and must do so within six months of acceptance of the audit report by the Federal Audit Clearinghouse (FAC). The auditee must initiate and proceed with corrective action as rapidly as possible and corrective action should begin no later than upon receipt of the audit report. The NOHS shall ensure that contractors take appropriate and timely corrective action in addressing audit findings. In cases of continued inability or unwillingness to have an audit conducted as required, the NOHS shall take appropriate action using sanctions such as: (a) withholding a percentage of Federal awards until the audit is completed satisfactorily; (b) withholding or disallowing overhead costs; (c) suspending Federal awards until the audit is conducted; or (d) terminating the Federal award.

Grant recipients expending more than \$25 million a year in federal awards shall have a cognizant agency for audit. The designated cognizant agency for audit shall be the federal awarding agency that provides the predominant amount of direct funding to a grant recipient unless OMB makes a specific cognizant agency for audit assignment.

NOHS includes a written requirement in all contract agreements that describe the conditions that are subject to a single or program-specific audit. The requirement states grant recipients must submit a copy of a single or program-specific audit **and** all review reports which have been prepared to the NOHS for information purposes if requested regardless of whether the [2 CFR Subpart F Audit Requirements](#) criteria for audit or review are met.

The NOHS has established a procedure to ensure that copies of all audits and other review reports pertaining to NOHS grant recipients are received and reviewed to determine the potential existence of findings that may require appropriate and timely corrective action.

The NOHS accountant shall complete the following process in order to meet the required federal [2 CFR Subpart F Audit Requirements](#):

1. Annually - the NOHS accountant will compile a list of all NOHS prior fiscal year grant recipients.

2. A 2 CFR Subpart F Audit Requirements letter - **which also includes a NOHS 2 CFR Subpart F Audit Requirements form to complete and return by a specified due date** - shall be mailed out inquiring as to whether or not the grant recipient expended \$750,000 or more in federal funding from all sources within a fiscal year.
3. On the NOHS 2 CFR Subpart F Audit Requirements form due date, the NOHS accountant will review the grant recipients' list to see who has not returned the completed NOHS 2 CFR Subpart F Audit Requirements form.
4. A "**FINAL NOTICE**" letter accompanied by a **NOHS 2 CFR Subpart F Audit Requirements form to complete and return by a specified due date** shall be mailed out to any NOHS grant recipients who have not returned the completed NOHS 2 CFR Subpart F Audit Requirements form.
5. Upon return of the completed 2 CFR Subpart F Audit Requirements form by the NOHS grant recipients, the form's completed information shall be recorded by the NOHS Accountant within an audit log of all grant recipients.
6. ****If the grant recipient expended \$750,000 or more, the grant recipient is required by federal guidelines to submit a single or program-specific audit to NOHS for review.**
7. If the grant recipient does not submit a single or program-specific audit to NOHS, the NOHS Accountant will contact the grant recipient and request a copy of the audit to be sent NOHS.
8. Once the single or program-specific audit is received by NOHS, the NOHS Accountant will check the Federal Audit Clearinghouse (FAC) website to see if the grant recipient's audit has been received; if yes, the NOHS Accountant will save and print the grant recipient's FAC report.
9. The NOHS Accountant will review the single or program-specific audit, FAC report, and complete the sub-recipient's checklist.
10. If there are any audit findings and/or NOHS concerns, the NOHS Accountant will compose an appropriate follow-up letter addressing the grant recipient's audit findings and/or concerns for the NOHS Administrator to sign.
11. Once the follow-up letter is signed, the NOHS Accountant will update the NOHS audit log, copy the letter, file the copy of the letter and all additional paperwork, and mail the original letter to the grant recipient.
12. If any additional follow-up documentation is required or received by the NOHS from the grant recipient, the documentation will be reviewed by the NOHS Accountant.
13. Once reviewed; the audit log will be updated as necessary, the documentation will be filed, and if necessary, a second follow-up letter will be issued.
14. **All grant recipients' audit findings will be forwarded to the NOHS Administer for review.**

The NOHS Accountant shall quarterly access the [Single Audit Database](#) maintained online by the Federal Audit Clearinghouse (FAC) to determine whether audits for any current NOHS grant recipients have been posted.

The single audit concept provides grant recipients of federal funds to customize their own procedures to arrange for a single or program-specific audit to be completed on an organization-wide basis.

In cases of continued inability or unwillingness of a grant recipient to have a single or program-specific audit conducted as required **or** if the grant recipient does not comment/address the audit findings, then NOHS shall take appropriate actions by utilizing sanctions such as: (a) withholding a percentage of federal awards until the audit/finding(s) is completed satisfactorily; (b) withholding or disallowing overhead costs; (c) suspending federal awards until the audit is conducted; or (d) terminate the federal award.

Any and all documentation pertaining to the 2 CFR Subpart F Audit Requirements circular requirements shall be filed in the NOHS fiscal year 2 CFR Subpart F Audit Requirements audit notebook and/or electronically stored for three (3) years or until all audit investigations have been finalized.

Section 6 – Federal Funding Accountability and Transparency Act

The Federal Funding Accountability and Transparency Act (FFATA) of 2006 (Public Law 109-282) requires for each Federal award of \$30,000 or more that OMB create a searchable, no-cost, publicly accessible website (<http://usaspending.gov/>) that includes basic information about the recipient/sub-recipient and the project(s) being funded.

FFATA was amended by the Government Funding Transparency Act of 2008 (Public Law 110-252) requiring recipients to report certain information about themselves **and** their first-tier sub-recipients for awards obligated as of October 1, 2010.

Due to the above federal requirements as of October 1, 2010, any federal grant recipient/sub-recipient awarded NOHS grant funding of \$30,000 or more must be documented on the Federal Funding Accountability and Transparency Act Sub-award Reporting System (FSRS) at www.fsr.gov.

Recipient/sub-recipient data elements required under FFATA are as follows:

- Legal business name and complete address as recorded within the DUNS (Data Universal Numbering System) of the grant recipient/sub-recipient receiving federal funding.
- Congressional district where recipient/sub-recipient is located.
- DUNS (Data Universal Numbering System) of the recipient/sub-recipient receiving the federal funding or the parent entity of the recipient/sub-recipient.
- If applicable, the names and total compensation of the five (5) highest compensated officers of the recipient/sub-recipient if during the preceding fiscal year the recipient/sub-recipient received:
 - 80% or more of the recipient/sub-recipient's annual gross revenues are in federal awards **and** \$25 million or more in annual gross revenues from federal awards if the public does not have access to executive compensation information through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 or section 6104 of the Internal Revenue Code of 1986.
- Typed **and** in blue or black INK written title **and** name of recipient/sub-recipient's staff member responsible for providing FFATA information.
- Recipient/sub-recipient's e-mail address and date.

The NOHS has established the following FFATA procedure to ensure that all recipients/sub-recipients awarded \$30,000 or more are reported in the Federal Funding Accountability and Transparency Act Sub-award Reporting System (FSRS):

1. The NOHS Accountant shall review all NOHS project grant awards/contracts for any single grant award/contract equal to or greater than \$30,000.
2. The NOHS Accountant shall prepare a mailing list to include the NOHS project number; award amount; recipient's title, name, address, phone number, and e-mail address; congressional district; DUNS#; GR<=>80%; comments; date form mailed; date form returned; and date of FSRS entry.
3. The NOHS accountant shall compose a FFATA letter; a FFATA form for the recipient/sub-recipient to complete, sign, and return to NOHS; and instructions on how to complete the FFATA form.
4. Once the recipient/sub-recipient's FFATA letter, the NOHS Accountant will update FFATA log, copy all paperwork, mail originals to recipient/sub-recipient, and file copies.
5. Upon return of the recipient/sub-recipient's completed FFATA form, the NOHS Accountant will review it for accuracy and completeness.
6. If the FFATA form is returned incomplete, the NOHS accountant will date stamp returned form and contact the recipient/sub-recipient and inform them of what is missing and needs to be completed in order to be in compliance.

7. If the FFATA form is returned complete, the NOHS accountant will date stamp the returned form and complete the "NOHS Use Only" section of the FFATA form by listing the NOHS grant award title, project number, project amount, CFDA number, congressional district where grant/contract funds are utilized, and date form information is entered into FSRS.
8. The NOHS Accountant will update the NOHS FFATA log and enter the FFATA information into the FSRS, print and save reports, and file FFATA form and report in notebook.

Upon receiving additional awards from federal sources, the NOHS accountant will search the FSRS for the Federal Award Identification Number (FAIN) and add the award to the NOHS report list.

The NOHS Accountant will review the NOHS fiscal year mini-grant/grant logs for any additional recipients/sub-recipients awarded \$30,000 or more throughout the fiscal year that needs to be added to the current fiscal year recipient/sub-recipient FFATA record or any new NOHS award recipient/sub-recipient required to complete the appropriate FFATA paperwork.

Chapter 7

Annual Report (AR)

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Section 1 – Overview

The NOHS is responsible for submitting the Annual Report (AR) to the NHTSA Regional Office. The report describes the accomplishments of the NOHS. The report is due within 90 days after the end of each Federal fiscal year (December 31).

The Regional Office utilizes a standard checklist to review the AR and provides a formal review letter to the NOHS. The review ensures the NOHS adequately follows specified requirements and procedures in developing the plan, and compares the targets and performance measures in the Plan to the AR and the most recently available data to measure State safety performance progress.

Section 2 – Federal Requirements

Required Annual Report Contents

As prescribed in [23 CFR §1200.35](#), within 90 days after the end of the fiscal year, the NOHS is required to submit an AR describing:

- a. A general assessment of the State's progress in achieving highway safety performance measure targets identified in the Highway Safety Plan (HSP);
- b. A general description of the projects and activities funded and implemented under the HSP;
- c. The amount of Federal funds expended on projects from the HSP, and,
- d. How the projects funded during the fiscal year contributed to meeting the State's highway safety targets. Where data become available, a State should report progress from prior year projects that have contributed to meeting current State highway safety targets.

The AR is also required to include a copy of the NOHS Financial Obligation Closeout summary, HS Form 217, for the fiscal year.

Progress Report

The NOHS reviews the information contained in the contractors Final Reports, year-end statistics, fund expenditure reports and other pertinent information. The AR progress report section includes:

- Identification of the highway safety performance targets (according to GHSA required template) established in the HSP and a general assessment of the State's progress in working toward achievement of those targets.
- A general description of each of the projects and activities funded and implemented under the HSP – like projects and activities can be aggregated for this description.
- Identification of the final amount of Federal funds expended on each project. The NOHS enters data into the GTS system at the project level to meet the final voucher.
- A description of how the projects funded contributed to meeting the highway safety targets. This includes projects from a prior year if data is recently available which indicates the project contributed to meeting the current highway safety targets.
- Paid Media projects may be reported within the applicable individual program area or grouped in a separate summary report. If a separate summary report for Paid Media is provided, a reference should also be included in the respective program area to identify the contribution to the program area performance measure target. See [NHTSA Highway Safety Grants Management Resources-Advertising Guidance](#).
- The Traffic Safety Public Opinion Survey is conducted and the complete findings are reported in the following year's AR. By mutual agreement between NHTSA and GHSA, States began conducting an annual Attitudes Survey in FY2010. The survey contains 9 recommended (or equivalent) questions on occupant protection, impaired driving and speeding.

The NOHS compiles the information contained in the contractors' Annual Reports, year-end statistics, and other pertinent information. The AR progress report section includes:

Financial Obligation Closeout Summary

The financial obligation closeout is a final accounting of all NOHS expenditures for the year. As required in the 23 Part 1200.40, the financial obligation closeout will include a copy of the final official voucher for total expenses incurred which satisfies the requirements of [23 CFR Part 1200.33](#). The following information for expenses claimed in each program area will be identified in the final voucher as follows:

- Program area for which expenses were incurred and an itemization of project numbers and amount of Federal funds expended for each project.
- Federal funds obligated.
- Amount of Federal funds allocated to local benefit (March 31 and with the final voucher).
- Cumulative total cost to date.
- Cumulative Federal funds expended.
- Previous amount claimed.
- Amount claimed this period.
- Matching rate (or special matching write off used if applicable)

The NOHS Accountant is responsible for completing the final NHTSA HS Form 217, or its electronic equivalent, and submitting it to the NOHS Administrator for signature prior to electronic transmittal of the form to NHTSA for approval by December 31 each year.

The NHTSA Regional Office conducts a first and last voucher review in every State each fiscal year after closeout and no later than mid-March.

Additional Contents

- Cover page containing the State, Governor's name, Governor's Highway Safety Representative, NOHS Administrator, and location of the NOHS including contact information (name, address, phone, fax, email).
- Table of Contents
- Executive Summary including discussion of any difficulties which may have affected the full attainment of stated targets.
- Mission and Vision Statements.
- Statewide Program Overview including information on the Highway Safety Programs, who is involved with administering the programs and significant administrative accomplishments.
- State Enforcement Plan Results.
- Legislative Summary – significant accomplishments.
- List of traffic safety partners and/or groups used to develop the programs.
- Fiscal overview of obligations and expenditures by program area with graphs and charts.
- Future plans and targets to be set.
- Report Design.

Section 3 – Annual Report Development Process Calendar

The NOHS develops the Annual Report (AR) in accordance with a schedule of activities and assigned responsibilities to assure completion of the AR by the NHTSA deadline. The Federal deadline for submission of the annual AR is December 31. This is a firm deadline. The following table illustrates the AR development process within the NOHS.

Annual Report Development Process Calendar

| Timeline | Activity |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Beginning of fiscal year:</i> October - September | Review contractor and NOHS progress and monitoring reports during the year to identify significant highlights or accomplishments for inclusion in the AR. |
| <i>End of fiscal year:</i> October 1 | Track receipt of contractor Annual Reports and send reminders where needed ensuring that all projects in the initial Plan and any amended or new projects during the year are included. Analyze and assemble data for each Plan core, other and activity performance measure to determine the State's progress in achieving performance targets for the year. Update State crash data and trends with the most recent available data. Compile the Annual Evaluation Report survey results. |
| November 10 | Deadline for submission of contractor Annual Reports. |
| October – November 30 | Review contractor Annual Reports and develop a general description of each project and activity funded and implemented including the total Federal fund expenditures (like projects and activities may be aggregated). Review contracts, NOHS progress, and monitoring reports to identify significant highlights/accomplishments. Review contractor Annual Reports and develop a summary for each Program Area: <ul style="list-style-type: none"> • problem statement • objectives • performance measures • performance targets • description of each project and activity funded and implemented • description of how the projects contributed to meeting the target • Federal funding amount expended and source for each project implemented Paid Media projects may be reported within the applicable individual program area or may be grouped. |
| March | Contract the Research Associate to complete Nebraska's annual Traffic Safety Public Opinion Survey. |
| December | Produce final Financial Obligation Closeout (HS Form 217) and obtain NOHS Administrator approval. |
| December | Assemble AR components for final review and approval by NOHS Administrator. |
| December 31 | Submit final AR to NHTSA Regional Office. |
| January 1 | Post AR on the NOHS website. |

Chapter 8

Closeout

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Section 1 – Overview

Grant and the Federal fiscal year closeout activities begin when all required progress reports, annual reports, and final invoices have been received from contractors by the NOHS.

When final claims are processed, the Department procedures for submittal of the final Federal reimbursement voucher must be followed. Included in this process is the final determination of the amount of program funds actually expended and the under run amount which is available for carry forward to the new program year.

Part of this process also involves the final determination of the amount of Federal funds expended for local benefit (40 percent minimum required) and the State and local match to the program met or exceeded the minimums based on the Federal funding source requirements.

Section 2 – Deadlines

The State's HSP for a fiscal year and the State's authority to incur costs under that plan expire on the last day of the fiscal year. Beginning with MAP-21, the State is no longer permitted to extend the right to incur costs under the old fiscal year's HSP. Grant funds remaining at the end of the fiscal year are available for expenditure during the next fiscal year provided the State has a new HSP approved by NHTSA and the remaining funds (carry forward) are identified and programmed in the HSP and in an updated and approved HS Form 217. See 23 CFR §1200.41 (a). See Chapter 2 Planning, Section 15. Three Years Plus One Federal Obligation Restriction.

NOTE: Funds obtained under SAFETEA-LU may continue to be expended under the previous rules and will be tracked (coded) separately in the GTS system from MAP-21 funds.

The Uniform Guidance provides that the pass-through entity (HSO) will close out the Federal award when it determines that all applicable administrative actions and all required work of the Federal award have been completed by the non-Federal entity. See [2 CFR Part 200.343](#) for the actions the non-Federal entity and Federal awarding agency or pass-through entity must take to complete this process at the end of the period.

The NOHS must submit the State's final billing for the closing grant year to NHTSA by December 31. In order to meet this deadline, all final project claims for reimbursement must be received by the NOHS from contractors by November 15 and be entered for payment into the NDOR RPS. Any invoices received from contractors after November 15 **cannot** be processed or approved for payment with Federal funding. All grant-related records shall be retained for at least three years from the date the final voucher is submitted to NHTSA.

Penalties

The final voucher constitutes the final financial reconciliation for each fiscal year, see 23 CFR §1200.40. There are penalties for failure to provide the information specified, meet the deadlines or to specify only projects whose project numbers or amounts match the list of projects and do not exceed the estimated amount of Federal funds for the project or the allocation of funds to a program area. The penalties may include rejection of the voucher in whole or in part. See 23 CFR §1200.33 (e).

Extensions

Extraordinary circumstances to request an extension may be brought to the attention of the NHTSA Regional Administrator at the discretion of the NOHS Administrator, however, it is expected this would occur very rarely. In this case, the State is required to submit a written request for an extension which describes the extraordinary circumstances necessitating an extension. The approval of any such extension request is required to be in writing, to specify the new deadline for submitting the final voucher and must be signed by the NHTSA Regional Administrator (Approving Official).

All grant related records shall be retained for at least three years from the date the final voucher is submitted to NHTSA.

Section 3 – Federal Grant Tracking System (GTS) Closeout Process

The NOHS fiscal year end GTS Voucher Closeout Process as follows:

The activities for processing the final Grant Contract Claim for Reimbursement (CR) and Internal Mini-Grant Contract Claim for Reimbursement (MCR) Contracts are the same procedures outlined in Chapter 6, Section 1.

NOHS Closeout Process

| Responsible Person | Action |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NOHS Staff | <ul style="list-style-type: none"> • Reviews to ensure compliance with grant contract and receipt of contractor’s Annual Report. |
| NOHS Accountant | <ul style="list-style-type: none"> • Determines all final claims for reimbursements invoices have been received for the NOHS fiscal year (October 1 – September 30). Fiscal year invoice NOHS received deadline is the second Thursday in November following the final grant date – September 30. • Submits invoices for final payment as outlined in Chapter 6, Section 1. • Determines the final required State matching shares and 40 percent benefit to locals amount and transmits information. • Notifies the NOHS Administrator of the amount of known carry forward funds by funding source, if any, for obligating in the next fiscal year. • Conducts standard invoice payment reconciliation processes. • Enters final invoice postings into the GTS. • Works with the NOHS staff to check accuracy of information and enters required State matching share and 40 percent benefit to locals into GTS. • Closes out the NOHS fiscal year. |

In addition to actual costs to be reimbursed to the State, the State’s share of matching funds must be calculated based on the final expenditures and entered into the GTS. This calculation determines the total funds, Federal and State matching, which have been spent for NHTSA funding sources.

Section 4 – Grant File Closeout

After the final Federal reimbursement voucher for the grant year has been submitted, the NOHS closes out each project file for that fiscal year. The NOHS staff is responsible for completing the grant file closeout. Each file will be reviewed for completeness, accuracy of filing, and resolution of any pending matters.

Section 5 – Financial Obligation Closeout Summary

See Chapter 7 Annual Report (AR); Section 2 – Federal Requirements.

Appendices

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Caution!

Federal regulations may change. To ensure that the most recent version is being utilized, it is recommended that the reader view the regulations **on line**.

Appendix A – Federal Regulations, Documents, and Guidelines

The following regulatory items govern the daily administration of traffic safety grants at the State level. Administrators of traffic safety grants should be familiar with and follow each cited title and rule to effectively design and manage programs. Many of these items are cited within this Manual.

Caution! Federal guidance and regulations may change. To ensure the most recent version is being utilized, it is recommended that the reader view the regulations on-line.

The [NHTSA Highway Safety Grants Management Resources](#) is an important resource which should be checked regularly for updates. The Manual is available on the Internet. In 2013 NHTSA reorganized the previous Highway Safety Grant Managements Manual into key categories and topical searches. Each item detailed below is available within the Resources page.

Covering All Highway Safety Grants

| Title | Revisions as of Date |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| NHTSA Highway Safety Grants Funding Guidance | 8/24/2015 |
| OMB Uniform Guidance – for FY2016 and forward 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards | <u>Technical corrections</u> <u>3/28/16</u> |
| 49 CFR Part 18 – DOT Common Rule-States Resource page for 49 CFR - Common Rule | 07/24/2007 For FY2016 replaced by <u>Uniform Guidance</u> |
| OMB Audits-State/Local Governments OMB Uniform Guidance – for FY2016 and forward 2 CFR Part 200 PART 200.500 . – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards OMB Circular A-133 - Audit of State/Local Govs. & Non-Profit Organ. (same as 49 CFR Part 90) Prior to December 26, 2014 www.nhtsa.gov/nhtsa/whatsup/tea21/GrantMan/omb-a133.pdf | 06/27/03 For FY2016 replaced by <u>Uniform Guidance</u> |
| OMB Circular A-133. 2009 Highway Safety Compliance Supplement 2009 Compliance Supplement. OMB Circular A-133 (NHTSA portion) | 6/24/2009 For FY2016 replaced by <u>Uniform Guidance</u> |
| Implementation Guide for Office of Management and Budget Circular A-87 (ASMB C-10) Cost Principles and Procedures for Developing Cost Allocation Plans and Indirect Cost Rates for Agreements with the Federal Government www.nhtsa.gov/nhtsa/whatsup/tea21/GrantMan/HTML/6041_SAFETEA-LU_ASMB_C-10_tag.pdf | 4/08/1997 For FY2016 replaced by <u>Uniform Guidance</u> |
| State Certifications and Assurances Statements – Appendix A NHTSA Highway Safety Grants Management Resources/Certifications and Assurances | 1/23/2013 |
| Lobby Guidance 23 CFR Part 1200 Appendix A - Certifications NHTSA Highway Safety Grant Funding Guidance - Appendix B | 1/23/2013 |
| NHTSA Logo Guidance Use of NHTSA Logo Guidance | 1/18/2000 |
| Performance Measures Traffic Safety Performance Measures for States and Federal Agencies | 8/01/2008 |

Appendix B – OMB Circulars

Office of Management and Budget (OMB) circulars are frequently used reference materials in administering grants. The following table lists OMB circulars applicable to the NOHS program:

Beginning with the FY2016 highway safety grants, the Federal regulations at 2 CFR Parts 200 and 1201 supersede requirements from OMB Circulars A-21, A-50, A-87, A-89, A-102, A-110, A-122 and A-133. **NHTSA grantees are responsible for following all standards in 2 CFR Part 200 as modified by 2 CFR Part 1202.**

Effective with FY2016 grants, NHTSA will require compliance with the OMB [Uniform Guidance at 2 CFR Part 200](#) which consolidates and replaces several federal regulations listed below.

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| OMB Circulars Replacement by Uniform Guidance Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Title 2, Subtitle A, Chapter II, Part 200 | 3/28/2016 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

The following table lists OMB circulars that were applicable to the Highway Safety Office program prior to FY2016:

OMB Circulars Applicable to the Traffic Safety Program prior to FY2016

| Document Title | Revisions as of Date |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| OMB Circulars Prior to FY2016 A-21 - " Cost Principles for Educational Institutions " (Chapter II, Part 225) 8/31/2005 A-87 - " Cost Principles for State, Local and Indian Tribal Governments " (Chapter II, Part 225) -8/31/2005 A-102 - Government-wide Common Rule (53 FR 8034, March 11, 1988) A-110 - " Uniform Administrative Requirements for Awards and Other Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations " (Chapter II, Part 215) - 12/26/2013 A-122 - " Cost Principles for Non-Profit Organizations " (Chapter II, Part 230) – 7/24/2007 A-133 - " Audits of States, Local Governments and Non-Profit Organizations "- 6/27/2003. | For FY2016 replaced by Uniform Guidance |

Appendix C. HSP Program Area Accounting Code Designators

MAP-21

Beginning with FY2014, the SHSO is given the option by NHTSA for Section 405 grant programs of reporting claims in the Grant Tracking System (GTS) at the project or the program level. The project level codes are significantly expanded under MAP-21 and are not listed here. The SHSO should consult the GTS for the Section 405 appropriate project level codes.

The Section 405 program level codes (referred to as "roll up codes") are:

| <u>CODE</u> | <u>DESCRIPTION</u> |
|-------------|---------------------------------|
| 310 | 405b OP High |
| 320 | 405b OP Low |
| 330 | 405c Data Program |
| 340 | 405d Impaired Driving High |
| 350 | 405d Impaired Driving Mid |
| 360 | 405d Impaired Driving Low |
| 370 | 405d Impaired Driving Interlock |
| 380 | 405e Distracted Driving |
| 390 | 405f Motorcycle Program |

SAFETEA-LU

| Funding Source | Program Code | Program Area |
|-----------------------|---------------------|----------------------------------|
| NHTSA 402 | | |
| | PA | Planning and Administration |
| | AL | Alcohol |
| | EM | Emergency Medical Services |
| | MC | Motorcycle Safety |
| | OP | Occupant Protection |
| | PS | Pedestrian/Bicycle Safety |
| | PT | Police/Traffic Services |
| | TR | Traffic Records |
| | DE | Driver Education |
| | AI | Accident Investigation |
| | DL | Driver Licensing |
| | SA | Safe Communities |
| | CP | Community Traffic Safety Project |
| | SB | Pupil Transportation Safety |
| | RS | Roadway Safety |
| | RH | Railroad/Highway Crossings |
| | SC | Speed Management |
| | SE | Speed Enforcement |
| | TC | Traffic Courts |
| | CR | Child Restraint |
| | DD | Distracted Driving |
| | PM | Paid Advertising |
| | SO | Special Occupant Protection |
| | YA | Youth Alcohol |
| | TSP | Teen Safety Program |

| | | |
|-------------------------|------|-----------------------------------------|
| 405 Occupant Protection | | |
| | K2 | 405 Occupant Protection |
| | K2PM | 405 Paid Media |
| | | |
| 408 Data Program | | |
| | K9 | 408 Data Program Incentive |
| | | |
| 410 Alcohol | | |
| | K8 | 410 Alcohol SAFETEA-LU |
| | K8PA | 410 Alcohol Planning and Administration |
| | K8FR | 410 High Fatality Rate |
| | K8HV | 410 High Visibility |
| | K8PM | 410 Paid Media |
| | | |
| 2010 Motorcycle Safety | | |
| | K6 | 2010 Motorcycle Safety Incentive |
| | | |

Appendix D. Grant Contract Claim for Reimbursement Form

**Grant Contract
Claim for Reimbursement**

Nebraska Office of Highway Safety - NOHS
 P.O. Box 94612, Lincoln, NE 68509-4612
 Telephone: (402) 471-2515 FAX: (402) 471-3865
 Website: www.transportation.nebraska.gov/nohs/



| | | |
|-----------------|------------------------|-----------------------------------------|
| Contractor: | Telephone: | Contract #: |
| Contract Title: | Month of Expenditures: | Final Claim <input type="checkbox"/> |

NOHS USE ONLY

PROJECT FINANCIAL SUMMARY

| | |
|---------------------------|---------------|
| | Federal Share |
| Total Expenditures | |
| Program Income | |
| Net Amounts | |

| | | |
|---------------|-----------------|---------------|
| Current Month | Previous Months | Total to Date |
| | | |
| | | |
| | | |

NOTE: Supporting documentation for all expenditures above must be attached.

CERTIFICATION:

I hereby certify the foregoing document is consistent with the terms of the grant contract and is a true and accurate accounting of the expenditures.

 Signature of Project Director

 Type/Print Name and Title

 Date

 Signature of Authorized Official

 Type/Print Name and Title

 Date

NOHS USE ONLY

| | |
|-------------------------------------|--|
| Total Reimbursement | |
| Project Manager Review Initial/Date | |
| Supervisor Review Initial/Date | |
| Administrator Review Initials/Date | |
| Local % | |
| Accountant Date Paid/Initial | |
| Warrant # | |
| | |

| | |
|-----------------------|------------------|
| NDOR DOC# | |
| AB# | |
| TRANS | OE |
| ACTIVITY | ACCOUNT |
| NIGP | DATE |
| APPROVED (PRINT NAME) | Fred E Zwonechek |
| APPROVED SIGNATURE | |
| NOHS Project | Amount: |

Distribution: Original to NOHS
 Make Copy for Your File

Rev. 4/2012

Appendix F. Grant Contract Proposal Application Review Form

**Grant Contract Proposal Application Review Form
External Projects Only
Nebraska Office of Highway Safety**

| | | | | | |
|--------------------------|----------------|----------------------------|--------------|--------------|----------------|
| Reviewer's Name | | Date: | | | |
| Project Title: | | | | | |
| Applicant: | | | | | |
| Emphasis Area(s): | Alcohol | Occupant Protection | Speed | Youth | Traffic |

| Problem Identification | | | 0 = Low - 5 = High | | | | | | |
|-----------------------------------------------------|------------|-----------|---------------------------|----------|----------|----------|----------|----------|----------------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Are at least three years of baseline data included? | | | | | | | | | |
| Is the cause of the problem identified? | | | | | | | | | |
| Is it within NOHS's scope? | | | | | | | | | |
| Is the targeted population identified? | | | | | | | | | |
| Total of Points: Maximum 20 | | | | | | | | | |

| |
|------------------------------------------------------------|
| Comments and Suggestions for Problem Identification |
| |

| Target | | | 0 = Low - 5 = High | | | | | | |
|----------------------------------------|------------|-----------|---------------------------|----------|----------|----------|----------|----------|----------------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Are the results numerically outlined? | | | | | | | | | |
| Is one of the Emphasis Areas impacted? | | | | | | | | | |
| Total of Points: Maximum 10 | | | | | | | | | |

| |
|--------------------------------------------|
| Comments and Suggestions for Target |
| |

| Objectives | | | 0 = Low - 5 = High | | | | | | |
|---------------------------------------------------------|-----|----|--------------------|---|---|---|---|---|---------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Are objectives described in numerical/measurable terms? | | | | | | | | | |
| Do the objectives include measureable outcomes? | | | | | | | | | |
| Total of Points: Maximum 10 | | | | | | | | | |
| Comments and Suggestions for Objectives | | | | | | | | | |
| | | | | | | | | | |

| Strategies | | | 0 = Low - 5 = High | | | | | | |
|-----------------------------------------------------------------------------------------------|-----|----|--------------------|---|---|---|---|---|---------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Do they describe project activities? | | | | | | | | | |
| Do they present reasonable activities that can be accomplished within the project time frame? | | | | | | | | | |
| Total of Points: Maximum 10 | | | | | | | | | |
| Comments and Suggestions for Strategies | | | | | | | | | |
| | | | | | | | | | |

| Evaluation | | | 0 = Low - 5 = High | | | | | | |
|-------------------------------------------------------|-----|----|--------------------|---|---|---|---|---|---------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Does the evaluation measure results? | | | | | | | | | |
| Is each objective measured? | | | | | | | | | |
| Are the numerical results included in the evaluation? | | | | | | | | | |
| Total of Points: Maximum 15 | | | | | | | | | |
| Comments and Suggestions for Evaluation | | | | | | | | | |
| | | | | | | | | | |

| Budget Proposal/Budget Narrative | | | 0 = Low - 5 = High | | | | | | |
|----------------------------------------------------------------------|-----|----|--------------------|---|---|---|---|---|---------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Are expenditures necessary, appropriate and reasonable? | | | | | | | | | |
| Does the expenditure justify the anticipated results? | | | | | | | | | |
| Does the budget narrative explain expenditures? | | | | | | | | | |
| Total of Points: Maximum 15 | | | | | | | | | |
| Comments and Suggestions for Budget Proposal/Budget Narrative | | | | | | | | | |
| | | | | | | | | | |

| Cost Assumption | | | 0 = Low - 5 = High | | | | | | |
|---------------------------------------------------------------|-----|----|--------------------|---|---|---|---|---|---------------|
| | Yes | No | 0 | 1 | 2 | 3 | 4 | 5 | Rating Points |
| Are the agency's resources to match funding described? | | | | | | | | | |
| Do they describe how the project will reach self-sufficiency? | | | | | | | | | |
| Is a plan for future funds included? | | | | | | | | | |
| Total of Points: Maximum 15 | | | | | | | | | |
| Comments and Suggestions for Cost Assumption | | | | | | | | | |
| | | | | | | | | | |

| | | |
|----------------------------------------|-------------------|--|
| Total Points Scored: | Maximum 95 | |
| Summary of Recommended Changes: | | |
| | | |

Revised 4/2014

Appendix G. NOHS On-Site Monitoring Form

**Nebraska Office of Highway Safety
On-Site Monitoring Form**

| CONTRACTOR INFORMATION | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------------------------------------------|------------------------------|-------------------------|
| Contractor: | | Project #: | Contract Amount: | \$ |
| Project Title: | | | | |
| Dollars Expended to Date: | \$ | | | |
| Project Title | | | | |
| *All projects will be monitored once a year at an on-site visit with the exception of mini-grants. | | | | |
| Address: | | City: | State: | |
| Agency Director: | | Telephone: | | |
| Contract Representative: | | Telephone: | | |
| AUDIT INFORMATION | | | | |
| Date of Desk/On-Site Visit: | | Monitoring Type: Phone <input type="checkbox"/> On-Site <input type="checkbox"/> | | |
| | | | | <i>1 = Low 5 = High</i> |
| 1 Are contract project strategies on schedule: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 | |
| 2 Are monthly reports up to date: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 | |
| 3 Are claims being submitted in a timely manner: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 | |
| 4 Is the project staffed as required: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 5 Is activity acceptable: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 6 Does the contract include <u>special</u> conditions: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 | |
| 6a Have <u>special</u> conditions been met: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 7 Have <u>general</u> conditions of the contract been met: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 | |
| 8 Have any contract modifications been made: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 | |
| 9 Has pre-service/in-service training been provided: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 10 Obtain copies of all required reporting documents: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 11 Has contract equipment been purchased: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 11a If so, has equipment been put in service: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 11b Inspect all contract purchased equipment: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 11c Has an Equipment Inventory Log been completed: serial number attached: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 11d NOHS equipment tag attached: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 12 Have education items been ordered: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 12a Have educational items been received: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 13 Artwork/Safety message approved: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| 14 Travel reports submitted: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> | 1 - 2 - 3 - 4 - 5 |
| DEFICIENCY INFORMATION | | | | |
| <i>Note deficiencies by referencing number and describing deficiency and required correction(s) (attach additional sheet if needed):</i> | | | | |
| | | | | |
| | | | | |
| | | | | |
| Deficiencies must be corrected by: | | | | Score: |

Appendix H. Selected Items of Cost Addressed in the Uniform Guidance

Effective with FY2016 grants, compliance with the OMB [Uniform Guidance at 2 CFR Part 200](#) which consolidated and replaced several federal regulations including OMB Circular A-87.

The following items are covered at [2 CFR Part 200 General Provisions for Selected Items of Cost](#). Because the Federal regulations have been consolidated, some items are not pertinent to the HSO.

Selected items of cost addressed are:

1. Advertising and public relation costs
2. Advisory councils
3. Alcoholic beverages
4. Alumni/ae services
5. Audit services
6. Bad debts
7. Bonding costs
8. Collections of improper payments
9. Commencement and convocation costs
10. Compensation - personnel services
11. Compensation – fringe benefits
12. Conferences
13. Contingency provisions
14. Contribution and donations
15. Defense and prosecution of criminal and civil proceedings and claims
16. Depreciation
17. Employee health and welfare costs
18. Entertainment costs
19. Equipment and other capital expenditures
20. Exchange rates
21. Fines, penalties, damages and settlements
22. Fund raising and investment management costs
23. Gains and losses on disposition of depreciable assets
24. General costs of government
25. Goods or services for personal use
26. Idle facilities and idle capacity
27. Insurance and indemnification
28. Intellectual property
29. Interest
30. Lobbying
31. Losses on other awards or contracts
32. Maintenance and repair costs
33. Materials and supplies costs, including costs of computing devices
34. Memberships, subscriptions and professional activity costs
35. Organizational costs
36. Participation support costs
37. Plant and security costs
38. Pre-award costs
39. Professional service costs
40. Proposal costs
41. Publication and printing costs
42. Rearrangement and reconversion costs
43. Recruiting costs
44. Relocation costs of employees

45. Rental costs of real building and equipment
46. Scholarships and student aid costs
47. Selling and marketing
48. Specialized service facilities
49. Student activity costs
50. Taxes (including Value Added Tax)
51. Termination costs
52. Training and education costs
53. Travel Costs
54. Trustees