U.S. Department of Transportation

#### SS4A Frequently Asked Questions

Potential applicants will find answers below to frequently asked questions about the Safe Streets and Roads for All (SS4A) grant opportunity.

FAQs will be updated once the fiscal year 2025 NOFO is released to provide additional details on the program and responses to frequently asked questions.

#### **SS4A Grant Priorities**

#### What is the SS4A grant program?

The purpose of SS4A grant program is to improve roadway safety by significantly reducing and eventually eliminating roadway fatalities and serious injuries. The program focuses on the development of a <u>comprehensive safety action plan</u> (referred to as an "Action Plan") and its implementation for all users of our highways, streets, and roadways, including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micromobility users, emergency vehicles, and commercial vehicle operators. The program provides funding to develop tools to strengthen a community's approach to roadway safety and save lives and prevent serious harm.

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#### SS4A Grant Types

#### What types of grants are available under the SS4A program?

The SS4A program provides funding for two types of grants:

- Planning and Demonstration Grants provide Federal funds to develop, complete, or supplement an Action Plan. Having an Action Plan in place is the foundation of the SS4A grant program. The goal of an Action Plan is to develop a holistic, well-defined strategy to eliminate roadway fatalities and serious injuries in a locality, Tribal area, or region. Planning and Demonstration Grants may also fund supplemental safety Action Plan activities and/or safety demonstration activities in support of an Action Plan. See the <u>Planning and Demonstration Activities</u> page for more information.
- Implementation Grants provide Federal funds to <u>implement projects and strategies</u> identified in an eligible Action Plan to address a roadway safety problem. Projects and strategies may be infrastructural, behavioral, and/or operational activities. Implementation Grant funding requests may also include project-level planning and design activities, supplemental safety Action Plan activities in support of an existing Action Plan, and safety emonstration activities in support of an Action Plan. Applicants must have a qualifying <u>Action Plan</u> that meets the eligibility requirements to apply for Implementation Grants.

### If we want to apply for both implementation *and* supplemental planning, which application option should we use?

Apply for an Implementation Grant, provided you have an eligible Action Plan in place, which can also include supplemental planning and/or demonstration activities. These types of activities are "Category A" activities in your Implementation Grant Supplemental Estimated Budget and should also be clearly articulated in your narratives. Planning and Demonstration Grants do not include implementation activities.

## If I want to apply for only the demonstration activities (e.g., piloting a new school drop off/pick up zone) to inform the strategies in my completed Action Plan, should I apply under the Planning and Demonstration Grant or the Implementation Grant category?

While demonstration activities are eligible within either grant type, Implementation Grants MUST include carrying out projects and strategies identified in an Action Plan (e.g., capital projects, full-scale safety programs). Demonstration activities are small-scale, temporary activities which inform an Action Plan and do not include full-scale operational or behavioral programs or permanent changes to infrastructure. If you are *only* applying for demonstration activities, you should apply under the Planning and Demonstration Grant type.

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#### **Eligibility to Apply**

### Are U.S. territories eligible to apply for SS4A grants?

Eligible SS4A applicants include political subdivisions of a State or territory, Federally recognized Tribal governments, and metropolitan planning organizations (MPOs). U.S. territories are considered to be States for the purposes of SS4A eligibility and are not eligible to apply for SS4A funding. However, subdivisions of territories (e.g., municipalities, towns, counties) are eligible applicants.

### If my community does not have a history of high roadway collisions, deaths, and injuries, could it still be selected for an SS4A award?

Yes, it is possible not to have a high number of roadway deaths and serious injuries and still receive a Planning and Demonstration Grant or an Implementation Grant.

### If my community does not contain any underserved areas, am I still eligible to receive SS4A funding?

Yes, it is possible to receive SS4A funding and not have any underserved areas in your jurisdiction and/or project area. Ensuring equitable investment in the safety needs of underserved communities, which includes both underserved rural and urban areas, is an SS4A program priority but not a requirement.

### If a community is awarded a Planning and Demonstration Grant to develop a new Action Plan in FY25, would they—in general—be positioned to apply for an Implementation Grant in FY26?

Unlikely. FY25 award recipients who are developing new Action Plans should expect between 18 months and 3 years to complete an Action Plan using SS4A funds, which includes the time to establish a grant

agreement and the time to develop an Action Plan. Action Plans themselves may take between 12 to 24 months to be completed. Implementation Grant applicants must have an eligible, complete Action Plan in place to be eligible to apply. However, applicants may seek additional Planning and Demonstration funds while their Action Plan is being developed to carry out supplemental planning or demonstration efforts.

### Can an MPO apply for a regional Planning and Demonstration Grant after some of our member jurisdictions received FY22, FY23, or FY24 Planning and Demonstration Grants?

Yes. Higher-level jurisdictions (e.g., MPO, county) may apply to develop new safety Action Plans even if member jurisdictions were previously awarded SS4A funds to develop safety Action Plans. In the application, be sure to clearly describe the plans to coordinate with member jurisdictions who received previous year SS4A awards to avoid duplicative planning efforts, the boundaries of the new Action Plan, and whether the boundaries overlap with any existing safety Action Plans.

Please review the <u>Multijurisdictional and Potentially Duplicative Applicants page</u> on the SS4A website for more information.

# If an Action Plan is done at the county/MPO level, can a municipality within the county/MPO apply directly for an SS4A Planning and Demonstration Grant to conduct demonstration activities only, or for an Implementation Grant to fund capital projects or full-scale safety programs? Do those applications need to go through the county/MPO?

Municipalities and other eligible applicants whose boundaries are within the scope of another jurisdiction's Action Plan may apply directly for a Planning and Demonstration Grant for demonstration activities, provided the higher-level jurisdiction's Action Plan's geographic boundaries covers the eligible applicant's jurisdiction, the proposed activities are coordinated with the higher-level jurisdiction, the application demonstrates such coordination, and the demonstration activities will inform the higher-level jurisdiction's Action Plan.

The same applies for Implementation Grants – eligible applicants within the boundaries of another jurisdiction's Action Plan may apply directly for an Implementation Grant provided the higher-level jurisdiction's Action Plan's geographic boundaries covers the eligible applicant's jurisdiction, the proposed activities are coordinated with the higher-level jurisdiction, the application demonstrates such coordination, and the proposed safety projects and strategies have been identified as priorities in the higher-level jurisdiction's Action Plan.

As part of the application, the lower-level jurisdiction must indicate whether they are coordinating with the higher-level jurisdiction. USDOT encourages applicants to include documentation, such as a letter or Memorandum of Understanding, affirming coordination among jurisdictions.

### Can eligible applicants use a plan developed by a State, Federal district, or territory to apply for an SS4A Implementation Grant?

In certain instances, yes, provided that the plan developed by the State or territory agency has a community-scale level of detail akin to plans created by eligible applicants (e.g., a city, county) and meets the eligibility requirements (see the <u>Self-Certification Eligibility Worksheet</u>).

State-level plans developed to meet Federal requirements (e.g., a Strategic Highway Safety Plan required in <u>23 U.S.C. § 148</u>, State Highway Safety Plans required in <u>23 U.S.C. § 402</u>, Commercial Vehicle Safety Plans required in <u>49 U.S.C. § 31102</u>) and Public Transportation Agency Safety Plans in <u>49 U.S.C. § 5329</u> cannot be used as an established plan to apply for an Implementation Grant.

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#### How to Apply

### Are applications on Valid Eval able to be saved and returned to, or does everything have to be uploaded at once?

Yes, Valid Eval has a saved draft feature.

### Are there examples of completed applications or eligible Action Plans we can review?

Unfortunately, successful grant proposals are not posted on the SS4A website, however some award recipients will make their grant narratives available online. Applicants may also want to consider contacting previous SS4A award recipients to learn more about their projects. Other resources include:

- The SS4A website <u>cumulative awards map</u> allows applicants to look up successful awardees across the country.
- Lists of <u>FY22</u>, <u>FY23</u>, and <u>FY24</u> awards are also available for download on the SS4A website, which include total Federal funding amounts, and applicant type.

Information on how to develop an Action Plan is available on the <u>SS4A Resources</u> page.

### Can I apply through Grants.gov instead of Valid Eval?

No. Applications submitted via Grants.gov will not be considered.

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#### **Application Materials**

### Should I include letters of support with my application?

Letters of support are optional and should be directly relevant to supporting the narrative. Letters of support from elected officials who are not directly involved in the implementation of a grant are discouraged. For Implementation Grant applications that propose projects and strategies on roadways where they do not have ownership or maintenance responsibilities, or safety responsibilities over that roadway, a letter of intent is required from the agencies with roadway ownership or maintenance responsibilities. The Leadership Commitment component of an Action Plan should be clearly shown in the Action Plan and/or the Self-Certification Eligibility Worksheet, and not via a separate Letter of

Support. In addition, supporting documentation is encouraged to demonstrate coordination for multijurisdictional applications. In addition, letters or emails demonstrating proof of coordination from applicants requesting funding to develop or update a new Action Plan in areas that have previously received funding to develop Action Plans are required; other supporting documentation for multijurisdictional applications is also encouraged.

### What is the SS4A map requirement for Implementation Grant applicants?

Implementation Grant applicants must provide a map in PDF and spatial format (e.g., Shapefile, .KML) format that shows the location of the jurisdiction, highlights the roadway network under the applicant's jurisdiction, the jurisdiction's High-Injury Network or equivalent geospatial identification of higher risk locations, and potential locations or corridors where the applicant is proposing to implement projects and/or strategies.

#### Can we use our own method to determine whether a Census tract is an underserved community?

No. The NOFO defines an Underserved Community consistent with the definition of an Area of Persistent Poverty (APP) in the Infrastructure Investment and Jobs Act (IIJA, 49 USC 6702(a)(1)), as follows:

- Any county (or equivalent jurisdiction) in which, during the 30-year period ending on the date of enactment of this chapter, 20 percent or more of the population continually lived in poverty, as measured by
  - the 1990 decennial Census;
  - o the 2000 decennial Census; and
  - the most recent annual small area income and poverty estimate of the Bureau of the Census;
- Any Census tract with a poverty rate of not less than 20 percent, as measured by the 5-year data series available from the American Community Survey of the Bureau of the Census for the period of 2014 through 2018; and
- Any territory or possession of the United States.

Applicants must identify whether the jurisdiction(s) included in the application, as well as any project areas for Implementation Grant applications, are entirely, partially, or not included within an underserved community. Applicants may use the Underserved Communities Tool and the accompanying resource document to help identify if their jurisdiction or project area are located within an APP.

Additionally, applicants can include their own data to describe their community context, safety problems, and how their project will benefit their community.

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Grant Awards, Funding, and Match

Is there a minimum or maximum award size?

There is no statutory minimum or maximum. However, the NOFO provides expected minimum and maximum ranges for each applicant type and DOT may award less than the total amount requested by the applicant. When considering the appropriate funding request, DOT recommends an applicant consider the level of effort to administer a Federal grant and the associated administrative requirements when developing the budget.

### Can we apply for a new Action Plan *and* supplemental planning and demonstration activities? Can the Action Plan be awarded and not the additional activities?

Yes, an application to develop a new Action Plan that includes supplemental planning and demonstration activities will be evaluated as a single application and reviewed according to the selection criteria for Planning and Demonstration Grants. However, at the Department's discretion, it may separate the project into component pieces and only award funds for specific components of an overall application.

### What kind of funds can make up the local match?

A local match of no less than 20 percent of the total project cost is required for all SS4A grant funds. Local match may include both cash as well as in-kind contributions. Details on cost-sharing and match can be found in <u>2 CFR 200.306</u>.

Further guidance, illustrative examples, and guidance about how to calculate match, view the <u>Matching</u> <u>Funds for SS4A Grants</u> page.

### Can we use community development block grant (CDBG) funds to serve as local match?

No. Funds that originate at the Federal level are not eligible to be included as part of local match. Please see the <u>Matching Funds for SS4A Grants</u> page for more information on eligible sources of match funding.

### If an MPO pays employees using Federal funds, can staff time still be used for in-kind?

No. Eligible match must come from non-Federal sources. Staff salaries and benefits funded by Federal sources would not be an eligible match.

#### Can unrecovered indirect costs be used to meet the 20% local match requirement for SS4A?

Unrecovered indirect costs may be included as part of the local match, in accordance with <u>2 CFR</u> <u>200.306</u>(c). Applicants proposing indirect costs must:

- Provide an indirect cost rate letter from your Federal cognizant agency as a supporting document; and
- Document how the indirect costs are being applied to the non-Federal match.
- Please see the <u>Matching Funds for SS4A Grants</u> page for more information.

### If a State participates in a multijurisdictional effort, can their contribution count as an in-kind match as opposed to asking for a cash match?

Yes, a State's participation in a multijurisdictional effort can be counted as either an in-kind or cash match so long as those State funds did not originate as Federal funds. Note that States are not eligible SS4A applicants but can partner with an SS4A grant recipient outside the grant agreement with the Department.

### For multijurisdictional plans, is the match requirement only for the entity who 'owns' the plan, or is it meant to spread equally among all participating jurisdictions?

The SS4A grant program requires at least 20 percent of the total project funding to come from non-Federal sources. Multijurisdictional applicants can decide how to spread the non-Federal match requirement, so long as 20 percent of the overall project cost is paid for from non-Federal sources. Please see the <u>Multijurisdictional and Potentially Duplicative Applications</u>

webpage for more about how to collaborate among entities.

### Can a Federally recognized Tribal government use Tribal Transportation Program funds as non-Federal match for SS4A grants?

Yes. Tribal Transportation Program (TTP) funds can be used as a non-Federal match for the SS4A grant program because these funds are made available in accordance with the Indian Self-Determination and Education Assistance Act.

#### Are there specific award set-asides for rural, Tribal, or other entities?

No, there is no specific funding set aside for rural, Tribal, or other entities. However, for Implementation Grants the selection process includes consideration for applicants in rural areas and whether the applicant would enhance the geographic diversity of award recipient.

### What do I need to know about hiring a contractor to support my SS4A efforts?

Please see the <u>SS4A Costs and Contracting</u> document that includes several questions and answers on these topics.

### Will the State DOT Local Assistance Program administer the funds and projects, or will the local agency work directly with USDOT once funding is awarded?

Grant agreements are between the Department and the award recipient. The SS4A program is not administered through State DOT Local Assistance Programs.

### If a previous year SS4A grant recipient applies for and receives SS4A funding in FY25 or beyond, will a new grant agreement be needed or will the existing agreement with the FHWA be amended?

A new grant agreement will be executed for any new grant award, even if an applicant received an award in a previous funding cycle.

### Can an entity apply for an SS4A grant at the same time that they are applying for other grant funding opportunities?

Generally, yes. We encourage applicants to leverage all available USDOT grant programs. However, if you receive multiple sources of funding for the same project, you will need to clearly delineate which sources fund which components or phases. Additionally, required local match requirements must be met individually for each source of Federal funds; local match cannot be double counted across multiple Federal awards.

### Can I use multiple sources of Federal funds to complete an SS4A project?

Yes. It is important to note that SS4A funds are administered predominantly under <u>2 CFR 200</u>. Projects funded with SS4A funds have different requirements and reimbursement processes than the requirements that applicants may be familiar with for projects administered under <u>Title 23 of the United</u> <u>States Code</u>, such as projects under Federal-aid highway formula programs. Generally, when SS4A grant funds are combined with funds for programs administered under Title 23, U.S.C. (Title 23 funds) for a specific project, the requirements in Title 23, U.S.C. apply to the entire project.

Applicants that intend to combine SS4A funds with Title 23, U.S.C. funds should expect a significant delay in executing a grant agreement. For that reason, DOT recommends that SS4A grant funding and other Federal funding sources either pay for different phases of project development or, if applicable, for different construction contracts within the scope of a project involving multiple, distinct roadway corridors. For example, a recipient may use Title 23 funds for the design phase of a project and then apply SS4A grant funds for the construction phase.

Costs of activities intended to meet the matching requirements of the SS4A program, including costs of another phase of project development, must meet eligibility criteria for all Federal funds being used and are to be included in the total project cost calculation for Federal share/non-Federal match of the project. Matching contributions must comply with <u>2 CFR 200.306</u>, including that the match for a Federal award must not be included as contributions for any other Federal award.

If an applicant in American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and/or the U.S. Virgin Islands plans to request \$1 million or less in Federal funds while waiving non-Federal match, can the applicant assume a Federal share greater than 80 percent of the total project cost and reflect their application accordingly? If the total cost of a project is \$1 million and the applicant plans to waive non-Federal match, does that mean the applicant can request \$1 million in Federal funding for the project?

Yes, SS4A will waive the local match (apply a 100 percent federal share) for applicants from American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and/or the U.S. Virgin Islands if the local match required is \$200,000 or less. Therefore, the total project cost must be \$1 million or less to receive a local match waiver and request Federal funding without non-Federal match.

### Can non-State recipients pay a State DOT to assist with the delivery of a project associated with a grant?

Yes. Non-State recipients may enter into a contractual agreement with their State DOT for assistance with project activities that comply with state law and the applicable procurement standards (see 2 CFR

200.318 through 200.327). In this relationship, the non-State recipient would reimburse the State DOT for eligible project activities as outlined in their contractual agreement. Direct costs incurred by the non-State recipient during the period of performance that satisfy the requirements in 2 CFR part 200, subpart E, including 2 CFR 200.403, are allowable and eligible for reimbursement by the Federal agency. Of note:

- If a State DOT is compensated for activities via a contractual agreement with a non-State recipient, the costs associated with those activities cannot be included under the State DOT's indirect cost rate. (See 2 CFR 200.403). It is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances, either as a direct or an indirect cost, in order to avoid possible double charging of Federal awards. (See 2 CFR 200.412).
- The Federal agency has no direct relationship with a contractor or subrecipient under a Federal award. As such, management of contracts or sub-awards is the responsibility of the recipient.

### Can State DOTs be reimbursed for assisting non-State recipients with grant administration when the non-State recipient enters into a contract with a State DOT?

Yes. Providing support to local communities is considered an administrative cost which may be eligible as an indirect cost. State DOTs may be reimbursed with Federal funds for assisting non-State direct recipients with grant administration if they have an approved indirect cost rate. Grant administration assistance is considered an indirect cost because it supports the entire program. Indirect costs may include labor, rent, capital expenditures, and supplies that benefit multiple projects (see 2 CFR 200.414, and Appendix VII, paragraph A.4). State DOTs must have an approved indirect cost rate that allocates those costs to all benefiting programs (see 2 CFR 200.414 and appendix VII to part 200, paragraph D.1.b). If the State DOT does not have an approved indirect cost rate, the State DOT cannot bill indirect or administrative costs unless specifically authorized in legislation. (See 2 CFR part 200, Appendix VII, paragraph D.1.a)

 If this type of assistance impacts the amount of resources necessary to maintain the transportation program at the State DOT, in that the information upon which the cost allocation plan was originally negotiated is materially incomplete, the State DOT may renegotiate its indirect cost rate with the Federal cognizant agency. (See 2 CFR part 200, Appendix VII, paragraph E)

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#### **Eligible Plans and Projects**

#### What activities are eligible for funding under a Planning and Demonstration Grant?

For a Planning and Demonstration Grant, eligible activities and costs are as follows:

- Creating or updating an existing Action Plan: Costs include only those that directly assist in the development of an Action Plan.
- Conducting supplemental planning: These costs must support the development of a new Action Plan or enhance an existing Action Plan.

• Carry out demonstration activities: Costs from these types of activities must be used to inform an Action Plan by testing a proposed project and strategy to determine its potential benefits and future scope. These activities must be temporary in nature. Costs associated with completing the required data collection and evaluation of these activities are eligible.

For more information about eligible activities for Planning and Demonstration Grants, check out the <u>Eligible Supplemental Planning and Demonstration Activities webpage</u>.

#### What activities are eligible for funding under an Implementation Grant?

Implementation Grants *must* include activities that carry out projects and strategies identified in an Action Plan. Projects and strategies must be infrastructural, behavioral, and/or operational activities identified in the Action Plan and must be directly related to addressing the safety problem(s) identified in the application and Action Plan. Applications must identify the problems to be addressed, the relevant geographic locations, and the projects and strategies they plan to implement, based on their Action Plan or established plan. This should include specific intervention types to the extent practical. Please see the Implementation Grants webpage and the NOFO to determine Implementation Grant activity eligibility.

Implementation Grant applicants are encouraged to also include <u>supplemental planning and/or</u> <u>demonstration activities</u> in support of an existing Action Plan. Supplemental planning and/or demonstration activities included in an Implementation Grant do not need to be directly connected to the proposed implementation projects and strategies, and may address different safety problems or be a different geographic scope, so long as they will inform an Action Plan.

## What is the difference between supplemental planning and demonstration activities under eligible activity (A), and the planning, design, and development activities for projects and strategies under eligible activity (B)?

Supplemental planning activities under eligible activity (A) support or enhance an Action Plan. The final deliverable for supplemental planning is a written product that connects to, and enhances, an Action Plan and is publicly available. Similarly, demonstration activities under eligible activity (A) inform an Action Plan by testing proposed project and strategy approaches to determine their potential benefits and future scope. Demonstration activities must measure potential benefits through data collection and evaluation and inform an Action Plan's list of selected projects and strategies and their future implementation. The final deliverable for Demonstration activities is an updated Action Plan that contains an assessment of demonstration projects and their impact on safety.

Planning, design, and development activities for projects and strategies identified in an Action Plan under eligible activity (B) support project-level design or implementation and are not focused on improving an Action Plan or informing an Action Plan's list of priority projects and strategies. A projectlevel environmental review or the construction design of a project are two such examples. Planning, design, and development activities for projects and strategies identified in an Action Plan (B) can only be funded through an Implementation Grant. Project or strategy-level planning, design, and development activities must be directly connected to the completion of projects and strategies funded through an Implementation Grant.

## For Implementation Grants, if we want funding for design and pre-construction planning of infrastructure safety projects, do those costs belong under budget item (C) carrying out projects and strategies or (B) planning, design, and development activities for projects and strategies?

Conducting planning, design, and development activities for projects and strategies identified in an Action Plan are under eligible activity (B), conducting planning, design, and development activities for projects and strategies identified in an Action Plan. This includes design work associated with construction and should be noted as such in the budget submission of the narrative for Implementation Grants. The construction portion of the costs for carrying out infrastructure safety projects would be listed under eligible activity (C). Project or strategy-level planning, design, and development activities must be directly connected to the completion of projects and strategies funded through an Implementation Grant.

#### Will USDOT review my Action Plan to see if I can apply for an Implementation Grant before I apply?

Yes, in FY25, Implementation Grant applicants will be able to submit their Action Plan(s) for preapplication review so that USDOT may affirm their eligibility to apply for an Implementation Grant.

Learn more, including how to request a review, on the <u>SS4A Pre-Application Action Plan Review</u> page.

## Does an eligible Action Plan have to be a single plan, or could an applicant for the SS4A program point to several studies or plans already in place that fulfill the elements of the Action Plan for the purposes of applying for an Implementation Grant?

The necessary elements may be found in a combination of up to three existing plans or documents for this funding round. State-level Action Plans, including but not limited to Strategic Highway Safety Plans, State Highway Safety Plans, and Public Transportation Agency Safety Plans, cannot be used as an established plan. Please see the <u>Comprehensive Safety Action Plans Page</u> for more about what plans are <u>eligible</u> and <u>not eligible</u>.

### Does an Action Plan have to involve the entire community, or can it focus just on an especially problematic area?

The goal of an Action Plan is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries in a locality, Tribal area, or region. Action Plans should cover an entire community and be comprehensive in nature. They are not the same as a feasibility study, or a road safety audit for one corridor. DOT generally expects Action Plans to be broader than just one neighborhood or problematic area. However, an eligible applicant could apply for supplemental planning and demonstration funds for a subpart of a community if such a focus would best meet the safety needs of the applicant.

#### I have one unsafe corridor/location I want funding to address. Is this the right grant program to do so?

If you have a completed and eligible community-wide Action Plan that identifies the need for the safety improvements you are seeking to address, a project to address the unsafe corridor may be eligible for an

SS4A Implementation Grant. Alternatively, supplemental planning can focus on a specific area of concern or safety problem.

If you do not have a finalized and eligible Action Plan, you are encouraged to work with others in your area to develop a multijurisdictional application that encompasses a broader geographic area, which could include the unsafe corridor of interest. Other grant opportunities at DOT or working with your State or local government to address the safety issue may also be better suited for addressing one specific corridor or problem area. These types of opportunities are outlined in the <u>DOT Navigator</u>.

### Do the Implementation Grant selection criteria prioritize system-wide safety approaches over site specific projects?

The scope and scale of eligible safety projects and strategies can range from specific spot treatment to corridors to interventions across a broad geographic area. The selection criterion Safety Impact includes the extent to which an application "employs low-cost, high-impact strategies that can improve safety over a wide geographic area." Applicants are encouraged to consider systemic approaches to the extent they address a community's safety problems.

### Which entity is required to "adopt" the Action Plan? And does an Action Plan need to be adopted in order to be considered final for the purposes of the SS4A program?

Applicants must adhere to their own standard practice for adopting plans, studies, and obtaining approvals from the necessary authorities or decision-making bodies (e.g., City Council, signed by Mayor or Town Manager, County Commission, Board of Supervisors, Executive Committee, etc.).

For the purposes of the SS4A program, a final Action Plan is a plan that has been formally approved by the necessary authorities; clearly displays the formal date of approval; and is available on a publicly accessible website (i.e., it does not require permission to access).

### Can individual agencies reference a state's Strategic Highway Safety Plan that sets a Vision Zero goal to meet some Action Plan component requirements?

No. State-level required planning efforts (e.g., a Strategic Highway Safety Plan required in 23 U.S.C. § 148, State Highway Safety Plans required in 23 U.S.C. § 402, Commercial Vehicle Safety Plans required in 49 U.S.C. § 31102, etc.) as well as Public Transportation Agency Safety Plans in 49 U.S.C. § 5329 cannot be used as an established plan to apply for an Implementation Grant.

### How long is an Action Plan effective for? Would we need to create a new plan every 5 years?

Safety Action Plans should be periodically updated to ensure they continue to meet community safety needs. This could be in portions that change over time (e.g., updated crash information, modifying the projects and strategies list, providing a progress report to the community about the Action Plan's execution, etc.). For SS4A, an eligible Action Plan must have been adopted or updated within the last five years.

### Can we use grant funds to pay for right-of-way (ROW) expenses?

Yes, acquiring land for ROW to implement a project in an Implementation Grant is an allowable expense as long as the costs are reasonable, necessary, and allocable to achieve the objectives outlined in the scope of work in the grant award.

In acquiring property as part of a ROW purchase, grantees must follow local procurement guidelines and any applicable Federal requirements.

For further information about real property, including disposition, and procurement guidelines, review <u>2</u> <u>CFR 200.311</u>, <u>2 CFR 200.320</u>, and <u>2 CFR 200.403</u>.

## Though State governments are not eligible to apply for Safe Streets and Roads for All grants, can local governments apply for a project or strategy along a State-maintained facility if the State agreed and signed support for the project?

Yes. An eligible applicant must have an agreement with the agency that has ownership and/or maintenance responsibilities for the roadway within the applicant's jurisdiction to implement the project or strategy as part of an Implementation Grant. For example, a community might have a State-owned roadway that serves as their main street that they would like to improve through an Implementation Grant project identified in their Action Plan. The community would submit an Implementation Grant application with a letter of support from the State Department of Transportation to implement the project.

Are equipment purchases, including but not limited to speed radar signs, radar guns, dash-mounted radar units, speed trailers, LiDAR speed enforcement, variable message boards, and crash reconstruction equipment, available for SS4A funding, and if so, under which SS4A grant type?

Generally, yes, provided the following:

- Funding requests for speed radar signs, etc. as part of an Implementation Grant application must be directly related to the implementation of a project/strategy to address a roadway safety problem identified in an eligible Action Plan. Equipment could be part of a broader set of projects and strategies within an Implementation Grant if it is not using Federal funds to replace general operating costs of a local government (<u>2 CFR 200.444</u>).
- Technologies such as speed radar signs, dash-mounted radar units, speed trailers, LiDAR, etc. may be eligible for funding as a demonstration activity under either SS4A grant type so long as
  - The proposed activities are directly related to testing temporary projects and strategies which will inform an existing or in progress, SS4A-funded Action Plan; and
  - The proposed technologies have not yet been adopted in the community, and are commercially available, and are at a prototype or advanced technological readiness level.

Are Safe Routes to School Plans eligible for funding under the SS4A program? Do they count as a Comprehensive Safety Action Plan?

The development of a Comprehensive Safety Action Plan is broader than a Safe Routes to School Plan, and applicants requesting funds to develop an Action Plan are expected to create a comprehensive plan based on the components in Table 1 of the NOFO.

Safe Routes to School Plans are eligible for funding under the SS4A program as a supplemental planning activity. Planning and Demonstration Grant applicants requesting funding to develop a Safe Routes to School Plan will be required to either: 1) have an existing Action Plan that meets the NOFO requirements, 2) have an in-progress and SS4A-funded Action Plan that will meet the NOFO requirements, or 3) request SS4A funds to develop a Comprehensive Safety Action Plan in tandem with the Safe Routes to School Plan.

## Is there an acceptable level of repair/maintenance work that can be done as part of a demonstration activity? My community would like to pilot a new high-visibility crosswalk, but the road segment is in poor condition.

Demonstration activities that require the use of existing infrastructure (e.g., pilot bike lanes, crosswalks, etc.) may only include marginal pavement resurfacing and repair directly connected to successfully carrying out the demonstration activity. For example, addressing a large pothole where a high-visibility crosswalk is being piloted would be acceptable, but not repairing the corridor nor significantly improving the roadway condition around the demonstration activity.

### Can you clarify what is meant by "temporary" for demonstration activities? Will we be expected to remove demonstration activities at the end of the grant period?

Demonstration activities test proposed project and strategy approaches on a small-scale and for a finite period to determine future benefits and future scope. Eligible activities must measure potential benefits through data collection and evaluation (e.g., pre- and post-demonstration results) and inform an Action Plan's list of selected projects and strategies (or another part of an Action Plan) and their future implementation. Demonstration activities do not involve permanent roadway reconstruction. A table showing the differences between demonstration and implementation activities is provided below.

### Demonstration activities in support of an Action Plan (A2)

- Temporary in nature
- · Pilots and testing, finite period
- Small scale
- Informs the list of projects and strategies in an Action Plan
- Assesses the benefits of an approach

### Projects and strategies identified in an Action Plan (C)

- Listed in an Action Plan as a project and/or strategy
- Permanent
- Major construction
- System-wide
- · Implementing the Action Plan

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#### **Program Requirements**

### Do Federal requirements under the National Environmental Policy Act (NEPA) and/or National Historic Preservation Act (NHPA) need to be completed prior to applying for an SS4A Implementation Grant?

No. Implementation Grant applications can include a funding request to complete necessary analyses for NEPA and other environmental laws, including the NHPA, as part of an Implementation Grant under eligible activity (B) project and strategy-specific planning, design, and development activities. The NEPA and NHPA processes must be complete prior to funds being released for construction.

### How does a grant recipient satisfy its environmental obligations?

Grant recipients are subject to the National Environmental Policy Act (NEPA) and other environmental laws. Project sponsors must conduct the applicable environmental studies to identify the project impacts along with any required mitigation. NEPA and environmental resource subject-matter experts should develop materials that identify and evaluate impacts to human and natural resources including the following:

- Low income/minority communities,
- Historic properties,
- Park and recreation lands,
- Wildlife and waterfowl refuges,
- Wetlands, and
- Threatened and endangered species and their habitats.

Project sponsors should also assess the need to obtain new rights-of-way and evaluate those impacts. If the project sponsor lacks staff with the specific skills, knowledge, and experience to conduct environmental studies, they are obliged to engage staff expertise at their State Departments of Transportation or fund consultants/contractors. Hiring consultants/contractors to directly support the execution of the grant award and its activities is considered an eligible cost under the grant.

For demonstration activities that involve feasibility studies using quick-build strategies, the Department expects most quick-build activities to receive a Categorical Exclusion designation.

FHWA's <u>Overview of NEPA as Applied to Transportation Projects - Environment- Federal-aid Essentials for</u> <u>Local Public Agencies</u> provides training materials and resources that will help applicants better understand the requirements of NEPA and other federal laws and requirements for projects administered by FHWA.

### In what ways are rural areas and urban areas treated differently?

DOT will take into consideration rural areas and aims to create a geographically diverse set of awardees when selecting Implementation Grant awards. The grant program aims to ensure investment in the safety needs of underserved communities in preventing roadway fatalities and injuries, including rural communities. There are no specific set-aside amounts for rural and/or Tribal areas. However, for Implementation Grants the selection process includes consideration for applicants in rural areas and whether the applicant would enhance the geographic diversity of award recipients.

### If we receive an Implementation Grant, do we need to follow State and Federal design standards for infrastructure safety projects?

Infrastructure safety projects that receive Federal funds must abide by any applicable Federal design standard requirements, including but not limited to the Manual on Uniform Traffic Control Devices, as well as any applicable guidance.

A funding recipient may also be required to follow any applicable State design standards, which will depend on whether the activities are occurring on a State-owned road and the extent to which State design standards apply to roadways owned by non-State entities such as in the instance of county-owned roads or local roads maintained and owned by a city.

Applicants should indicate in their application if they will be seeking permission to use roadway design standards that are different from those generally applied by the State in which the project is located.

### What are the domestic preference requirements for SS4A grants?

Infrastructure projects and demonstration activities are subject to the Build America, Buy America Act (Pub. L. No 117–58, div. G §§ 70901–70927) as clarified in <u>OMB Memorandum M-22-11.31</u>. Additional information on construction materials requirements can be found at the <u>FHWA Construction Program</u> <u>Guide webpage</u>. The Department does not expect to provide waivers related to domestic preference requirements for demonstration activities focused on piloting technologies.

### How can I find out if my community is covered by a previous SS4A Action Plan award?

Please refer to the <u>SS4A Cumulative Awards Map</u> to find out if your area is covered by an existing SS4A grant to develop an Action Plan. In the informational popup for all awards mapped, the "Grant Type" section will indicate whether the award was to develop an Action Plan.

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### Timelines

### If I'm awarded a grant, when will I receive the funding?

USDOT expects to obligate SS4A funding via a signed grant agreement between the Department and the recipient within 12 months after awards have been announced. Individual recipient timelines may vary depending on the complexity of project, status of project readiness, and other factors. Funding is expected to be provided on a reimbursement basis once a grant agreement is established, with corresponding invoices.

Once grant recipients have established a grant agreement, how much time do they have to spend those funds and complete the work?

The expected period of performance for Planning and Demonstration Grant agreements is between 12 months and five years, depending on the scope and extent of grant activities. The period of performance for Implementation Grant agreements may not exceed 5 years.

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