Notice of Funding Opportunity (NOFO)

Federal Agency
United States Department of Transportation (U.S. DOT)
National Highway Traffic Safety Administration (NHTSA)

Funding Opportunity Title
Adopting a Public Health Approach to Traffic Safety

Announcement Type
Initial Announcement

NHTSA NOFO Number
693JJ921R000038

Assistance Listing Program Number (formerly CFDA)
20.614 - National Highway Traffic Safety Administration (NHTSA) Discretionary Safety Grants

Key Dates

NOFO Posted Date:	**July 22, 2021**
NOFO Questions Due Date:	**July 30, 2021**
Application Due Date:	**August 23, 2021**

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PROGRAM SUMMARY INFORMATION

A. FEDERAL AGENCY NAME

U.S. Department of Transportation (DOT)
National Highway Traffic Safety Administration (NHTSA)

B. FUNDING OPPORTUNITY TITLE

Adopting a Public Health Approach to Traffic Safety

C. ANNOUNCEMENT TYPE

Initial Announcement

D. FUNDING OPPORTUNITY NUMBER

693JJ921R000038

E. ASSISTANCE LISTING PROGRAM NUMBER (formerly CFDA)

20.614 - National Highway Traffic Safety Administration (NHTSA) Discretionary Safety Grants

F. KEY DATES

NOFO Posted Date:	**July 22, 2021**
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MISSION

The mission of the United States (U.S.) Department of Transportation (DOT) is to ensure America has the safest, most efficient and modern transportation system in the world, which boosts our economic productivity and global competitiveness and enhances the quality of life in communities both rural and urban. The mission of the National Highway Traffic Safety Administration (NHTSA), an operating mode of DOT, is to save lives, prevent injuries and reduce economic costs due to road traffic crashes, through education, research, safety standards and enforcement activity. To accomplish this, NHTSA awards grants to State and local governments, not-for-profit organizations, and other entities in support of motor vehicles and road traffic safety initiatives.

SECTION A - PROGRAM DESCRIPTION

A.1 PURPOSE AND OBJECTIVE

The purpose of the Cooperative Agreement (CA) will be to develop a new program to build the capacity of State and local traffic agencies to address traffic safety issues using a public health approach. This program will be a pilot program, to be implemented with a limited number of local and State entities. To meet this purpose, NHTSA will provide financial assistance to a public health organization to develop methodologies and tools to adopt a public health approach to preventing motor-vehicle-crash-related injury and death, while also considering opportunities to address equity in highway traffic safety. The Recipient may establish one (1) Public Health Expert who may carry out the following performance goals to meet the purpose and objectives of the Agreement:

- Inform State and local traffic agencies (e.g. State Highway Safety Offices) of the public health approach to traffic safety and its benefits
- Develop new assessment and monitoring tools to investigate and address the traffic safety hazards including impaired driving and occupant protection
- Facilitate community mobilization and partnerships between State and local traffic safety agencies and State and local public health agencies to implement best practices; as well as to assess equity disparities resulting from previous and current approaches

Indicators for these outcomes can include but are not limited to a review of current applicable literature, the creation of a virtual resource database, the publication of case studies, and ongoing educational events such as webinars where information can be discussed. Success will be measured by participating State and local traffic safety agencies' perceptions and sustained relationships with public health partners.

A.2 PROGRAM AUTHORITY

NHTSA may enter into an assistance agreement with a State or local agency, authority, association, institution, or person to carry out activities authorized by the Highway Safety Act of 1966, P.L. 89-564, as amended (see 23 U.S.C. § 403(b)(2)).

A.3 ASSISTANCE LISTING NUMBER

20.614 National Highway Traffic Safety Administration (NHTSA) Discretionary Safety Grants and Cooperative Agreements

A.4 BACKGROUND

Approximately 36,000 motor vehicle crash fatalities occur each year in the United States and most of these fatalities are preventable.[1] State and local traffic safety offices and public health departments share a common interest in preventing motor vehicle crashes, injuries, fatalities and saving lives. The field of public health views injuries (including those from motor vehicle crashes) as preventable, not inevitable.[2] The traffic safety community could benefit from further adoption of public health approaches to motor vehicle crash injury prevention.

A public health approach to traffic safety incorporates many of the Centers for Disease Control and Prevention's 10 Essential Public Health Services, including assessment and monitoring; investigating, diagnosing, and addressing health hazards; and mobilizing communities and partnerships.[3] Such an approach is needed to address persistent traffic safety challenges, such as impaired driving. The proportion of fatal crashes involving an alcohol-impaired driver has remained around 30 percent for the past decade.[4] Additionally, in NHTSA's most recent National Roadside Survey conducted in 2013 and 2014, 22 percent of drivers surveyed tested positive for potentially impairing drugs.[5]

Despite the advantages of employing a public health approach to traffic safety, there is little collaboration among local health departments and State highway safety offices. In 2019, only 71 percent of county and city health departments reported working with government transportation partners in any way in the past year and only 31 percent of health departments reported regularly scheduling meetings, having written agreements, or sharing personnel/resources with government transportation partners.[6] Among State health departments, less than two percent reported that injury prevention (which encompasses traffic safety) was a department priority in 2016 and, while 87 percent of health departments

[1] National Center for Statistics and Analysis. (2020, December). *Overview of motor vehicle crashes in 2019*. (Traffic Safety Facts Research Note. Report No. DOT HS 813 060). National Highway Traffic Safety Administration.
[2] Centers for Disease Control and Prevention. (2020, January). Injury prevention & control: Our approach. Retrieved from https://www.cdc.gov/injury/about/approach.html
[3] Centers for Disease Control and Prevention. (2020, September). 10 essential public health services. Retrieved from https://www.cdc.gov/publichealthgateway/publichealthservices/essentialhealthservices.html
[4] National Center for Statistics and Analysis. (2019, December). Alcohol-impaired driving: 2018 data (Traffic Safety Facts. Report No. DOT HS 812 864). Washington, DC: National Highway Traffic Safety Administration.
[5] Berning, A., Compton, R., & Wochinger, K. (2015, February). Results of the 2013–2014 National Roadside Survey of alcohol and drug use by drivers. (Traffic Safety Facts Research Note. Report No.DOT HS 812 118). Washington, DC: National Highway Traffic Safety Administration.
[6] National Association of City & County Health Departments (2020, August). *2019 national profile of local health departments.* Retrieved from https://www.naccho.org/uploads/downloadable-resources/Programs/Public-Health-Infrastructure/NACCHO_2019_Profile_final.pdf

reported working with transportation agencies on project, only 15 percent of health departments reported having the leading role in the partnership.[7].

NHTSA works closely with the traffic safety and public health communities to prevent motor vehicle crashes, change risky driving behaviors, and, in the event of a crash, ensure appropriate and timely emergency medical services are delivered. The Adopting a Public Health Approach to Traffic Safety program would bridge gaps between the traffic safety and public health communities by developing methodologies and tools to adopt a public health approach to preventing motor-vehicle-crash-related injury and death, while also considering opportunities to address equity in highway traffic safety.

[7] Association of State and Territorial Health Officials (2017). ASTHO Profile of State and Territorial Public Health, Volume Four. Arlington, VA: Association of State and Territorial Health Officials.

SECTION B - FEDERAL AWARD INFORMATION

B.1 AWARDING AGENCY:

Department of Transportation (DOT)
National Highway Traffic Safety Administration (NHTSA)

B.2 FUNDING AND TYPE OF AWARD

A total of **$476,932.00** to fund up to one (1) discretionary Cooperative Agreement is subject to the availability of funds each year. NHTSA will only accept one (1) application from each eligible Applicant (see Section C.1). Submission of an application is **not** a guarantee of award.

B.3 TYPE OF APPLICATION

NHTSA will accept only new applications under this Notice of Funding Opportunity.

B.4 PERIOD OF PERFORMANCE

All work required hereunder including preparation, submission, review, and acceptance of the final reports shall be completed within sixty (60) months of the effective date of the Cooperative Agreement. NHTSA currently anticipates the start date for new Federal awards to be in **TBD**.

B.5 ACRONYMS

The acronyms listed below are used during the performance of this project. If the Recipient is currently using or has used any of the acronyms listed below differently, the Recipient will use the acronym listed below as defined under the Cooperative Agreement only.

ACOR (CA) Agreement	Alternate Contracting Officer Representative Cooperative
CA	Cooperative Agreement
CO	Contracting Officer
CS	Contract Specialist
COR (CA)	Contracting Officer Representative Cooperative Agreement
Day	Unless specified otherwise, the term “day” refers to calendar day
DOT	Department of Transportation
NHTSA	National Highway Traffic Safety Administration
PM	Project Manager
RCAM	Recipient’s Cooperative Agreement Manager

As used in this NOFO:

"**COR (CA)**" means "Contracting Officer's Representative (Cooperative Agreements.)" This individual is assigned by the Contracting Officer and designated in writing to serve as the government's liaison with the Recipient for technical and administrative matters regarding the Cooperative Agreement.

"Contracting Officer" refers to that Federal Government employee who possesses a warrant authorizing him/her to obligate the government financially. The Contracting Officer is the only individual who is authorized, on behalf of the Federal Government, to execute the Cooperative Agreement.

"RCAM" means the "Recipient's Cooperative Agreement Manager." This individual is identified as the Recipient's liaison with the Federal Government for technical and administrative matters concerning the Cooperative Agreement.

B.6 STATEMENT OF RESPONSIBILITIES

A. **Under the Cooperative Agreement NHTSA will:**

1. Designate a professionally qualified staff member, designated as the Contracting Officer's Representative (COR) (CA), to provide coordination between the Recipient and NHTSA;

2. Provide all essential background information and technical assistance from government sources, available resources as determined appropriate by the COR (CA);

3. Provide coordination with other government and private organizations, as applicable;

4. Maintain on-going contact with the Recipient regarding conduct of the Cooperative Agreement;

5. Stimulate the exchange of ideas and information among recipients of related projects through periodic meetings; and

6. Review and provide feedback on materials and planned activities produced under the Cooperative Agreement.

B. **Under the Cooperative Agreement, the Recipient will:**

1. Carry out the project as described in the Recipient's technical proposal and detailed final work plan, as coordinated with the COR (CA);

2. Advise the COR (CA) of any problems or issues involved in the implementation or progress of the Cooperative Agreement;

3. Adhere to the procedures or objectives specified in the Cooperative Agreement unless logical and feasible deviations are submitted to the COR (CA) and approved in writing by the Contracting Officer (CO); and

4. For the period of performance set forth in *B.4, "Period of Performance,"* furnish personnel, equipment, and facilities and otherwise perform all things necessary to complete the work required to accomplish the Cooperative Agreement's objective as specified.

C. **Specific Conditions for the Cooperative Agreement**

Under the Cooperative Agreement, the Recipient will meet the following conditions:

Condition 1: Kick-off Meeting

Within ***one (1) month*** of Cooperative Agreement award, the Recipient will meet with NHTSA's Contracting Officer (CO), COR (CA), and other interested NHTSA personnel either in Washington, D.C. at NHTSA Headquarters or via teleconference to discuss: 1) the administration of the Cooperative Agreement; 2) the Cooperative Agreement objectives, planned course of action, schedule, milestones and deliverables; and 3) to begin finalizing the work plan for the project which was submitted as part of the application. This meeting will serve as a forum to resolve any variances between NHTSA and the Recipient's approach.

The COR (CA) will lead this meeting and the Recipient will conduct a short briefing describing the Recipient's planned approach to support this Project. After the Recipient's prepared briefing, the Recipient, NHTSA COR (CA), CO and other NHTSA personnel will discuss specific details of the project to resolve any differences in approach and/or expected goals.

Condition 2: Final Work Plan

Within two (2) months of award, the Recipient will submit the Final Work plan to the NHTSA COR (CA). The plan shall detail and describe how the Recipient will achieve the conditions set forth in this Notice of Funding Opportunity. Prior to finalizing the work plan, the Recipient and the NHTSA COR(CA) will ensure it meets the overall objectives of the agreement, including establishing specific tasks and proposed timelines for the development, demonstration and assessment of resources developed.

The plan will include specific (step-by-step) tasks, the roles of the staff and a timeline for resources development, demonstration and assessment. The Recipient will include in the final work plan details associated with meeting project objectives, including how the project will address equity, project conditions and timelines. The Recipient will submit the final work plan to the NHTSA COR (CA) for review.

Within two (2) weeks of receipt, the NHTSA COR (CA) will review the Final Work Plan and provide questions and/or comments to the Recipient for consideration.

Condition 3: Public Health Expert

This condition is optional. The Recipient may select one (1) Public Health Expert to perform the activities of the Agreement within ***four (4) months*** of award.

In collaboration with the COR (CA), the Recipient will use the selection criteria and solicit applications for the Public Health Expert. The Recipient will review applications for assurance that the Applicant meets the needs of the traffic safety and public health communities, selection criteria and assessment criteria. The Recipient will forward applications to the COR (CA) for review and comments for consideration. The applications will be solicited through agreed upon channels and applicants will be evaluated using the selection criteria provided with the Recipient's application and refined during the Kickoff meeting and discussions with the COR (CA).

Condition 4: Conduct Research

The Recipient will conduct research that identifies methods or approaches to integrate public health solutions or activities to improve traffic safety, including, but not limited to identifying gaps, deficiencies, and other needs related to coordination, collaboration, programming, and data sharing related to traffic safety among State and local public health and traffic safety systems. The Recipient will identify existing resources and resources that need to be developed or updated. In performing these activities, the Recipient will evaluate equity impacts resulting identified methodologies or approaches.

Condition 5: Develop Programs to Integrate Public Health Approaches to Highway Safety

The Recipient will develop a program that adopts public health approaches to traffic safety areas that support motor vehicle crash injury prevention. The Recipient may consider areas such as:

- Best practices for State and local public health and traffic safety systems in preventing traffic crashes, preventing driving while intoxicated/impaired, post-crash emergency medical services, and occupant protection
- Traffic safety, public health, and injury prevention data collection
- Significant and emerging issues related to public health, traffic safety, and injury prevention
- The identification of future needs of the State and local public health and traffic safety communities

Condition 6: Assessment

The Recipient will assess the effectiveness of the program they developed according to the established timeline in the Work Plan. The assessment at a minimum will include: a description and copy of the activity, participant assessment of the activity, results of pre-and post-tests (if applicable), the number and occupation of participants (i.e., highway safety official, injury prevention coordinator, etc.). If there were no program activities conducted,

the recipient will submit the assessment plan. The assessment instrument and results and or assessment plan will be included in quarterly reports.

In addition, the Recipient will evaluate overall program effectiveness by no later than fifty-nine (59) months after award. The Recipient will administrate a survey to no more than nine (9) participating public health or traffic safety agencies to assess the degree to which the capacity of participating traffic safety agencies to adopt a public health approach to traffic safety increased since the start of the program. Survey items may include measures of agencies' capacity to leverage relationships to address traffic safety problems, knowledge of public health injury prevention strategies among traffic safety professionals, awareness of traffic safety as a public health problem among public health professionals, effectiveness of the program development assistance provided through the program, or other relevant measures. Additionally, the Recipient will report how whether the program achieved its goals, its overall impact, barriers and challenges to program success, areas of the program that worked well, and recommendations for improvement. The Recipient will present the assessment instrument, methodology, and results, as well as the content described above in the Final Report.

Condition 7: Disseminate Information at Stakeholders' National, Regional, and State Meetings

The Recipient will present their research and the program they develop at relevant national conferences, such as the American Public Health Association Annual Meeting; National Association of County and City Health Officials conferences or summits; Association of State and Territorial Health Officials conference, and Lifesavers Conference. In addition, the Recipient will disseminate information and best practices on public health and traffic safety at regional and State level injury prevention conferences. At these events, the Recipient will emphasize the importance of the public health community's role in reducing motor vehicle crashes, injuries, and deaths using proven supervision programs and techniques. The Recipient will present findings related to this project at a minimum of eight (8) events annually.

Condition 8: Final Briefing

The Recipient will participate in a final briefing no later than sixty (60) months after award of the Cooperative Agreement, to discuss the resulting project deliverables, challenges and issues encountered and results of the assessment. This meeting may be held in person either in Washington, D.C. at NHTSA Headquarters or via teleconference. In preparation for this meeting, the Recipient shall prepare a presentation that summarizes their work, including but not limited to, a presentation of programs developed and implemented, presentations delivered and to whom they were delivered, program development assistance provided, and other relevant information. The final briefing shall last no longer than ninety (90) minutes and will be led by the COR(CA).

B.7 DELIVERABLES (D) AND MILESTONES (M)

The deliverables and milestones shall be established and defined within the Cooperative Agreement issued under the authority listed within Section A.2 of this NOFO.

The deliverable schedule and descriptions are provided below. With final deliverables, the Recipient will provide a table detailing how each Government comment was addressed. Deliverables must be in electronic format and printable, with the exception of those required in hard copy.

ITEM NO.	COND NO.	MILESTONE (M) / DELIVERABLE (D)	DUE DATE
1	1	Kick off Meeting (M)	Within 1 month of award
2	2	Submit Final Work Plan (D)	Within 2 months of award
3	3	Public Health Expert (D) (optional)	Within 4 months of award
4	4	Needs Assessment (D)	No later than 12 months of award
5	5	Implement Demonstration Activities (M)	As identified in the Work Plan (Item #2)
6	6	Assessment (M)	As identified in the Work Plan (Item #2)
7	7	Disseminate Information at Stakeholders' National, Regional, and State Meetings (M)	Ongoing, minimum of eight annually
8	8	Participate in Final Briefing (M)	No later than 60 months of award
9	F.3.1	Submit Quarterly Progress Reports (D)	Quarterly (15th day of each quarter)
10	F.3.2	Submit Annual Reports (D)	At the end of each Federal fiscal year
11	F.3.3	Submit Final Report (D)	No later than 60 months after award
12	F.3.4	Submit Federal Financial Report (SF-425) (D)	Annually by October 1

B.8 PLACE OF DELIVERY

All items shall be delivered electronically to the following addresses specified below:

Item No.	Address
2, 3, 8, 9, 10, & 11	**Department of Transportation** National Highway Traffic Safety Administration Office of Impaired Driving 1200 New Jersey Avenue, SE, NPD-110 Washington, DC 20590 Room: **TBD** Attn: **TBD** Email Address: **TBD** Telephone: **TBD**
10 & 11	**Department of Transportation** National Highway Traffic Safety Administration Office of Acquisition Management NFO-300, W53-411 1200 New Jersey Avenue, SE Washington, DC 20590 Attn: Journey Gordon Email: Journey.Gordon@dot.gov Telephone: 202-366-1344

SECTION C - ELIGIBILITY INFORMATION

C.1 ELIGIBLE APPLICANTS

This NOFO is limited to organizations that demonstrate that they have the infrastructure in place, as well as the necessary staff and support to carry out the responsibilities of administering, coordinating, and implementing the conditions of this NOFO. Only organizations capable of fulfilling the criteria listed within this NOFO will be considered for an award. Applicant must have the existence of an organizational infrastructure that will allow staff time necessary to handle the day-to-day logistical needs for this project.

To be eligible to participate in the Cooperative Agreement, Recipients will meet the following requirements:

- Have more than five (5) years of professional and/or corporate organizational experience related to traffic safety *and* public health systems and knowledge of the role of each in reducing motor vehicle crashes and related injuries.
- Have staff that understand the responsibilities of the traffic safety and public health communities and have knowledge of the challenges they face in collaborating to prevent motor vehicle crashes;
- Have the capacity to provide assistance to members of these communities during normal work hours, Monday through Friday in the Eastern, Central, Mountain and Pacific time zones;
- Have experience in developing and providing program development assistance and conducting outreach to public health and traffic safety professionals; and
- Know and understand the motor vehicle laws, challenges, and limitations in each State and nationwide.

Interested applicants are advised that no fee or profit will be allowed.

C.2 COST SHARING OR MATCHING

Cost-sharing or matching requirements are not required under this NOFO. While not mandatory, applicants are encouraged to seek funds from other Federal, State, local, and private sources to augment those Federal funds available under this NOFO. Preference may be given to applicants with cost sharing or in-kind contributions identified in their applications/proposals.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

D.1 ADDRESS TO REQUEST APPLICATION PACKAGE

A copy of this NOFO, including all application forms, can be received by submitting an email request to NHTSAOAM@dot.gov using the following information:

- Keyword(s): Adopting a Public Health Approach to Traffic Safety
- Opportunity Number: 693JJ921R000038
- CFDA Number: 20.614

D.2 CONTENT AND FORM OF APPLICATION SUBMISSION

Each application package must include the following required documents:

- The application shall not exceed **twenty-five (25) pages** (not including resumes or appendices). The application must be in English.

- Format with a cover page that clearly identifies the Applicant's name, NOFO number **693JJ921R000038**, and date. Within, include the following sections:

    - Table of Contents including page number references and method identifying major sections of the technical proposal
    - Description/Technical Approach, Work Plan and Timeline
    - Past Project Experience and Performance
    - Qualifications of Project Personnel.

- Resumes are limited to two (2) pages each and provides evidence of the knowledge, skill, experience, and overall qualifications of proposed personnel Include each person's role and specific actions and responsibilities in a study or project; include dates for projects listed.

- No cost/price data shall be included in the Technical Application.

- Be written in electronic format (e.g., using MS Office) Use Times New Roman 12-point font, with pages that have at least one (1) inch margins.

- Adhere to the style detailed in the 7th edition, Publication Manual of the American Psychological Association (APA);

- Cost data shall be provided in excel format;

- **NHTSA cannot receive email messages containing a ZIP attachment. The file will be removed, as all ZIP files are blocked. Other file types (e.g. Word, PowerPoint, PDF, etc.) can be received.**

- If submitting the application in hardcopy or digital storage media format: OMB Standard Form (SF) 424 (including 424 "Application for Federal Assistance," 424A "Budget Information for Non-Construction Programs," and 424B "Assurances for Non-Construction Programs"), with the required information filled in and certified assurances signed. These forms can be accessed by going to https://www.grants.gov/web/grants/forms/forms-repository.html.

- The Recipient will submit a statement and certify that it will comply with the requirements in 49 CFR Part 32, subpart B.

- SF-LLL: Disclosure of Lobbying Activities. The Applicant shall provide with its application signed certification forms covering the requirements in 49 CFR Part 20, U.S. Department of Transportation New Restrictions on Lobbying. This form can be accessed by going to https://www.gsa.gov/forms-library/disclosure-lobbying-activities.

- The Applicant must provide a detailed breakdown of the proposed costs, as well as any in-kind costs, by year. This cost breakdown shall not only identify cost categories but shall also identify specific sub-categories (and associated costs). For example, Labor Costs should include labor categories, associated levels of effort, and rates; Direct Materials costs including itemized equipment and supplies costs; Travel and transportation costs, including projected trips and number of people traveling; Subcontractor/ Sub-recipient costs with similar detail, if known; and overhead. The Applicant must also justify each proposed cost by explaining how each cost was calculated and determined to be fair and reasonable. Finally, the Applicant should also include copies of any supporting documentation it may have (i.e. indirect cost rate agreements, etc.) as part of the budget package.

- Non-Federal funding sources are encouraged. Since activities may be performed with a variety of financial resources, applicants need to fully identify all project costs and their funding sources in the proposed budget. The proposed budget must identify all funding sources in sufficient detail to demonstrate that the overall objectives of the project will be met. All other factors being equal, preference will be given to those that have proposed cost-sharing strategies and/or other proposed funding sources in addition to those in this announcement.

- Consistent with the Department's ROUTES Initiative (https://www.transportation.gov/rural), the Department encourages applicants to describe how activities proposed in their application would address the unique challenges facing rural transportation networks, regardless of the geographic location of those activities.

- Consistent with NHTSA's commitment to addressing equity in traffic safety, with respect to development and implementation of programs and consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, NHTSA encourages applicants to describe how activities in their application would address equity and data.

- Technical Application: The application/proposal shall fully describe the scope of the project, providing a project plan detailing the activities and costs for which funding is being requested. ***The technical application shall be separated from the cost application – no cost information shall be included or referenced in the technical application***.

  The technical approach must be clearly written, complete, reasonable, and include a realistic timeframe for completing conditions.

  Applications for this program must include the following information in the program narrative statement:

  1. **Factor 1: Description/Technical Approach, Work Plan and Timeline:**

     The Applicant shall demonstrate its understanding of the project's overall objectives and scope of work. Within the technical proposal, the Applicant shall indicate any assumptions made in conducting the effort. This section allows the Applicant to demonstrate familiarity and expertise with the area, including issues faced when work requires the Applicant to work jointly and cooperatively with other agencies to complete the Applicant work.

     This section should include the following:

     - Background – Describe experience working with NHTSA and/or public health and traffic safety organizations to prevent motor vehicles crashes and related injuries and fatalities;
     - Objective – Clearly identify how the strategy advances the goals and objectives of the project;
     - Activities – Provide a detailed work plan of the proposed activities with distinct step-by-step tasks;
     - Technical Approach – Must be clear, complete, reasonable and realistic. Proposals must include how the applicant will complete the tasks outlined in the Statement of Work and must describe their technical capability and experience;
     - The applicant's work plan should identify approaches to support the goals of the project, with the potential for significantly enhancing environmental stewardship and community partnerships, and reflects Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009); and
     - Schedule of milestones and deliverables.

  2. **Factor 2: Past Project Experience and Performance**

     Provide a list of previously funded projects (grants, cooperative agreements, or contracts) with a point of contact at the funding agency to demonstrate satisfactory efforts to complete the project, timeliness of deliverables, and financial

accountability. The applicant shall describe its corporate experience, past performance, and any other relevant activities similar to the effort described in this notice, including, but not limited to:

- Applicant has more than five (5) years of professional and/or corporate organizational experience related to traffic safety *and* public health systems and knowledge of the role of each in reducing motor vehicle crashes and related injuries.
- The degree to which the applicant understands the needs and unique aspects of providing program development assistance to traffic safety and public health professionals.
- The degree to which the applicant demonstrates their technical capability through previous experience developing, delivering, and managing traffic safety and public health programs.
- The degree in which the applicant demonstrates understanding of the complex relationships among State and local public health departments and highway safety offices through previous experience.
- The applicant's experience developing and delivering in-person and web-based program development assistance.
- The applicant's satisfactory history of grantor/Recipient relationships, as demonstrated by on-time completion of past efforts, and reports indicating a high level of satisfaction from government agencies and other organizations.
- The extent to which the applicant has a good record of financial responsibility and accountability as it relates to the use of Federal funding, and a demonstrated history of compliance with regulations that apply to Federal financial Cooperative Agreements.

For Past Performance, the Applicant shall provide a list of at least three (3) recent projects conducted within the past five (5) years that includes:

- Project title;
- Dates on which the project began and was completed;
- Total dollar value of the contract (if applicable);
- Sponsor;
- Project manager's contact information (name and phone number);
- Brief synopsis of the project;
- Key deliverables, such as new personnel, reports or publications, along with the original scheduled due dates and submission date of the version of the deliverable that was approved by the sponsor; and
- The project's relevance to the current project.

If the Applicant has previous Contracts, Cooperative Agreements or Task Orders with NHTSA, this list shall include the Applicant's most recent projects with NHTSA. The Applicant also shall provide information regarding any contracts that were terminated for default or convenience of the Government within the past three (3) years, including an explanation of the circumstances.

In addition, the Applicant shall request past performance information from three (3) recent clients. The References should include: (1) name of agency or organization receiving the service; (2) name of reference's point of contact, phone number, and e-mail address; (3) dates services were provided; (4) applicable contract, agreement, task order and/or grant number; (5) title, and (6) brief description of services provided. Attachment J.4, Past Performance Questionnaire, shall be used for the three (3) recent projects. The Applicants shall instruct their references to submit the Past Performance Questionnaires to the Contract Specialist at NHTSAOAM@dot.gov and Journey.Gordon@dot.gov.

3. Factor 3: Qualifications of Project Personnel:

- The Applicant shall demonstrate experience and capacity to carry out the proposed activities outlined in the overall objectives, as well as the specific conditions described in Section B.6.C.
    - Identify a Project Manager (PM) to serve as a liaison to coordinate and manage all aspects of the project.
    - Demonstrate that the proposed staff has a level of experience, knowledge, and skills that ensures the ability to successfully complete the work outlined in Section B.6.C. Examples of qualifications that Applicants may use to demonstrate expertise include, but are not limited to, educational background, relevant experience on similar projects.
    - The extent to which the proposed personnel have clearly described roles and appropriately assigned positions, and the proper level of education and experience to carry out the project.
    - The extent to which public health and traffic safety professionals would agree the proposed personnel are qualified and can develop and provide unbiased research and assessment.
    - The extent to which the applicant has demonstrated their ability to provide leadership, research, assessment and the resources to accomplish the milestones and deliverables of this project.
    - The soundness of the applicant's organization and designated areas of expertise.
    - The extent to which the proposed personnel have professional experience in public health, traffic safety, outreach, or capacity building.
    - Include resumes and curricula that highlight qualifications, areas of expertise and cites work-related experience for the program manager.

- Commitment and Support: When other sources and organizations are required to complete the proposed effort, the Applicant shall provide proof of their commitment to the agreement effort. Such proof can be a letter of support or buy-in indicating what the organization will provide to the Applicant.

- Additional Cost Information

- The Government reserves the right to request, at any time after the receipt of applications and before award, additional cost or price information necessary to perform an analysis. Regular invoicing (monthly or quarterly) is required. Irregular invoicing could result in a reduction of available funding for subsequent years.

- Given that an award may be made without negotiations and without any discussion, each Applicant shall document and support the proposed costs so thoroughly that no additional information is needed by NHTSA.

- Applicants shall ensure that all proposed costs, including non-Federal contributions and contributions from other Federal sources, are reasonable, allowable, and allocable according to the cost principles stated in 2 CFR Parts 200 and 1201.

D.3 UNIQUE ENTITY IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT (SAM)

Each Applicant is required to:

- Be registered in SAM before submitting its application;

- Provide a valid unique entity identifier in its application (e.g., DUNS Number); and

- Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by NHTSA.

NHTSA may not make a grant award to an Applicant until the Applicant has complied with all applicable DUNS and SAM requirements. If an Applicant has not fully complied with the requirements by the time NHTSA is ready to make an award, NHTSA may determine that the Applicant is not qualified to receive an award and use that determination as a basis for making a grant award to another Applicant. **NHTSA will review an Applicant's registration status to make a responsibility determination and to ensure that the Applicant is responsible, current on all Federal taxes, and is not on the list of parties excluded from Federal awards.**

D.4 SUBMISSION DATES AND TIMES

Application Due Date and Time:

Applications must be submitted no later than **2:00 PM Eastern Time, on August 23, 2021.** Only complete packages received on or before the published due date will be considered. Applications received after the due date will not be evaluated for consideration. Facsimile submission of proposals will not be accepted. **NHTSA will only accept one (1) application from each Applicant.** NHTSA will provide acknowledgments of receipt of applications via email.

Questions Due Date and Time:

General administrative and programmatic questions must be directed to Journey Gordon, Contract Specialist, at NHTSAOAM@dot.gov with a copy to Journey.Gordon@dot.gov. To allow for sufficient time to address questions appropriately, all questions must be submitted via email no later than **2:00 PM Eastern Time on July 30, 2021**.

D.5 FUNDING RESTRICTIONS

- Funds awarded under this Agreement cannot be used for any activity intended to or designed to lobby Congress or a State legislative body, or to urge a U.S., State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body.

- All NHTSA awards are subject to the terms and conditions in the grant agreement and cost principles in 2 CFR Parts 200 and 1201.

- NHTSA will not reimburse Applicants for Pre-Award costs.

- The Government's obligation under this Agreement is contingent upon the availability of appropriated funds from which payment for the Agreement purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for this Agreement and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer.

- Funds awarded under this Agreement are subject to 23 U.S.C. § 313, Buy America, which prohibits the use of the Government's funds to purchase steel, iron, and manufactured products, unless they are produced in the United States.

D.6 OTHER SUBMISSION REQUIREMENTS

Each application should include:

- The NHTSA NOFO Number: 693JJ921R000038.

Application Submission:

Applications must be submitted to the attention of Journey Gordon, Contract Specialist, via email at NHTSAOAM@dot.gov with a copy to Journey.Gordon@dot.gov, no later than **2:00 PM Eastern Time, on August 23, 2021.**

Important: NHTSA recommends that when transmitting hardcopy or digital storage media applications methods other than U.S. Mail be used (i.e. Federal Express delivery, UPS).

SECTION E - APPLICATION REVIEW INFORMATION

E.1 CRITERIA

NHTSA will evaluate the applications using the evaluation criteria below to score and select competing applications. Evaluation Factors 1 through 3 will be weighted, with Factor 1 being weighted the most, and Factor 3 being weighted the least. Evaluation Factor 4 will be evaluated but not scored.

Submission of an application is not a guarantee of award. NHTSA may, at its discretion, award a grant based on an application in its entirety, award only portions of an application, or not make an award.

For each factor, the agency will determine whether the Applicant has provided an acceptable explanation of its qualifications.

A. EVALUATION FACTOR 1: Description/Technical Approach, Work Plan and Timeline

The Applicant will be evaluated on its description/technical approach, work plan and timeline to meeting the requirements and the deliverable schedule associated with the requirements. The Applicant's technical approach, work plan and timeline will be evaluated for:

- Objective – Clearly identifies how the strategy advances the goals and objectives of the project;
- Project Management Plan – Includes a detailed work plan and approach that is aligned to the project's goals and objectives; a detailed, step-by-step approach for achieving the specific conditions described. The strategy should be comprehensive, logical, and include a clear description of how:
    - The applicant's goals are clearly articulated, and the objectives are time-phased, specific, action-oriented and achievable;
    - The applicant has identified potential barriers to the project and the provided plans for mitigating or eradicating those barriers; and
    - The applicant intends to achieve the milestones and deliverables outlined in the request for proposal, including a proposed timeline.
    - The applicant's plan addresses equity and data consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009).
    - The applicant's plan to evaluate the effectiveness of the project and the activities performed during the period of performance.
- The criteria for selection of the Public Health Expert (optional, but must be included if the Recipient chooses to select a Public Health Expert).

B. EVALUATION FACTOR 2: Past Project Experience and Performance

The Applicant will be evaluated on its ability to conduct the work required in this NOFO and its performance with similar efforts, including its corporate experience and past performance with other work similarly described in this solicitation and that requires, at a minimum, the following:

- The degree to which the applicant describes their technical capability and experience in managing projects;
- The applicant's satisfactory history of grantor/Recipient relationships, as demonstrated by on-time completion of past efforts, and reports indicating a high level of satisfaction from government agencies and other organizations;
- For previous Recipients of Federal funding, the extent to which the applicant has a good record of financial responsibility and accountability as it relates to the use of Federal funding, and a demonstrated history of compliance with regulations that apply to Federal financial Cooperative Agreements;
- The degree to which the applicant understands the needs and unique aspects of providing program development assistance to traffic safety and public health agencies;
- The degree to which the applicant describes their technical capability and experience in developing, delivering and evaluating the effectiveness of traffic safety and public health programs;
- The degree to which the applicant understands the complex aspects of preventing motor vehicle crashes and injuries;
- The applicant's satisfactory history of grantor/Recipient relationships, as demonstrated by on-time completion of past efforts, and reports indicating a high level of satisfaction from government agencies and other organizations; and
- The extent to which the applicant has a good record of financial responsibility and accountability as it relates to the use of Federal funding, and a demonstrated history of compliance with regulations that apply to Federal financial cooperative agreements.

C. EVALUATION FACTOR 3: Qualifications of Project Personnel

The Applicant will be evaluated on the suitability and quality of its proposed staff. The Applicant's staffing plan is clearly described in the written proposal through the Project Management Plan and work breakdown structure and includes personnel's resumes/curriculum vitae. The Applicant's proposal will be evaluated on the following:

- The extent to which the proposed personnel have clearly described roles and appropriately assigned positions, and the proper level of education and experience to carry out the project.
- The extent to which public health and traffic safety professionals would agree the proposed personnel are qualified and can develop and provide unbiased research and evaluation.
- The extent to which the applicant has demonstrated their ability to provide leadership, research, evaluation and the resources to accomplish the milestones and deliverables of this project.
- The soundness of the applicant's organization and designated areas of expertise.

- The extent to which the proposed personnel have professional experience in public health, traffic safety, outreach, or capacity building.

D. EVALUATION FACTOR 4: Cost/Budget Evaluation

The Applicant's proposed budget will be evaluated for accuracy and feasibility, based on the provisions of 2 CFR Parts 200 and 1201.

For equally acceptable applications, preference may be given to those that have proposed cost-sharing strategies and/or other proposed funding sources in addition to those in this NOFO.

E.2 REVIEW AND SELECTION PROCESS

Each application package will be reviewed initially to confirm that the applicant meets the eligibility requirements as set forth in Section C.1, Eligible Applicants, and has included all of the items specified in Section D.2, Content and Form of Application Submission. A Technical Evaluation Committee (TEC) will then review each completed application that meets the eligibility requirements and provide recommendations for award.
The Applicant's application, the TEC will rate the application using the following rating definitions:

Rating Definitions
Outstanding – The application demonstrates a professionally superior approach for accomplishing program objectives. The application is fully responsive to every aspect of the NOFO, within most or all areas covered by the announcement. The application demonstrated a large capability for excellent or highly productive results.
Good – The application demonstrates a comprehensive and fully acceptable; excellent approach for accomplishing program objectives. The application is fully responsive to every aspect of the NOFO, with capability for excellent or productive results in one or more major areas covered by the announcement.
Acceptable – The application meets minimum requirements of the NOFO; is responsive to all major aspects of NOFO; and is capable of achieving desired program objectives.
Unacceptable – The application demonstrates an incomprehensible or unacceptable approach, methods, organization, or capabilities; provided little to no detail as to how the program would be accomplished. The application is not capable of being evaluated.

E.3 SYSTEM FOR ACQUISITION MANAGEMENT REVIEW

NHTSA will review and consider any information about the applicant that is in the designated integrity and performance system accessible through the System for Acquisition Management (SAM), currently FAPIIS.

Each applicant may review information in the SAM and provide comment in its application about itself that a Federal awarding agency previously entered and is currently in SAM.

NHTSA will consider any comment submitted by the applicant, in addition to the other information in SAM when determining the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review under section D.3, Unique Entity Identifier and System for Award Management (SAM).

E.4 ANTICIPATED ANNOUNCEMENT AND FEDERAL AWARD DATES

It is anticipated that an award will be made on or before September 2021. HOWEVER, SUBMISSION OF AN APPLICATION DOES NOT GUARANTEE AN AWARD WILL BE MADE.

SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION

F.1 FEDERAL AWARD NOTICES

The NHTSA Contracting Officer will award Federal financial cooperative agreements to responsible and eligible applicants whose applications are judged most meritorious under the procedures set forth in this NOFO. All funds provided by NHTSA must be expended solely for the purpose for which the funds are awarded in accordance with the approved application and budget and the Uniform Administration Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Parts 1200 and 1201).

The Cooperative Agreement will provide pertinent instructions and information including, at a minimum, the following:

- General Federal Award Information:
  - Recipient name;
  - Recipient's unique entity identifier;
  - Unique Federal Award Identification Number (FAIN) assigned by NHTSA;
  - Federal Award Date;
  - Period of Performance Start and End Date;
  - Amount of Federal Funds Obligated by this action;
  - Total Amount of Federal Funds Obligated;
  - Total Amount of the Grant Award;
  - Budget Approved by NHTSA;
  - Total Approved Cost Sharing or Matching, where applicable;
  - Grant project description;
  - Agency name and contact information for awarding official;
  - Assistance Listing Program Number (formerly CFDA) and Name;
  - Identification of whether the award is R&D; and
  - Indirect cost rate for the grant.

- General Terms and Conditions as applicable including:
  - Grant Administrative Requirements;
  - National Policy Requirements; and
  - Recipient integrity and performance matters.

- Cooperative Agreement Performance Goals

F.2 ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. The Cooperative Agreement will be subject, as applicable, to the administrative requirements contained in the following regulation which is incorporated by reference, with the same force and effect as if it was given in full text:

   a. Uniform Administration Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Parts 1200 and 1201); and

b. 49 CFR Part 20 – Department of Transportation New Restrictions on Lobbying.

c. 49 CFR Part 32 – Governmentwide Requirements For Drug-Free Workplace (Financial Assistance)

2. The Recipient will comply with subpart C of 2 CFR Part 180, which restricts awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

3. The Recipient will acknowledge in writing that no funds provided under the Cooperative Agreement will used for lobbying activities as defined in 2 CFR § 200.450.

4. The Recipient will have procedures in place to respond to an unauthorized disclosure or breach of an individual's personally identifying information (PII). The Cooperative Agreement Recipient will notify NHTSA within seven (7) days of an incident involving the unauthorized disclosure or breach of PII. In the event of an unauthorized disclosure or breach, the Cooperative Agreement Recipient will cooperate and exchange information with NHTSA, as needed, to properly escalate, refer, and respond to the incident.

5. Under 2 CFR § 200.322, as appropriate and to the extent consistent with law, the Recipient should, to the greatest extent practicable under this award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The Recipient shall include the requirements of 2 CFR § 200.322 in all subawards including all contracts and purchase orders for work or products under this award.

6. NHTSA is committed to addressing equity in traffic safety, with respect to development and implementation of programs and objectives described in this NOFO consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.

F.3 REPORTING

The following reporting requirements will be required under this program. All reports will be submitted electronically, unless otherwise requested by NHTSA.

F.3.1 Quarterly Reports

The Recipient will submit quarterly reports to the NHTSA COR (CA) on the 15th of each month of the quarter beginning three (3) months after Agreement award. The report shall include an up-to-date summary of accomplishments by the Recipient; obstacles and problems encountered and proposed solutions; noteworthy activities, events, or successes; and a Financial Statement of funds expended to date.

Quarterly Reports shall include the following details about the relevant Milestones and Deliverables:

- A detailed accounting of the activities from the previous quarter, so that the NHTSA COR (CA) can determine whether invoices should be approved or revised based upon the accomplishment(s) for which payment is sought;
- Specifics regarding the program development assistance that was provided to members of the public health and traffic safety communities, including how many times assistance was requested and the nature of the requests;
- Information about any new topics that were of interest to the public health and traffic safety communities, who requested assistance during the quarter, so the Recipient may be better able to identify emerging issues;
- Plans for accomplishments in the next reporting period;
- Problems or delays that the Recipient has experienced in the conduct of this agreement and suggestions to overcome the problems or delays;
- Specific action the Recipient would like NHTSA to undertake to alleviate a problem;
- Noteworthy activities, events, or successes;
- Planned travel for the upcoming quarter; and
- Financial statement of funds expended to date.

Note: The Recipient will be permitted to submit an invoice for reimbursement each month, provided that the invoice includes the justification for each invoiced item for the period of time.

F.3.2 Annual Report

The Recipient will prepare and submit an Annual Report to the NHTSA COR (CA) by the end of each government fiscal year. Submission of the Annual Report will be in electronic format. The Annual Reports will provide a summary of activities, milestones and deliverables accomplished during the fiscal year, an accounting of funds expended during the reporting period, to include the amount of any in-kind contributions. The Annual Report will also include a summary of problems or delays encountered while conducting services during the reporting period and a summary of results, conclusions, trends or other items of information that the Recipient believes is of timely interest to NHTSA.

Within two (2) weeks of receipt, the NHTSA COR (CA) will review each report and may provide any question and/or comments to the Recipient for consideration. If the Recipient revises the Annual Report, the Recipient will submit the Annual Report to the COR (CA). At fifty-nine (59) months of the Agreement, the Recipient will submit a Final Report instead of the Annual Report.

It is the Recipient's responsibility to ensure that all Annual Reports come to the COR (CA) in a complete and polished manner. The Recipient will ensure that documents are internally consistent from start to finish. The Recipient will review the documents not only for the information that is in them but also for information and results that should be in them.

F.3.3 Final Report

Within ***fifty-nine (59) months*** of Cooperative Agreement award, but no later than one (1) month prior to the completion date of the Cooperative Agreement, the Recipient will submit the Final Report to the NHTSA COR (CA). The report shall include, at a minimum, a description of the activities conducted, problems encountered, lessons learned, and general outcomes of the project. The final report shall include the assessment required in Section B.6.C. Condition 6. The NHTSA COR (CA) will review this report and may return with feedback or questions within two (2) weeks of receipt for consideration by the Recipient. If the Recipient revises the Final Report, the Recipient will submit the Final Report to the COR (CA).

It is the Recipient's responsibility to ensure that the Final Report comes to the COR (CA) in a complete and polished manner. The Recipient shall ensure that documents are internally consistent from start to finish. The Recipient shall review the documents not only for the information that is in them but also for information and results that should be in them.

F.3.4 Financial Status Report

The Recipient will prepare and submit Federal financial reports (SF-425) to the NHTSA CAPM and the Contracting Officer (CO), annually, by October 1 of each year, to document the status of funds.

SECTION G – FEDERAL AWARDING AGENCY CONTACTS

Primary NOFO Point of Contact

Journey Gordon, Contract Specialist
Phone: (202) 366-4843
Email: NHTSAOAM@dot.gov with a copy to Journey.Gordon@dot.gov

Secondary NOFO Point of Contact

Sherese Gray, Contracting Officer
Phone: (202) 366-3998
Email: NHTSAOAM@dot.gov with a copy to Sherese.Gray@dot.gov

SECTION H – OTHER INFORMATION

H.1 DISCLOSURE OF INFORMATION

Information made available to the Recipient or employee(s) of the Recipient by the Government for the performance or administration of this effort shall be used only for those purposes and shall not be used in any other way without NHTSA's express written approval.

The Recipient will assume responsibility for protecting the confidentiality of Government records, which are not public information. Each contractor or employee of the Recipient to whom information may be made available or disclosed shall be notified in writing by the Recipient that such information may be disclosed only for a purpose and to the extent authorized herein.

H.2 LIMITED USE OF DATA

Performance of this effort may require the Recipient to access and use data and information proprietary to a Government agency or Government contractor that is of such a nature that its dissemination or use, other than in performance of this effort, would be averse to the interests of the Government or others.

The Recipient and employee(s) of the Recipient will not divulge, or release data or information developed or obtained in performance of this effort, until made public by the Government, except to authorize Government personnel or upon the written approval of NHTSA. The Recipient will not use, disclose, or reproduce proprietary data that bears a restrictive legend, other than as required in the performance of this effort. Nothing herein shall preclude the use of any data independently acquired by the Recipient without such limitations or prohibit an agreement at no cost to the Government between the Recipient and the data owner which provides for greater rights to the Recipient.

H.3 PAYMENT FOR UNAUTHORIZED WORK

No payments will be made for any unauthorized supplies or services or for any unauthorized changes to the work specified herein. This includes any services performed by the Recipient of their own volition or at the request of an individual other than a duly appointed Contracting Officer. Only a duly appointed Contracting Officer is authorized to change the specifications, terms, and conditions under this effort.

H.4 PLACE OF PERFORMANCE

TBD

H.5 SEAT BELT USE POLICIES AND PROGRAMS

In accordance with Executive Order 13043, *Increasing Seat Belt Use in the United States*, dated April 16, 1997, the contractor 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 on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the *Buckle Up America* section on NHTSA's website at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS are prepared to help with technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at www.trafficsafety.org Protection of Human Subjects

H.6 PROTECTION OF HUMAN SUBJECTS

The Recipient will comply fully with 49 CFR Part 11, DOT's regulation governing Protection of Human Subjects, and with NHTSA Order 700-5, which sets forth the Agency's policies and procedures for the protection of human subjects participating in research supported directly or indirectly by NHTSA, including through contracts, grants and cooperative agreements.

The Recipient will obtain prior written authorization from NHTSA for all consent and release forms to be presented to human subjects participating in NHTSA conducted or funded research, including but not limited to informed consent and media releases.

H.7 ENCOURAGING POLICIES TO BAN TEXT MESSAGING WHILE DRIVING

1. As used in the Cooperative Agreement; "Driving" –

    a. Means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light, stop sign or otherwise

    b. Does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

"Text messaging" means reading from or entering data into any handheld or other electronic device, including for the purpose of short message service texting, emailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

2. The Recipient is encouraged to –

    a. Adopt and enforce policies that ban text messaging while driving –
        1) Recipient-owned or rented vehicles or government-owned vehicles; or

        2) Privately-owned vehicles when on performing under the cooperative agreement.

    b. Conduct initiatives in a manner commensurate with size of the Recipient, such as –
        1) Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and

        2) Education, awareness, and other outreach to employees about the safety risks associated while texting while driving.

H.8 NHTSA REVIEW OF ANNOUNCEMENTS OR PUBLICATIONS

The Recipient agrees that neither the Recipient, nor any Sub-Recipient, shall make public releases of information or any matter pertaining to this NOFO and the Cooperative Agreement, including, but not limited to, advertising in any medium, or presentation before technical, scientific, or industry groups, without the prior written approval of the Contracting Officer. The provisions of this clause shall survive the expiration of the NOFO and Cooperative Agreement. The provisions of this clause shall be included in all sub-grants at any tier.

H.9 CONFLICT OF INTEREST

It is DOT policy to award Cooperative Agreements only to those Applicants whose objectivity is not impaired because of any related past, present, or planned interest, financial or otherwise, in organizations regulated by DOT, or in organizations whose interests may be substantially affected by Departmental activities and which is related to work specified in this Notice of Funding Opportunity (NOFO). Based on this policy, if, after award, the Recipient discovers a conflict of interest with respect to the Cooperative Agreement that could reasonably have been known prior to the award, an immediate and full disclosure shall be made in writing to the Contracting Officer. The disclosure shall include a full description of the conflict along with a description of the action the recipient has taken, or proposes to take, to avoid or mitigate such conflict.

(A) The Applicant shall provide a statement in its proposal which describes in a concise manner all past, present or planned organizational, financial, contractual or other interest(s) with an organization regulated by DOT, or with an organization whose interests may be affected substantially by Departmental activities, and which is related to the work under this Notice of Funding Opportunity (NOFO). The interest(s) described shall include those of the Applicant, its affiliates, proposed consultants, proposed subcontractors and key personnel of any of the above. Past interest shall be limited to within one year of the date of the Applicant's technical proposal. Key personnel shall include any person owning more than 20% interest in the Applicant, and the Applicant's corporate officers, its senior managers and any employee who is responsible for making a decision or taking an action under the Cooperative Agreement where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

(B) The Applicant shall describe in detail why it believes, in light of the interest(s) identified in (a) above, that performance of the proposed Cooperative Agreement can be accomplished in an impartial and objective manner.

(C) In the absence of any relevant interest identified in (a) above, the Applicant shall submit in its proposal a statement certifying that to its best knowledge and belief no affiliation exists relevant to possible conflicts of interest. The Applicant must obtain the same information from potential subcontractors prior to award of a subcontract under the resultant Cooperative Agreement.

(D) The NHTSA Contracting Officer will review the statement submitted and may require additional relevant information from the Applicant. All such information, and any other relevant information known to U.S. DOT, will be used to determine whether an award to the Applicant may create a conflict of interest. If any such conflict of interest is found to exist, the NHTSA Contracting Officer may (1) disqualify the Applicant, or (2) determine that it is otherwise in the best interest of the agency to contract with the Applicant and include appropriate provisions to mitigate or avoid such conflict in the Cooperative Agreement awarded.

(E) The refusal to provide the disclosure or representation, or any additional information required, may result in disqualification of the Applicant for award. If nondisclosure or misrepresentation is discovered after award, the resulting Cooperative Agreement may be terminated. If after award, the Recipient discovers a conflict of interest with respect to the Cooperative Agreement awarded as a result of the Cooperative Agreement Announcement, which could not reasonably have been known prior to award, an immediate and full disclosure shall be made in writing to the NHTSA Contracting Officer. The disclosure shall include a full description of the conflict, a description of the action the Recipient has taken, or proposes to take, to avoid, or mitigate such conflict. The NHTSA Contracting Officer may, however, terminate the Cooperative Agreement for convenience if he or she deems that termination is in the best interest of the Government.

[END OF NOTICE OF FUNDING OPPORTUNITY (NOFO)]