



Colorado Highway Safety Office

Grant Management Manual

Prepared by Traffic Safety Partners, LLC under contract with the Governors Highway Safety Association. August 2022.

TABLE OF CONTENTS

COLORADO HIGHWAY SAFETY OFFICE CONTACT INFORMATION	4
COMMONLY USED TERMS & ACRONYMS	5
HIGHWAY SAFETY PROGRAM.....	9
DEVELOPMENT OF THE STATE HIGHWAY SAFETY PLAN	9
<i>Problem Identification & Program Areas</i>	<i>9</i>
<i>Description of Target Setting Processes 23 CFR 1300.11</i>	<i>12</i>
<i>Performance Targets</i>	<i>12</i>
<i>Evidence-Based Traffic Safety Enforcement Program.....</i>	<i>12</i>
<i>National Mobilizations</i>	<i>13</i>
<i>Section 405</i>	<i>13</i>
PROJECT DEVELOPMENT.....	13
GRANT AGREEMENTS & PRE-WORKS.....	14
<i>Grant Agreements</i>	<i>14</i>
<i>Pre-work</i>	<i>14</i>
GRANT REIMBURSEMENT REQUIREMENTS	14
<i>Federal & State Regulations Governing HSO Grants</i>	<i>15</i>
<i>Audits</i>	<i>15</i>
<i>Risk Assessment</i>	<i>15</i>
<i>Retention of Records</i>	<i>15</i>
<i>Federal Funding Accountability & Transparency Act</i>	<i>16</i>
GRANTEE RESPONSIBILITIES & PROCEDURES	16
<i>Grant Requirements.....</i>	<i>16</i>
<i>Financial Management.....</i>	<i>16</i>
<i>Financial Reporting</i>	<i>16</i>
<i>Internal Controls</i>	<i>17</i>
<i>Allowable Costs</i>	<i>17</i>
<i>Indirect Costs</i>	<i>18</i>
<i>Grant Revisions and Amendments</i>	<i>18</i>
<i>Claims and Reporting (Monthly/QUARTERLY).....</i>	<i>19</i>
<i>Quarterly Reports</i>	<i>19</i>
<i>Claims Reimbursement.....</i>	<i>20</i>
<i>Final Report.....</i>	<i>20</i>
<i>Audit Reporting</i>	<i>211</i>
<i>FFATA Reporting.....</i>	<i>21</i>
<i>Personnel Activity report (PAR).....</i>	<i>21</i>
<i>Lobbying Certification.....</i>	<i>22</i>

<i>Monitoring</i>	22
<i>On-Site & Desk Monitoring (Programmatic & Financial)</i>	23
<i>Equipment Inventory</i>	23
<i>Purchasing Requirements & Property Management</i>	24
<i>Supplies</i>	24
PUBLIC INFORMATION & EDUCATION (PI&E)	24
<i>Materials</i>	24
<i>Advertising & Public Relations</i>	25
NON-COMPLIANCE/TERMINATION	25
DISPUTES/DISAGREEMENTS	26
APPENDIX A - LINKS TO RESOURCES	27
APPENDIX B - FEDERAL CERTIFICATIONS & ASSURANCES	28
APPENDIX C - ALLOWABLE ITEMS (SUPPLIES & EQUIPMENT)	38
APPENDIX D - STANDARD REIMBURSEMENT RATES, TRAVEL REGULATIONS & POLICY	39

COLORADO HIGHWAY SAFETY OFFICE CONTACT INFORMATION

Darrell Lingk

Director of Transportation Safety & Risk Management

Darrell.Lingk@state.co.us

Carol Gould

Highway Safety Office Manager

Carol.Gould@state.co.us

Glenn Davis

Highway Safety Office Manager

Glenn.Davis@state.co.us

Sara Grusing

Program Controls & Budget Analyst

Sara.Grusing@state.co.us

Jim Bath

Grant Manager & Law Enforcement Coordinator

Jimmy.Bath@state.co.us

Brittany Janes

Grant Manager | E-Grants Support

Brittany.Janes@state.co.us

Elayna McCall

Grant Manager

Elayna.McCall@state.co.us

Robin Rocke

Grant Manager

Robin.Rocke@state.co.us

Lisa Totman

Program Support

Lisa.Totman@state.co.us

Muyliana Chao

Program Assistant II

Muyliana.Chao@state.co.us

Erin Brannan

Law Enforcement Liaison

Erin.Brannan@state.co.us

Lee Birk

Law Enforcement Liaison

Lee.Birk@state.co.us

Mark Hunt

Law Enforcement Liaison

Mark.Hunt@state.co.us

Web Site:

<https://www.codot.gov/safety>

Grant Application Web Site :

<https://www.codot.gov/business/grants/safetygrants/funding>

COMMONLY USED TERMS & ACRONYMS

The following commonly used terms and acronyms are provided to assist users of this manual. Many terms appear throughout this manual, while others are used in documents associated with the grant management process.

Amendment	A formal change to the goals, objectives, tasks and/or budget of an approved grant agreement based on a modification request.
Budget	Broad grouping of expenses such as personnel costs, commodities, supplies, equipment and other costs.
Buy America Act	Prohibits states from using highway grant funds under 23 U.S.C. Chapter 4 to purchase steel, iron and all manufactured products unless they are produced in the U.S., or a waiver is granted by the Secretary of Transportation. For compliance purposes, American-made covers any product that is manufactured or assembled in the U.S.
CDOT	Colorado Department of Transportation, the principal state government agency responsible for the management and administration of state transportation projects.
CFDA	The Catalog of Federal Domestic Assistance provides a listing of all federal programs available to state and local governments; federally recognized Tribal governments; U.S. territories and possessions; domestic public, quasi-public and private profit and non-profit organizations and institutions; specialized groups; and individuals.
CFR	Code of Federal Regulations, a listing of codified general and/permanent rules published in the Federal Register by the Executive branch of the federal government and federal agencies.
Claim	Expenditures incurred in support of approved grant activities that a grantee may submit for reimbursement.
Grant Agreement	Binding document outlining the terms and conditions of receiving federal highway safety grant funds.
CPS	Child Passenger Safety, activities addressing the safety of children riding in motor vehicles.
DUI	Driving Under the Influence of alcohol and/or other drugs.
E-Grant	Electronic grant software system used by the Colorado Highway Safety Office.
EMS	Emergency Medical Services, the medical professionals who respond to 911 calls and treat and transport people involved in traffic crashes and other health crisis incidents.
Equipment/Capital Purchases	Non-expendable, tangible property having a useful life of more than one year and an acquisition cost of \$5,000 or more that is used only for traffic safety and/or law enforcement purposes.
FARS	Fatality Analysis Reporting System, a nationwide census providing the National Highway Traffic Safety Administration (NHTSA), Congress and the American public annual data regarding fatal injuries suffered in motor vehicle traffic crashes.

FFATA	Federal Funding Accountability and Transparency Act, requires grantees to annually report each action that obligates \$25,000 or more in federal funds.
FHWA	Federal Highway Administration, which provides stewardship over the construction and maintenance of the U.S. highway system.
Final Report	Report submitted by a grantee following completion of the grant period that describes the effectiveness of the highway safety project based on the grantee's goals and objectives.
GHSA	Governors Highway Safety Association, a 501(c)(3) nonprofit that represents the state and territorial highway safety offices tasked with implementing federal grant programs to address behavioral highway safety issues.
Grantee	Local or state agency or organization receiving a highway safety grant from the Colorado Highway Safety Office. Also referred to as subrecipient.
Grantor	The state agency that awards federal highway safety grant funds.
GTS	Financial Grants Tracking System (GTS) used by NHTSA
HSO/OTS	The Highway Safety Office (HSO) is part of the Office of Transportation Safety (OTS) and is located within the Colorado Department of Transportation . It is responsible for implementing statewide behavioral programs addressing occupant protection, impaired driving, speed enforcement, pedestrian and bicyclist safety, and crash data collection and analysis.
HSO Website	Colorado Highway Safety Office website (https://www.codot.gov/business/grants/safetygrants) that serves as an information hub for all statewide traffic safety initiatives including campaign reporting, training and educational resources.
HSP	Highway Safety Plan, plan submitted by the HSO to NHTSA to secure federal transportation grant funds.
HVE Grant	High Visibility Enforcement, grant awarded to a law enforcement agency to address a specific traffic safety issue such as speeding or impaired driving; high visibility enforcement is coupled with a publicity strategy designed to educate the public and promote voluntary compliance with the law.
IIJA	Infrastructure Investment and Jobs Act
Inventory Control Report	Documentation of status, serial number, grant name, and location required for all equipment purchases made using grant funds.
LEL	Law Enforcement Liaison assists the HSO and its law enforcement grantees with grant development, and site, strategy and countermeasure selection. Also conducts networking activities for local, county and state law enforcement officials and the HSO.
Modification	A request to change (or modify) the goals, objectives, tasks, and /or budget of an approved grant.
NHTSA	National Highway Traffic Safety Administration, the federal agency, located within the U.S. Department of Transportation, responsible for administering the national highway safety grant programs funded by federal legislation.

OP	Occupant Protection, initiatives implemented and/or funded by the HSO to promote use of seat belts and child safety seats by motor vehicle occupants.
PD	Police department
Personal Activity Report (PAR)	A document required for all personnel costs reporting the activity and amount of time spent performing grant related activity.
Program Controls Analyst	Individual responsible for ensuring proper payment of all claims and providing financial guidance.
Program Grant	One year of federal fiscal funding awarded by the HSO to a local or state agency or organization to address a specific behavioral highway safety issue.
Program Manager	HSO staff member responsible for the effective administration of grants and statewide highway safety programs.
Project Manager	HSO staff member responsible for working directly with grantees to ensure grants are executed properly.
PSA	Public Service Announcement, messages disseminated by the media to raise awareness and change public attitudes and behavior.
PIO	Public Information Officer, HSO staff member responsible for developing and disseminating information to the public. Also serves as the liaison to the media.
PI&E	Public Information and Education, HSO initiatives to educate roadway users and others about highway safety issues.
RFA	Request for Application, outlines funding availability to address a priority highway safety program area identified in the HSO Highway Safety Planning Process.
Quarterly Reports	Submitted to the HSO by the grantee describing tasks or activities undertaken to accomplish grant objectives and progress made to date addressing an issue or problem statement.
SD/SO	Sherriff's Department/Sheriff's Office
SFST	Standardized Field Sobriety Test, three tests law enforcement officials administer to detect impaired drivers and establish probable cause for an arrest.
Supply Item	An item costing less than \$5,000.
TA	Travel Authorization, request made to obtain permission to travel to a specific location using grant funds.
Time Sheet	Document detailing work hours performed by an employee on behalf of his/her employer during a set time (i.e., weekly, bi-weekly, overtime).
Title VI Assessment	Form completed annually by the HSO and submitted to the CDOT Title VI Compliance Director to ensure compliance with all federal statutes and regulations relating to non-discrimination.
UEI	A 12-character unique number assigned to all entities who must register to do business with the federal government.

This manual establishes consistent program and project management procedures for the Colorado HSO staff and its grantees to assist in the administration of the state’s highway safety program. Best practice requires the HSO to have a current manual documenting standard operating procedures and management of the program. This manual contains approved administrative and financial procedures; however, it does not specifically address all current regulations. Periodic updates to the manual may be necessary to incorporate new and/or amended federal and state laws and regulations, as well as to improve program management and fiscal accountability. When an agency or organization accepts federal traffic safety funds, it also agrees to fully comply with all requirements in this manual and any periodic changes that may be made during the grant period.



HIGHWAY SAFETY PROGRAM

The mission of the Colorado Office of Transportation Safety (OTS) is to reduce the number of motor vehicle crashes, fatalities and serious injuries on the state's roadways and the associated social and economic losses resulting from these crashes. Under [23 C.F.R. § 402](#), each state is required to have a highway safety program. Colorado Revised Statutes (CRS 24-42-101 through CRS 24-42-104) created the OTS within the Colorado Department of Transportation (CDOT). The Colorado Highway Safety Program, including the Highway Safety Office (HSO), is managed within the CDOT OTS.

1. Safety Program Responsibilities - The following powers, duties, functions, and responsibilities are assigned to the HSO:

- Identify and analyze the nature and complexity of traffic safety problems statewide.
- In partnership with other State and local government agencies, along with not-for-profit organizations, and others, formulate both tactical and strategic plans to address these problems statewide.
- Perform the duties associated with the HSO in dealing with the federal government with respect to federal highway traffic safety programs and transportation safety legislation.
- Coordinate CDOT's traffic safety programs with the traffic safety activities of other state departments, institutions, agencies, and political subdivisions.
- Create a highway safety plan that details traffic safety programs and projects.

2. State Safety Programs - Two additional state highway safety programs are authorized in statute:

- a. High Visibility Drunk Driving Law Enforcement (HVDDLE) ([CRS 43-4-901](#))
- b. Law Enforcement Assistance Fund (LEAF) ([CRS 43-4-401](#))

DEVELOPMENT OF THE STATE HIGHWAY SAFETY PLAN

PROBLEM IDENTIFICATION & PROGRAM AREAS

Data analysis is essential to identifying where crashes are occurring, and the factors associated with those crashes. The HSO reviews local, county and state crash data, along with other data sources, to identify roadway users with a higher incident of serious injury and fatal crash rates. This data, combined with citation, licensing, vehicle miles traveled and demographic information, are analyzed to help the HSO and its partners identify crashes and the resulting injuries and fatalities on Colorado roadways to develop appropriate countermeasures.

This information is used to develop the Highway Safety Plan (HSP), which details the extent of Colorado's crash and fatality challenges and how National Highway Traffic Safety Administration

(NHTSA) funds will be distributed to priority behavioral safety programs during the federal fiscal year (October 1 - September 30). The Colorado HSP addresses the following emphasis areas and other priority program areas:

- Bicycle & Pedestrian Safety
- Speeding
- Impaired Driving
- Occupant Protection/Child Passenger Safety
- Young Driver Safety
- Distracted Driving
- Older Drivers
- Distracted Driving
- Education & Enforcement
- Motorcycle Safety
- Police Traffic Services
- Traffic Records
- Communications and Paid Media

Colorado’s statewide fatality rate is the primary means of measuring the effectiveness of the countermeasures employed throughout the state using a combination of federal and state funds. The fatality rate is calculated as the number of fatalities per 100 million vehicle miles traveled (VMT) on Colorado roadways. In addition, the number of serious injury crashes and fatalities by county are also used to evaluate effectiveness.

The Colorado HSP includes the state’s goals, objectives and strategies for improving traffic safety, as well as performance measures to evaluate progress. It outlines specific highway safety projects and programs and the applicable funding source. The HSP also reports on progress made in meeting traffic safety performance measures identified in the plan.

The table below describes the grant application and orientation process timeline.

Month	Activity
January-February	<ul style="list-style-type: none"> • Review program data and targets to determine funding distribution and overall program direction. Consider NHTSA Regional Office response to the prior year Annual Report and HSP approval letter, and any applicable Management Review comments. • Distribute new Problem Identification document.
February-March	<ul style="list-style-type: none"> • Solicit RFP and/or continuation funding applications for multi-year grant funding cycle. • Determine revenue estimates from Office of Financial Management and Budget (OFMB), establish draft budget and review internally.
March-May	<ul style="list-style-type: none"> • Complete application review, notify successful applicants, send denial notifications and process Reconsideration Requests. • Convene program area sessions with current and prospective subrecipients to create specific action and outreach plans for projects within each program area.

	<ul style="list-style-type: none"> • Complete Project Pages for each approved grant. • Complete State Year-end closeout. • Coordinate data and performance measure harmonization with Colorado Strategic Highway Safety Plan (SHSP).
June	<ul style="list-style-type: none"> • Draft the HSP including the Section 405 grant applications for review by the CDOT Executive Director, NHTSA Regional Office and program area experts
July-August	<ul style="list-style-type: none"> • Review and submit (no later than July 1) the HSP for NHTSA Regional Office review and approval. Respond promptly to any requests for additional information. • Develop HSO in-house grants. • Begin Purchase Order/Grant Agreement funding to ensure October 1 start date for all programs.
September	<ul style="list-style-type: none"> • Distribute and post the approved HSP on HSO website. • Begin closeout of current year projects. • Schedule and complete pre-work meetings with all grantees.
October-November	<ul style="list-style-type: none"> • Implement grants and grant agreements. Issue Notice to Proceed and award notification to selected grantees. • Obligate funds to Grant Tracking System (GTS.) • Establish and implement monitoring schedule for the year (monitoring is completed on a year-round basis). • Begin production of the Annual Report.
December	<ul style="list-style-type: none"> • Closeout fiscal year and prepare final cost summary. • Submit Annual Report to NHTSA Regional Office no later than December 31.

The HSO problem identification process involves analysis of the following data sources to identify trends and track progress in achieving performance measures, goals and objectives discussed in the HSP:

- State traffic crash database (crash, vehicle and person)
- Vehicle miles traveled collected from CDOT
- Fatality Analysis Reporting System (FARS)
- State driver license, vehicle registration and citation/conviction database
- Trauma Registry and EMS databases
- U.S. Census Bureau

The data obtained from these sources are used to develop and administer behavioral programs to help reduce the number and severity of traffic crashes on Colorado's roadways.

TARGETS AND STRATEGIES /SECTIONS 402 & 405

Using data and information gathered through the problem identification process, the HSO selects key program areas for emphasis and coordinates the development of priority traffic safety performance targets, performance measures and strategies for each program area using a planning process documented in the HSP.

DESCRIPTION OF TARGET SETTING PROCESSES 23 CFR 1300.11

The HSP is required to include a brief description of the processes used by Colorado to define its highway safety targets, develop projects and activities to address the problems, and achieve those targets. Colorado's process for setting targets must be based on data trends and a resource allocation assessment. The HSO is required to identify all participants, agencies and organizations involved in the process.

PERFORMANCE TARGETS

The performance plan is required to outline the performance measures and data-driven targets that Colorado plans to implement in the upcoming federal fiscal year. CDOT is required to set targets for Number of Fatalities, Fatality Rate per 100 million VMT and Number of Serious Injuries.

The HSP must describe Section 402 and Section 405 countermeasure strategies and projects and identify funds from other sources, including all federal, state, local and private sector funds. In selecting the strategies and projects, the HSO is guided by the data and data analysis supporting the effectiveness of a proposed countermeasures. See [Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices](#).

In the performance plan section of the HSP, each target is required to be accompanied by at least one performance measure that enables the HSO to track progress from a specific baseline toward meeting the goal. The most recently released state and FARS data are used to set goals. See [23 CFR § 1300.11](#). The HSO project managers are responsible for ensuring that every application includes measurable goals and activities. These evaluation measures will be included on all templates and the HSP.

EVIDENCE-BASED TRAFFIC SAFETY ENFORCEMENT PROGRAM

The HSP is required to include a description of the evidence-based (data-driven) Traffic Safety Enforcement Program (TSEP), which the HSO will implement, in partnership with law enforcement agencies to prevent traffic crashes, fatalities and serious injuries in high-risk areas. The description should include: (1) an analysis of crashes, fatalities and injuries in areas of highest risk; (2) deployment of resources based on that analysis; and (3) continuous follow-up and adjustment of the enforcement plan. The HSO develops a comprehensive enforcement program which covers specific program areas including Impaired Driving, Occupant Protection and Speeding.

NATIONAL MOBILIZATIONS

The HSP provides a description of the HSO's planned high visibility enforcement strategies to support national mobilizations, which are referenced in [23 CFR Part 1300, Appendix A, Section 402 Certifications and Assurances](#). The HSO currently supports twelve mobilizations annually.

SECTION 405

The National Priority Safety Programs are codified in a single section, [23 CFR § 405](#), and generally referred to as Section 405 "incentive" grants. Under the new Infrastructure Investment and Jobs Act (IIJA), the eligible uses of grant funds awarded under Section 405 are dependent upon the specific program for which funds are awarded.

Eligible funding areas include:

- 405 (b) occupant protection
- 405 (c) traffic records
- 405 (d) impaired driving
- 405 (e) distracted driving
- 405 (f) motorcyclist safety
- 405 (g) nonmotorized safety
- 405 (h) preventing roadside deaths (NEW)
- 405 (i) driver and officer safety education (NEW)

PROJECT DEVELOPMENT

The HSO's annual project selection process begins by notifying state and local traffic safety agencies and organizations that grant funding is available. A Request for Application (RFA) for each of the program areas is finalized and agencies and organizations are invited to request access to the HSO's electronic grants management system. Once approval is granted, an agency or organization may submit an application for consideration by the HSO.

The application must explain the highway safety problem the grantee intends to address that is supported by relevant data. The grant application also must describe the strategy and countermeasure(s) that will be used to address the problem, the logic for that selection, how the project will be evaluated, and the proposed budget.

Once the grant application period has closed, applications are assigned to the HSO staff for review and scoring. While all data-defined projects are considered, highest priority is given to those that address program areas and geographic locations having the highest occurrence of serious injury and fatal crashes.

HSO funded HVE Impaired Driving Enforcement programs are funded on a state fiscal year. Eligible law enforcement agencies are notified of the application dates and requirements through email, the CDOT HSO website and by affiliated organizations and associations that routinely reach out to law enforcement.

Law enforcement agencies are provided materials and instructions to assist them in developing a successful application. Once completed, the applications are reviewed by the High Visibility Enforcement Coordinator.

GRANT AGREEMENTS & PRE-WORKS

GRANT AGREEMENTS

The HSO notifies all agencies and organizations about projects that have been selected for grant funding. This is done through an award letter that is emailed to the grantee. If any aspect of the project changes between award notification and grant agreement preparation, the grantee may be asked to make revisions using the HSO's E-grant system.

Grant agreements and purchase orders are subsequently developed and sent to the agency or organization's authorized signatory. The signature of the authorizing agency official indicates the grantee agrees to comply with all requirements outlined in the grant agreement. The grantee may not proceed with any expenditure associated with the grant until the grantee receives a fully executed and countersigned grant agreement along with a Notice to Proceed from the HSO. Grant expenditures may be made during the grant year which begins on October 1 and closes on September 30.

PRE-WORK

Each HSO Project Manager meets with their grantees to review a Pre-Work worksheet that outlines the requirements and expectations regarding claims, budget adjustments, travel, and other grant-related areas. This meeting must have occurred before grant activities begin and expenditures are incurred.

GRANT REIMBURSEMENT REQUIREMENTS

Once a grant has been awarded and becomes effective, the HSO reimburses the grantee for expenditures related to approved activities. The objectives outlined in the grant should be accomplished during the grant period and within the approved budget. It is preferable that purchases occur early in the grant period for maximum benefit. Only costs incurred within the approved grant period and those that do not exceed the federally obligated funds as outlined in the contract will be reimbursed.

Reimbursement is contingent upon the grantee complying with all grant requirements and the appropriation of sufficient funds by the federal government to the state highway safety program. For this reason, the HSO does not guarantee the availability of federal highway safety funds.

FEDERAL & STATE REGULATIONS GOVERNING HSO GRANTS

Expenses and costs eligible for reimbursement under the highway safety program are those stipulated in the approved grant budget. Allowable costs must be necessary, reasonable, allocable, and expended according to the appropriate federal and state statutes or grant regulations. Grant management rules require the HSO to monitor grantees to ensure compliance with applicable federal requirements and cost principles.

The Office of Management and Budget (OMB) 2 CFR Part 200, [Uniform Guidance for Federal Awards](#), is the federal administrative regulation under which the HSO grants operate. It is referred to as Uniform Guidance. A [desk friendly version](#) of this document is available online for review and reference. Agencies receiving highway safety funds must adhere to these requirements.

At minimum, the HSO adheres to the requirements of 2 CFR Part 200. In some cases, such as the due date for final reports and claims, the HSO is more restrictive than federal regulation to allow time for the creation and submission of federal reports.

AUDITS

Audits are conducted to determine the fiscal integrity of financial transactions and reports, as well as compliance with laws, regulations, and administrative requirements. All grants awarded by the HSO are federally funded by the U.S. Department of Transportation/NHTSA and recorded in the Catalog of Federal Domestic Assistance (CFDA). If a grantee or its parent agency expends over \$750,000 in federal funds from any source, a single audit procedure is required by the Single Audit Act for State and Local Agencies, 1996 Amendments, Public Law 104-156. [2 CFR Part 200, Audit Subpart F](#) describes the audit requirements. [Audit reporting](#) information is also provided later in this manual.

RISK ASSESSMENT

The HSO is required to annually assess each applicant's risk of noncompliance with Federal statutes, regulations and the terms and conditions of the grant as outlined in [2 CFR Part 200.206](#). The goal of the risk assessment is to determine an organization's capacity to manage and/or receive federal grant funds prior to issuance of a grant award. Information may also be used to plan monitoring activities and/or identify support needed to strengthen an applicant's program management.

RETENTION OF RECORDS

An agency must retain all HSO grant records for a minimum of three years or longer if mandated by its own Retention of Records policy. This includes all programmatic and financial documents associated with the grant agreement (refer to [2 CFR Part 200.333 for more information](#)).

FEDERAL FUNDING ACCOUNTABILITY & TRANSPARENCY ACT

Passed by Congress in 2006, the [Federal Funding Accountability and Transparency Act](#) (FFATA) requires grantees to report each action (sub-award and executive compensation) that obligates \$25,000 or more in federal funds. The grantee is exempt from this requirement if, during the previous tax year, its gross income from all sources was less than \$300,000. [FFATA reporting](#) information is provided later in this manual.

GRANTEE RESPONSIBILITIES & PROCEDURES

GRANT REQUIREMENTS

When an agency or organization accepts federal highway safety funds, it also agrees to fully comply with all requirements in this manual and any periodic changes that may be made during the grant period. If changes are made to this manual, the grantee will be notified via mail and/or email.

Each grant agreement specifies the requirements and responsibilities. Grantees should also review the federal regulations outlined in [2 CFR Part 200](#) and the certifications and assurances included in Appendix A of this manual.

FINANCIAL MANAGEMENT

The grantee is responsible for establishing and maintaining procedures to ensure the effective administration of an agency or organization's grant, including the timely completion of the grant objectives and proper record keeping. A HSO project manager is assigned to every grant and works with the grantee and agency designated staff throughout the course of the grant period.

The grantee must ensure that the agency's accounting system conforms to generally accepted accounting principles. While the HSO e-grant system allows the grantee to maintain and store critical documents, it is strongly recommended that copies of all financial records pertaining to a grant be stored in a grant file (hard copy, electronic or both) maintained by the grantee. This will make it easier to submit claims, complete status reports, respond to questions, and reference documents.

The file should also include a copy of the grantee's internal purchasing policies and procedures. At a minimum, the policies must meet state standards; they may not be less stringent.

FINANCIAL REPORTING

To receive reimbursement of authorized federal grant fund expenditures, a grantee must submit accurate, current and complete financial information monthly via the HSO's e-grants system. All grantees must submit monthly claims even if no funds are being requested (a zero claim). All authorized federal funds must be incurred and work performed on or before September 30,

the last day of the federal fiscal and grant year (October 1-September 30). Only hours worked and/or items purchased during the current fiscal year may be claimed for reimbursement.

Grantees must maintain records identifying the source (federal, state and/or local) and application of funds for each budget line item. Grantees are responsible for tracking reimbursement by Catalog of Federal Domestic Assistance (CFDA) coding, provided by the HSO, for the Single Audit process.

INTERNAL CONTROLS

A grantee must maintain effective control and accountability for all funds, property and other assets. Additionally, the grantee must adequately safeguard all assets and ensure they are used only for traffic safety-related purposes.

ALLOWABLE COSTS

The HSO uses the cost principles outlined in [2 CFR Part 200](#) along with NHTSA policy and guidance to determine necessary, reasonable, allocable, and allowable costs consistent with policies, rules and regulations conforming to limitations or exclusion of costs.

The use of federal grant funds to purchase equipment and cover personnel and non-personnel costs (including overtime) are allowable within federal and state rules and regulations and detailed later in this manual. Allowable supplies and equipment purchases are detailed in Appendix B.

Federal grant funds may also be used for travel costs associated with attendance at in- and out-of-state highway safety-related meetings, conferences, seminars, workshops, and trainings. The grantee must follow state travel regulations. Travel and per diem reimbursement are detailed in Appendix D. Federal grant funds may be used to cover meals, transportation, facility rental, and other incidental costs associated with hosting and/or attending a meeting at the per diem rate. The grantee should retain records documenting the purpose of the meeting and all associated costs.

An agenda and participant roster must be maintained to document the primary purpose of the meeting. Unallowable training costs include an individual's salary while pursuing training (except when the salary is already supported with highway safety funds under an approved project) and overtime for police officers attending Drug Recognition Expert (DRE) training.

Any HSO meeting or conference costs paid using federal grant funds must include documentation describing the date, location, number of attendees, the food and beverage items purchased and a description of the meeting purpose.

Costs for the purchase of alcoholic beverages are unallowable. The cost of entertainment, including amusement, diversion, and social activities and any directly associated costs, such as

tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities are unallowable.

At the discretion of the HSO, costs are allowable for highway safety consultant services provided by universities, public agencies, non-government organizations, and individuals for state or local highway safety support services or products consistent with 2 CFR Part 200. **These expenses must be in the approved budget prior to the expenditure of funds. The HSO requires a sub-contractor monitoring form to be submitted with any claim that is requesting reimbursement for contract services.**

Federal grant funds may also be used for educational items that offer incentives or encourage the public to adopt highway safety practices. Guidance on educational and promotional materials is provided in the [Public Information and Education](#) section of this manual.

When a grantee has a question about whether an item or activity meets the provisions outlined in the grant contract, the grantee should contact the HSO project manager for clarification prior to purchasing the item or engaging in the activity.

INDIRECT COSTS

Indirect costs are incurred for common or joint purposes (i.e., phone, supplies, administrative salaries) and not assigned to a highway safety grants direct cost. Indirect costs benefit more than one cost objective and should be prorated equitably among all applicable functional areas. When including indirect costs in a grant application, the grantee must include the total estimated indirect costs, along with a detailed explanation of how the cost was derived, and a completed copy of a Certificate of Indirect Costs. Indirect costs are subject to review by federal and state auditors as included in a cognizant federal agency's report or audit. If the grantee is claiming an indirect rate of 10%, no documentation is needed to confirm the rate.

GRANT REVISIONS AND AMENDMENTS

Once a grant is approved, a grantee may request, or a project manager may recommend, a revision to the original budget and/or goals/objectives/tasks or other section outlined in the grant agreement with the HSO once the grant is approved. The grantee and project manager will work closely together to revise the budget in the e-grant system. All revision requests must be fully detailed and justified. Increases to original budget amounts must also be approved by NHTSA.

If the request involves any change of funding to the overall budget or any other change in a contractual clause, CDOT's Procurement team will create an amendment and send it to the grantee for review and approval. The modification request will remain in a pending status until the amendment is approved by the CDOT. Once approved, the grantee will receive an email confirmation from Procurement. The grantee may not begin spending funds associated

with the amendment until receiving written approval. If the request is denied, the grantee will be notified by email and may continue to spend funds as allocated in the original approved grant.

A grant modification that requires an amendment will not be accepted during the fourth quarter of the current fiscal year (July, August, and September).

CLAIMS AND REPORTING (MONTHLY/QUARTERLY)

Grantees are required to submit claims for reimbursement of approved grant expenditures along with monthly and quarterly activity reports. All submissions must be made through the HSO's E-grant system. Claims are due 45 days after the end of the month, and quarterly reports are due the 20th of each month following the end of the quarter.

All grantees must submit a claim and quarterly report even if no costs were incurred (zero claim) or no activities took place during the reporting period. Additionally, the HSO will not process a claim until the corresponding quarterly report is received and approved. Consistent, on-time reporting reduces confusion relating to grant activities. If an extension of a monthly or quarterly deadline is needed, grantees must submit a written request to their HSO Project Manager in advance of the reporting deadline. Requests will be reviewed on a case-by-case basis.

QUARTERLY REPORTS

As outlined in the previous section, grantees must submit quarterly reports to receive reimbursement for claims. The HSO processes claims after the accompanying status report has been received, reviewed, and approved.

The quarterly report should describe any tasks or activities undertaken during the previous three months to accomplish the objectives outlined in the grant. For example, the grantee conducted five saturation patrols lasting four hours each resulting in 500 DUI arrests and 200 speeding citations. The report should also describe progress made in addressing the problem statement, such as fatal crashes during the first quarter of the current fiscal year decreased by five compared to the first quarter of the previous fiscal year. The grantee is encouraged to include copies or provide links to press clippings, media coverage and printed materials such as flyers or press releases that support the activities described in the status report. Grantees must submit status reports using the HSO's E-grant system which allows for document uploads.

The HSO Project Managers carefully review status reports, with a particular focus on whether a grantee is making satisfactory progress in achieving the grant objectives and that the project is on schedule based on the proposed activities and timeline. If deficiencies are identified, the Project Manager will notify the grantee. The notification will describe the deficiency and request that the grantee provide changes or updates. Changes or updates must be submitted and approved before the claim will be processed.

CLAIMS REIMBURSEMENT

Grantees may submit claims for reimbursement up to the itemized amount listed in the approved grant budget. Only items listed in the approved grant are eligible for reimbursement. All claims must be submitted via the HSO E-grant system. Following completion of the online claim, the Project Manager reviews the claim and if approved, signs it. Claims not approved will be returned to the grantee for further correction or action. Once the claim is approved, the Project Manager forwards it to the Program Controls Analyst for review and approval of payment.

Personnel expenses for overtime enforcement activities such as checkpoints and saturation patrol are allowable for hourly and non-exempt salaried employees. Overtime activities must be within the scope of the grant. Agencies receiving reimbursement for overtime will be required to submit their department's overtime policy.

Law enforcement agencies are required to submit personnel activity reports that include the number of contacts and citations made during the claim period. Payroll documentation, including pay rate, is required for law enforcement grants to verify that all officers are employees. A spreadsheet listing all officers is also required. It should include the number of regular hours worked by each officer, each officer's hourly base and overtime pay rates, and the number of overtime hours worked including starting and ending times.

Non-law enforcement grantees are required to provide payroll documentation and a Personnel Activity Report (PAR) if personnel costs are included in the claim. This is discussed in greater depth in the Personnel Activity Report section.

Grantees may request reimbursement for allowable, non-personnel (i.e., travel, supplies under \$5,000), other non-personnel costs (i.e., advertising, organizational permits, subscription fees), capital equipment purchases (i.e., equipment costing \$5,000 or more), and/or professional fees (i.e., contractual costs) if it is in their approved budget. Claims with travel expenses for mileage must include a print-out from MapQuest, GoogleMaps, or another mapping database with the total number of miles being claimed. Invoices with the date of purchase and proof of payment are required for non-personnel expenses.

FINAL REPORT

Program grantees must submit a final report using the HSO e-grant system no later than November 15. HSO will not process a final claim for reimbursement until the final report is received, reviewed, and approved. The HSO reviews final reports to determine the effectiveness of a grantee's highway safety project and takes past performance into consideration when recommending grant requests in future years. The HSO may include information about a grantee's final report in the Annual Report it must submit to NHTSA.

AUDIT REPORTING

If a grantee or its parent agency expends over \$750,000 in federal funding during the fiscal year from any federal source, a single or program-specific audit must be conducted for that year in accordance with the provisions of 2 CFR Part 200, Audit Subpart F. The audit report must cover the entire grant period and be provided to the HSO within 30 days after publication. CDOT's Internal Audit will review the grantee's single audit and provide a report for the HSO to upload to the e-grant system.

FFATA REPORTING

The HSO is required to report certain information to the National Highway Traffic Administration (NHTSA) as mandated in the Federal Funding Accountability and Transparency Act (FFATA) and subsequent Office of Management and Budget (OMB) guidance. This information is made available to the public at www.USAspending.gov.

The HSO Project Managers are responsible for ensuring that all grantees are compliant with FFATA requirements. The HSO Program Controls Analyst is responsible for compilation of the FFATA level awardees information and forwarding that information to the CDOT Grant Accountant who enters the details into the FSRS system. All documentation is required from the grantee at the time of application.

Prime awardees of federal grants of \$25,000 or more, which include the HSOs and Bureau of Indian Affairs, are responsible for the reporting requirement. They must register in the System for Award Management (SAM) at www.SAM.gov, which will automatically register in FSRS and generate a unique UEI number for the grantee.

For each sub-award, the following should be entered into the FSRS web site:

- Sub-award amount
- Date of the award (date the grant agreement is signed)
- Project description (grant title)
- Primary place of performance
- Sub-award number
- Executive compensation answers

PERSONNEL ACTIVITY REPORT (PAR)

NHTSA regulations require that a Personnel Activity Report (PAR) be provided for any full- or part-time position funded through a highway safety grant. This report must indicate the date and amount of time spent working on grant-related duties with a description of the activities that were performed and be signed by the employee or supervisor having first-hand knowledge of the

work the employee performed. The same level of documentation is required from all sub-contractors. The signed report needs to be included with any claim where reimbursement is requested for personnel costs.

LOBBYING CERTIFICATION

The grantee must certify, to the best of their knowledge and belief, that:

- a. No federally appropriated funds have been paid or will be paid, by or on behalf of the grantee, to any person for influencing or attempting to influence an officer or employee of an 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 or 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.
- b. If any funds other than federally 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 contract, grant, loan, or cooperative agreement, the grantee will complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- c. The grantee must include the language of this certification in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients certify and disclose the same information.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into and is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352.

MONITORING

Federal and state grant management rules require the HSO staff to maintain regular contact via telephone, email/written correspondence and/or on-site visits with grantees throughout the grant year. This is done to ensure compliance with applicable requirements and cost principles. This monitoring includes the review and approval of claims and quarterly/final reports, and ongoing outreach to grantees. The intent of this outreach is to develop a relationship with the grantee, address grant management-related questions, provide technical assistance, and identify and help address problems and/or concerns.

ON-SITE & DESK MONITORING (PROGRAMMATIC & FINANCIAL)

The HSO Project Manager is responsible for regular monitoring of the grantee via desk, phone and/or on-site monitoring during the grant year. The purpose of monitoring is to ensure the grant is being administered according to the requirements detailed in the grant agreement, to assess the financial management of the grant and discuss any questions and concerns.

An on-site monitoring visit, which typically occurs between February and September, is a systematic and comprehensive programmatic assessment. This visit is designed to be instructive, not disruptive, and to foster information exchange and partnership. The Program Controls Analyst also may attend the on-site monitoring to conduct a financial assessment. A preparation sheet that details how to prepare for the on-site visit is provided to the grantee via email. If during the scheduled on-site visit the Project Manager and/or Program Controls Analyst identify a finding, the grantee will be notified in writing and an unscheduled monitoring visit will occur. Or if deficiencies in the project are identified during the scheduled visit, an unscheduled on-site visit will be conducted.

During the programmatic portion of the visit, goals, objectives, and tasks are reviewed to determine if the project is being implemented as outlined in the approved grant application. This assessment is also conducted to determine if the grantee has satisfied special conditions and/or is adhering to contract terms and conditions. The financial review includes an examination of agency and grant-specific financial documents and issues related to the implementation and performance of the project.

While on-site, the Project Manager completes a monitoring form. Once completed, the form is reviewed and approved by the HSO management team. Following final approval of the monitoring form, the Project Manager sends a follow-up letter to the grantee that indicates no findings and/or if there are required actions. This letter is emailed within 30 days following completion of the on-site visit. If there are findings, they are described in the letter and an additional on-site visit(s) may be scheduled. The HSO maintains an electronic copy of the letter in the grant file.

Failure on the part of a grantee to respond to monitoring requests or related activities may result in a loss of grant funding or grant termination.

EQUIPMENT INVENTORY

Any item costing \$5,000 or more is considered capital equipment. Approvals from NHTSA are required prior to awarding of funds for any equipment purchases, and once purchased, equipment must be inventoried annually by the HSO throughout its useful life. Once a grantee enters a claim in the HSO E-grant system for reimbursement of equipment purchased using grant funds, it is automatically tracked for the required time. Additionally, the HSO may conduct a random check of equipment during an on-site monitoring visit to ensure the equipment is still being used for highway safety purposes. NHTSA requires prior approval for any transfers or disposals of capital equipment. After disposing of any grant-purchased equipment (whether destroyed or no longer having a useful life), the grantee's agency or organization must maintain all records pertaining to this equipment for an additional three years.

Equipment is any nonexpendable, tangible, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more. All equipment purchased using federal highway safety funds requires prior written approval from NHTSA, which is handled by the HSO during the application process. NHTSA follows the provisions of the [Uniform Guidance for Federal Awards](#), 2 CFR Part 200. Equipment purchased with grant funds must be used for traffic safety purposes only. Non-authorized use of equipment is grounds for refunding a portion of the equipment value to the HSO. All equipment purchased with grant funds must comply with the Buy America Act. Allowable equipment purchases are detailed in Appendix B. Additional guidance is available from the grantee's HSO Project Manager.

PURCHASING REQUIREMENTS & PROPERTY MANAGEMENT

Rules and definitions for the purchase of equipment, supplies and other materials and their management are governed by the [Colorado State Purchasing and Contracts Office Official Procurement Rules](#). A grantee must follow these rules unless its governing agency or organization has its own policies and procedures and can make them readily available for inspection by the HSO. An agency's policies and procedures must, at a minimum, be as stringent as the state regulations. This policy must be provided to the HSO.

SUPPLIES

Any item with an acquisition cost of less than \$5,000 is a supply and may be purchased using highway safety grant funds if it is in the approved grant application. The purchase of supplies does not require NHTSA approval. However, supplies purchased with grant funds must be used for traffic safety and/or enforcement purposes only. Non-authorized use of supplies is grounds for refunding a portion of the value to the HSO. Grantees should consult their HSO Project Manager for guidance on allowable supplies and refer to the Public Information and Education section of this manual for information concerning the inclusion of logos and other required language on these materials. Allowable supply purchases are detailed in Appendix C.

PUBLIC INFORMATION & EDUCATION (PI&E)

MATERIALS

PI&E materials fall into two categories:

- Educational - Material that educates and informs an audience such as activity or coloring books, brochures, posters, flyers, and envelope stuffers.

- Promotional -- Promotional items may not be purchased using HSO grant funds. Grantees should contact their HSO Project Manager if they have questions or they may consult the May 18, 2016 NHTSA guidance for additional information.

Grantees that use federal highway safety funds to produce PI&E materials must receive written approval from the HSO Project Manager prior to production.

Grantees should also advise vendors that all materials used in the production of public outreach materials paid for by grant funds are the property of the grantee and the HSO (i.e., data, plates, negatives, camera-ready artwork, designs, concepts, photographs, video, and audio). All PI&E material purchases (costing more than \$5,000 per unit) must comply with the Buy America Act.

ADVERTISING & PUBLIC RELATIONS

NHTSA advocates the use of a sustained high visibility enforcement model that focuses on strategically deploying enforcement and communications resources, including paid and earned media, at targeted times and locations throughout the year based on state problem identification. The objective is to influence and sustain year-round behavioral change while obtaining higher returns-on-investment and further improvements in traffic safety.

When a state plans to use funds for this purpose, the HSO must include the following in its HSP:

- What program or policy the paid media supports.
- How the advertising will be implemented to support an operational enforcement program such as a periodic crackdown or mobilization or an on-going saturation or roving patrol.
- The amount allocated for paid advertising.
- The measures used to assess message recognition and penetration of the target audience.

If a grantee requests and is awarded advertising funds, the grantee is required to report this same information to the HSO so that it can be included in the Annual Report the HSO must submit to NHTSA. The grantee must receive pre-approval for its advertising or public relations campaign from the CDOT Communications Office.

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

NON-COMPLIANCE/TERMINATION

The HSO will impose sanctions in the event of noncompliance or violation of any grant provision by the grantee agency. Appropriate sanctions may include, but are not limited to, withholding payments, suspension or termination of a portion or the entire grant. Grants terminated for cause will take effect immediately.

DISPUTES/DISAGREEMENTS

Any disputes, disagreements or question of fact concerning a grant should be handled by the appropriate HSO Project Manager and the appropriate HSO Program Manager should also be notified. Resolution/decisions must be in writing and circulated to all concerned parties. The written decision also should be placed in the grant file. The grantee may then proceed with the performance of the grant in accordance with that decision.

If a grantee disagrees with a decision made by the HSO Program Manager, an appeal may be made to the HSO Director. The appeal must be in made in writing within 30 days of the HSO Program Manager's decision.

APPENDIX A - LINKS TO RESOURCES

Caution! Federal guidance and regulations may change. To ensure compliance with current regulations, the applicant or grantee is encouraged to review the resources below.

Title	Revised
NHTSA Highway Safety Grant Funding Resources Guide (HSO staff and grantees should check this regularly)	12/14/21
OMB Uniform Guidance - for FY2016 and subsequent years 2 CFR Part 200	12/14/21
State Certifications and Assurances Statements NHTSA Highway Safety Grant Funding Resources Guide	12/14/21
Lobbying Guidance NHTSA Highway Safety Grant Funding Resources Guide	1/23/2013
Colorado State Purchasing and Contracts Office Official Procurement Rules	3/6/22
Buy America Act Requirements	4/5/22
Colorado travel policy, per diem and mileage rates, hotel information Travel Fiscal Rule	4/5/22
Use of NHTSA Highway Safety Grant Funds for Certain Purchases (scroll down to NHTSA Guidance)	4/6/22

APPENDIX B - FEDERAL CERTIFICATIONS & ASSURANCES

*Please note the term subrecipient will be used in appendix B in lieu of the term grantee.

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The HSO and grantees must comply with FFATA (FFATA Subaward and Executive Compensation Reporting) by reporting to [FSRS.gov](https://www.fsr.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;
- A unique identifier (DUNS/UEI);
- 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—
 1. 80 percent or more of its annual gross revenues in Federal awards;
 2. \$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 THE HSO)

The HSO must 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) and 49 CFR part 21;
- **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, sub-recipients 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** (prevents 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); and
 - **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency [LEP] by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs [70 FR at 74087 to 74100]).

The HSO—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance.
- Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of labor regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority.

- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance.
- Insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees –

- To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 2l and herein;
- To permit access to its books, records, accounts, other sources of information, and its facilities as required by the state highway safety office, U.S. DOT or NHTSA;
- That, in the event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the HSO will have the right to impose such contract/agreement sanctions as it or NHTSA determines are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State will provide a drug-free workplace by:

- 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;
- Establishing a drug-free awareness program to inform employees about:
 - The dangers of drug abuse in the workplace.
 - The grantee's policy of maintaining a drug-free workplace.
 - Any available drug counseling, rehabilitation and employee assistance programs.
 - The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 - 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).
- Notifying the employee in the statement required by paragraph (a) that,

- as a condition of employment under the grant, the employee will --
- Abide by the terms of the statement.
 - Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.
- e. 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 --
- Taking appropriate personnel action against such an employee, up to and including termination.
 - 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.
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT) (APPLIES TO THE HSO AND SUBRECIPIENTS)

The State and all HSO grantees must 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 THE HSO AND SUBRECIPIENTS)

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-award 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 THE HSO AND SUBRECIPIENTS)

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. 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 THE HSO AND SUBRECIPIENTS)

Instructions for Primary Certification (States)

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

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

5. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR Part 180.

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 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 NHTSA.

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

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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records 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. 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, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-

Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;

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

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

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

(2) Where the prospective primary 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 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 2CFR Parts 180 and 1300.

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 and/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.

The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. Contact the person to whom this proposal is submitted for assistance 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 NHTSA.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause, "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

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, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

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 participation in this transaction 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 ACT (APPLIES TO THE HSO AND SUBRECIPIENTS)

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 only steel, iron and manufactured products produced in the United States with federal funds, 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. To use federal funds to purchase foreign produced items, the state must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE (APPLIES TO SUBRECIPIENTS)

The state and each subrecipient may 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 BANNING TEXT MESSAGING WHILE DRIVING (APPLIES TO THE HSO AND SUBRECIPIENTS)

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.

APPENDIX C - ALLOWABLE ITEMS (SUPPLIES & EQUIPMENT)

Included below is a list of allowable items that may be purchased using federal grant funds. An item costing less than \$5,000 is considered a supply. An item costing \$5,000 or more is considered equipment (capital purchase). Some items may not be allowed based on a grant funding source. All equipment costing \$5,000 or more must comply with the Buy America Act, 23 U.S.C. § 313. Subrecipients should direct questions regarding allowable items to their HSO Project Manager.

In accordance with the [memo issued by NHTSA on May 18, 2016](#), supply items are not to be used as incentive items. Supplies are to be used by the grant recipient for the grant funded program and may not be distributed for retention by individuals.

Disallowed Items

No federal funding may be used to purchase the following items:

- Weapons including firearms, tasers or ammunition
- Consoles, cages or push bumpers
- Body worn cameras
- Clothing (i.e., uniforms, jackets, shirts, duty belts, shoes)
- Furniture (i.e., desks, chairs, cabinets)
- Traffic signal devices including school zone lighting
- Guardrails or barricades
- Spike strips
- Sirens
- Radio equipment
- Total Station or related software
- Tint meters
- Golf carts, utility or all-terrain vehicles
- License plate readers

General Office Supplies

Grant funds may be used to purchase items typically used to conduct normal business activities that are relevant to the primary function of the grant and outside of the agency's regular budgetary allowances. Otherwise, the purchase is considered supplanting and not allowed under federal grant regulations. A good reference of office supplies is what available through Staples, Office Max or Office Depot, or similar businesses. Allowable office supplies may include the following:

- Writing instruments (i.e., pens, pencils, markers, highlighters, chalk, crayons, correction fluid, erasers)
- Organizers (i.e., bags, cases, binders, accessories, calendars, planners, desk accessories organizers file folders and accessories, labels and label makers, laminating and binding, post-it notes and flags, storage and archive accessories)
- Presentation equipment (i.e., boards, easels, easel pads)
- Fasteners (clips, fasteners, rubber bands, staplers and staples, hole punchers, tape, other adhesives)
- Measurement and cutting devices (i.e., scissors, trimmers, rulers, drafting supplies)
- Mailroom & Shipping materials (i.e., labels, boxes, envelopes)
- Paper (i.e., computer/copier, colored, fax, inkjet/laser, photo, preprinted certificates, machine rolls, notebooks, bound pads, message pads, post-it notes)

- Audio/Visual devices (i.e., digital cameras, cables, batteries, computer accessories, hard drives, CDs/DVDs/data storage, keyboards, mouse pads, battery back-up, monitors, networking supplies, PC memory, software, copiers, fax machines, printers, scanners, USB drives, flash/stick/thumb drives, computers, landline phones, headsets, GPS units, camcorders, voice recorders, calculators, shredders, projectors)
- Printer and copier ink and toner

APPENDIX D - STANDARD REIMBURSEMENT RATES, TRAVEL REGULATIONS & POLICY

Colorado Office of the State Controller

(Revised January 2022)

General Reimbursement Rates

Colorado's standard mileage rate is \$0.56/mile (as of 7/1/22).

General Requirements

All travel must be authorized prior to any grant program reimbursement. Personal expenses, incurred for the traveler's convenience, are not reimbursable. Per diem will be reimbursed if the employee is traveling outside his/her assigned workstation or required to stay overnight on official grant-related business within his/her assigned workstation. (The workstation is the location where the employee performs the majority of his/her assigned duties.)

Reimbursement Rates

Grantees should utilize the [U.S. General Administration CONUS \(Continental United States\) rates](#) provided by the federal government for all lodging and meals. Use the CONUS standard rates for all locations within the continental U.S. not specifically shown on the CONUS web site.

Employees will not be reimbursed for any meals that exceed the allowable daily per diem rate or if provided at a meeting, lodging or conference.

Lodging receipts are required for reimbursement and must include itemized room charges and taxes by date. If a conference or convention room rate exceeds the maximum reimbursement rate and that room rate is documented in the conference brochure or registration form, the higher rate will be allowed.

Air Travel

If out-of-state travel that requires travel by air is approved, the grantee should book in advance whenever practical and the fare should not exceed the regular coach fare available to the general public on domestic and international flights. When making a reservation through an online service, a print-out detailing the booking must be submitted for reimbursement. Baggage fees are reimbursable with a receipt.

Ground Transportation

Fares for taxi, bus limousine, ride-sharing or light rail to and/or from an airport are reimbursable. A rental car should only be used when other forms of transportation (i.e., hotel shuttle) are inconvenient, expensive or not available. Documentation (dated receipts) is required for reimbursement of the rental fee and gas. Car rental insurance is not an allowable expense.