

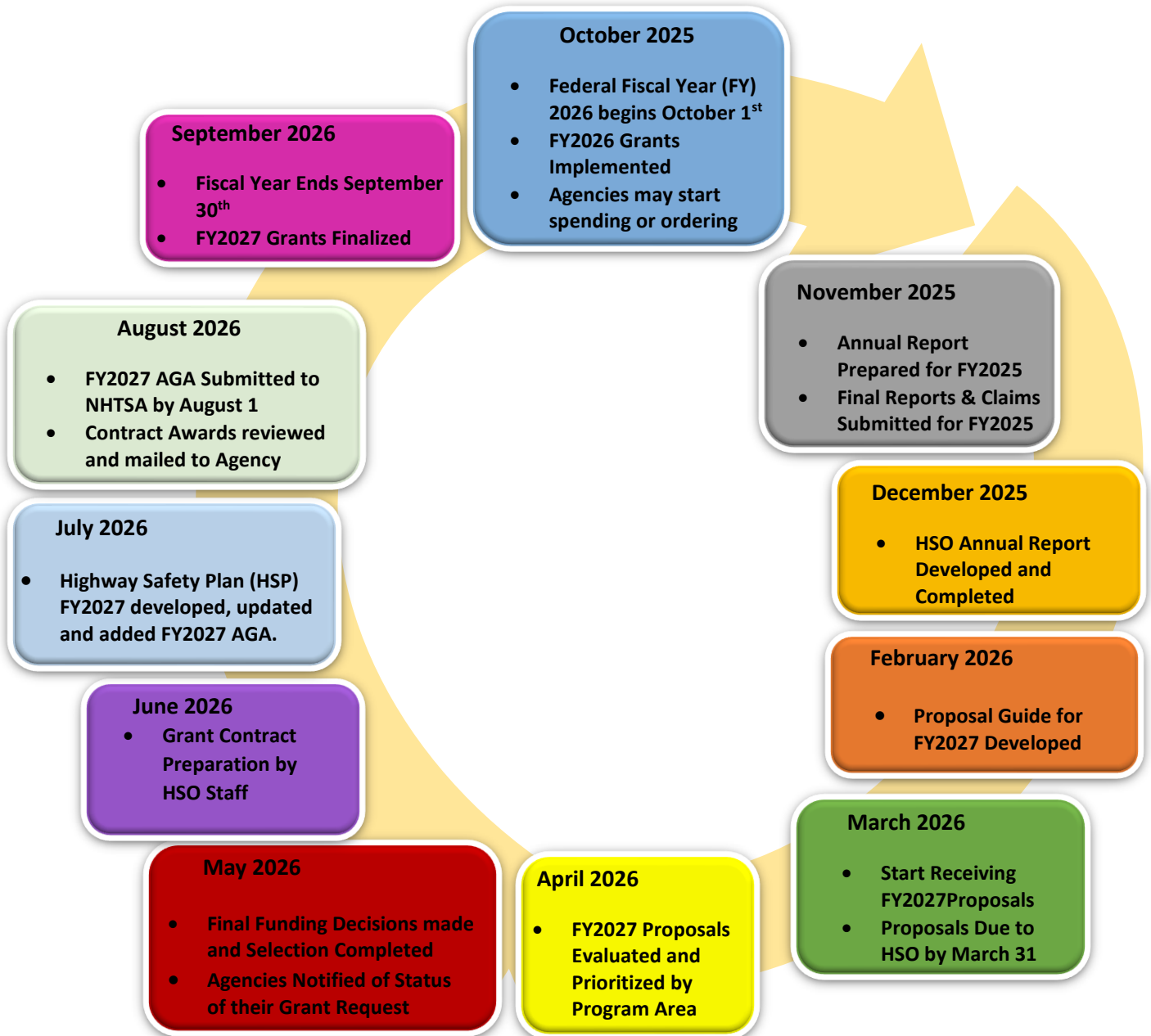
# Grant Contract Proposal Guide and Policies and Procedures **Federal Fiscal Year 2026**



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Highway Safety Office  
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<http://dot.nebraska.gov/safety/hs/>

**NDOT-Highway Safety Office  
Federal Fiscal Year 2026 Grant Cycle**



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## INTRODUCTION

The procedures outlined in this manual are based upon the requirements of the Highway Safety Act of 1966 (United States Code, Title 23, Chapter 4, § 402, § 405 & Section 1906) and subsequent amendments; the “Fixing America’s Surface Transportation” (FAST) Act, the Bipartisan Infrastructure Law (BIL), Public Law 114-94, Nebraska Revised Statutes; and Administrative Orders issued by the National Highway Traffic Safety Administration (NHTSA), and the Nebraska Department of Transportation Highway Safety Office (HSO). The HSO is a division within the Nebraska Department of Transportation and is responsible for the administration and distribution of these federal funds that Congress appropriates annually.

This guide has been prepared by the HSO to provide guidance in conforming to the federal fiscal and technical requirements. All governmental agencies, subdivisions and 501c3 non-profit organizations are encouraged to take an active part in Nebraska’s Highway Safety Program.

These funds are utilized to reduce Nebraska’s fatal and serious injury crash rates. Statewide problem identification analysis reveals a wide variety of highway safety problems ranging from human factors to roadway environment. The funding supports projects and activities that contribute to the reduction of traffic crashes and resulting in fewer deaths and injuries.

Funding is provided to assist with the implementation of projects, which will address specifically identified traffic-related safety problems. Specific emphasis areas include impaired, speed, distracted, occupant protection, and youth. Many types of organizations are eligible to receive traffic safety funding including governmental agencies, political subdivisions of state, local, city and county government agencies; law enforcement agencies, state colleges and universities, school districts, public emergency service providers and 501(c)3 non-profit organizations.

Project funding assistance may be considered for up to three consecutive years and must be reapplied for annually. Funding is awarded to state and local safety-related agencies as "seed" money to assist in the development and implementation of programs in traffic safety priority areas. Funding for these projects is apportioned to States annually from the National Highway Traffic Safety Administration (NHTSA) according to a formula based on population and road miles. Occasionally, additional funding may be available for projects in other program areas if there is documented evidence of an identified problem. The HSO reserves the right to determine appropriate hard match contributions.

Federal funds allocated to finance state and local government highway safety projects are intended to be a supplement, not be a substitute for ongoing state or local program expenditures. Projects should be designed to eliminate a deficiency in an applicant agency’s program or to expand an existing program.

Federal grants are funded in the form of reimbursable contracts. Reimbursement is made by the HSO on a monthly basis upon receipt of a claim for reimbursement made by the applicant agency.

It is the responsibility of each agency to notify the HSO in writing immediately when a funded proposal has been funded from another source. Failure to make this notification could result in supplanting which is a direct violation of federal rules and could adversely affect future funding opportunities.

When an applicant/organization is awarded highway safety funding, they must abide by all federal requirements, which includes all applicable federal statutes, regulations, executive orders, National Highway Traffic Safety Administration (NHTSA) guidelines, Office of Management and Budget (OMB) and other federal requirements as referenced on the [NHTSA Resources Guide](https://www.nhtsa.gov/highway-safety-grants-program/resources-guide). This web page and all associated federal regulations must be reviewed by the applicant and are available on the website at: <https://www.nhtsa.gov/highway-safety-grants-program/resources-guide>

## GRANT CONTRACT PROPOSAL GUIDE

The Highway Safety Office is responsible for the planning, administration, and evaluation of the state's federal highway safety funding that is authorized by Congress. Federal funding is provided to assist states and their counties and communities to initiate projects, which direct activity towards resolving identified and prioritized traffic safety problems. Only governmental agencies, their subdivisions and 501c3 non-profit organizations are eligible for funding assistance. Through analysis of crash data, the following 25 counties and their communities have been identified as "Priority Counties" for fiscal year 2026.

ADAMS	DAKOTA	GAGE	LINCOLN	PLATTE	SCOTTS BLUFF
BUFFALO	DAWSON	HALL	MADISON	SALINE	SEWARD
CASS	DODGE	HAMILTON	OTOE	SARPY	WASHINGTON
CEDAR	DOUGLAS	LANCASTER	PHELPS	SAUNDERS	YORK
COLFAX					

The following program guidelines focus federal funding assistance in those areas that have a maximum probability of reducing death and injury on roadways. Nebraska's emphasis areas are impaired, speed, distracted, occupant protection, and youth. Project activity should be directed toward one or more of these emphasis areas. Activity must focus on the reduction of fatal and serious injury crashes.

Grant contract expenditures must meet the following criteria:

- Increase rather than replace existing activities.
- Represent an additional cost.
- Be necessary, reasonable and supported in the budget narrative.
- Be eligible expenses under local, state, and federal laws/regulations.

The following items are not eligible for grant contract funding (unallowable costs):

- Highway maintenance, construction, or design.
- Office furniture and fixtures.
- Land.
- Regulatory traffic signs.
- Alcoholic beverages.
- Entertainment.
- Lobbying costs.
- Promotional items.

Applicants are encouraged to "leverage" funds requested from the HSO with staff, financial, or other resources which they are able to contribute to the proposed project. Funding assistance is intended to be used as "seed money" to implement a project. Project activity that is successful is expected to continue after the HSO funding assistance ends. Projects may be considered for funding assistance for up to three consecutive years with annual grant contracts between the HSO and the funded project.

A cost assumption plan is required as part of the initial application. The cost assumption plan is a detailed description of how the applicant plans to continue the project activity after the HSO funding assistance ends. Continuation of project activity may be accomplished with other funding and/or additional agencies' efforts.

The HSO will review applications submitted by the due date in accordance with the selection criteria. Each applicant will be notified of project approval or denial no later than forty-five (45) days after the application deadline. Grant Contracts will be funded contingent upon receipt of funds from federal sources and approval based on project merit. The "Grant Contract Period" should not exceed 1-year as grants must be applied for annually. Approved projects will begin project activity October 1, 2025.

### Review Certification and Assurances (Attachment A).

## HOW TO APPLY

These instructions provide potential applicants with the appropriate format needed to prepare a project proposal.

## DEADLINE

Proposals must be received by March 31, 2025, to be considered for Federal Fiscal Year 2026, beginning October 1, 2025.

Please submit to:

NDOT - Highway Safety Office  
P.O. Box 94612  
Lincoln, Nebraska 68509-4612

Email: [ndot.hso@nebraska.gov](mailto:ndot.hso@nebraska.gov)

Listed below are the required components followed by a description of each component. The entire request should be no more than four (4) pages in length. Attachment B is a sample project application.

- ✓ PROJECT TITLE AND SUMMARY
- ✓ ORGANIZATIONAL BACKGROUND
- ✓ PROBLEM IDENTIFICATION
- ✓ TARGET
- ✓ OBJECTIVES
- ✓ STRATEGIES
- ✓ BUDGET PROPOSAL / BUDGET NARRATIVE
- ✓ EVALUATION
- ✓ COST ASSUMPTION

## 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 the following:

1. Identification of the applicant/organization.
2. The reason for the project, the issue, problem, or need to be met.
3. The target of the project.
4. The objectives to be achieved.
5. The kinds of strategies/activities to be conducted to accomplish the objectives.
6. 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 to provide credibility about the applicant's organization.

## PROBLEM IDENTIFICATION

Problem identification is a critical part of the proposed project. It represents the justification for the proposal and focuses on the conditions the applicant wishes to change. Problem identification looks at a particular situation and identifies causes for the problem. <https://dot.nebraska.gov/safety/hso/grants/>

1. Include five (5) years of baseline information. Data may include statistics on crashes, injuries, fatalities, DWI and moving violation contacts, specific time periods, roadway types, driver age, or other crash-related statistics that support the problem. Crash statistics summarized by county are available on the HSO website. See HSO website for a breakdown of 5 years of baseline data by State and County at: <https://dot.nebraska.gov/safety/crash/> under NE State/County – Traffic Records Data 2019-2023 (As available data is updated, targets may be modified, but approved activities will not be required to change.)
2. Identify the cause of the problem. Be specific.
3. Identify the targeted population (i.e., drivers ages 16-20).

## TARGETS

The anticipated long-term results of the project must influence one or more of the specific emphasis areas. The Target should be written to coincide with the HSO Statewide FY2026 Emphasis Area Targets. The Emphasis Areas and Targets are:

Overall Emphasis Area: Fatal, A and B Injury Crashes

Target: *To decrease the increasing trend of fatal, A and B crashes by maintaining a constant trend of 5,292 (2019-2023 rolling average) through December 31, 2026.*

Target: *To decrease the increasing trend for traffic fatalities by maintaining a constant trend of less than 235 (5 year rolling average in 2019-2023) through December 31, 2026.*

Emphasis Area: Alcohol-Impaired Fatal, A and B Injury Crashes

Target: *Reduce alcohol-impaired fatal, A and B crashes by 17.9 percent from 402 (2019-2023 rolling average) to 334 by December 31, 2026.*

Emphasis Area: Occupant Restraint Use

Target: *To reduce the decreasing trend of statewide observed seat belt use of front seat outboard occupants in passenger vehicles by maintaining a constant trend of 80.7 percentage points (5 year rolling average in 2019-2023) through December 31, 2026.*

Emphasis Area: Speed-Related Fatal, A and B Injury Crashes

Target: *To decrease the increasing trend of speed-related fatal, A and B crashes by maintaining a constant trend of 415 (2019-2023 rolling average) through December 31, 2026.*

Emphasis Area: Youth-Involved (age 20 and under) Fatal, A and B Injury Crashes

Target: *Reduce youth-involved fatal, A and B crashes by 2.5 percent from 1,340 (2019-2023 rolling average) to 1,307 by December 31, 2026.*

Emphasis Area: All Other Factors - Fatal, A and B Injury Crashes

Target: *To decrease the increasing trend of all other fatal, A and B crashes by maintaining a constant trend of 4,470 (2019-2023 rolling average) through December 31, 2026.*

(Injury type: A – disabling; B – visible but not disabling)

## OBJECTIVES

In order for any project to be successful, it must contain measurable results. The most useful objectives tell **who** is going to be doing **what, by when, and by how much**. These funded activities should be **measurable**.

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

## STRATEGIES

The next step is to identify the strategies (activities) used to achieve the objectives. The strategies should flow naturally from the problems and implement the objectives.

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



## **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, telephone added as part of the project, printing, postage, office supplies, costs of office space and special equipment added as part of the project. Materials, advertising and activities must directly relate to the project objectives offering incentives or encouraging the target audience to adopt specific practices. Avoid using the terms miscellaneous or etc. Include a budget narrative that explains each item listed in the budget proposal.

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

## **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.

- 1) Administratively evaluate measured/planned activities.
- 2) Each objective must be evaluated to determine success.
- 3) Compare pre- and post- project activities.

## **COST ASSUMPTION**

This is an important item on the application because federal highway safety funds are intended as seed money to start worthwhile activities which will be continued after federal funding assistance is terminated. The applicant/organization must provide a long-term cost assumption plan outlining how the project activity will be continued. Continuation of project activity may be accomplished with other funding and/or additional agencies' efforts.

- 1) Describe the agency's resources to match funding.
- 2) Provide a matching plan for requested federal funds.
- 3) Describe how the project will reach self-sufficiency.

## **OTHER ITEMS TO BE SUBMITTED WITH GRANT CONTRACT APPLICATION**

- 1) The Grant Contract Proposal Cover must be completed including all required signatures and submitted with the application. The [Grant Contract Proposal Cover](#) is Attachment B and a template is available on the NDOT-HSO website <http://dot.nebraska.gov/safety/hso/>.
- 2) Agency's current Drug-Free Workplace Policy and Seat Belt Use Policy (if not currently on-file at the HSO).

## **FOR FURTHER INFORMATION OR ASSISTANCE PLEASE CONTACT:**

Bill Kovarik, Administrator  
NDOT Highway Safety Office  
P.O. Box 94612  
Lincoln, Nebraska 68509

Physical Location: 5001 South 14<sup>th</sup> Street, Room 158, Lincoln,  
Nebraska 68512 Telephone: 402/471-2516  
Email: [william.kovarik@nebraska.gov](mailto:william.kovarik@nebraska.gov)

## **POLICIES AND PROCEDURES**

The following are the "Policies and Procedures" of the NDOT-HSO (HSO) that are incorporated into each approved grant and/or mini-grant contract. All contractors **must** comply with these "Policies and Procedures" in addition to appropriate state and federal rules and regulations (Attachment A). This guide is located on the HSO website at <https://dot.nebraska.gov/safety/hso/grants/>.

## ACCOUNTING RECORDS

All grants are required to maintain records that identify the source (federal, state, or local) and application of funds for each line item approved in the project’s application. Project directors must provide all supporting documentation for each of the expenditures listed on all submitted ‘*Claim for Reimbursement*’ forms. Source documentation may include copies of invoices, timesheets, and computer-generated reports. The HSO program manager may request to see all documentation during an on-site visit and/or may require additional documentation.

Accurate time records must be maintained whenever employee salaries are claimed as reimbursable expenses. These time records, as well as documentation of the amounts paid, must be available for audit and filed with your grant claim. 100% of the time worked must be recorded, even if only a percentage is claimed. Please use the [Weekly Time Report](#) and the [Personnel Services Breakdown](#) on the HSO website at: <https://dot.nebraska.gov/safety/hso/grants/grant-forms/>

## AUDIT REQUIREMENTS

According to the Office of Management and Budget (OMB) [2 CFR Subpart F – Audit Requirements](#), a non-federal entity that expends \$750,000.00 or more during the non-Federal entity’s fiscal year in Federal awards must have a single audit conducted in accordance with [OMB 2 CFR Subpart F § 200.501](#). Please see [OMB 2 CFR Subpart F § 200.502](#)- Basis for determining Federal awards expended - to ensure all expended funds are accounted for, a copy of the audit must be made available to the HSO within the earlier of 30 calendar days after receipt of the auditor’s report(s) or nine months after the end of the audit period.

In addition, all grant contractors are subject to a financial and compliance audit by state and/or federal auditors. All documents associated with the grant project must be made available at any time for inspection by the HSO or their designated representatives.

The [OMB 2 CFR Subpart F § 200.333](#), provides information on “Retention requirements for records”. All financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, until any outstanding audits are completed.

Each approved project contract will have the appropriate Catalog of Federal Domestic Assistance (CFDA) number and Federal Award Identification Number (FAIN) on it to call attention to the need for inclusion in the Schedule of Federal Expenditures (SEFA) of the Single Audit by the contractor. The complete set of the HSO CFDA numbers as administered by NHTSA are listed below:

CFDA	Fund Type	Fund Description
20.600	Section 402	State and Community Highway Safety
20.616	Section 405b	Occupant Protection Incentive Grants (National Priority Safety Programs)
20.616	Section 405c	State Traffic Safety Information Systems Improvement Grants (National Priority Safety Programs)
20.616	Section 405d	Impaired Driving Countermeasures Incentive Grants (National Priority Safety Programs)
20.616	Section 405e	Distracted Driving (National Priority Safety Programs)
20.616	Section 405f	Motorcycle Safety Grant (National Priority Safety Programs)
20.616	Section 405h	Preventing Roadside Deaths
20.611	1906	Incentive Grant Program to Prohibit Racial Profiling

The website below provides information to assist State and Federal professionals to manage highway safety grant programs administered by the National Highway Traffic Safety Administration. Included

are: United States Codes, Code of Federal Regulations, and Office of Management and Budget Circulars. Go to the NHTSA website: <https://www.nhtsa.gov/highway-safety-grants-program/resources-guide> **Federal Regulations For All Grant Programs** for information regarding audit requirements and grant funding.

<b>Applicable to:</b>	<b>Federal Document/Circulars</b>	<b>Regulations</b>
<b>All</b>	Highway Safety Act of 1966, as amended	<a href="#">23 U.S.C. Chapter 4</a>
<b>All</b>	Highway Safety Grant Funding Policy for Field-Administered Grants - NHTSA and FHWA Regulatory Requirements Applicable to 23 USC Sections 402 and Section 405	<a href="#">23 CFR Chapter II, Subchapter A, Part 1200</a>
<b>All – 2 CFR 200 – Office of Management and Budget</b>	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards	<a href="#">Title 2, Subtitle A, Chapter II, Part 200</a>
<b>State &amp; Local</b>	Uniform Administrative Requirements to State and Local Governments	Title 2, Subtitle A, Chapter II, Part 200
<b>Institutions of Higher Education, Hospitals &amp;</b>	Uniform Administrative Requirements for Grants & Agreements to Institutions of Higher Education, Hospitals & Nonprofits	Title 2, Subtitle A, Chapter II, Part 200
<b>State, Local and Indian Tribal</b>	Cost Principles for State and Local Government and Indian Tribe Indirect Cost Proposals - Audit	Title 2, Subtitle A, Chapter II, Part 200
<b>Institutions of Higher Education</b>	Cost Principles for Educational Institutions	Title 2, Subtitle A, Chapter II, Part 200
<b>Non-Profit Organizations</b>	Costs Principles for Non-Profit Organizations	Title 2, Subtitle A, Chapter II, Part 200
<b>State, Local Government &amp; Non-Profit</b>	Audits of State, Local Government & Non-Profit Organizations	Title 2, Subtitle A, Chapter II, Part 200

**AUDIT REPORTS**

In the event the contractor is required to be audited, a copy of the contractor’s audit report and all associated documents should be sent to the NDOT Controller Audit Department at [ndot.controllerauditrequests@nebraska.gov](mailto:ndot.controllerauditrequests@nebraska.gov) for review. The audit review will be included in the NDOT audit files. If the audit is found to have any audit findings, the contractor will receive a follow-up letter of instruction from the NDOT Audit supervisor.

**BUDGET**

The budget proposal for the project is an estimate, but should specifically describe any cost expenditure. Estimated costs for a project proposal may be categorized according to four cost categories:

- Personnel Services Salaries, benefits, overtime, training and project-related travel expenses.
- Contractual Services Individual consultants or firms performing services, special studies, or gathering data pertaining to the project.
- Commodities Materials acquired and consumed specifically for the purpose of the grant contract: telephone added as part of the project, printing, postage, and office supplies specific to the project.
- Other Direct Costs Rent and special equipment added as part of the project.

**BUY AMERICA ACT**

The National Highway Traffic Safety Administration (NHTSA) indicated any product (equipment or

materials) purchased using NHTSA federal highway safety grant funds must be made or assembled in America (documentation is also required).

NHTSA may waive the *Buy America* requirement if: **(1)** the application would be inconsistent with the public interest; **(2)** such materials and products are not produced in the US in sufficient and reasonably available quantities and of a satisfactory quality; or **(3)** the inclusion of domestic material will increase the cost of the overall product by more than 25 percent. **Disqualified products are not eligible for reimbursement.**

A written request for a waiver consideration for any of the above three identified conditions must be submitted to the HSO **prior to any purchase**. The HSO will submit a formal written waiver to NHTSA. NHTSA has estimated that the waiver process will take approximately 90 days from the date of receipt until NHTSA publishes a Federal Register notice. Contact HSO to receive written approval for a grant purchase of any promotional or educational items for distribution.

NHTSA's Buy America Act public interest waiver became effective July 30, 2015. This waiver allows States to purchase any manufactured product with a purchase price of \$10,000.00 or less, excluding a motor vehicle, when the product is purchased using Federal grant funds administered under 23 U.S.C. Chapter 4.

## **CERTIFICATION AND ASSURANCES**

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Contractors are required to become familiar with the contents of Attachment A "*Certification and Assurances for Highway Safety Grants*", located in this Grant Contract Proposal Guide and Policies and Procedures and are notified that failure to do so will not excuse nonperformance or noncompliance.

### **CLEAN AIR ACT (over \$150,000)**

The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act 42 U.S.C. 7401 et seq. and the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. The Contractor agrees to report each violation to the HSO and understands and agrees that the HSO will, in turn, report each violation as required to assure notification to NHTSA and the appropriate EPA Regional Office.

### **COMPETITIVE BIDS**

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All equipment and/or commodities purchased under the grant contract that have unit values in excess of \$500.00 or multiple identical units of equipment and/or commodities procured having a total accumulated value in excess of \$500.00 must be acquired only as a direct result of competitive bids. A minimum of three (3) documented bids are required unless purchased from a State contract. Copies of all competitive bids must be submitted to the HSO for examination and final approval. Selection of the vendor will be made on an overall economic basis, including but not limited to, the lowest bid. Permission to accept other than the lowest bid must be expressly approved in writing by the HSO prior to acceptance/purchase.

### **COMPLIANCE**

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In addition to the policies listed in this guide and in the grant contract document, the grant contractor will comply with all applicable federal and state laws, rules, and regulations.

### **CONFLICT OF INTEREST**

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No person performing services for the grant contract shall have a financial or other personal interest in any contractor or subcontractor involved in the project other than their employment or retention by the grant contract.

## **CONTRACT REVISIONS**

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Grant contract proposals may be amended prior to or after signing. The amendments are not binding unless they are in writing and signed by persons authorized to bind each of the parties. The signature of the HSO 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. Retroactive approval of revisions will not be granted; costs incurred in such situations will not be reimbursed. A revision cannot be used to authorize new or different activities not related to the scope of the grant being revised. Revised contracts require revised budget proposals which must be provided to HSO with the contract revisions.

## **COST ASSUMPTION**

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The formal cost assumption plan is a detailed description of how the grant contractor plans to continue the project after the HSO grant funding assistance concludes. Continuation of the project activity may be accomplished with other funding and/or additional agencies' efforts. The cost assumption plan must be in place prior to receiving any funds.

## **DRIVING POLICY**

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The policy of the HSO is to ensure that vehicles are driven legally, safely, and defensively. Contractors and their staff are to carry a valid vehicle operator's license, the required liability insurance, maintain good driving records, and utilize seat belts.

## **DRUG-FREE WORKPLACE POLICY**

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All grant contractors and/or their agents are required to have an approved drug-free workplace policy in effect for all employees. An official copy of this policy must be provided with the grant contract proposal. The State of Nebraska is committed to providing an employment environment that is drug-free.

## **EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

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Grant contract recipients and/or their agents will not discriminate against any employee or applicant for employment because of race, religion, sex, age, color, national origin, sexual orientation, gender identity, or mental/physical disability. The grant contractor will take affirmative action to ensure that applicants and employees are treated equally without regard to their race, religion, sex, age, color, national origin, sexual orientation, gender identity, or mental/physical disability. The grant contractor and/or their agents shall not discriminate against any person based on race, religion, sex, age, color, national origin, sexual orientation, gender identity, or mental/physical disability in the use of any property or facility required or developed pursuant to a highway safety contract. The grant contractor and/or their agents shall comply with Title VI and Title VII of the Civil Rights Act of 1964 as amended and all applicable requirements pursuant to regulations of the U.S. Department of Transportation.

## **EQUIPMENT PURCHASE (also refer to Competitive Bids)**

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All equipment purchases must be specifically itemized in the budget proposal. If not included in the original budget proposal, expressed written approval from the HSO is required prior to any purchase. Competitive bids (a minimum of three (3) bids) are required on any equipment purchase in excess of \$500.00.

Upon receipt of any equipment purchased with federal funds, the grant contractor must complete an "Equipment Inventory Log" and submit it to the HSO. The "Equipment Inventory Log" is located on the

HSO website. The grant contractor shall appropriately maintain any equipment purchased under the grant contract. HSO staff will provide a HSO inventory tag to be placed on all equipment purchases.

#### **Equipment Purchase/Inventory Procedures - \$10,000.00 or More**

- Equipment purchases of \$10,000.00 or more must receive prior written approval from the HSO.
- Upon receipt of the equipment the grant contractor must complete an “*Equipment Inventory Log*” and forward to the HSO.
- For all equipment purchases over \$10,000.00, the serial number for the item shall be considered the inventory number.
- Annually, the HSO will forward a physical inventory request form to each contractor requesting physical inventory be conducted of equipment purchases over \$10,000.00.
- No contractor shall dispose of any equipment without written approval from HSO. Disposal of the equipment will be according to the applicable State and Federal regulations.

Equipment purchased with federal funds that has a market value of more than \$1,000.00 or has any useful life remaining and is not fully depreciated may not be disposed of in any manner by the grant contractor without the expressed written approval of the HSO. Should a grant contractor desire to dispose of such equipment, the grant contractor will immediately notify the HSO. Disposal of the property will be according to applicable state and federal regulations. All grant contract funded purchases must be requested, purchased, invoiced, and delivered prior to the end of the grant fiscal year, September 30.

#### **FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

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The Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act – Pub.L. 109-282, as amended by section 6202(a) of Pub.L. 110-251) requires the Office of Management and Budget (OMB) to maintain a single searchable website that contains information on all federal spending awards. The site is [www.USASpending.gov](http://www.USASpending.gov). The Transparency Act requires every grant/sub-grant/contract/sub-contract equal to or greater than \$30,000.00 awarded by the HSO to be accounted for on the Federal Funding Accountability and Transparency Act Sub-award Reporting System (FSRS) at [www.fsr.gov](http://www.fsr.gov).

All contractors awarded federal HSO funding equal to or greater than \$30,000.00 will be required annually to submit specific information requested by the HSO accountant to comply with the Transparency Act.

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#### **GRANT CONTRACT AWARD**

Upon receipt of the Grant Contract Award, the Project Director, Authorized Official, and the Financial Officer must **sign in ink**, date, and return the grant contract award to the HSO. The signature of the HSO Administrator and/or Governor's Representative for Highway Safety authorizes the Grant Contract Award. A copy of the approved Grant Contract Award will be returned to the grant contractor. Receipt of this signed copy provides formal approval of the grant contract. The grant contractor may not begin incurring costs according to the terms of the grant contract until the Grant Contract Award has been fully executed.

#### **GRANT CONTRACT MONITORING**

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Desk Monitoring -- All grant contract activities and expenditures will be reviewed each month by the HSO staff. Monthly monitoring occurs when the HSO project manager reviews the contractor's monthly activity report and monthly reimbursement request.

On-Site Monitoring -- All grant contractors are subject to on-site monitoring visits by the HSO staff. On-site monitoring visits will be conducted at least annually and may occur more frequently and at any time

during the grant contract period. 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 annually to review project status, documents, contractor management, and financial systems.

## **INDIRECT COSTS**

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Indirect costs are those 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 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) or IDCR is usually necessary for each department or agency of the governmental unit claiming indirect costs under Federal awards. A copy of the approved federal indirect cost rate for your organization/agency must be submitted to the HSO, if claiming indirect costs.

## **LOBBYING**

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Funding may not be used directly or indirectly to pay for any personnel services, advertisement, telegram, e-mail service, telephone, letter, printed or written matter, or other devices intended to influence a member of Congress in acting upon legislation. Federal funds are also prohibited for use in "grassroots" lobbying campaigns that encourage third parties, members of special interest groups, or the general public to contact members of Congress in support of or in opposition to a legislative or appropriations matter. This applies to Congressional and State legislators.

## **MATCHING FUNDS**

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The HSO may require the grant contractor to provide a hard match dollar contribution to the project. As an example, if the grant contract requires a 30 percent hard match, the grant contractor must contribute 30 cents of every dollar expended on the project. Indirect/In-kind services are not considered hard match contributions.

## **MILEAGE**

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In-state travel expenses may include personal vehicle mileage. Mileage will be reimbursed at the rate allowed by the grant contractor, not to exceed the standard rate established by the Internal Revenue Service. All personal vehicles used for travel must be in compliance with all Nebraska motor vehicle laws.

## **MINI-GRANT CONTRACT APPLICATION AND AWARD**

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The mini-grant application and award process provides funding assistance for a specific, short-term activity. Applicants may apply for funding assistance through the mini-grant process at any time during the year. Mini-grants are available to law enforcement agencies for speed detection equipment, in-car camera equipment, preliminary breath testing instruments and selective overtime enforcement. Other political subdivisions and 501c3 non-profit organizations are eligible for mini-grant funding assistance in the areas of public information and education and traffic training. Specific information regarding the mini-grant contract application and award process is available at the HSO website at <http://dot.nebraska.gov/safety/hso/grants/mini/>.

## **MINI-GRANT CONTRACT AND AWARD REIMBURSEMENT**

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The mini-grant contract and award reimbursement process has specific criteria for each type of mini-grant. The specific reimbursement process and the required supporting documentation are contained in the body of the actual mini-grant application and award. If additional supporting documentation is required, those requirements will be addressed in the correspondence forwarded with the approved mini-grant. The required supporting documentation shall be attached to the [https://dot.nebraska.gov/media/xt2jowvh/cr\\_minigrant.pdf](https://dot.nebraska.gov/media/xt2jowvh/cr_minigrant.pdf). The form is available under "Grant Forms" on the HSO website at <http://dot.nebraska.gov/safety/hso/grants/mini/>.

## **MINORITY AND WOMEN BUSINESS ENTERPRISES (MBE & WBE)**

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Contractors must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible, including the following affirmative steps. These requirements do not impose an obligation on Contractors to set aside either the solicitation or award of a contract to these types of firms. Rather, the requirement only imposes an obligation on Contractors to carry out and document the six affirmative steps identified below. These requirements do not preclude Contractors to undertake additional steps to involve small and minority businesses and women's business enterprises.

Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

1. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
2. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises. This does not authorize breaking down a single project down into smaller components in order to circumvent the micro-purchase or small purchase thresholds so as to utilize streamlined acquisition procedures (e.g. "project splitting");
3. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
4. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
5. If subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this subparagraph.

## **OVERTIME**

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Overtime compensation is not allowed unless expressly pre-approved in writing by the HSO.

## **PERSONNEL SERVICES/SUPPLANTING**

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Salaries of personnel paid for in a grant contract must be new (additional) positions. The grant contract cannot be used to supplement or replace salaries of existing personnel (supplanting). Exceptions may be considered for grant contracts relating to specific overtime activity. If the grant contract transfers current personnel to the project, the grant contractor must hire and maintain additional personnel to fill the vacancy created by the transfer. Whenever the staffing level drops below the grant contract award level, the HSO reserves the right to deny the personnel services reimbursement. In summary, salaries paid under a grant contract should represent payment for personnel services over and above the existing staffing level of the department, agency, or office.

All personnel funded under the grant contract must be identified by name and date of hire. Any changes in grant contract personnel, reassignments, or terminations must be reported in writing. Payment for personnel services may only be reimbursed for work performed within the dates of hire. Work



performed prior to the documented hire date or after the documented termination date under the grant contract cannot be reimbursed. Payment can only be reimbursed for personnel specifically identified in the approved budget proposal. For example, if the budget specified one (1) traffic officer at 100%, reimbursement of personnel expenses cannot be made for two officers, each working 20 hours of a 40-hour shift. Reimbursement can only be made for the one officer.

The HSO reserves the right to adjust salary levels outlined in the grant contract application that it considers disproportionate for the task. Any fringe benefits, holidays, vacation, sick leave, or compensatory time must be consistent with the state or local unit of government for which the contract is written.

Grant contract funded personnel are to expend 100% of their time in the development, implementation, and evaluation of the activities specified in the approved grant contract unless otherwise expressly approved in writing by the HSO. Timesheets must be maintained for all grant-funded personnel reflecting the dates and hours of work charged to the project. The Weekly Time Report sample is available on the HSO website. If personnel are funded 100% through the grant contract, their activity must be 100% in support of activities agreed upon in the grant contract award. Payment for grant contract funded personnel performing tasks outside the grant contract will not be reimbursed. For example, grant contract funded traffic officers are provided to increase the level of traffic law enforcement in a jurisdiction. As such, they are prohibited from providing funeral escorts or parade duty. Special DUI prosecutors are provided solely for the purpose of increasing DUI and other dangerous driving case convictions and relieving the backlog of such cases. They are prohibited from utilizing federal highway safety funds for prosecuting or handling other cases such as burglary, aggravated assault, etc.

## **PRINTED MATERIALS**

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Materials printed as part of the grant contract shall indicate that the project is sponsored by the HSO. Materials need to display the HSO logo and/or words "Funded by the NDOT Highway Safety Office" or "Printed with State Highway Safety Funds." All public awareness/education materials developed as a part of a highway safety grant contract are to be submitted in draft form to the HSO for written approval **prior** to production and/or distribution.

The grant contractor reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use for federal government purposes: 1) The copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and 2) any rights of copyright to which a grantee, subgrantee, or a contractor purchases ownership with grant support.

These items may not be copyrighted without the expressed written permission of the HSO. A copy of all materials printed as a part of the grant contract must be submitted along with the monthly reimbursement request.

## **PROGRAM INCOME**

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**Definition:** Program income means gross income received by the grant contractor directly generated by a grant- supported activity or earned only as a result of the grant contract agreement during the grant period.

Reporting Requirement -- If the funded grant contract **generates income**, the source of the income and the amount must be reported on each Grant Contract Claim for Reimbursement (CR) form submitted to the HSO. Program income is defined as any income generated as a direct and/or indirect result of the project. Any program income not reported to the HSO on the monthly CR may be cause for termination of the grant contract. (It is the responsibility of the grant contractor to maintain

appropriate accounting records regarding program income.)

Utilization -- Program income may be used to support the project activities as follows:

1. Program income may be used to meet cost sharing or matching requirements of the grant contract agreement.
2. Program income may be placed in a special account and included in the cost assumption plan for project continuation as federal funding decreases. If the project is discontinued, any fund balance in the special account must be returned to the HSO.

## **PUBLIC COMMUNICATIONS/PAID ADVERTISING**

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Costs to purchase program advertising space in the mass communication media is allowable but must be approved in advance by HSO. This includes the purchase of radio time, television time, billboard rental, magazine or newspaper advertisements, social or digital or any other paid advertising. Television public service announcements should contain closed- captioning of the verbal content.

## **RECORD RETENTION**

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The HSO requires all grant contractors to complete and maintain detailed accounting records as they apply to the project. These records must be maintained for a period of three (3) years or until any audits are completed. All projects are subject to audit by the appropriate state and/or federal agencies.

## **RECOVERED MATERIALS (over \$10,000)**

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Pursuant to 2 CFR 200.323, the Contractor must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

## **REIMBURSEMENT PROCEDURES**

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All costs associated with the approved grant contract will be reimbursed monthly after the expenses have been incurred. The [Grant Contract Claim for Reimbursement](#) (CR) form is to be utilized for monthly reimbursement requests, (see Attachment E), and is available on the HSO website.

The following instructions are for submitting the CR:

- The contractor must submit a CR by the 15<sup>th</sup> of each month for expenses incurred in the previous month. On the form, indicate: a) Your agency as the grant contractor; b) grant contract number; c) grant contract title, and the month in which expenses were incurred.
- Indicate the expenditures incurred during the month claimed.
- Expenditures should be shown for previous months and total to date for the fiscal year.
- Monthly program income generated by the grant contract must be reported separately in addition to the program income balance (if applicable).
- The Project Director and Authorizing Official must sign and date the CR form.
- **Important:** The original (or scanned color image) signed claim must be submitted to HSO.
- Reimbursement will not be considered if the CR is not accompanied by any and all supporting documentation; such as but not limited to:
  - o Weekly time reports, itemized personnel services breakdown, invoices/statements, receipts, canceled checks, credit card statements, equipment inventory log, and/or

competitive bids.

- o Forms are available at: <http://dot.nebraska.gov/safety/hso/grants/grant-forms/>.
- Submit the original (or scanned color image) of the complete CR to the HSO.
- The cutoff date for processing the CR is the 15th of each month.
- A “*Final Claim*” for each grant contract must be submitted by **November 1st** following the end of the previous federal fiscal year (September 30). The “Final Claim” box must be marked on the CR form.

Upon receipt of the CR, the project manager reviews all expenditures and supporting documentation to ensure accuracy, completeness, and that all reimbursement requests are eligible as authorized expenditures contained in the grant contract budget.

## REPORTS

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**Monthly Report** -- All grant contractors must submit a monthly activity report to the HSO by the 15th of each month unless otherwise expressly approved by the HSO. 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, (CR) may be held if the grant contract recipient is delinquent in the submission of reports.

Items in the monthly report may include copies of publications, training reports, and any statistical data generated. Monthly reports should also include the following:

- Completed studies.
- Equipment purchases must be identified.
- Any issues that affect the project.
- Third party performance (if applicable).
- Consultants’ reports.

**Annual Report** -- Annual reports are due from grant contractors to the HSO for the fiscal year October 1 – September 30, no later than November 1st. The Annual Report must contain the following:

- Each objective outlined in the Grant Contract Proposal must be addressed.
- All accomplishments and activities utilized to meet the targets/objectives outlined in the Grant Contract Proposal.
- The project's measurable impact on traffic safety.
- The annual report should be no longer than two pages in length and utilize the “*Annual Report Template*” format.

\*The Annual Report Template (Attachment D) format is available on the HSO website at: <http://dot.nebraska.gov/media/6202/hsannrep.pdf>.

## RIGHTS TO INVENTIONS

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If any invention, improvement, or discovery is conceived or first actually reduced to practice in the course of or under the contract, and that invention, improvement, or discovery is patentable under the laws of the United States of America or any foreign country, the HSO and Contractor agree to take actions necessary to provide immediate notice and a detailed report to the party at a higher tier until NHTSA is ultimately notified.

Unless the Federal Government later makes a contrary determination in writing, irrespective of the Contractor's status (a large business, small business, state government or state instrumentality, local government, nonprofit organization, institution of higher education, individual), the HSO and the Contractor agree to take the necessary actions to provide, through NHTSA, those rights in that invention due the Federal Government as described in U.S. Department of Commerce regulations, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," 37 C.F.R. Part 401.

## **SEAT BELT POLICY**

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All grant contractors and/or their agents must have in effect an approved seat belt use policy for all employees and staff. The policy must be actively enforced, and an official copy of this policy must be provided with the grant contract proposal or on file with the HSO.

## **SERVICE CONTRACTS/CONTRACTUAL SERVICES**

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Subcontracts entered into by the grant contractor shall be awarded according to the provision of all applicable federal and state laws, rules, and regulations. Prior expressed written approval is necessary from the HSO before the initial grant contractor may enter into any secondary contract (mini-grant contract/sub-contract) unless specifically described in the original grant contract application. A detailed description must be provided in the original grant application on the activities of the contractual service(s).

## **SUSPENSION/DEBARMENT VERIFICATION**

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Federal guidelines require the HSO to ensure all applicants/agencies are not suspended or debarred online at the federal official website System for Award Management (SAM), <https://sam.gov/SAM/>. All agencies requesting funding assistance through a project grant or mini-grant application will need to be registered at the [www.SAM.gov](http://www.SAM.gov) website. For additional information/instructions follow the "[General Instruction for Registering in SAM.gov](#)" on the HSO website.

## **TERMINATION OF GRANT CONTRACT**

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If, through any cause, the grant contractor shall fail to fulfill in a timely and proper manner its obligation under the awarded grant contract or if the grant contractor shall violate any of the covenants, agreements, or stipulations of the grant contract, the HSO shall thereupon have the right to terminate the grant contract and withhold further reimbursement/payment of any kind by giving written notice to the grant contractor of such termination and specifying the effective date thereof, at least thirty (30) days before such date. The HSO shall be the sole arbitrator of whether the grant contractor or its subcontractor is performing its work in a proper manner with reference to the quality of work performed by the grant contractor or its subcontractor under the provisions of this contract. The grant contractor and the HSO further agree that either party may terminate this contract by giving written notice of such termination and specifying the effective date thereof, at least thirty (30) days before such date.

## **TRAINING/CONFERENCES**

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The costs associated with attending training/conferences may be allowable when included in the grant contract budget proposal. The training/conference subject matter must compliment the activity of the grant contract. Allowable costs include transportation, lodging, and registration fee. Reimbursement for a rental vehicle is rare and must be expressly approved in advance by HSO in writing.

Reimbursement for out-of-state travel expenses by contractors requires prior written approval by the HSO. 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 travel.
2. If not included in the original grant contract budget, a request for out-of-state travel must be submitted to the HSO for expressed approval at least 30 days prior to travel. The request must include the following:
  - The participant's name.
  - Date, name of training/conference, description, and location of the training/conference and a copy of the preliminary agenda.

- An itemized breakdown of all expenses associated with the training/conference.
  - A statement why the training/conference is needed and how the project will benefit.
  - 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.
3. Upon completion of the training/conference provide a travel report to include:
- Date, description, and location of the training/conference and a copy of finalized agenda.
  - Provide brief description of each session/workshop attended, presenter's name.
  - Provide information on the benefits received in attending the training/conference.
  - Provide a travel report to include a written evaluation of the training/conference that must be completed and submitted with the monthly report. The Grant Funded Training Conference Evaluation Report form is located on the website at: <http://dot.nebraska.gov/safety/hso/grants/grant-forms/>.

## TRAVEL

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Out-of-State Travel - All out-of-state travel must be approved as defined under "*Training/Conferences.*"

In-State Travel - In-state travel may include lodging and mileage (see mileage). If these costs are not included in the original grant contract budget, a request for in-state travel must be submitted to the HSO for approval at least 30 days prior to travel.

## Attachment A – Certifications and Assurances

Appendix A to Part 1300—Certifications and Assurances for Highway Safety Grants  
State: Nebraska Fiscal Year: 2026

By submitting an application for Federal grant funds under [23 U.S.C. Chapter 4](#) or Section 1906, [Public Law 109-59](#), as amended by Section 25024, [Public Law 117-58](#), the State Highway Safety Office and all Subrecipients acknowledges and agree to the following conditions and requirements.

### General Requirements

The State and all Subrecipients will comply with applicable statutes and regulations, including but not limited to:

- [23 U.S.C. Chapter 4](#)—Highway Safety Act of 1966, as amended;
- Sec. 1906, [Public Law 109-59](#), as amended by Sec. 25024, [Public Law 117-58](#);
- [23 CFR part 1300](#)—Uniform Procedures for State Highway Safety Grant Programs;
- [2 CFR part 200](#)—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- [2 CFR part 1201](#)—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

### Intergovernmental Review of Federal Programs

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by [Executive Order 12372](#) (Intergovernmental Review of Federal Programs).

### Federal Funding Accountability and Transparency Act (FFATA)

The State will comply with FFATA guidance, *OMB Guidance on FFATA Subaward and Executive Compensation Reporting*, August 27, 2010, ([https://www.fsrs.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to *FSRS.gov* for each sub-grant awarded;

- Name of the entity receiving the award;
- Amount of the award;

- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- Unique entity identifier (generated by *SAM.gov*);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 ([15 U.S.C. 78m\(a\)](#), [78o\(d\)](#)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

Nondiscrimination (Applies to Subrecipients as Well as States)

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

- *Title VI of the Civil Rights Act of 1964* ([42 U.S.C. 2000d et seq.](#), 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- [49 CFR part 21](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [28 CFR 50.3](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, ([42 U.S.C. 4601](#)), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);

- *Federal-Aid Highway Act of 1973*, ([23 U.S.C. 324 et seq.](#)), and *Title IX of the Education Amendments of 1972*, as amended ([20 U.S.C. 1681-1683](#) and [1685-1686](#)) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973*, ([29 U.S.C. 794 et seq.](#)), as amended, (prohibits discrimination on the basis of disability) and [49 CFR part 27](#);
- *The Age Discrimination Act of 1975*, as amended, ([42 U.S.C. 6101 et seq.](#)), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- *Titles II and III of the Americans with Disabilities Act* ([42 U.S.C. 12131-12189](#)) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and [49 CFR parts 37](#) and [38](#);
- [Executive Order 12898](#), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (preventing discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- [Executive Order 13988](#), *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

#### General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:



***“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”***

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

#### Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in [§ 21.23\(b\)](#) and [\(e\)](#) of [49 CFR part 21](#) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

***“The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, [42 U.S.C 2000d](#) to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”***

3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A)<sup>[1]</sup> in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

The Drug-Free Workplace Act of 1988 ([41 U.S.C. 8103](#))

The State will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
  - a) Establishing a drug-free awareness program to inform employees about:
    - b) The dangers of drug abuse in the workplace;
    - c) The grantee's policy of maintaining a drug-free workplace;
    - d) Any available drug counseling, rehabilitation, and employee assistance programs;
    - e) The penalties that may be imposed upon employees for drug violations occurring in the workplace;
  - f) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - g) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
  - h) Abide by the terms of the statement;
  - i) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
  - j) Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
  - k) Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—

- l) Taking appropriate personnel action against such an employee, up to and including termination;
- m) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- n) Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.
- o) Political Activity (Hatch Act) (Applies to Subrecipients as Well as States)

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

Certification Regarding Federal Lobbying (Applies to Subrecipients as Well as States) Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any

person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Restriction on State Lobbying (Applies to Subrecipients as Well as States)

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

#### Certification Regarding Debarment and Suspension (Applies to Subrecipients as Well as States)

##### Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion— Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180](#) and [1200](#).

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Tier Covered Transactions

- (1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

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

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

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

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion— Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180](#) and [1200](#).
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Buy America (Applies to Subrecipients as Well as States)

The State and each subrecipient will comply with the Buy America requirement ([23 U.S.C. 313](#)) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available



and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

#### Certification on Conflict of Interest (Applies to Subrecipients as Well as States) General Requirements

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
  - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - b. The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

#### Disclosure Requirements

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.

2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may
  - (a) terminate the award, or
  - (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

#### Prohibition on Using Grant Funds To Check for Helmet Usage (Applies to Subrecipients as Well as States)

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

#### Policy on Seat Belt Use

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

#### Policy on Banning Text Messaging While Driving

In accordance with [Executive Order 13513](#), Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official

Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

#### Section 402 Requirements

1. To the best of my personal knowledge, the information submitted in the annual grant application in support of the State's application for a grant under [23 U.S.C. 402](#) is accurate and complete.

2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. ([23 U.S.C. 402\(b\)\(1\)\(A\)](#))

3. At least 40 percent of all Federal funds apportioned to this State under [23 U.S.C. 402](#) for this fiscal year will be expended by or on behalf of political subdivisions of the State in carrying out local highway safety programs ([23 U.S.C. 402\(b\)\(1\)\(C\)](#)) or 95 percent by and on behalf of Indian tribes ([23 U.S.C. 402\(h\)\(2\)](#)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)

4. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. ([23 U.S.C. 402\(b\)\(1\)\(D\)](#))

5. As part of a comprehensive program, the State will support a data-based traffic safety enforcement program that fosters effective community collaboration to increase public safety, and data collection and analysis to ensure transparency, identify disparities in traffic enforcement, and inform traffic enforcement policies, procedures, and activities. ([23 U.S.C. 402\(b\)\(1\)\(E\)](#))

6. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:

- Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to—

- Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and

- Increase use of seat belts by occupants of motor vehicles;
  - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
  - An annual statewide seat belt use survey in accordance with [23 CFR part 1340](#) for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
  - Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
  - Coordination of triennial Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in [23 U.S.C. 148\(a\)](#); and
  - Participation in the Fatality Analysis Reporting System (FARS), except for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.
7. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. ([23 U.S.C. 402\(j\)](#))
8. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system, except in a work zone or school zone. ([23 U.S.C. 402\(c\)\(4\)](#))

***I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under [18 U.S.C. 1001](#). I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.***

**Attachment B –Grant Contract Proposal Cover**  
 See NDOT-HSO Website for Interactive Form:  
<https://dot.nebraska.gov/media/6208/hscover.pdf>



Nebraska Department of Transportation  
 Highway Safety Office  
 Grant Contract Proposal Cover

<b>Applicant/Organization:</b>	
<b>Project Director:</b>	
<b>Address:</b>	
<b>City, State, Zip:</b>	
<b>Telephone: (include Area Code):</b>	
<b>Fax: (include Area Code):</b>	
<b>E-mail:</b>	
<b>Federal Identification No. (FID):</b>	
<b>Unique Entity Identifier (UEI) #:</b>	
<b>Commercial and Government Entity (CAGE)</b>	
<b>CFDA #: (NDOT-HSO Use Only)</b>	
<b>FAIN #: (NDOT-HSO Use Only)</b>	
<b>EXAMPLE</b>	
<b>Project Title:</b>	
<b>Grant Contract Period:</b>	

By signing the Grant Contract Proposal Cover the Applicant/Organization has agreed to comply with all applicable federal and state laws, rules and regulations and certifications and assurances contained in Attachment A of the Grant Contract Proposal Guide and Policies and Procedures.

\_\_\_\_\_  
*Signature of Authorized Official*                      *Type Name and Title*                      *Date*

\_\_\_\_\_  
*Signature of Financial Official*                      *Type Name and Title*                      *Date*

## **Attachment C – Sample Project**

### **CENTER COUNTY ALCOHOL REDUCTION PROJECT**

#### **SUMMARY**

The Center County Health Department is dedicated to the reduction of trauma related death and injury in Center County. During 2016 the alcohol-related fatal, A and B injury crash rate was \_\_\_ which is above the State rate of \_\_\_\_\_. The Center County Health Department officials support the formation of an impaired driving program to assist in reducing alcohol-related fatal, A and B injury crashes. In order to implement the impaired driving program, a coordinator for the project is needed. Utilizing the coordinator, program objectives would result in a 10% reduction, from \_\_\_ to \_\_\_, in the alcohol-related fatal, A and B injury crashes. Activities will include establishing a designated driver program within the County, working with the Safe Communities Coalition, working with on and off sale licensed liquor establishments, special permit events and high schools within the county. The total cost of the project would be \$38,300. The breakdown of that total cost: \$11,000 to be furnished by Center County, \$800 from the Center Chamber of Commerce, and \$26,500 from the Nebraska Department of Transportation Highway Safety Office.

#### **ORGANIZATIONAL BACKGROUND**

The Center County Health Department consists of 18 employees with contacts from the public, private, and nonprofit sectors dedicated to the reduction of unintentional injuries. Since its inception in 1952, the Center County Health Department has continuously strengthened its networking system. The Center County Health Department currently works with the school system, local law enforcement agencies, and businesses within the county.

#### **PROBLEM IDENTIFICATION**

In Center County, the alcohol-related fatal, A and B injury crash rate exceeds the State rate. Alcohol-related fatal, A and B injury crashes averaged \_\_\_ in 2015 - 2019. During the same previous five-year period, \_\_\_ citations have been written by local law enforcement for impaired driving and there have been \_\_\_ convictions for impaired driving. The residents within Center County will benefit from an intense countywide educational effort focused on impaired driving. Local law enforcement, the prosecuting attorney's office, and licensed liquor establishments have agreed to participate in the County's Safe Communities Coalition to combat this problem. In order to impact this problem within the county, the number of impaired drivers utilizing the county's roadways must be reduced.

#### **TARGET**

Reduce alcohol-impaired fatal, A and B crashes by 6.5 percent from 540 (2015-2019 rolling average) to 505, by December 31, 2022.

#### **OBJECTIVES**

Bring together specific individuals within the county to participate in a Safe Communities Coalition. This group will assist in educational efforts and activities addressing the county's impaired driving problem. Law

enforcement will be a critical component by actively enforcing the county's impaired driving laws. The prosecuting attorney's office will also be an essential collaborator in prosecuting impaired drivers.

1. Increase public knowledge of the impaired driving problem by %.
2. Increase alcohol-related arrests by \_\_\_\_\_%, from \_ to .
3. Increase the conviction rate for alcohol-related offenses by %, from \_ to .
4. Establish a designated driver program within the county with participating businesses.
5. Reach 75% or \_\_\_ of the county's youth, ages 15-19, with an educational impaired driving message.

## **STRATEGIES**

1. Select and hire a coordinator.  
Completion Date: October 15, 2021
2. Solicit interest within the community (i.e. organizations, county and city officials, law enforcement, schools, etc.) for inclusion in the Safe Communities Coalition.  
Completion Date: October 31, 2021
3. Schedule and hold the initial meeting of the Safe Communities Coalition to address the issue of impaired driving.  
Completion Date: November 15, 2021
4. Conduct a public opinion survey regarding knowledge and attitude of the impaired driving problem.  
Completion Date: January 1, 2021
5. Solicit the county's law enforcement agencies for participation in selective alcohol overtime enforcement activities. The funding for the selective alcohol overtime may be obtained through the Nebraska Department of Transportation Highway Safety Office by entering into a Mini-Grant Contract. Overtime enforcement dates will be selected for the time frame from December 1, 2021 through September 30, 2022.  
Completion Date: September 30, 2022
6. Conduct # meeting/training sessions with the county's prosecutors to present the concept of aggressively prosecuting all alcohol-related traffic offenses.  
Completion Date: December 15, 2021
7. Obtain listings through the State's liquor commission of all licensed on and off sale liquor establishments.  
Completion Date: October 15, 2021
8. Contract with an advertising company to create the materials for a designated driver campaign.  
Completion Date: October 31, 2021
9. Utilizing the listing of licensed drinking establishments; contact each business to promote their participation in the designated driver campaign.  
Completion Date: December 1, 2021
10. Contact the Nebraska Department of Transportation Highway Safety Office and/or any other resources, to obtain impaired driving related materials targeted toward youth.  
Completion Date: November 15, 2021
11. Schedule # presentations throughout the grant contract period with all of the county's schools-grades 8 through 12.  
Completion Date: December 31, 2021
12. Coordinate monthly meetings for the Safe Communities Coalition.  
Completion Date: September 30, 2022
13. Conduct a follow-up public opinion

survey. Completion Date: August 31, 2022

14. Ongoing contact with law enforcement, prosecutors and schools will continue throughout the project.

Completion Date: September 30, 2022

### **BUDGET PROPOSAL**

	<b>Federal Funds</b>	<b>Grant Contractor Funds</b>
Salary/Coordinator	\$21,500.00	\$7,500.00
Travel	\$500.00	\$0.00
Public Opinion Surveys	\$1,000.00	\$0.00
Designated Driving Campaign	\$2,500.00	\$0.00
Rent, Utilities	\$0.00	\$4,300.00
Training Materials	\$1,000.00	\$0.00
TOTAL	\$26,500.00	\$11,800.00

### **BUDGET NARRATIVE**

**Salary/Coordinator:** Full time position to work with law enforcement, county prosecutors, State of Nebraska Liquor Commission, licensed drinking establishments, schools, and to solicit interest and participation in a Safe Communities Coalition.

**Travel:** Mileage to be reimbursed for travel within the county to promote project targets and activities. Out-of-State Travel: Costs that include transportation, lodging, and registration fees to attend training/conferences.

**Public Opinion Surveys:** A 20-question public opinion survey of 300 people will be conducted regarding knowledge and attitude of the impaired driving problem in Center County.

**Designated Driver Campaign:** Contract with an advertising company to design and create materials for a designated driver campaign.

**Rent, Utilities:** Rent and utilities will be provided by the Center County Health Department as a match to federal funding.

**Training Materials:** To produce training materials for two (2) training sessions with the county prosecutors and law enforcement to present the concept of aggressively prosecuting all alcohol-related offenses.



## **EVALUATION**

1. An administrative evaluation will be completed at the conclusion of the project period to measure actual activities, tasks, and expenditures against those planned.
2. Crash data in the 12-month project period will be compared to crash data in the previous 12-month period to determine if the overall target to decrease alcohol-related fatal, A and B injury crashes by 10%, from \_\_\_ to \_\_\_ was achieved.
3. Compare the two county wide public knowledge and attitude surveys to determine if public knowledge increased by %.
4. Compile and compare arrest and conviction data to determine if increases occurred.
5. Determine if # businesses participated in the designated driver program.
6. Determine if 75% of the county's youth were reached through presentations.

## **COST ASSUMPTION**

The Center County Health Department will continue the designated driver program after federal funding assistance is terminated. Prior to the end of the project, a copy of the agency's budget request containing funding of the position and activity will be provided to the HSO. The long-term costs to continue the project will be for personnel services for the coordinator. The Center County Health Department will request funding assistance from the county attorney office's driver diversion (STOP) program in the final year of the funded project. Businesses and organizations participating in the Safe Communities Coalition will also be requested to contribute financially to the future of this community project.

**Attachment D - Annual Report Template Format**  
<https://dot.nebraska.gov/safety/hso/grants/grant-forms/>

(Font Type Calibri 10pt) (Email to HSO in Word format)

<b>Annual Report</b>	<b>Nebraska</b>
----------------------	-----------------

**Project Name** (Grant No.) **000-00-00**  
**Agency**

Program Area: Project Characteristics: Type of Jurisdiction: Jurisdiction Size: Target Population:
--

**Problem Identification:**

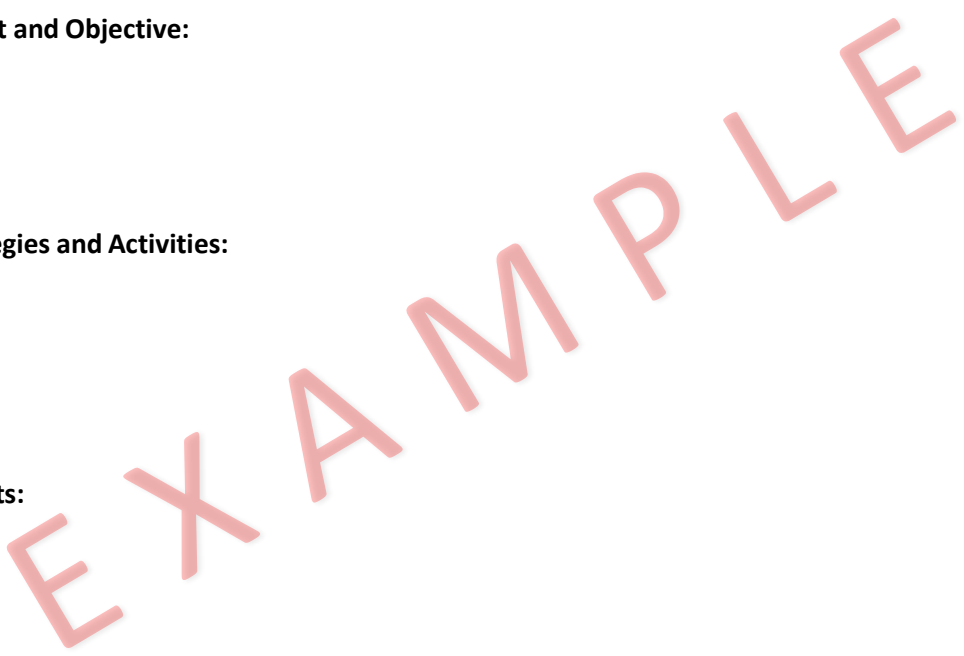
**Target and Objective:**

**Strategies and Activities:**

- ?
- ?
- ?
- ?
- ?

**Results:**

- ?
- ?
- ?



<b>Funding:</b>	Section 402:	\$ 0.00
Other		\$ 0.00

**Contact:** Name, Agency, Address, Town, State, Zip Code Telephone:  
 402/ Fax: 402/ Email

**Attachment E - Grant Contract Claim for Reimbursement Template**

See HSO website for the Interactive Form  
<https://dot.nebraska.gov/safety/hso/grants/grant-forms/>



## Grant Contract Claim for Reimbursement

<b>NDOT-HSO Use ONLY</b> Date Complete Invoice Received: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>
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NDOT Highway Safety Office  
 P.O. Box 94612, Lincoln, NE 68509-4612  
 Telephone: (402) 471-2515 FAX: (402) 471-3865  
[http://dot.nebraska.gov/media/6203/cr\\_grant.pdf](http://dot.nebraska.gov/media/6203/cr_grant.pdf)

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

**NDOT HSO USE ONLY**

**PROJECT FINANCIAL SUMMARY**

	Federal Share	Current Month	Previous Months	Total to Date
<b>Total Expenditures</b>				
<b>Program Income</b>				
<b>Net Amounts</b>				

**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.

<div style="border: 1px solid black; height: 25px; margin-bottom: 5px;"></div> Signature of Project Director	<div style="border: 1px solid black; height: 25px; margin-bottom: 5px;"></div> Signature of Authorized Official
<div style="border: 1px solid black; height: 25px; margin-bottom: 5px;"></div> Type/Print Name and Title	<div style="border: 1px solid black; height: 25px; margin-bottom: 5px;"></div> Type/Print Name and Title
<div style="border: 1px solid black; height: 25px; margin-bottom: 5px;"></div> Date	<div style="border: 1px solid black; height: 25px; margin-bottom: 5px;"></div> Date

Distribution: Original to NDOT HSO  
 Make Copy for Your File

Rev. 11/2022