



# **Program Manual**

**INDIANA**

**2020**

# RECREATIONAL TRAILS PROGRAM

## FOREWORD

These guidelines explain the administration of the Recreational Trails Program. The Indiana Department of Natural Resources' Division of Outdoor Recreation administers the monies available from Indiana's share of RTP funds to help government agencies and 501(c)3 not-for-profit organizations develop recreational trail facilities for public use. This manual contains the forms and information needed to complete your application as well as guidelines to complete your project. Directions for preparing the application are found in Chapter 2. Please refer to the application checklist at the end of the chapter for assistance in submission of all required items. The Appendix contains the forms required to be copied and submitted with original signatures and information for a complete application. The most current manual can also be viewed from our website at <http://www.in.gov/dnr/outdoor/4101.htm> Applicants should carefully review the entire Recreational Trails Program Guidelines Manual, paying particular attention to:

1. Chapter 1, the Recreational Trails Program. Consult this chapter for a summary of grant information as well as to determine eligibility.
2. Chapter 2, Rating Criteria. **The rating criteria are the most important component of the application.** Answer each criteria element thoroughly and include documentation to support your replies.
3. Chapters 4 & 5, Land Acquisition and Construction Procedures. If acquiring land, refer to the Uniform Appraisal Standards for Federal Land Acquisitions on the web at <http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf> or follow the Uniform Standards of Professional Appraisal Practice and obtain a list of certified general appraisers by searching online at <https://mylicense.in.gov/EVerification/>.

### **Refer to Chapter 3 for Project Sequence Checklist and estimated grant timeline**

Applicants are strongly encouraged to meet with the grants staff about their prospective project several months prior to application submittal to ensure the project evaluates as it should. If you have any questions, please contact the grants staff of the SCORP Section. Your application (a paper copy) must be completed in full, clearly postmarked by March 1, 2020, and sent to the Division of Outdoor Recreation. If you choose to mail on March 1, we recommend that you request a certificate of mailing from your post office. If you plan to hand deliver the application it needs to be at our office by 4:30 p.m. on March 1. For further information, please contact:

State & Community Outdoor Recreation Planning Section

Division of Outdoor Recreation  
Department of Natural Resources  
402 W. Washington Street, Room W271  
Indianapolis, Indiana 46204-2782  
Telephone: (317) 232-4075  
[www.in.gov/dnr/outdoor](http://www.in.gov/dnr/outdoor)

## Grant Timeline

ONE PAPER COPY OF THE ENTIRE GRANT APPLICATION, WITH ORIGINAL SIGNATURES, MUST BE COMPLETED, CLEARLY POSTMARKED BY MARCH 1, 2020, AND SENT TO THE DIVISION OF OUTDOOR RECREATION. IF YOU PLAN TO HAND DELIVER THE APPLICATION, IT NEEDS TO BE AT OUR OFFICE BY 4:30 P.M. ON MARCH 1.

March-May 2020 – State application review, additional information period, site visits, evaluate, rate, and rank projects

June-July 2020 – State approval

Fall-Winter 2020 – Federal approval timeframes and State Grant Agreement

Winter 2020-Winter 2021 – Grantee hires pre-qualified consultant to complete environmental/archaeological clearance through INDOT (Categorical Exclusion)

Grantee obtains a full appraisal done by a general certified appraiser with federal appraisal experience (for land acquisition projects). After federal approval all land acquisition should occur as soon as possible.

Grantee submits detailed architectural/engineering plans for ADA review by the Division of Outdoor Recreation.

Grantee obtains any necessary construction permits or clearances. *All necessary clearances, plans, and permits must be completed before development commences.*

Summer 2021-Fall 2022 – Grantee bid and start construction. That is, if all goes well in the above timeline. This timeline can change because of many variables, but it gives you an idea of the time it will take to get a project to the development stage.

(The above timeline for approvals is provided in more detail in Chapter 3.)

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# Chapter 1

## *THE RECREATIONAL TRAILS PROGRAM*

### **The Recreational Trails Program in Indiana**

The Recreational Trails Program (RTP) is intended to provide funds to states for trails and trail-related projects. This program gives the State of Indiana the opportunity to initiate projects to benefit all kinds of motorized and non-motorized trail users. The RTP is managed by the U.S. Department of Transportation through the [Federal Highway Administration \(FHWA\)](#). The Department of Natural Resources' (DNR) Division of Outdoor Recreation has been assigned to administer the program for the State.

Recreational Trails Program funding represents a portion of the revenue received by the Federal Highway Trust Fund from the federal motor fuel excise tax paid by users of off-road recreational vehicles such as snowmobiles, off-road motorcycles, all-terrain vehicles, and off-road light trucks. These monies are made available from Indiana's share of funds from the [Fixing America's Surface Transportation \(FAST\) Act](#). The FAST Act reauthorized the Recreational Trails Program (RTP) for Federal fiscal years 2016 through 2020 as a set-aside of funds from the [Transportation Alternatives \(TA\) Set-Aside](#) under the [Surface Transportation Block Grant Program \(STBG\)](#). States are required to distribute monies to motorized uses (30%), non-motorized uses (30%), and diverse trail uses (40%). Multi-use trails are strongly encouraged.

In order for Indiana to be eligible for these funds, a Trails Advisory Board was established. The Trails Advisory Board is comprised of individuals representing different trail interest groups including: hikers, pedestrians, off-road motorcyclists, bicyclists, mountain bicyclists, ATV riders, four wheel drive riders, snowmobilers, equestrians, trail users with disabilities, water trail users, park and recreation agencies, environmental groups, higher education/health, and trail support groups.

### **Eligible Participants**

All units of government and organizations incorporated as not-for-profit 501(c)3 corporations will be eligible to participate.

Applicants shall comply with applicable federal, state and local regulations, policies, guidelines and requirements as they relate to the application, acceptance and use of federal funds for this project.

- The RTP Program is administered in compliance with Executive Order 12372, Clearinghouse Review, which states all projects being submitted for federal assistance must be routed through the State's inter-governmental review system for review and comment prior to submittal of the project to the Federal agency.
- The Applicant shall comply with all Federal laws relating to nondiscrimination. These laws include but are not limited to: (a) Title VI of Civil Rights Act of 1964 (42 U.S.C. 2000d-1), which

prohibits discrimination on the basis of race, color, or national origin; (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap; (c) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.), which prohibits discrimination on the basis of age.

## **Eligible Projects**

Land acquisition and/or development projects will be eligible for funding if they provide public access to trails for the aforementioned trail users as well as other unspecified trail users (i.e., rollerbladers, cross-country skiers, etc.). Projects can include, but are not limited to, the acquisition of land or easements; development of trails and trailheads; upgrading existing trails and trailhead facilities, stream and river access sites, bridges, boardwalks, crossings, signage, equestrian facilities, public trail information, safety and educational programs, sanitary facilities, and other support facilities. Exercise equipment and machines are not eligible project components.

Trails developed with RTP funds must be readily accessible to and usable by persons with disabilities. They also must be developed off of all regularly maintained roadways, including sidewalks and alleys.

Project costs must be commensurate with benefits. Development on easements will be acceptable if the easement is for a minimum of 25 years and provides public access. The grant applicant must agree to keep the project site in use as a public trail for a minimum of 25 years. Refer to Chapter 5 for details about development.

Due to the variety of project proposals, it is possible that while a proposed project may satisfy the eligibility and rating criteria, the completed project may not provide adequate public trail use opportunities. Therefore, the DNR reserves the right to disqualify proposals in which:

1. Costs exceed the public benefits.
2. The site requires intensive and high cost management.
3. Fees charged at the site are excessively high when compared to fees charged at similar facilities.
4. Any other situations where the public benefit will not justify the federal investment.
5. Adequate control and tenure of property is not provided.

This list is not inclusive and other reasons for disqualification may be determined as projects are reviewed. When a project is disqualified for any of the above mentioned reasons, the project sponsor will be notified in writing.

## **Grant Amounts**

The Indiana Recreational Trails Program is a reimbursable grant. Eighty percent (80%) matching assistance will be provided for eligible projects. Local applicants may request a minimum amount of \$50,000 and a maximum grant amount of \$250,000.

## **Supplemental Grant Rounds**

If there are more funds available than requested by applicants, the DNR may open a supplemental grant round. Ordinarily, an agency may submit one application per year; however, applicants may submit an additional application during a supplemental round.

## **Local Share**

At the time of application the project sponsor must have at least 20% of the total project cost available. The local share may include tax sources (appropriations), bond issues, Community Development Funds, Farmers Home Administration Loans or force account contributions. The donated value of land, cash, labor, equipment, and materials may also be used. Chapter 2 contains more information on the local match for a grant.

## **Reimbursement**

The project sponsor will not receive a cash grant at the time of project approval. Instead, the sponsor must pay the bills and be reimbursed for a maximum of 80% of the expenses incurred for the project according to the terms of the project agreement. Reimbursement requests should be made biannually, or quarterly at most, unless there are extenuating circumstances during the project period. Land donations will be credited towards the match of the sponsor's share of the project. Billing procedures are explained further in Chapter 6.

## **Project Selection Process**

If there are more requests for funding than available funds in a given year, the eligible applications will be funded in priority order based on an objective point ranking selection process. This process is explained in detail in Chapter 2. The Trails Advisory Board, which assists the DNR in determining policies for the Recreational Trails Program, will make a recommendation to fund applications in their ranked order to the DNR Director for approval of projects to receive funds from this program.

## **Dates of Eligible Contributions and Expenses**

To be eligible for matching assistance, project costs must be incurred after the federal project approval date. The only costs incurred prior to federal project approval that are eligible for retroactive reimbursement are architectural/engineering and archaeological fees which were included as pre-agreement costs in the grant application. Donations of equipment, labor, and materials must be contributed after federal grant approval. Cash contributions may be received at any time.

# Chapter 2

## *WRITING THE GRANT APPLICATION*

### **The Grant Application**

This manual provides the instructions to apply for a Recreational Trails Program grant and is available on the web at <https://www.in.gov/dnr/outdoor/4101.htm>. **One copy of the grant application packet is required (an electronic copy will be requested once the project is finalized and approved). Grant applications are due by March 1 of each year.** This chapter includes instructions for filling out the application forms, plus a description of the various attachments that must be submitted with the application. A checklist of items needed for all project applications is found at the end of this chapter. Applicants are strongly encouraged to meet with the grants staff about their prospective project before they apply and/or if questions arise in preparing an application beyond the information in these guidelines.

### **Application Form**

All items on the standard application form (see Appendix) should be answered. Include any acquisition acreage in the description section of the form. The Budget Information in the form instructions refers to the Cost Classification section of the form. *Be sure to include any pre-agreement/preliminary costs.* Total costs should not exceed the maximum allowable project cost of \$312,500 (grant+match).

### **Cost Breakdown**

One copy of a separate detailed cost breakdown must be submitted with the project application. The cost breakdown should include any pre-agreement costs, design/engineering, estimated value of acreage being acquired (if applicable) and all development for which reimbursement is being requested (up to the maximum total project cost of \$312,500). Be sure to include all criteria items for which you are trying to score points, such as costs for land acquisition, trail development, parking lot construction, amenities such as benches and bike racks, updating website with trail information, etc. The sample cost breakdown (see Appendix) shows an example of the detail needed. The total project cost shown on the cost breakdown must match the figure listed on the project Application Form, Part I, line 10 and includes the grant amount plus local match.

Cost estimates should be as accurate as possible. Your project could take as long as four years to complete, so your cost estimates should account for inflation. Where appropriate, unit costs should be included in the application.

### **Certification of Funds**

In order for the Division of Outdoor Recreation to consider an application for grant approval, the

applicant must have its 20% share of the project costs available for the project at the time the application is submitted. The type of documentation varies according to the source of funds as explained below.

Appropriations, Bond Issues, Other Federal Funds, and Force Account/In-kind Contributions. One copy of a statement from the applicant must certify these funds will be available in the applicant's budget when the project will take place. This statement may simply be in letter-form addressed to the Division of Outdoor Recreation and certified by the applicant's financial officer. If the agency is a not-for-profit organization, the agency's fiscal officer must provide proof that the funds needed for the local share are available. The letter must state exactly how much is available and its source. At least 20% of the total project cost must be from non-federal sources. In the case of a bond issue, the applicant's attorney should provide a letter explaining the steps through which the bond issue has already progressed and a schedule for remaining action to take place. A bond issue must be completed up to the sale of the bonds prior to the grant application being submitted to the Division of Outdoor Recreation. If bonds will provide the local share of a project the bond issue should cover 100% of the project cost, rather than only the sponsor's 20%. This will enable the applicant to complete the project if federal funds are not obtained and to pay the project expenses, since grants are provided on a reimbursing basis.

Donations of Cash, Labor, Equipment and Materials. If the applicant is to receive gifts of cash, labor, equipment, or materials from a private individual, other governmental agency, private organization or business, a letter of intent to donate from each donor must accompany the application. The value of each gift must be estimated at the time of application. Donations over 20% will be considered as overmatch.

- a. Cash gifts are counted as the donor's stated amount.
- b. For general unskilled labor donations, the value is \$10/hr for unskilled general labor. For supervisory/skilled trail building (with documentation) the value is \$20/hour. If donors of labor are employed in a skilled construction trade, the time spent doing their particular trade on the project may be valued at their employment wage rate. Either their employers or they (if self-employed) need to verify their rate per hour on company letterhead. Labor contributed by another public agency would be valued at the rate of pay for the employees who work on the project.
- c. For donated equipment a letter from the donor, which briefly describes the equipment and its use in the project construction, must be submitted. For equipment to be installed in the park, quotations from suppliers of the purchase price of similar equipment will be the value for billing purposes. In the case of construction equipment, quotations of local rental rates from other suppliers and the donor may be used to determine the donated rate per hour. The donor's letter for construction equipment must indicate the dates, hours, and type of work performed for the project.
- d. Materials may be valued by the lower of at least two quotes from commercial suppliers of similar items.

## **Program Narrative**

The Program Narrative submitted with the application should be written in narrative form and include the following elements.

1. Project Description. Indicate in detail the type of development proposed, the method of developing the

facilities as described in Chapter 5, and the type of users expected (inner city, weekend, youth, senior citizens, etc.). Be sure to address and discuss all criteria items for which you are trying to score points, such as land (including acreage), trail length, benches, connections to other trails, etc. Give as much specific information about the project as possible, including:

- a. Needs assessment
- b. Objective of the project
- c. Results or benefits to the public
- d. Why the project is the best alternative

2. Pre-agreement Costs. The only types of costs which may be incurred 18 months prior to federal approval of the grant are preliminary historic/archaeological investigations, and architectural and engineering services. If the applicant has signed a contract with an architectural and engineering firm or incurred other preliminary expenses to be reimbursed by the grant, include the following information:

- a. Name of firm performing the work and contact person
- b. Address and telephone number of firm
- c. Date and amount of the contract
- d. Amount of expenses incurred or paid up to the date of application

NOTE: If the applicant signs a contract for architectural or engineering work after submitting the application, but prior to federal approval of the project, the information requested above should be submitted to the Division of Outdoor Recreation. Our recommendation is that these costs do not exceed 10-15% of the total project cost. These guidelines are established so that grant funds are used primarily for on-the-ground results.

3. Accessibility. Describe how the project site and development will be designed, constructed and maintained for people with disabilities, in conformance with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Site and building plans submitted with the project should illustrate accessibility. (A further description of the accessibility requirements can be found in Chapter 5.)

4. Certification for Development Projects. Under the RTP program any property being acquired, leased, already owned, and/or used for the trail project must have been acquired following the rules set forth in the Federal Uniform Relocation Act [https://www.fhwa.dot.gov/real\\_estate/uniform\\_act/index.cfm](https://www.fhwa.dot.gov/real_estate/uniform_act/index.cfm). If the grant applicant is already in possession of the property where the proposed RTP project will be constructed, the applicant must prove either the Uniform Relocation Act was followed when possession of the property took place or the applicant can prove there was no intent to seek Federal Funding in conjunction with the acquisition of the property in question. If the property in question was purchased after September 2, 1971 and the acquisition procedures were not in accord with the Federal Uniform Relocation Act, yet at the time of application and last known displacement on the project lands there was no planning or intent by the applicant to seek Federal financial assistance, then the applicant should include a statement of certification. If the applicant cannot prove that the Uniform Relocation Act was followed when the property in question was purchased and/or there was intent to seek federal funding of any kind to be used in conjunction with this property, then the proposed project will automatically be deemed ineligible for RTP funding.

5. Federal Assistance. Describe other federal assistance which has been given, is pending or promised for any work within the boundaries of the park or recreational site affected by this request. Specifically,

the following information is needed:

- a. Federal Domestic Assistance Catalogue number
- b. Type of assistance
- c. Amount of funding
- d. Relationship to this request

6. Life of Facility. The applicant must estimate the useful life of each facility being developed in the project. The estimate should be no less than 25 years and must meet the approval of the DNR. Project agreements for operation, maintenance and public use will be written for this period of time.

## Public Participation

With increased public awareness and concern for government direction and spending, it has become more apparent that there must be public input beginning with the initial planning of a project. Applicants should actively solicit opinions and suggestions, especially from adjacent landowners, for potential projects. The project sponsor must submit evidence to prove public input was actively sought as part of the project application. This must be in the form of a public meeting and may also include a special questionnaire.

1. Public Meeting. A news article discussing the project and giving the date(s) of the special meeting(s) should be enclosed with a brief description of the meeting, including the number of persons attending, and their general comments, both positive and negative. *The intention of the project sponsor to use federal funds must be included. If the project involves **construction in the floodplain**, this must be clearly stated in the news article and/or release.*

2. Special Questionnaire. In this case, the methodology used to construct, distribute and collect the results, as well as final tabulation of the questionnaire responses should be included.

## Location Map

Each application must include a copy of a map which outlines and labels the project boundaries within a larger landscape/area. Indicate the project name, acreage and the map scale. **Include project site address.**

## Site Map

Applications should be accompanied by one copy of a preliminary/conceptual site map and a conceptual building design (if known). The map should be drawn to scale and include all amenities to be created with the grant as well as existing features. Be sure to include all criteria items for which you are trying to score criteria points, such as land acquisition, trail location, bench location, connections to other trails, etc. Label features and indicate if they are existing or proposed. Include acreages for land and any trail lengths.

Also include on the Site Map, or a separate map, the exterior boundaries of the site, all permanent or temporary easements, utility rights-of-way, scenic preservation, etc.

## **Easements**

In addition to identifying all easements on the base map, the easement documents must be submitted for review with the application. This includes permanent or temporary easements for access, transportation, utility rights-of-way, scenic preservation, etc.

## **Property Deed(s)**

The deed(s) and/or lease(s) for the land to be developed must also be submitted with the application if land is already owned by the grantee. Property deed(s) for any acquired tract(s) and for applicant owned property that the project will be developed on must be recorded with the RTP protection language prior to the first billing.

## **Photographs**

A few color photos, keyed to a site plan of the project area, should be submitted. The photos may include existing buildings, structures, recreation facilities and natural site features.

**RECREATIONAL TRAILS PROGRAM (RTP)  
PROJECT EVALUATION CRITERIA  
2020**

**Project Evaluation Criteria**

The project evaluation criteria is the primary tool used to evaluate projects and determine which projects will receive funding. Please provide detailed responses including support information for each criterion. Be sure to address each criterion in the project narrative, cost breakdown, and on the site plan submitted with the application.

- 1) Acquire More Land for Trail Use** – The land acquired must be an integral part of the project where any amenities developed on it could not be accommodated elsewhere on currently-owned lands. On all types of acquisitions there must be language in the deed or easement stating that the land must be reserved for public trail use for a minimum of 25 years.

A. Project acquires land by fee simple and develops a trail or trailhead on that land.

**Fee simple (3 points) \_\_\_\_\_**

**OR**

Project acquires land by long-term easement and develops a trail or trailhead on that land.

**Easement of 25-49 years (1 point) \_\_\_\_\_**

**Easement of 50 years or more (2 points) \_\_\_\_\_**

*(A maximum of 3 points will be awarded in subcategory 1A; applicants cannot receive points for acquiring both fee simple and an easement.)*

B. Project acquires a site for legal motorized riding trails.

**Acquisition for motorized use (2 points) \_\_\_\_\_**

C. Project acquires a linear corridor for trail use that is at least 1/2 mile in length. The linear corridor must be a railroad corridor, river greenway, habitat corridor, utility corridor, abandoned road right-of-way, or a levee to score points.

**Acquisition of linear corridor (2 points) \_\_\_\_\_**

**2) Trail Development (Choose ONLY ONE A through F)**

A. Project develops hard surface trails (at least 1/2 mile) which accommodate the primary uses of bicycling, pedestrians, in-line skaters, and people using wheeled mobility devices. Typical hard surfaces include concrete, asphalt, and compact limestone screenings.

**Hard surface trails (6 points) \_\_\_\_\_**

B. Project supports water trails by developing a public access site for canoe/kayak and/or establishes a water trail.

**Water trails (3 points) \_\_\_\_\_**

C. Project develops trail for the primary use of mountain biking.

**Mountain bike trails (3 points) \_\_\_\_\_**

D. Project develops trail for the primary use of hiking. **Hiking trails (3 points) \_\_\_\_\_**

E. Project develops trail for primary use by equestrians. **Equestrian trails (3 points) \_\_\_\_\_**

F. Project develops trails for the primary use of off-highway vehicles (OHV) or snowmobiles. **Off-highway or snowmobile trails (3 points) \_\_\_\_\_**

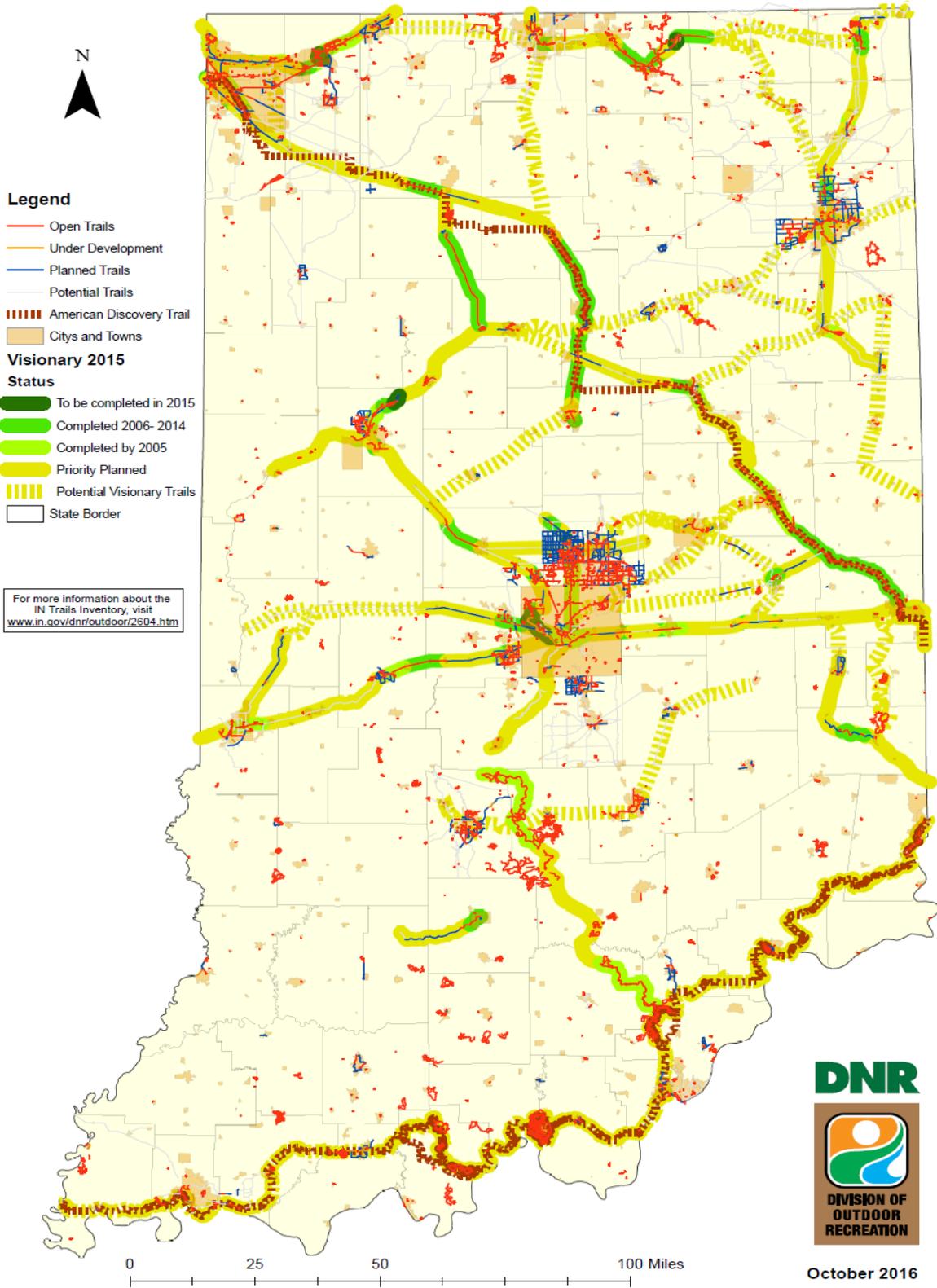
G. Trail length – actual trail mileage being developed with this project:  
**0.5 – 1 mile (1 point) \_\_\_\_\_**  
**1.01 – 1.5 miles (2 points) \_\_\_\_\_**  
**1.51 – 2.0 miles (3 points) \_\_\_\_\_**  
**2.01 – 3.0 miles (4 points) \_\_\_\_\_**  
**> 3 miles (5 points) \_\_\_\_\_**

H. Project develops trails that connect to trail systems to form trail networks. *(Projects that are within a defined property will not receive points for connections within that same property. A trail extension is only considered a connection to a separate trail network if it actually connects to a separate and distinct trail. For purposes of this program, sidewalks and publicly-maintained roads are not considered trails.)* The connection must be to either an existing, separate, and distinct trail or a proposed, separate and distinct trail that has received funding or is in the process of being built. Please submit documentation showing the proposed RTP project and the existing/funded trail with which it will connect.

**Connection within a local network (1 point) \_\_\_\_\_**  
**Connection to another jurisdiction’s network (1 point) \_\_\_\_\_**  
**Connection to state-identified priority visionary trail (1 point) \_\_\_\_\_**

I. Project develops trails that are part of a state-identified priority visionary trail (see map below). **Part of state-identified priority visionary trail (2 points) \_\_\_\_\_**

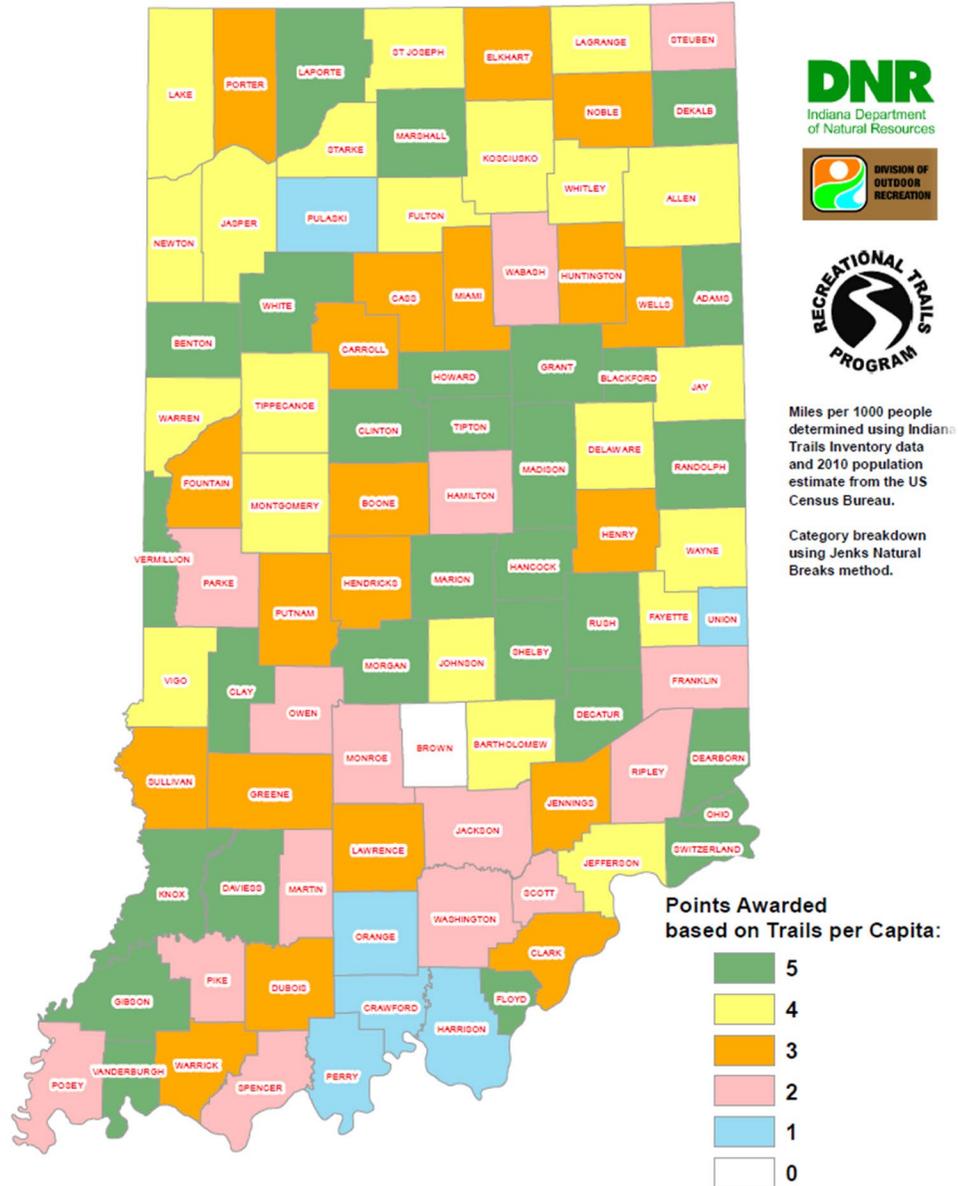
# Indiana Trails 2016



- J. A project that develops trail in counties that are considered relatively deficient in trail opportunities will receive up to five points. These counties are identified on the basis of trail inventory data that reflects trail miles per 1000 people (open and under development). Refer to the attached map for information on your area.

Trail opportunities (up to 5 points) \_\_\_\_\_

### Recreational Trails Program Points for "Trail Opportunities"



January 2020

- K. A project that develops trail “close to home” will receive up to three points. The DNR Division of Outdoor Recreation will utilize current and available census tract data and GIS applications to geo-locate trails and identify the number of people within five miles of the proposed trail. Applicants must submit a location map with the trail layout drawn on it in order to receive points.

**Population within 5 miles of trail:**

35,000 + (3 points) \_\_\_\_\_

5,001 – 34,999 (2 points) \_\_\_\_\_

5,000 or less (1 point) \_\_\_\_\_

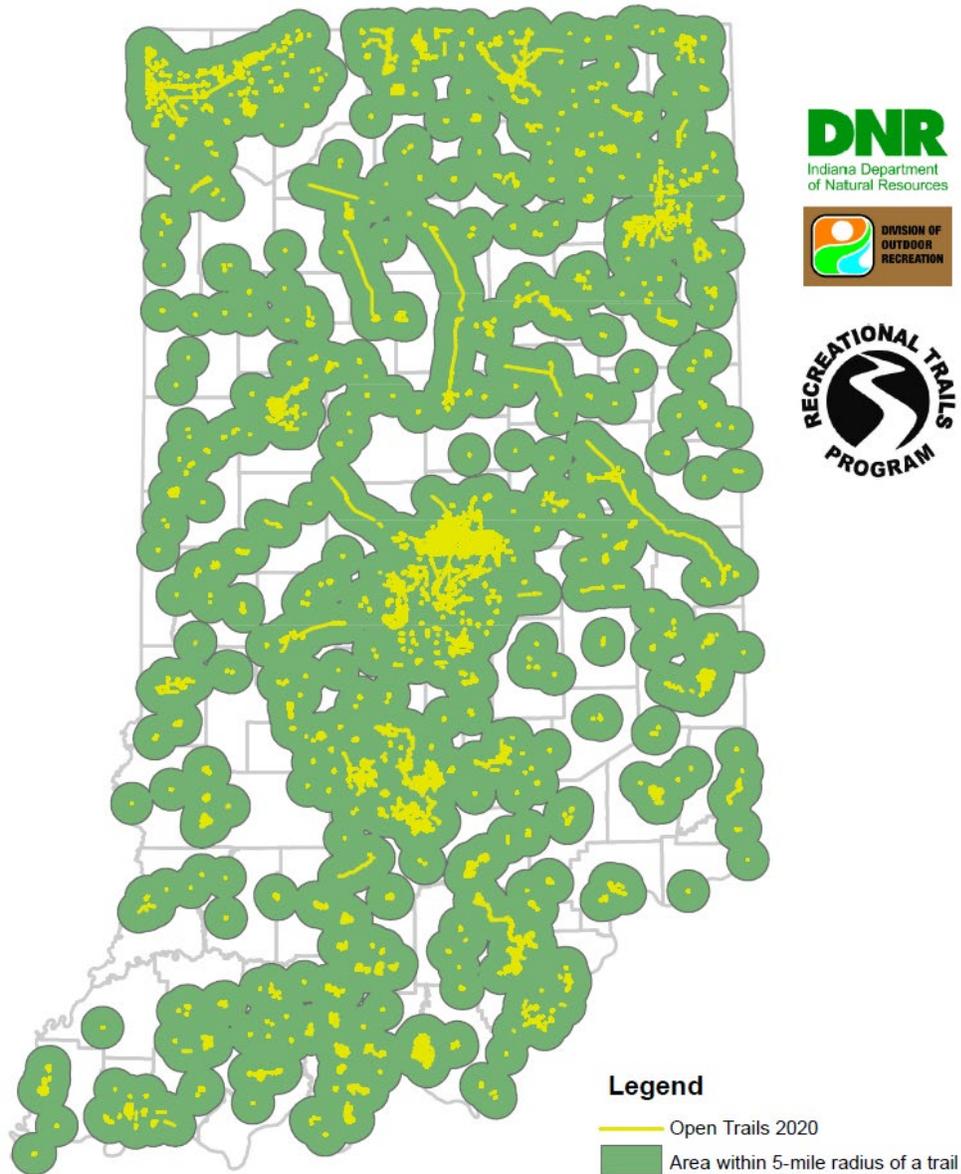
L. A project that develops the only trail in a governmental jurisdiction will receive one point.

Only trail in a jurisdiction (1 point) \_\_\_\_\_

M. A project that develops trail outside of a five-mile radius from the nearest existing trail will receive one point. (Refer to white area on map below)

Only trail outside 5 miles (1 point) \_\_\_\_\_

### Population Within a 5-mile Radius of a Trail (2020)



January 2020

### 3) Support Facilities and Trail Information

- A. A project that develops facilities to support trail users will receive up to three points.  
Eligible facilities include:

**Parking lots, restrooms, water fountains (2 points) \_\_\_\_\_**  
**Bicycle racks, benches, interpretive signage, kiosk (1 point) \_\_\_\_\_**

*(All projects are required to develop regulatory signage that informs users about basic information like trail routes, appropriate trail use, safety, and ethics.)*

- B. Project develops trail maps and/or guides and/or utilizes technology to provide trail information. For example, offering trail information on the internet (including maps and directions, marketing of trail opportunities/events, etc.). The trail information can be placed on an existing website or a proposed website.

**Trail maps and/or guides and/or information technology (1 point) \_\_\_\_\_**

*(Projects that incorporate trail information elements must include documentation in the cost breakdown and will be required to show proof of production (i.e. completed brochures, active web pages, etc.)*

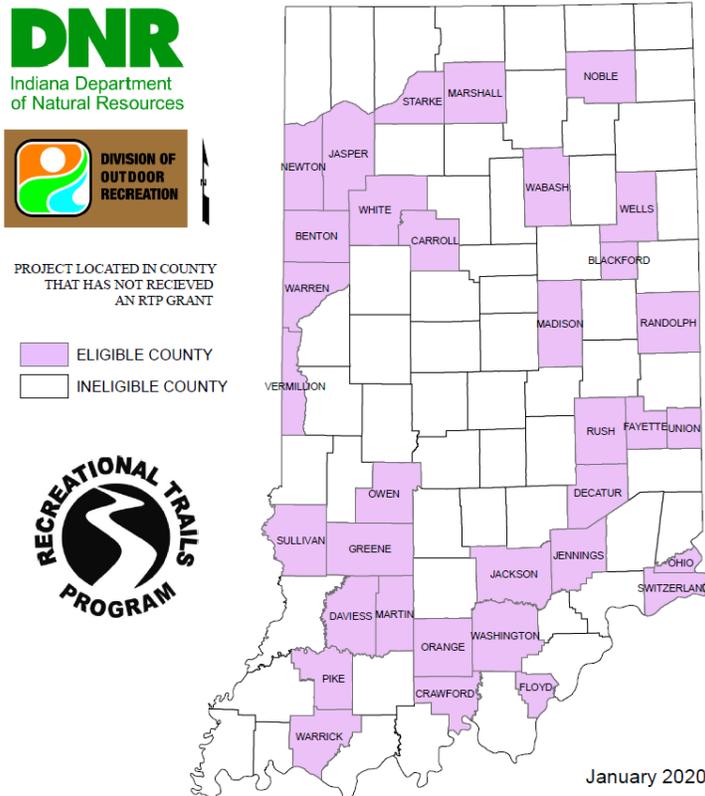
### 4) "First Time" Awards

- A. Project is located in a county that has not received an RTP grant to date.

**New county (2 points) \_\_\_\_\_**

- B. Applicant has never received an RTP grant to date.

**New project sponsor (1 point) \_\_\_\_\_**



**Summary of Points**

**1) Acquire More Land for Trail Use**

- A. Fee simple or easement ..... (0-3 points) \_\_\_\_\_
- B. Acquisition for motorized ..... (2 points) \_\_\_\_\_
- C. Acquisition of linear corridor ..... (2 points) \_\_\_\_\_

**2) Trail Development (Choose ONLY ONE A through F)**

- A. Hard surface trails ..... (6 points) \_\_\_\_\_
  - B. Water trails ..... (3 points) \_\_\_\_\_
  - C. Mountain bike trails ..... (3 points) \_\_\_\_\_
  - D. Hiking trails ..... (3 points) \_\_\_\_\_
  - E. Equestrian trails ..... (3 points) \_\_\_\_\_
  - F. Off-highway or snowmobile trails ..... (3 points) \_\_\_\_\_
- } Choose One

- G. Trail length ..... (0- 5 points) \_\_\_\_\_
- H. Trail networks ..... (0- 3 points) \_\_\_\_\_
- I. Part of state-identified priority visionary trail ..... (2 points) \_\_\_\_\_
- J. Trail opportunities ..... (0-5 points) \_\_\_\_\_
- K. Population within 5 miles of trail ..... (1-3 points) \_\_\_\_\_
- L. First trail in jurisdiction ..... (1 point ) \_\_\_\_\_
- M. Only trail outside 5 miles ..... (1 point ) \_\_\_\_\_

**3) Support Facilities and Trail Information**

- A. Support facilities ..... (0-3 points) \_\_\_\_\_
- B. Trail information ..... (1 point ) \_\_\_\_\_

**4) "First Time" Awards**

- A. New county ..... (2 points) \_\_\_\_\_
- B. New project sponsor ..... (1 point ) \_\_\_\_\_

**Total Points ..... (38 Points Possible) \_\_\_\_\_**

# Recreational Trails Program Grant Application Checklist

The items listed below are to be submitted as part of the project application packet. Please indicate "y" for yes, "n" for no, or "N/A" for not applicable on each blank. Each "no" response must be justified via a written explanation. Original signatures are required on all documents requiring signatures unless otherwise noted. **One hard copy of the application packet is required. An electronic copy will be requested later from applicants who receive a grant.**

## PART A-ALL PROJECTS

- \_\_\_1. Application Form. One Application Form signed by the applicant. (Appendix page 98) *Ensure any pre-agreement costs (environmental, design...) are included on Line 1 under Cost Classification if applicable.* Costs should only add up to a maximum \$312,500 project (including \$50,000 match); if a larger project then add those costs and description in the Remarks area at the bottom. **DO NOT** separate out contingencies on Line 9 of the Cost Classification; include these in the other costs as applicable.
- \_\_\_2. Proof of Eligibility for Not-for-Profits. Documentation from the IRS verifying Not-for-Profit 501(c)3 Status. Not-for-profit 501(c)3 status must be granted and active at time of grant application to be eligible.
- \_\_\_3. Cost Breakdown. One detailed cost breakdown for the project showing the estimated cost of all development, by major work unit (not to exceed the total project amount, grant+match, of \$312,500). Break out pre-agreement costs and label as such. *Be sure to include all criteria items for which you are trying to score points, such as costs for land acquisition, trail development, parking lot construction, amenities such as benches and bike racks, updating website with trail information, etc.* (Sample in Appendix page 97)
- \_\_\_4. Certification of Funds. A statement from the clerk-treasurer, county auditor, or fiscal agent certifying the availability and source of local funds and/or letters of intent for project donations.
- \_\_\_5. Program Narrative. One program narrative including:
  - \_\_\_a. Detailed description of the project (DO NOT include work outside of/beyond the grant project). Include acreages for existing property and any acquisition. Mention all features/amenities the grant will cover and include the length of the trail.
  - \_\_\_b. List of all eligible pre-agreement/preliminary costs: name, address and telephone number of firm, and costs incurred to date of application or estimates. Must be within 18 months of application (**Application fees are not eligible**). Ensure these are on the Application Form under Preliminary Expenses (Line 1 under Cost Classification).
  - \_\_\_c. Description of how the project will comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 which prohibit discrimination on the basis of disability.
  - \_\_\_d. Describe any other federal funds used in connection with this project.
  - \_\_\_e. Indicate that the facilities developed by the project sponsor will be maintained for a minimum of 25 years (or more if you met that criteria in Land for an Easement).
  - \_\_\_f. Program income. List any fees that will be charged and how they will offset projected maintenance costs.

- \_\_\_6. Public Participation. The news advertisement and description of the public meeting describing the project and the applicant's intention to use ***federal funding*** for the project.
- \_\_\_7. One map clearly showing the boundaries of the project site within the local area/municipality and any easements, ROWs, etc.
- \_\_\_8. Site Map. One overall site map showing project boundaries, existing and proposed facilities, property lines, streets, natural/cultural resources, etc. and drawn to scale. *Be sure to include all criteria items for which you are trying to score criteria points, such as land acquisition (include acreages and/or linear footage & width), trail location, bench location, connections to other trails, etc.*
- \_\_\_9. Photographs. Photos keyed to a site map showing the natural features, existing recreation facilities, buildings and structures on the site.
- \_\_\_10. Project Rating Criteria. Address each criterion individually with complete responses and supporting documentation.
- \_\_\_11. The U.S. Department of Transportation Assurance of Compliance. One signed form. (Appendix page 87)
- \_\_\_12. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions. One signed form. (Appendix page 106)
- \_\_\_13. Current easement(s). One copy each of existing easements which cross the property to be developed, such as utility lines, roads, access drives, etc.
- \_\_\_14. Current deed(s). One copy of the property deed for each parcel of land to be developed

**PART B-ACQUISITION PROJECTS**

- \_\_\_15. Estimate of value for each parcel (or full appraisal, if available)
- \_\_\_16. Option(s) to purchase, if applicable (***after federal approval***)
- \_\_\_17. Escrow agreement(s), if applicable (***after federal approval***)
- \_\_\_18. Deed(s). One copy of the property deed for each parcel of land to be developed (***after federal approval***)

# Chapter 3

## ***PROJECT APPROVAL AND AMENDMENTS***

### **Project Approval/State Recommendation**

After rating and ranking the submitted applications, the DNR Division of Outdoor Recreation grant committee will recommend the highest scoring projects for federal approval and contact sponsors of the recommended projects to arrange a post-award meeting regarding the project sequence. When approval has been received from the Federal Highway Administration the sponsor will receive notification regarding the electronic contract via email. The sponsor will be responsible for developing and/or maintaining the project site as outlined in the Grant Agreement and all documents incorporated into the agreement for the Recreational Trails Program. A sequence of the grant process is included later in this chapter.

### **After Federal Approval**

After receiving federal approval the following items must be completed by the project sponsor and/or their representative before any acquisition or construction may occur:

#### **A. State Grant Agreement (*1 to 2 months*)**

The State Grant Agreement will provide information required for project correspondence and will describe the responsibilities of the State and of the sponsoring agency. It will include:

1. The organization with whom the Agreement was made.
2. A project number given for identification purposes.
3. The project title to be used on all project correspondence.
4. The date of project expiration.
5. The project scope, which identifies the elements included in the project proposal as approved by the federal agency. Only those items will be eligible for reimbursement. If the project sponsor needs to make revisions, the state grant officer should be contacted before those revisions are made. Federal/state approval must be granted before revised work can be started if reimbursement is to be requested.
6. The total cost of the project, including the project sponsor's share and federal grant share. The federal share will not exceed 80% of the total project cost or \$250,000.

7. Specific elements incorporated into the project agreement, such as provisions outlined by the Federal Highway Administration, the Indiana Department of Natural Resources, or the Indiana Department of Administration.

The Grant Agreement must be signed by the applicant's president or director and internally at the State by the director of the Department of Natural Resources, the head of the Department of Administration, the head of the State Budget Agency, and the Attorney General. Instructions for electronically signing the Agreement can be found here: <https://www.in.gov/idoa/2977.htm>.

## **B. Environmental Clearance – Categorical Exclusion (6 to 12 months)**

The environmental clearance is a lengthy and complex part of the RTP project. The National Environmental Policy Act (NEPA) mandates that environmental documentation for federal (*or federally-funded*) actions be determined by the potential impacts projects may have on the surrounding natural, cultural, and social environment. Most RTP projects fall within the simplest/smallest form of documentation which is called a Categorical Exclusion (CE). The proposal for a CE must be completed by a consultant/professional who is on the [INDOT prequalified list](#) and submitted to the [Indiana Department of Transportation \(INDOT\) Environmental Policy Section](#) for approval.

Categorical exclusions (CEs) are actions which, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which:

- do not involve significant impacts to planned growth or land use for the area; do not require the relocation of a significant number of people;
- do not have a significant impact on any natural, cultural, recreational, historic, or other resource;
- do not involve significant air, noise, or water quality impacts;
- do not have significant impacts on travel patterns; or
- do not otherwise, either individually or cumulatively, have any significant environmental impacts.

Where adverse environmental impacts are likely to occur, the level of analysis should be sufficient to define the extent of impacts, identify appropriate mitigation measures, and address known and foreseeable public and agency concerns.

The categorical exclusion manual is available at <http://www.in.gov/indot/2523.htm>.

The environmental clearance process also includes obtaining the appropriate permits, which may include IDNR Water Permit; Water Quality Permit, Rule 5 Stormwater, and/or Wetlands permit from Indiana Department of Environmental Management (IDEM); and/or U.S. Army Corps of Engineers (USACE) permits.

### **Acquisition and construction may not start until an approved categorical exclusion is obtained and clearance is given by OR grants staff.**

Note: The Federal Flood Disaster Protection Act of 1973 (P.L. 93-234) requires purchase of flood insurance for certain types of facilities constructed in the flood plain. Although Indiana regulations restrict the construction of items in the flood plain, these federal regulations apply to existing developments as well.

Communities affected by designated flood hazard areas as determined by the Department of Housing and Urban Development and later by the Federal Emergency Management Agency, will initially be

required to join the flood hazard insurance program. Project sponsors may wish to contact their city/county executive or the DNR Division of Water regarding the community's status in the flood insurance program and the eligibility of existing structures for insurance.

### **C. Section 106 Historical Review (3 to 6 months)**

This review is part of the CE process required by the Federal Highway Administration and must be completed by a Qualified Professional. A description of the process and a list of Qualified Professionals are available on the Division of Historic Preservation and Archaeology website at <http://www.in.gov/dnr/historic/3675.htm>.

NOTE: If the ground where the construction will take place has not been previously disturbed, an archaeological reconnaissance may be required. Archaeological studies are an eligible cost and may be submitted for reimbursement.

### **D. Appraisal Review (for acquisition projects only) (2 months)**

Before making a commitment to obtain land for a RTP project, an appraisal must be submitted to the Department of Natural Resources for approval. The land is required to be appraised by a certified general appraiser with federal experience according to the Uniform Appraisal Standards for Federal Land Acquisitions 2016 (located on the web at <http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>). Qualified appraisers can be located using Indiana's online search for licensed professionals available at <https://mylicense.in.gov/EVerification/>. Enter only information for License Type (choose "Certified General Appraiser"), Status (choose "Active"), and County or City, State, and/or zip code. The landowner must be given the opportunity to accompany the appraiser on his or her inspection of the property.

There are two sets of criteria for completing an appraisal. The formal appraisal is required for land value of \$25,000 or more. Where a parcel has a value of less than \$25,000 and the expense of a formal appraisal would not benefit, a Waiver Valuation from a qualified person knowledgeable of the general market values in the project area will be acceptable. Note that the averaging of the final values of two or more appraisal reports to estimate the fair market value of a property is unacceptable and does not meet the requirements of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.

For additional information on appraisal requirements, contact your grant project officer who may connect you with the DNR Land Acquisition division for clarification. Additional land acquisition requirements are outlined in Chapter 4.

### **E. Construction Document Review (2 to 4 weeks)**

This is a review of the plans, specifications and contracts by the state grant officer. The officer will review the project for compliance with federal regulations and specific compliance with the Architectural Barriers Act of 1968 and the Americans with Disabilities Act of 1990 as well as current best available guidance.

State and federal regulations regarding bidding procedures must be adhered to. The project will be reviewed for compliance with the scope of the project as written in the Project Agreement. Sponsors needing additional information regarding this final review should contact their state grant officer.

After all of these requirements are met and the Federal Highway Administration has cleared the project,

the applicant can acquire property, advertise for bid, sign contracts, and start construction. Donations of materials, equipment and labor for the project may be accepted after the grant is approved. Cash may be received both before and after federal approval. Refer to the acquisition guidelines in Chapter 4 and the construction guidelines in Chapter 5 for further information on how to proceed.

Progress billings must be submitted after the project is federally approved. Chapter 6 explains billing procedures and the items needed before federal assistance is reimbursed to the applicant.

During the project period, the DNR may make periodic inspections to ensure the development is in accord with the project application. The project sponsor is usually notified prior to these inspections and invited to accompany the inspecting officers. A final inspection is scheduled before final reimbursement and close-out of the project is done.

If changes occur or problems are encountered during the project period, the Division of Outdoor Recreation should be contacted immediately. As indicated previously, changes may result in a need to amend the project in order to ensure full federal assistance for the project.

## **Amendments**

During the project period, various situations may result in changes to or deviations from the Grant Agreement. Scope changes should be discussed with your grants coordinator but likely will not necessitate a new Grant Agreement. The only amendment to a Grant Agreement is for extending the agreement.

## **Changes in Project Scope**

Only those items approved for the project are eligible for federal assistance. Similarly, facilities must be constructed in the same location as designated on the site plan and according to the design plans submitted with the application. Due to unforeseen changes in project costs or revisions in the plans for the facility, certain items may have to be added or deleted from the project after it is approved. In the case of adding an item to the project, construction on that item cannot begin until the addition is approved. The amount of federal assistance specified on the Project Agreement is the maximum amount reserved for that particular project. Costs over this amount have to be paid by the applicant.

All changes in project scope should be in accordance with the intent of the original application, and must be justifiable. The need for the change must be documented by a justification letter to the Division of Outdoor Recreation, accompanied by revised cost estimates, construction plans and maps. This request must be submitted as soon as a change is known and at least 3 months before the current Grant Agreement expires.

## **Project Period Extensions**

All acquisition and development must take place within the project period, which is identified in the Grant Agreement. The Agreement is sent to the project sponsor after the project has received Federal approval. For most projects, the target date for project completion will be based on a two to four year project period. The project sponsor is encouraged to complete the project as soon as possible. Inflation can add a 5% cost increase each year.

If the project cannot be completed during the period identified on the Agreement, a request may be submitted for a time extension at least 3 months before the current Grant Agreement expires. The request must justify why the project cannot be completed before the expiration date. This justification should include a time schedule for completing the remaining items. Work performed after the Grant Agreement has expired will not be eligible for federal assistance. Final billings/payments for work done during the project period can be made after the Agreement has expired. The billing should have documentation showing that the work had been completed before the current Agreement expired.

It is essential that amendment requests be kept to a minimum. Amendments are used to cover items that could not be anticipated in the original project. Major deviations from the original project will not be accepted. It is the responsibility of the project sponsor to thoroughly determine the type of project prior to submission and, upon approval, carry through with that project.

## **Project Completion**

Upon notification by the project sponsor that a project has been completed, the Division of Outdoor Recreation staff will conduct a final inspection. The Federal agency may also make a final inspection, but this inspection may not take place until several months or years later. If the project has been completed in accord with the Project Agreement, the final billing can be processed. Certain additional documentation will be needed for the final billing as indicated in Chapters 6 and 7.

Notification of completion should be submitted within sixty days of the completion of the project or the Grant Agreement expiration date, whichever comes first. This procedure will enable both the applicant and the Division of Outdoor Recreation to compile the final project data and terminate administrative procedures as soon as possible. The Applicant's long-term obligations regarding project sites are explained in Chapter 7.

# PROJECT SEQUENCE CHECKLIST

*Estimated time to completion is 3 years.*

## After State Recommendation

- \_\_\_1. **Post Award Meeting.** After receiving notification that an application is being recommended by the state for grant funding project sponsors must participate in a post-award meeting with OR grants staff. This meeting will provide project sponsors guidance on the many aspects of the RTP grant process and usually occurs between July and September of the application year.
  
- \_\_\_2. **Registration with the State.** The State conducts all contracting electronically and all grantees must be registered.
  - To get registered as a vendor fill out a W9 and Direct Deposit form and submit to [DNRVendorForms@dnr.IN.gov](mailto:DNRVendorForms@dnr.IN.gov).
  - To register as a bidder click here: <http://www.in.gov/idoa/2464.htm> and follow the steps (there is also a help area and a number to call if you get stuck). **Bidder Registration is required for ALL vendors regardless of their classification.**
  - To register with Secretary of State click here: <https://www.inbiz.in.gov/BOS/Home/Index>  
\*\*\*Secretary of State registration is not required for some vendors, if they are a governmental entity, such as a county, city, fire department, school, State university, or if they are classified as a sole proprietor or an individual

## After Federal Approval

- \_\_\_3. **State Contract.** The grantee will be notified via email that the Grant Agreement is ready for download, review and signature from the State website. The agreement will provide information required for project correspondence and will describe the responsibilities of the State and of the park and recreation board. Please read the agreement carefully.
  
- \_\_\_4. **Categorical Exclusion.** Hire a consultant to obtain the Categorical Exclusion (CE) from INDOT. The consultant must be on the INDOT “pre-qualified” list. *Note: be sure to obtain all applicable permits.*
  - 6 to 12 months to complete
  - CE Manual <http://www.in.gov/indot/2523.htm>
  - INDOT “Pre-Qualified” list <http://www.in.gov/dot/div/legal/rfp/eligiblefirms.xls> (Sort column WorktypeDesc to Environmental Document Preparation – CE)
  
- \_\_\_5. **Section 106.** Hire a consultant to conduct and submit the Section 106 Historical & Archaeological Review (which is also used as part of the CE). The consultant must be on the IDNR Division of Historic Preservation and Archaeology’s “Qualified Professional” list.
  - 3 to 6 months to complete (usually done with the CE)
  - Historic Preservation and Archaeology “Qualified Professional” list

<http://www.in.gov/dnr/historic/3675.htm>

- \_\_\_6. **Appraisal.** Engage a Certified General Appraiser to appraise acquisition parcels according to the Uniform Appraisal Standards for Federal Land Acquisitions (also known as the “Yellow Book”) or the Uniform Standards of Professional Appraisal Practice (USPAP) and submit this to grant officer for approval by DNR Division of Land Acquisition (acquisition projects only).
  - 2 months to complete (concurrent with CE)
  - “Yellow Book” <http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>
  - Appraiser search <https://mylicense.in.gov/EVerification/>
- \_\_\_7. **Plans.** Submit detailed architectural/engineering plans for all development, with particular attention to ADA guidelines, for review and approval by the Division of Outdoor Recreation.
  - Plans created concurrent with CE; Review takes 2 to 4 weeks
  - ADA/ABA Standards <https://www.access-board.gov/>

### **After CE Completion and Approval**

- \_\_\_8. **Acquire land** in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act). Be sure to inform land owners that, although listed in the brochure, condemnation/ eminent domain are not permissible with the RTP grant. See Chapter 4 for details.
  - Land Acquisition Brochure [Acquiring Real Property for Federal and Federal-aid Programs and Projects - Acquisition - Uniform Act - Real Estate - FHWA](#)
  - Acquisition may take 1 to 3 months

### **After Land Acquisition**

- \_\_\_9. **Bid** the trail project following state bidding procedures and federal provisions included in the bid packet. Submit bid tabulation sheet to grant coordinator within 30 days of contract award.
- \_\_\_10. **Construct** trail.
  - Construction may take 4 to 9 months.
- \_\_\_11. **Reimbursement** requests. Send request to OR for reimbursement at least quarterly. Submit acquisition documents and payments or donation proof with first billing.
  - Approximately 3 week State turn-around
- \_\_\_12. **Final inspection and project close-out.**
  - Final signed as-built plans and signed Post Construction Certificate needed

## **CHECKLIST FOR AMENDMENTS**

Listed below are specific items to be included in submitting amendment requests.

### **For changes in project scope:**

- \_\_\_1. One (1) copy of a revised cost breakdown showing the cost of items completed and the estimated cost of work yet to be done, including the items to be added to the project.
- \_\_\_2. For buildings being revised or added to the project, one (1) copy of the floor plans and elevation diagrams.
- \_\_\_3. One (1) copy of a revised site plan, showing the locations of the facilities to be added or a plat map showing the location of the additional land to be purchased.
- \_\_\_4. One (1) copy of a justification for the revisions, which may be included in the transmittal letter.

### **For project period extensions:**

- \_\_\_1. One (1) copy of a time schedule showing the dates the remaining project items are to be completed.
- \_\_\_2. One (1) copy of a justification for the project period extension, which may be included in the transmittal letter.

# Chapter 4

## *LAND ACQUISITION CRITERIA AND PROCEDURES*

### **Eligible Acquisitions**

Land may be acquired from either private landowners or other units of state or local government. Sites already owned by the municipality or county which the grant recipient represents, but which have been under the control of another department of the same local unit, may not be purchased with grant funds.

Property which the current owner acquired with federal funds may not be purchased with RTP funds nor could it be used as an in-kind land contribution match for a grant. However, a grant could be made to develop facilities on it if the source of local match were other than the land value.

### **State and Federal Acquisition Policies**

#### **Federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970**

All acquisitions must conform to the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Federal Uniform Act) P.L. 91-646. This law prescribes policies and procedures to ensure fair, equitable, and uniform treatment of persons whose land is acquired through federally assisted programs.

The provisions of the Federal Uniform Act apply to the acquisition of all real property for, and the relocation of all persons displaced by, projects which receive federal assistance. The Act applies regardless of whether federal assistance is used for acquisition or development. For example, an organization cannot knowingly circumvent the federal law by acquiring the land with local funds and not follow the regulations of the Act and then apply for development funds in a later project. This is explained in more detail for development projects in Chapter 2.

There are two major sections to the law: policies regarding the acquisition of land and relocation benefits to landowners. Each section will be discussed separately in this chapter.

**The acquisition procedures explained in this chapter should be read with extreme care.** If the procedures are not followed, the sponsor could encounter severe problems in being reimbursed, regardless of the method of acquisition.

## **Land Acquisition Costs**

### **Eligible Costs**

The following land acquisition costs are allowable and eligible for reimbursement under the Recreational Trails Program:

1. The appraised fair market value of fee simple title or an easement for the use of real property acquired by negotiated purchase.
2. The purchase price for an easement or fee title to real property acquired by bargain sale (below appraised value). The donated land value (the difference between the purchase price and appraised value) may be used as a match for federal funds to purchase that parcel of land, purchase other pieces of property, or develop facilities. Similarly, lands for which 100% of the value is donated may only be used as the organization's share of a project to purchase other land or build facilities.
3. Incidental acquisition and relocation costs only as described in the Uniform Relocation Assistance and Real Property Acquisition Policies Act.
4. Appraisal fees.
5. Engineering reconnaissance fees where a land acquisition project involves proposed major facilities and their feasibility needs to be established. Examples of such eligible fees include hydrologic investigations, subsurface explorations, availability of construction materials and preliminary cost outlines. Detailed plans and specifications for construction of the facilities would not be eligible in a grant for only the land purchase, but would be eligible in a grant which included building the facilities.

### **Ineligible Costs**

Costs ineligible for reimbursement in an acquisition project include:

1. The purchase of real property to which the project sponsor became committed prior to federal approval of the grant.
2. Incidental costs relating to real property acquisition and interests in real property unless allowable under the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

### **Transfer of Title**

According to Indiana law, land is transferred on the date the warranty deed is signed by the previous landowner and the buyer. If reimbursement is to be requested for the cost of a land purchase, the deed cannot be signed by the seller and buyer until the project is approved by the Federal Government. The applicant also cannot make a commitment to purchase real property prior to federal grant approval as described below under timing for purchases. The applicant may need or want to guarantee land will be available for purchase after grant approval. The property may be reserved for the applicant by: (1) having a private third party acquire and hold title to the land, or (2) by securing an option to purchase at a later date. A third party could be an individual, private business or educational institution, not-for-profit organization other than the applicant, or other similar entity.

## Timing for Purchases and Dates When Costs Incurred

The applicant cannot make a commitment to purchase land prior to federal approval of the grant. Commitment may occur if, (a) an option to purchase is exercised; (b) payment is made to an escrow agent even though the applicant has not received the deed from the escrow agent; (c) a contract to purchase is executed; (d) the deed is accepted although payment has not been made; (e) the buyer takes possession of the property; or (f) other written promises to purchase have been made.

Confusion often arises in acquisition projects on the exact date when land purchase costs are incurred. To be eligible for matching assistance, purchase payment(s) to the landowner must be incurred within the project period (date of federal approval to the date of project expiration). Acquisition costs are incurred on the date when the earliest of any of the following transactions take place:

1. Project sponsors accept deed or other appropriate conveyance.
2. Project sponsor makes full payment for the property.
3. Project sponsor makes the first payment in a series of spaced or time payments.
4. Project sponsor makes the first or full payment as stipulated in an option agreement. (The cost of the option is still an allowable cost, and may be paid prior to federal grant approval.)
5. Project sponsor makes first partial or full payment to an escrow agent.

## Options

The applicant may wish to take an option on the property to prevent the land from being sold prior to the approval of a project. The date an option is exercised is normally the date the buyer advises the seller that she/he desires to complete the purchase under the terms of the option. The option may include special conditions or terms which govern whether or not the buyer will purchase. For example, one condition could be the availability of funds or financing. An option is unacceptable if it is exercised prior to project approval, unless it specifies that acceptance is contingent on the availability of RTP grant money so that the date of project approval would be the exercise date.

If an option is signed prior to federal approval of the project, then it should extend at least until March of the following year so it may be exercised after the grant is approved. Since competition for funds is often intense, applicants may find it helpful to negotiate an option which can be extended at no cost for a second year. This could enable the project to compete for funds a second time if it were not approved the first year.

The purchase price stated in an option must be the amount negotiated after the land has been appraised and the fair market value offered to the landowner as explained in the section on negotiated purchases. Only one payment toward the property may be made under an option. A maximum of 10% of the approved appraised value of the property may be paid at the time the option is transacted. This amount should be part of the purchase price of the property.

Any additional payments prior to grant approval may make the acquisition ineligible. It is important that documentation of the option payment required for reimbursement billings be kept for later use. Project sponsors are encouraged to consult the Division of Outdoor Recreation before negotiating an option to

ensure the eligibility of the land acquisition under the option conditions.

## **Timing for Land Donations**

Property donations may be transferred to the applicant after project approval. If a grant will not be awarded, and the donor wants to make the donation, the land could be given to a third party, such as a foundation or other not-for-profit organization other than the applicant. This third entity could donate the land in a later year and the land value would be eligible as a match. Land donations will be credited toward the sponsor's match. No direct reimbursement will be given for a land donation.

## **Property Rights for Control and Tenure**

### **Adequacy of Title**

For lands included in a project, the sponsor must have title or adequate control and tenure of the project area in order to provide reasonable assurances that a conversion to a use other than public trail use will not occur without federal approval. Copies of the property titles, leases, easements, or appropriate documents must be submitted as part of a project's documentation.

The most common method of acquiring property is by fee simple title. This is the preferred method of acquisition since it gives the holder an absolute right to the property within limitations imposed by state or federal law.

In some instances the agency may wish to purchase less than fee simple title, such as easements, rights-of-way and title subject to deed restrictions. This would be permissible when fee simple is excessively expensive and a lesser control of the area will not detract from the recreational use of the land.

Title to land may be conveyed by warranty or quit claim deed to the applicant. Neither the State of Indiana nor Federal Government will obtain title to a local area or facility acquired with federal assistance. The project sponsor must submit a description of the character and nature of the title received before requesting reimbursement. This evidence of title must include the property deed and either a written opinion from an attorney on the adequacy of title or a title insurance policy. A survey may be required when there is reasonable doubt about the exact location of the boundary or of the size of tract being acquired. The project sponsor is responsible for quieting claims against title and for replacing property found to have defective title with other properties of equivalent value, usefulness and location acceptable to the Department of Natural Resources and Federal Highway Administration or by paying the grant back to the Federal Government if the land is lost.

### **Reservations, Adverse Rights, and Deed Restrictions**

Oil, gas, mineral, or other reservations and rights held by others are permissible only if it is determined the project purposes and the environment would not be adversely affected. Such reservations must be described in the narrative of the project proposal, and how they will be dealt with to avoid impacting recreation and the environment. The acquisition of land which is subject to the reservation of surface rights extending more than 5 years must be justified. Reservations that are incompatible with project purposes will not be accepted.

Often landowners desire to specify restrictions in the property deed. The most frequent example would be that the land can only be used for park purposes. If a deed restriction for park purposes indicates the grantor's intent and does not provide for reversion of title upon failure to comply with the grantor's wishes, the condition may be acceptable. In certain situations a landowner may retain a life estate, under which he or she retains use of the property while living.

Land which has a reversionary clause in the deed whereby the landowner could repossess the property if it ceased to be used solely for the purpose specified in the deed may make the project ineligible. If a reversionary clause in the deed specifies that the land must be developed for a specific purpose, even though the project includes that type of development, the project may be ineligible. A development project to construct a facility on land with a reversionary clause in the deed may also be ineligible, even though land may have been acquired without federal funds. Federal approval is required to acquire or develop land with reversionary clauses or outstanding interests in the property deeds. The Division of Outdoor Recreation should be consulted prior to submitting a project application involving deed clauses and restrictions.

If at some later date the rights to subsurface reservation or other deed restrictions adversely affect recreation use of the land or facilities, the applicant will be responsible for acquiring replacement property of equivalent usefulness, value and location or returning the federal funds used in the project. Outstanding property rights may affect the value of the land. Examples include mineral rights, road rights-of-way, utility easements, and other deed restrictions. An appraiser should be fully aware of, and take into consideration the legal description of the property and any restrictions to be placed on the rights transferred. An appraisal of a property's value involves full consideration of the rights remaining with the property and, where appropriate, the effect the loss of these rights has on its value.

## **Easements**

In some instances, the applicant will not be able to purchase the property but can acquire an easement. An easement must be for a period of at least 25 years or equal to the facility life of any proposed development. During the time period, the easement cannot be revoked at will by the landowner unless the applicant or state is guilty of an infraction of the easement. The land must still be retained in public trail use for the duration of the easement period even though the easement has been revoked. Provisions stated in the easement cannot be detrimental to the proposed recreational development.

A draft copy of the easement must accompany the application for acquisition and development projects. If an easement has been or is to be executed prior to the submission of a development project application, a draft copy of the easement should be sent to the Division of Outdoor Recreation for review. Advance approval of such agreements may help ensure the eligibility of the site for funding.

Negotiations for easements must follow general negotiated land purchase regulations including the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

Similarly, if federal assistance is being requested on the purchase of an easement, the document cannot be transacted until the project has received federal approval.

## Rail Banking

If the applicant is planning on developing trail facilities on land involved in the "Rail Banking" process, please contact the Division of Outdoor Recreation to determine the eligibility of your project proposal. Please have a copy of any agreements involved with this process.

## Methods of Acquiring Land

### Negotiated Purchases

This section outlines specific procedures under the Uniform Relocation Assistance and Real Property Acquisition Policies Act to follow in acquiring land through negotiated purchases involving federal assistance. The following steps must be taken by the applicant in negotiating with the landowner.

1. Make initial contact with the seller to see if the land might be available for sale. **At this point, the price should not be negotiated since the purchase amount must be based on an appraisal.**
2. Obtain information as to whether or not the owners, business(es), or tenants will be eligible for relocation assistance. The Department of Natural Resources has booklets available which can be given to the landowner or tenant. The property residents must be advised of their right to relocation assistance.
3. Have the land appraised by a Certified General Appraiser according to the Uniform Appraisal Standards for Federal Land Acquisitions or the Uniform Standards of Professional Appraisal Practice. The landowner must be given the opportunity to accompany the appraiser on their inspection of the property. The appraiser must have a copy of the appraisal requirements which are located on the web at <http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>.
4. Submit the appraisal to the Division of Outdoor Recreation for review by a review appraiser in the Department of Natural Resources' Division of Land Acquisition. Upon receiving approval of the appraisal, the applicant then knows the acceptable fair market value of the property to be acquired.
5. Inform the owner in writing of the value of the property based on the results of the appraisal and offer to purchase the property for this price. Also, inform the landowner of his or her eligibility for relocation benefits. It is not necessary to show the appraisal itself to the landowner. The authorized agent of the applicant and the property owner must sign the Statement of Just Compensation and Written Offer to Purchase letter, which should indicate the appraised value of the property. Contact your state grant officer for the letter template.
6. Based on the written offer at the appraised value, the final selling price is negotiated. If the purchase price is more than the appraised value, additional documentation explaining the difference in value will be needed, as explained later in this section. If the price is less than the appraised value, the acquisition is called a "bargain sale", and a Waiver of Right of Just Compensation must be signed by the landowner as explained in the section on bargain sales. At this point, the applicant may sign an option to purchase, if desired, but before the grant receives federal approval the applicant may not make a commitment to acquire the property.

A project application may be submitted during any of the above steps to acquire the land. The appraisal,

however, must have been submitted and approved prior to Step 6. Again, the land can only be acquired during the approved project period to be eligible for reimbursement of acquisition costs. The above procedure is mandatory and must be followed for all negotiated purchases.

Land purchased by negotiated purchase is based on a fair market value for the property as established in an independent appraisal prepared by a real estate appraiser hired by the applicant. An appraisal, if competently compiled by a qualified person, should be an acceptable estimate of property value. It cannot be assumed, however, to be a final determination of value. The approved appraisal value is the minimum floor value for establishing the amount of just compensation offered to the owner at the initiation of negotiations. The negotiations between a willing seller and a willing buyer will sometimes set a price that is higher than the appraisal, and this marketplace value must be considered with the appraised value in establishing the reasonable limits of federal assistance.

When the project sponsor believes the negotiated price is an adequate indication of market value, yet it is higher than the approved appraised value, a detailed and well documented statement on this difference with all pertinent appraisal documents should be submitted. This statement should explain why the appraisal may not reflect the true value and what steps the applicant took to establish the true value. This statement should include a history of negotiations documenting discussions of price between the landowner and the applicant. The statement may indicate the importance of the proposed purchase as opposed to other alternative sites, or other justification regarding the need to purchase the subject property at a higher amount. If the Federal Government agrees the negotiated price represents a reasonable estimate of the property value, that amount can be eligible for assistance if sufficient funds are available in the grant. This statement is to be submitted with the billing for the property.

Sometimes a seller or purchaser desires to spread payments for land over several years. "Contract Sales", where installment payments are made over a specified period of time at the end of which the buyer receives title are acceptable for RTP projects provided the entire purchase will be completed within the project period (usually 2 years). The risk is in the event the periodic payments are not paid when due, the seller could foreclose and regain complete ownership of the land. Thus, the federal and local funds would have been spent with nothing to show for the expenditure. If the applicant fails to complete the purchase, the federal funds invested must be returned or another replacement site acquired. Reimbursement of costs incurred can be made as the land is purchased in installments.

A suggested alternative is to subdivide a tract into smaller parcels. The applicant may acquire full title to each parcel individually and receive reimbursement as each is acquired. This does not jeopardize the investment of public funds.

Assistance for separate parcels may need to be applied for in different grants over a period of years, depending upon the cost and timing of the acquisitions.

## **Condemnation**

Recreational Trails Program funds cannot be used for acquisition of condemned property nor as match for value or credit. However, funding can be used for development of facilities on condemned property.

## **Land Donations**

A donation of land from a private landowner can be used as part, or all, of the sponsor's share of the project costs, provided the donor did not acquire the land with federal funds. The donation may be used

to match the federal funds for: (1) the purchase of land at the same site, (2) the development of facilities on or at the same site as the land gift, or (3) the purchase of land or construction of facilities at other sites serving a similar purchase. A letter of intent to donate the property to the applicant from the landowner must accompany the project application.

The date when title to a land gift is transferred to the applicant is critical to the eligibility of the land value for a match. The earlier section in this chapter on timing for land donations should be clearly understood.

A written offer to purchase and a *Statement of Just Compensation* are not necessary when acquisition is by full donation. The legal act of donation itself precludes the necessity for these documents which relate only to negotiated purchases and bargain sales. However, the donor should sign a statement for donation (with or without) an appraisal.

To appraise a land donation, the appraiser should first be approved by the Indiana Department of Natural Resources, Division of Land Acquisition. Qualified appraisers can be located using Indiana's online search for licensed professionals available at <https://mylicense.in.gov/EVerification/>. The appraisal must be paid for by the project sponsor. Appraisals provided by landowners may not be used as the basis for federal assistance.

For the project application, one copy of either the appraisal or letter appraisal must be submitted. If a letter appraisal is submitted, it is recommended the appraiser providing the statement be hired to complete the full narrative appraisal, if the project is approved. Since a land donation constitutes all or part of the local matching share of a project's costs, it is important that the land value be established early in advance of application to enable the applicant to take full advantage of the donated land value and at the same time prevent the project sponsor from having to provide additional local funds if the land value is later found to be less than anticipated.

Once the appraisal is approved, federal approval is obtained, and the property is transferred, the donated land value will be credited towards the grantee's matching share. If the match has been met, then the development costs will be reimbursed at 100%.

## **Bargain Sale**

In some cases, a landowner may be willing to sell real property for less than the full market value, but is not able to donate the entire value of the land. A bargain sale involves the purchase of a tract of land.

The difference between the sale and the appraised fair market value is considered donated land value. For an RTP project, federal reimbursement may be provided for the purchase part of the acquisition. The fee simple donated value in a bargain sale may be used to match the purchase of the same tract, or other land purchases and facility construction, similar to lands which are 100% donated.

The appraisal requirements for full purchases also apply to bargain sales. Under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, the applicant is required to offer the landowner the full appraised value of the land. When the lesser sale price is negotiated the owner must sign a *Waiver of Right to Just Compensation*. A waiver of entitlements under the Act by property owners or displaced person will be approved only in fully documented cases where the reasons for the waiver are explained. The purpose of the Act is to ensure each displaced person and property owner receives a just

and equitable settlement through the purchase price and payment of relocation expenses. Few landowners would involuntarily accept an amount less than their entitlement, although in some instances landowners may be willing to accept less than the appraised value for their property. In such cases, the landowner must sign a waiver which includes the following information:

1. That the owner has been fully informed of his or her rights and benefits under P.L. 91-646.
2. That the acquiring agency has provided a written Statement of Just Compensation and Offer to Purchase for the appraised property value (state the amount).
3. That the owner is satisfied with the negotiated price, even though it is less the appraised fair market value, and/or
4. That he or she elected to waive entitlement to the relocation benefits (this would include the dollar amount by category of moving expenses, payments for replacement housing, incidental expenses, etc.).
5. A statement setting forth the reasons for accepting a lesser amount than the appraised value offered by the local agency or for waiving relocation benefits.

## **Relocation Assistance**

### **Relocation Benefits**

A resident or residential business or farm property to be acquired may be eligible for relocation assistance. This resident, who can be either a landowner or a tenant, may be reimbursed for expenses incurred in moving from the purchased property to a new dwelling. The purpose of providing relocation benefits is to enable a property resident to move to a new residence or business location without undue personal hardship.

These costs are based on maximum and minimum schedules specified in the law and Department of Transportation's guidelines. Relocation costs are to be paid for moving expenses, replacement of business, or housing, search, closing and other costs the occupant may pay related to moving into another dwelling or relocating a business.

Landowners are also entitled to reimbursement of certain incidental expenses incurred in conveying title. These costs may be incurred even though no one was living on the property at the time of purchase. These costs include:

1. Recording fees, transfer taxes, revenue stamps, notary fees or similar expenses.
2. Penalty costs for prepayment of pre-existing recorded mortgages as may be required to convey a clear title.
3. The pro rate portion of real property taxes which would apply to the period after the date title vests in the government or the effective date of possession by the government, whichever is earlier.

Often these costs are paid by the applicant upon acquisition of the land. Payment of these costs should

be documented at the time of the billing. When an applicant determines the land proposed for purchase may involve relocation, the Division of Outdoor Recreation should be contacted for brochures, forms, and guidelines for procedures and determining costs. It is essential that landowners be informed of relocation benefits. They must also receive payment unless they voluntarily waive their benefits.

## **Relocation Plan**

A relocation plan shall be developed for projects where land acquisition will cause displacement of persons from their dwellings, business, or farm operations. The relocation plan shall be undertaken during the planning phase of the project prior to the initiation of land acquisition negotiations for the project. Based on this plan, the project sponsor should proceed with a project only after it has been determined that within a reasonable period of time prior to displacement, decent, safe and sanitary replacement housing will be available. Then information brochures and forms for claiming costs should be distributed to the persons to be relocated.

A relocation plan needs to include:

1. The number of individuals, families, businesses, farms, and non-profit organizations to be relocated.
2. The availability of decent, safe, and sanitary replacement housing within the financial means of the individuals and families being relocated.
3. The estimated total cost of payment to displaced persons for all benefits under P.L. 91-646 for replacement housing; and
4. The estimated cost of administering required relocation services to displaced persons.

The relocation plan may be coordinated with the Dept. of Housing and Urban Development and other agencies performing relocation in the area. Applicants may contract with a city relocation agency, such as the Community Development Department, or a private firm to handle relocation services. The plan is to be submitted with the project application. Relocation costs should be part of the cost estimates for the project. Payments to relocated persons are eligible to be reimbursed on an 80-20 basis.

## **Appeals**

Although technical assistance is available through the DNR, the project sponsor will be responsible for all negotiations with landowners or tenants concerning relocation benefits. The persons relocated have the right to appeal the determination of the amounts they are eligible to receive and need to be informed in writing of their right to appeal. Formal appeals may be submitted by relocated individuals to the DNR. Department staff will review all data concerning the calculation of relocation payments. If the person is still dissatisfied, a hearing will be scheduled with the Director of the Department of Natural Resources. The appellant shall be given a full opportunity to be heard at the appeal hearing. After the hearing, the result may still be appealed through the judicial review of the Indiana Court System. No appeals will be heard by the Department of Transportation

## **Waiver of Relocation Benefits**

As indicated in the land acquisition section on bargain sales, tenants and landowners may waive their rights to relocation benefits. In such instances a waiver must be signed.

On September 2, 1971, Indiana became eligible to participate in the federal relocation law. As provided in Indiana Public Law No. 97, page 445 of the 1971 Acts of Indiana, public agencies must pay relocation assistance to persons displaced by acquisition of their property for public improvements. Any land purchased by an applicant, whether or not federal assistance is involved, is subject to paying relocation benefits; however, project sponsors may decide federal land acquisition regulations are too restrictive and may decide to purchase the property with local funds and then submit a development application. A circumvention of the federal or state land acquisition procedures will jeopardize the eligibility of a future development project at this site. The federal law specifies that such a deliberate refusal to follow the proper land acquisition procedures will make all future development projects ineligible for federal assistance.

## **Development on Land Acquired with Federal Assistance**

### **Future Development Conditions**

It is not necessary that the future development be carried out with federal assistance or the proposed unassisted development receives prior approvals so long as it is in accord with the purposes for which the acquisition was made. Once the land is acquired with RTP assistance, it must always be used for public trail purposes.

On land where federal funds were reimbursed on the acquisition, certain regulations for the development of facilities must be followed. All facilities must be accessible to persons with disabilities. Chapters 3 and 5 explain other development requirements, such as state and federal permits and approvals, which need to be obtained for construction projects.

## **Summary of Steps to Take in Negotiating with Landowners**

### **Purchases and Bargain Sales**

1. Make contact with the landowner regarding availability of the property and permission to appraise. Provide the landowner with the FHWA acquisition brochure available from your state grant officer. Obtain information on the owner's and any tenant's eligibility for relocation benefits.
2. Have the land appraised according to the Uniform Appraisal Standards for Federal Land Acquisitions or the Uniform Standards of Professional Appraisal Practice by a state certified general appraiser. The landowner must be given the opportunity to accompany the appraiser.
3. Submit the appraisal for approval by the Department of Natural Resources.
4. Offer to purchase the property for the approved appraised value using the *Statement of Just Compensation* and *Offer to Purchase* provided by your state grant officer. Also inform the landowner and any tenants of their eligibility for relocation benefits.

5. Negotiate the selling price.
  - a. If the owner wishes to donate part of the land's value, the acquisition will be a bargain sale and the owner needs to complete the *Waiver of Right to Just Compensation* provided by your state grant officer. Similarly, if a person to be relocated does not want reimbursement for relocation expenses, that person needs to sign a similar waiver for these benefits.
  - b. In cases where the sale price is negotiated higher than the appraised value, a *Statement of Difference in Value* may be submitted to the IDNR as justification for the higher price. Assistance may be provided for the increased amount, but is not guaranteed.
6. An option to purchase may be obtained once the price has been determined for a negotiated purchase.
7. Federal grant approval and a Categorical Exclusion (Chapter 2) must be received by this point.
8. Obtain title insurance or an abstract opinion, and then title to the land. The project sponsor pays for the land, closing and incidental acquisition costs and relocation benefits.
9. Record the deed or easement with a clause stating that the land will remain for public trail use for a minimum of 25 years.
10. A reimbursement request for the federal share of the acquisition costs may then be submitted to the IDNR.

## **Donations**

1. After the landowner offers to donate the property, clarify whether the landowner intends to donate with an appraisal or without an appraisal. If the landowner desires an appraisal, obtain permission to appraise and information on the owner's and any tenant's eligibility for relocation benefits.
2. Have the land appraised according to the Uniform Appraisal Standards for Federal Land Acquisitions or the Uniform Standards of Professional Appraisal Practice, with the donor being given the opportunity to accompany the appraiser.
3. Submit the appraisal for IDNR review.
4. Do not accept title prior to federal approval of grant award and completion of a Categorical Exclusion (Chapter 2).
5. Obtain title insurance or an abstract opinion, the property deed, and pay for closing and incidental acquisition costs and any relocation benefits.
6. Record the deed with a clause stating the land will remain for public trail use in perpetuity.
7. A reimbursement credit request for federal funds based on the land gift may be submitted to the IDNR.

# Chapter 5

## *DEVELOPMENT PROJECT CRITERIA AND PROCEDURES*

### **Development Projects**

#### **Selecting Development for a Grant Application**

A development project may consist of new trail construction and/or new construction designed to provide facilities for trails. A project may include the complete or partial development of one area, or it may include a series of identical developments on several separate sites along a linear corridor. In either case, the project must be a logical unit of work to be accomplished in a specified period of time. Projects should meet the needs of local citizens, be attractive, safe, compatible with the site's natural features, and accessible to people of all abilities.

#### **Site Location, Control and Tenure**

Facilities may be built on sites owned by the federal and state governments, park and recreation boards, land owned by not-for-profit agencies or a city or county. If the land is owned by another city or county department or local governmental unit, title must be transferred to the applicant. In some instances memorandum of agreement or a use agreement may be allowable if approved by the state.

Project sites may be conveyed by easement to the applicant from another public entity or the private sector. Easements must be for a minimum of 25 years.

According to federal regulations, an applicant that is going to develop trail facilities will have to enter into a Grant Agreement with the State concerning the use, operation and maintenance of the site. The agreement will state that the project sponsor must keep the facility open for public use and maintain it according to federal standards.

#### **Eligible Types of Development**

Development projects eligible for assistance include, but are not limited to, the following types of facilities which provide public use of trail facilities: motorized trails, non-motorized trails, water trails, multiple use trails, rail trails, trail crossings, signs, trailside and trail head facilities, and other support facilities. Exercise equipment and machines along a trail are not an eligible type of development.

## **Eligible Development Costs**

### **Consultant Services**

Consultants for projects must be hired to complete the environmental documentation and may be hired to design the project. All design plans for the project should take into account safety, accessibility and sustainability. Grantees should consult with their attorney regarding hiring a consultant according to I.C. 5-16-11.

Federal regulations do not authorize payment of fees for consultant on a “percent of the construction contract” basis. The consultant may be paid according to: (1) fixed price, (2) per hour, (3) per diem, or (4) actual expenses incurred. The contract must specify the payment method. No consultant fee may be paid to any federal, state, or project sponsor’s employee unless such a payment is specifically agreed to by the Division of Outdoor Recreation.

Typical eligible consultant costs include: feasibility studies, site planning, environmental assessment preparation, cost estimates, archaeological work, construction plans and specifications. Costs incurred for designing facilities not developed in the project are ineligible.

### **Construction**

Allowable construction costs include all necessary construction activities, from site preparation (including demolition, excavation, grading, etc.) to the completion of a facility. Construction may be carried out through a contract with a private firm, by use of the agency’s own personnel and equipment (force account), by in-kind contributions, or by a combination of these. Regulations regarding these three types of construction are explained later in this chapter.

### **Contract Construction Wages**

*The Recreational Trails Program is not subject to the Davis-Bacon Act unless the project occurs within the road right of way.* As such, contractors are not bound to construction wage rates established by the U.S. Department of Labor, unless other federal funds subject to the Davis-Bacon Act are used as the local share. Contact your attorney to follow state bidding procedures.

### **Supplies and Materials**

Supplies and materials may be purchased for a specific project or may be drawn from a central stock. The former should be charged to a project at their actual price, minus discounts, taxes, rebates, etc. and the latter should be charged at cost under any recognized method of pricing which is consistently applied. Incoming transportation charges are a part of these costs. Eligible project supplies are those needed for the construction of a project. Supplies needed for the operation and maintenance of a facility are not eligible.

### **Information and Interpretation**

Fund assistance may share the costs of providing information directly related to a project, as distinguished from publicity. These may include: signs giving information and directions at the entrances of recreation areas and other necessary places throughout the project site; display boards;

dioramas; interpretive facilities for the explanation of items of interest; and other facilities required to explain the site and bring it to public attention.

## **Methods of Developing Facilities**

Development of a project site may be by contract, force account, in-kind contribution, or a combination of these methods. The method(s) which will be used must be indicated in the Program Narrative as part of the grant application. The procedures regarding each of these construction methods are explained below.

### **Contract**

A common method of developing an area is by contract because the project sponsor is assured the construction will be completed by a designated date according to predetermined work standards.

*All construction associated with a Recreational Trails Program project must comply with federal and state competitive bidding procedures and requirements.* The Applicant shall comply with the Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200 (referred to now as the “Super Circular” and which replaced and consolidated OMB Circulars A-87, A-102, A-110, A-122, and A-133), for Grants-in-Aid to State and Local Governments.

These requirements vary from different public and not-for-profit agencies. If you are unsure of these requirements contact your local or city attorney. Please note the total contract, rather than the amount of federal assistance, shall be the governing factor in determining whether contracts or subcontracts must be competitively bid.

Local sponsors must inform bidders that federal funds are to be used in the project, and all relevant federal requirements apply. It is preferable to include this information in the bid invitations or in notices released prior to bid invitation

The federal government requires certain information be included in the specifications for and thus as part of all contracts, and certain documents be filed, for construction for which federal reimbursement will be requested.

Contract Provisions for Federal-aid Construction Contracts required by the FHWA must appear verbatim in the specifications for any contract or purchase in which state contract requirements mandate project sponsors to let competitive open bids. If these pages are not included in the specifications given to bidders prior to bidding, the cost of the resulting construction contract will not be eligible for reimbursement.

If an architectural or engineering firm prepares the specifications, their standard contractual statements should not conflict with federal requirements. Examples of conflicts include termination or breach of contract and types and amounts of bonds required. The contracts must be written in such a way that the construction specifications, including the federal requirements supplement, are incorporated into the scope of the contract. Failure to follow these procedures will jeopardize reimbursement for the project.

A copy of all plans must be submitted to the Division of Outdoor Recreation for approval and prior to advertising for bids. In addition, copies of the bid tabulation summary sheet must be submitted within

thirty (30) days after award of the contract. Any proposed change orders to the contract should first be discussed with the Division of Outdoor Recreation before the change order is negotiated.

The contract award should be made to the individual or firm whose bid is most advantageous to the local sponsor. Contracts must be awarded to responsible contractors or suppliers who have the ability to perform successfully under the terms and conditions of the contract. Consideration should be given to such matters as contractor integrity, record of past performances, financial and technical resources, and accessibility to the necessary resources.

When the local sponsor considers the lowest bidder unqualified, incapable, or not responsible, the next lowest bidder may be awarded the contract. If a no-bid contract is awarded by the local sponsor, or a contract is awarded to other than the lowest bidder, a letter of justification for this action must be sent to the Division of Outdoor Recreation with the bid summary. Approval from the Division of Outdoor Recreation must be obtained prior to awarding the contract in these two cases.

## **Force Account**

The second method which may be utilized to develop a project site is force account. A local sponsor may choose to use its own employees, machinery, or materials in the development of facilities, rather than contract with an outside company.

Force accounts cannot be used to circumvent a competitive bidding process required by State law. The Federal Government does not limit the amount of work which can be done by force account, so in accordance with State Law, all force account projects must cost no more than the competitive bid threshold requirement of the local agency or organization. Further interpretation of the Indiana laws regarding this issue should be directed to the State Board of Accounts.

If a local sponsor plans to claim force account costs, this intent must be stated in the application documentation and in the explanation of any subsequent project amendment requests. The Appendix contains a special Force Account Labor Form which is completed by the laborer and the local agency director. This statement is needed to certify the rate and number of hours the laborer worked on the project.

## **In-Kind Contribution**

Facilities may also be developed by in-kind contributions which might consist of labor, equipment, materials and supplies donated to a local sponsor by private organizations or individuals.

The Division of Outdoor Recreation must agree on the local sponsor's method of valuing in-kind contributions of goods and services before the project approval for such contributions to be considered as part or all of the agency's matching share. Unexpected donations which occur after project approval may also be eligible for reimbursement if requested by the local sponsor and agreed to by the State. The procedures for determining the value of in-kind contributions from private sector sources are as follows:

1. Valuation of Volunteer Services. Volunteer services may be contributed by professional and technical personnel, consultants, and skilled or unskilled labor. Each hour of volunteered service may be counted as part of the local sponsor's matching share if the service is an integral and necessary part of an approved project. The records of in-kind contributions of personnel services must include time sheets containing the signature of the person whose time is contributed and of his or her supervisor

verifying the record is accurate. The Donated Labor Form in the Appendix (page 102) may be used for this purpose and for volunteer labor.

The value of donated or volunteer services is \$10 for unskilled general labor and \$20 (with documentation) for supervisory/skilled trail building personnel.

If the donor is professionally skilled in the trade or service to be provided, such as an electrician installing the electrical wiring or a plumber connecting the water supply, the rate this individual is paid for performing this trade may be claimed for matching assistance. A letter from the donor's employer, on company letterhead, must document this rate.

The method for determining donated labor must be calculated in the project application and documentation substantiating the wage rate to eventually be claimed must be provided.

2. Valuation of Donated Supplies, Materials, and Equipment. The value of donated supplies, materials and equipment which are permanently acquired should be reasonable and not exceed the current market prices at the time they are purchased for the project. Records of in-kind contributions of supplies and materials must indicate the fair market value by listing the comparable prices from other vendors or the amount paid by the donor.

3. Valuation of Loaned Equipment. Occasionally, equipment used in the construction of a facility will be loaned to the project sponsor. The sponsor may claim the value of the equipment use as an in-kind contribution to the sponsor's share of project costs. The computation of equipment use rates can be based on the rates of local suppliers. These rates must be documented on company letterhead. In order to receive reimbursement, project sponsors must supply documentation signed by the donor stating: the date(s); number of hours used per date; the type and model number of the equipment used; price per hour or day; and total cost claimed as a donation.

4. Valuation of Other Donations. Other donations received by the sponsor specifically for and in direct benefit to the project may be accepted as part of a local agency's matching share, provided that the values of these donations are adequately supported and permissible under the law. Such donations must be reasonable and properly justifiable.

## **Project Reviews**

Another step in processing a development project requires the submission of the preliminary and final project plans and specifications to other agencies for the appropriate reviews and permits.

## **Fire Prevention and Building Safety**

If a local agency proposes the development of a new building or alterations to an existing building, the plans and specifications for the new construction must be sent to the department of Fire Prevention and Building Safety for review at least one month before the bids are to be let or construction started. These plans are to be prepared by an architect or engineer registered in the State of Indiana, or under his or her direct supervision. Sponsors completing projects in Marion County must submit four sets of plans and specifications; all other sponsors need to submit only three. The Department will distribute copies of the plans to the State Board of Health if necessary. For more information, write to the following address. Applicants should expect to pay a fee for this review.

Indiana Department of Fire and Building Services  
402 W. Washington St., Rm. E 246  
Indianapolis, IN 46204  
Telephone: 317-232-6422  
[planreview@dhs.in.gov](mailto:planreview@dhs.in.gov)

## **Protecting and Preserving the Environment**

### Prevention, Control and Abatement of Water Pollution

The Applicant will comply with the provisions of Executive Order 11288, Prevention, Control and Abatement of Water Pollution, which states that in an effort to improve water quality, the construction or renovation of facilities and buildings must meet the pollution control standards outlined in this Order. If a local agency proposes construction of a sanitary sewer system, including additions or alterations to existing systems, plans and specifications must be submitted directly to the Indiana Department of Environmental Management for review and issuance of a construction permit. Such projects include public buildings, restrooms, dump stations, etc. The plans submitted must show all water supply lines and where those lines connect into existing systems. Copies of the permit application forms, and additional information related to these requirements may be obtained from:

Indiana Department of Environmental Management  
<https://www.in.gov/idem/cleanwater/2431.htm>

If there is a question as to whether a project will require a permit from the Department of Environmental Management, be sure to call before project construction begins. Applicants can expect to pay a fee to obtain the permit.

### Environmental Protection Agency Compliance

The Applicant will ensure the site or facilities under its ownership, lease or supervision, which shall be acquired or developed in this project, are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities, pursuant to 40 CFR, Part 15.20.

### National Environmental Policy Act

The Applicant must comply with the provisions of the National Environmental Policy Act (NEPA) of 1969, as amended (P.L. 91-190) (42 U.S.C. 4321-4347 et seq.) which requires that every proposed federal project be examined to determine the effects it will have on the human environment and the findings be considered in decisions regarding implementation of the project.

### Protection and Enhancement of the Natural Environment

The Applicant will comply with Executive Order 11514, Protection and Enhancement of the Natural Environment, as amended by Executive Order 11991, which provides for the compilation of environmental impact statements, (when needed) which are more useful to the public with a reduction of paperwork and accumulation of background material, and to focus on real environmental issues and alternatives. The Act requires statements to be concise, clear to the point, and be supported by evidence that agencies have made the necessary environmental analysis.

### Protection of Wetlands

The Applicant will comply with Executive Order 11990, Protection of Wetlands, which states in order to avoid the long and short term impacts associated with the destruction and modification of wetlands

and to avoid support of more construction in wetlands when there are practicable alternatives, the Federal Government will take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands.

#### Clean Air Act of 1955

The Applicant will comply with the provisions of the Clean Air Act of 1955, as amended (42 V. S.C. 7609), which establishes guidelines for preventing and controlling air pollution.

#### Clean Water Act of 1977

The Applicant will comply with the Clean Water Act of 1977 (33 U.S.C. Secs. 1288, 1314, 1341, 1342, 1344) which (1) establishes criteria for the clean-up of water, (2) regulates the discharge of pollutants and toxic chemicals, and (3) promotes the protection of fish and wildlife and intergovernmental cooperation in the field of environmental protection.

#### Coastal Zone Management Act of 1972

The Applicant will comply with the provisions of the Coastal Zone Management Act of 1972 (P.L. 92-583) (16 U.S.C. Sec. 1451, 1456) which establishes a policy to preserve, protect, develop, and where possible, restore or enhance, the resources of the Nation's coastal zones for this and succeeding generations. The Act gives full consideration to the ecological, cultural, historic and aesthetic values as well as the needs for economic development along the coastal zones.

#### Endangered Species Act of 1973

The Applicant will comply with the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531- 1534) which states federally assisted projects must not jeopardize the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of the habitat of the species. The Applicant is required to notify the Department of Natural Resources and the Federal Highway Administration when a project may affect an endangered or threatened species, either beneficially or adversely. The Applicant must include in the notice, the name of the listed species and/or critical habitat included; list the name, description and location of the area; list objectives of the actions; and provide an explanation of the impacts of the action on a listed species or its critical habitat.

#### Floodplain Management

The Applicant will comply with Executive Order 11988, Floodplain Management, which states in order to avoid the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid the support of floodplain development, that action will be taken to reduce the risk of flood loss; minimize the impact of floods on human safety, health and welfare; and restore and preserve the natural and beneficial values served by floodplains, through the regulation by federal, state and local governments of floodplain development.

#### Conservation of Petroleum and Natural Gas

The Applicant will comply with the provisions of Executive Order 12185, Conservation of Petroleum and Natural Gas, which states recipients of federal assistance must develop projects which encourage the conservation of petroleum and natural gas and those recipients will assist the federal agencies by identifying other projects which encourage conservation.

### Evaluation of Flood Hazard in Locating Federally Owned or Financed Buildings, Roads, and Other Facilities and in Disposing of Federal Lands and Properties

The Applicant will comply with the provisions of Executive Order 11296, Evaluation of Flood Hazard in Locating Federally Owned or Financed Buildings, Roads and Other Facilities and in Disposing of Federal Lands and Properties, which states that in an effort to prevent uneconomic uses and development of the Nation's floodplains and, in particular, to lessen the risk of flood losses in connection with federally financed or supported projects, the Federal Government must evaluate the potential of flood hazards and must make efforts to minimize the exposure of facilities to potential flood damage.

### Exotic Organisms

The Applicant will comply with the provisions of Executive Order 11987, Exotic Organisms, which states that federal agencies shall discourage people from introducing exotic species into natural ecosystems of the United States. In addition, federal agencies must restrict the use of federal funds for the purpose of introducing exotic species into such systems.

When an Applicant requests permission for introducing an exotic species, the request must be accompanied by a biological opinion from the U. S. Fish and Wildlife Service supporting the proposed introduction. This must be accompanied by National Environmental Policy Act (NEPA) documents, biological data and project plans. The Applicant will then be responsible for adhering to the recommendations outlined in the opinion from the U.S. Fish and Wildlife Service.

### Pesticide Usage

The Applicant will comply with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 135 et seq.) and the Federal Environmental Pesticide Control Act of 1972 (86 Stat. 973) which forbids any person to sell, distribute, hold for sale, ship, deliver for shipment, or offer to deliver any pesticide not registered with the Environmental Protection Agency (EPA). Federal funds may not be used for application of any pesticide unless it is applied in conformance with these Acts and the Department of the Interior, Pesticide Use Policy.

### Fish and Wildlife Coordination Act

The Applicant will comply with the provisions of the Fish and Wildlife Coordination Act (16 U.S.C. Sec. 661,662), which provide for the promotion of the conservation of wildlife, fish and game.

### Flood Disaster Protection Act of 1973

The Applicant will comply with the Flood Disaster Protection Act of 1973 (P.L. 93-234), (87 Stat. 975), (12 U.S.C. Sec. 24, 1701-1 Supp.), (42 U.S.C. Sec. 4001 et seq.), which states that in areas or communities which have been identified by the Secretary of the Department of Housing and Urban Development or by the Flood Insurance Administration of the Federal Emergency Management Agency as an area having special flood hazards, the Applicant must purchase flood insurance (if available) as a condition of the receipt of any federal financial assistance for construction or acquisition purposes.

### Rivers and Harbor Act of 1899

The Applicant will comply with the provisions of the Rivers and Harbors Act of 1899(33 U.S.C. Sec. 401 et seq.) (30 Stat. 115) which requires recipients of federal assistance to obtain the appropriate permits from local, state, and federal agencies for the construction of any bridge, causeway, dam, or dike over or in any port, roadstead, haven, harbor, canal, navigable river or

other navigable water in the United States.

## **Historical and Cultural Preservation**

### Archaeological and Historic Preservation Act

The Applicant will comply with the Archaeological and Historic Preservation Act of 1974 (P.L. 93-291, 16 U.S.C. 469a-1), as amended, which states whenever any federal agency finds, or is notified in writing, by an appropriate historical or archaeological authority, that its action or connection with any federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical or archaeological data.

### Archaeological Resources Protection Act

The Applicant will comply with the provisions of the Archaeological Resources Protection Act of 1979 (P.L. 96-95) which states data will be collected from archaeological sites, which are located on public lands, and the information will be shared with government authorities and the professional archaeological community, in order to protect and preserve sites which may have archaeological or historic significance.

### Antiquities Act

The Applicant will comply with the provisions of the Antiquities Act of 1906 (16 U.S.C. Sec. 431) which allows the President of the United States to proclaim historic landmarks and transfer parcels of land associated with the site, to the Federal Government.

### Protection and Enhancement of the Cultural Environment

The Applicant will comply with Executive Order 11593, Protection and Enhancement of the Cultural Environment (16 U.S.C. 470) which requires the preservation, restoration and maintenance of the historic and cultural environment of the nation. The Applicant must assist the federal government in identifying these sites, in investigating the eligibility of sites for inclusion in the National Register, and by avoiding or mitigating adverse effects upon such sites.

### Historic Preservation

The Applicant will comply with the National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470) and the National Historic Preservation Act Amendments of 1980 (P.L. 96-515, 94 Stat. 2987) by assisting the Federal Government in identifying, protecting, and preserving the nation's cultural and historic resources.

## **Other Considerations Regarding Development**

In addition to the types of development costs, and methods of developing facilities, there are other factors which must be considered for a trails project. These considerations are explained below.

### **Construction of Facilities for Inclusion of Persons with Disabilities**

The Federal Government requires all facilities developed with assistance from the program be designed in conformance with the Architectural Barriers Act of 1968 and Americans with Disabilities Act of 1990 to be accessible to persons with disabilities.

Facilities should be designed for accessibility for people with disabilities per current [ADA and ABA](#)

Standards. They also should meet the [Manual on Uniform Traffic Control Devices for Streets and Highways \(MUTCD\)](#) as applicable.

Project sponsors should consider accessibility for persons with disabilities in every aspect of a facility's design. Most of the designs are relatively inexpensive, especially if designed into the facility prior to initial construction. Some examples included are:

1. Curb cuts or ramps which provide access to sidewalks.
2. Gradually-sloped, hard-surfaced walkways leading to all facilities commonly visited by site users.
3. Water fountains, public telephones and similar facilities designed to permit use by persons with disabilities.
4. Hard-surfaced parking spaces with signs reserving them for persons with disabilities.
5. Firm and stable trail surfaces with proper slant and slope of trail.

### **Support Facilities Only**

Projects which contain support facilities only will not usually be eligible for assistance through the RTP program. Parking lots, restrooms, and similar support facilities may be eligible at sites where trail facilities currently exist. The eligibility of these types of projects will be decided on a case by case basis. Exercise equipment and machines are not eligible costs even when associated with a trail.

## Summary of Construction Procedures

The following steps apply to all construction projects. If the project is within a road right of way or exceeds the state bid threshold, grantees must work with their state grant officer and local attorney to ensure the necessary state and/or federal bidding procedures are followed and contracting provisions included.

1. **Prepare the plans and specifications.** Make sure all facilities are designed for accessibility for people with disabilities.
2. **Submit the plans and specifications for review to the Department of Natural Resources, Division of Outdoor Recreation.** Allow 2 weeks for approval. As applicable, the following reviews *should have been completed* during the Categorical Exclusion:
  - a. **U.S. Army Corps of Engineers.** Allow 6 months for approval.
  - b. **Department of Natural Resources, Division of Water.** Allow 3-4 months for approval.
  - c. **Department of Fire Prevention and Building Safety.** Allow 1 month for approval.
3. **Proceed with Construction.** When approval has been given by all reviewing agencies, you may proceed with construction. If any change orders are to be given, request approval in advance and then send a copy of all such changes to the Division of Outdoor Recreation. The Division may conduct progress inspections of the development.
4. **Project Completion.** When the final billing is prepared, submit the Post Construction Certificate and "as built" site plans. The Division of Outdoor Recreation will conduct a final inspection of the project before processing the final reimbursement and closing out the project. Refer to Chapters 6 and 7 for final billing and close-out procedures.

# Chapter 6

## *BILLING FOR FEDERAL REIMBURSEMENT*

### **Reimbursement**

The grant will be made available to the project sponsor on a reimbursement basis. In order to receive the money reserved for the project, a billing must be submitted to the assigned grant officer. The grant officer will process this information and transmit the billing request to the Federal Highway Administration. It takes approximately 3 weeks for a reimbursement to be transmitted back to the project sponsor. The grantee must be registered with the State as a Vendor and Bidder before a reimbursement can be issued.

### **Cash Flow**

Since the federal assistance is administered as a reimbursement process rather than a direct grant prior to undertaking the work, project sponsors must first pay the bills and then request reimbursement. During the more active periods of the project work, the sponsor may encounter times when the cash flow for expenses increases and the reimbursement checks are not returned in time to assist in the bill payments. In those instances, the sponsor may have to transfer funds among its own accounts or request a short-term loan from another account, such as the city utilities. These transfers are permissible; however, the clerk-treasurer or auditor must be aware of the proper State Board of Accounts procedure to follow. The total amount of the project costs must be appropriated in the budget, although 80% of this amount can be shown as coming from federal funds rather than local sources.

### **Incurred Costs**

To be eligible for matching assistance, costs must be incurred within the project period. The local sponsor may not begin development until the project has been approved by the Federal Highway Administration and a Categorical Exclusion has been completed. The only costs incurred before project approval eligible for retroactive reimbursement are those architectural and archaeological fees which were documented as pre-agreement costs in the project application. Other pre-agreement costs are not eligible for matching assistance.

Any costs incurred after the project has expired are also ineligible for assistance. Items added to a project by a change in scope amendment must be approved before costs may be incurred for the item.

### **Income from Project Sites**

Income earned by the project sponsor during the project period from sources, other than the intended use, will either be used to reduce the total project cost (thus reducing the grant by up to 50% of the

earned income), or to do additional development at the site. Examples of such income include the sale or rental of structures, and the lease or rental of the trail. An explanation of all anticipated types of income must accompany the project application.

According to federal regulations, user fees can be instituted to cover operation and maintenance costs only and not to produce extra revenue for the sponsor agency.

If the project sponsor feels it is necessary to collect a user fee for the facilities built in this project, a complete schedule containing all charges to be assessed against those using the facilities must be submitted for approval. Any net revenues accruing from the operation of the facilities must be separately accounted for and reserved by the project sponsor for the future operation, maintenance and/or expansion of the facility or, with the Department's approval, for construction of other recreational trail or trail head facilities. The agency must submit to the Division of Outdoor Recreation a yearly summary throughout the project period of fees collected and an explanation of how they were expended.

## **Billing Submissions**

Separate billings must be submitted on each project for which a sponsor has a grant. These billings should be numbered consecutively for each project, beginning with number one. The project sponsor should submit a request for reimbursement at least quarterly to ensure the project remains active with the federal government.

## **Final Billings**

Billings may be submitted for up to 95% of the project costs prior to the final billing. Reimbursement for 5% of the project costs is withheld until the project is completed and a final inspection is made by Division of Outdoor Recreation staff.

One copy of the signed Post Construction Certificate (found in the Appendix) must accompany the final billing for development projects. This form is completed by the supervising architect or engineer on the project. If the project did not involve a consulting architect or engineer, then the county or city engineer should inspect the project and sign the Post Construction Certificate. The final billing should be submitted to the Division within 60 days of the project completion or expiration, whichever comes first.

Project sponsors should expect the final billing to take longer to process than progress billings, and should arrange their financing accordingly. An "as built" site plan which clearly delineates the completion date, dimensions of the site, location of federally assisted development must be submitted with the final billing. This site plan will serve as a permanent record of federal assistance at the site, and thus must be agreed to by the DNR and the Applicant. The Division of Outdoor Recreation staff will work with the Applicant in documenting the "as built" site plan.

## **Billing Documentation**

All billings are submitted on the Grant Billing Form (Appendix), accompanied by various documents depending upon the type of project. One copy of this billing form is submitted with each reimbursement request.

A billing for **acquisition costs** should include the following items:

1. Claim Vouchers One copy, front and back of itemized claim vouchers. Claim vouchers must be certified (signed) by the authorized sponsoring agency members or the proper city and county officials. The project name and number should be specified on the claim vouchers. The warrant number of the check payment should also be entered on the vouchers.
2. Cancelled Checks One copy, front and back of the cancelled checks corresponding to each claim voucher.
3. Warranty Deeds One copy of the recorded warranty deed for each parcel transferring title land or easement restrictions to the grantee.
4. Relocation Information One copy of the relocation forms and supporting data. Special forms for computing the relocation costs are available from the Grants Staff.
5. Closing Statements One copy of the closing statement or other documentation showing that incidental expenses were paid by the grantee whether or not federal reimbursement is being requested.

A billing for **development costs** should include the following items:

1. Invoices One copy of invoices from firms or individuals performing work or supplying materials or equipment for the project. The project name and number should be specified on invoices. The eligible costs should be identified if the invoices include items which are not a part of the project.
2. Claim Vouchers One copy, front and back of itemized claim vouchers corresponding to the invoices. The claim vouchers must be certified by the authorized sponsoring agency members or the proper city and county officials. The project name and number should be specified on the claim vouchers. If the claim voucher contains items which are not part of the federal project, all eligible items need to be identified. The eligible site should be designated with the project number. This designation should be made at the time the claim voucher is prepared. Park and Recreation boards, cities and counties, and not-for-profit agencies are tax exempt and therefore cannot be reimbursed for payment of any sales tax. If a sales tax is inadvertently included in a vendor's invoice, it should be identified as an ineligible cost and deducted from the billing.
3. Cancelled Checks One copy, front and back of the cancelled checks corresponding to the claim voucher. If the check includes payments of ineligible items, the amount included in the billing should be written on the check and labeled as eligible costs.
4. Force Account Information If force account costs are claimed in a development billing, the following types of information are required.
  - a. Payroll One copy of the agency's payroll for the time period which force account costs are being claimed. The names of those individuals for which force account costs are claimed should be circled or underlined.
  - b. Cancelled Checks One copy, front and back, of the cancelled checks corresponding to the force

account items. The amount paid for eligible costs should be indicated on the checks by writing across the checks “Eligible Costs” and the amount.

c. Force Account Labor Form One copy of the form, which includes a statement that the individuals, for which force account costs are claimed, actually performed the listed work. This statement should be signed by the employee involved and the park superintendent, appropriate city or county official, or agency director.

5. In-kind Contributions The following documentation is required for each of these types of contributions:

a. Donated Labor One copy of the donated Labor Form (Appendix, p. 102) must be completed for each person donating labor for construction and signed by the donor and agency supervisor. The per hour value of the labor donations will usually have been documented in the project application by clerk/treasurer’s and/or employers’ letters as explained in Chapter 2. If a skilled construction person donates time who has not previously provided evidence of his or her per hour wage rate, it should be submitted with the billing.

b. Donated Materials A letter from the donor, which briefly describes the items and indicates they were given for the project, needs to be provided. To establish the value of the gifts, quotations of prices for similar materials should be provided from two local commercial suppliers, the lower of the two quotations will establish the donated value. Donated materials from a federal source are ineligible as a cost share.

c. Donated Equipment A letter from the donor, which briefly describes the equipment and its use in the project construction, must be submitted. For donated amenities to be installed at the site, price quotations from suppliers of similar equipment will be the value for billing purposes. Quotations for local rental rates from other suppliers and the donor may be used to determine the donated rate per hour. The donor’s letter for construction equipment needs to list the dates, hours and types of work performed for the project. Donated federal equipment cannot be used as a cost share.

d. Donated Cash. Since these contributions are used to pay expenses for a project, the regular payment documentation suffices for cash gifts.

## **Billing Assembly**

To speed the billing process, the billing documents should be compiled in an orderly manner. One copy of the signed Grant Billing Form, claim vouchers, cancelled checks, and invoices are required. These documents should be submitted via email to the assigned grant officer.

It is recommended that the invoice, claim voucher and cancelled check for each payment be combined, along with other applicable construction documents as outlined earlier. For donated elements of the project, each contribution should be listed on the billing form and the supporting evidence of value and donation indicated above should be combined.

These supporting materials for payments and gifts should be submitted altogether with the billing form as the first page. A transmittal letter should identify any items on claims that were deducted due to ineligibility and provide a short summary of the project’s status to date.

Although a claim or invoice may be familiar to the project sponsor, it may be highly questionable for processing by the State. Claims or invoices marked simply “paint”, “lumber”, “plumbing supplies” or claims which are illegibly written will be returned for further explanation. Construction materials need to be properly identified with a project item such as “paint for signs”. Failure to identify all eligible costs may result in billing process delay. In most cases, questionable billings will be returned for clarification.

## **State Processing of Billings**

Once the billing is received by the grant officer, all the documentation is reviewed. This process usually takes between seven and fourteen days, after which reimbursement is requested from the State Auditor. This transaction takes approximately 3 weeks. Once the reimbursement is received by the State Auditor, the money will be electronically deposited into the grantee’s account. The entire process will take approximately five to seven weeks.

## **Billing Checklist**

The local agency president or project manager will want to review the billing to make sure it has been properly assembled. The checklist has been developed to aid this review.

- \_\_\_ 1. One copy of the Grant Billing Form.
- \_\_\_ 2. One copy of the invoices for development costs.
- \_\_\_ 3. One copy, front and back, of itemized claim vouchers.
- \_\_\_ 4. One copy, front and back, of cancelled checks.
- \_\_\_ 5. One copy of the force account information, if applicable.
  - \_\_\_ a. Payroll
  - \_\_\_ b. Cancelled Checks
  - \_\_\_ c. Force Account Labor Form
- \_\_\_ 6. One copy of the in-kind contribution information, if applicable.
  - \_\_\_ a. Donor’s Letter or Donated Labor Form
  - \_\_\_ b. Evidence of Value
- \_\_\_ 7. One copy of the Post Construction Certificate, if a final billing.
- \_\_\_ 8. A short summary of the project’s status to date.

# Chapter 7

## *PROJECT COMPLETION & FUTURE RESPONSIBILITIES*

### **Project Completion**

The date of completion is the date when all work in a project is completed, or the date the project expires, whichever comes first. The project sponsor should submit the final billing for the project within sixty days of the date of completion.

Upon notification of project completion, the Division of Outdoor Recreation staff will conduct a final inspection of the project site. An “as built” site plan must be prepared and submitted along with a Post Construction Certificate—see Appendix, page 107. The plan must identify the work funded by the grant, completion date, and boundaries of the site. In a few cases, there may be no changes from the site map submitted with the application other than labeling it with the completion date. The Division of Outdoor Recreation may make additional notations or revise information on the map. When the final version has been agreed upon by all parties, a copy will be provided to the local sponsor.

This map becomes part of the permanent records of the DNR. It is also to be kept permanently in the project sponsor’s public property records and available for public inspection with the project agreement. The site must be identified as having been developed with assistance from the Recreational Trails Program, and the project must remain open to the public for 25 years or the useful life of the facility if RTP monies were used for development.

### **Retention of Records for Audit**

In addition to the copies submitted to the State, all construction plans, specifications, bid advertisements and tabulations, contracts, and change orders must be retained by the project sponsor for a period of three years, commencing after the final reimbursement has been received, or until audit findings have been resolved. All accounting records and project data are subject to the State and Federal audit.

The Federal Government reserves the right to question any item for which reimbursement was received until audit findings have been resolved. All files are subject to audit by the State Board of Accounts, which reviews all Indiana governmental fiscal procedures for state and federal compliance.

The Applicant agrees to comply with the recommendations outlined in any project audit reports completed by State and Federal agencies. Properties and facilities acquired or developed with federal assistance shall be available for inspection by State and Federal agencies for audit. These periodic inspections may be conducted throughout the “useful life of the facilities” for development projects.

The Applicant agrees that a permanent record shall be kept in the participant’s public property

records, and shall be available for public inspection, detailing the use of federal assistance to acquire and/or develop the project site(s), and the site will not be converted to other uses without the prior written approval of the State and Federal agencies.

## **Inspections**

Upon project completion, a final inspection is made by the Division of Outdoor Recreation prior to the authorization of the final reimbursement. Completed projects may be inspected periodically by the Division of Outdoor Recreation. Copies of inspection reports will be sent to the project sponsor. These inspections are made to ensure that: the site is being used for the purposes intended; the site is attractive and properly maintained; the area is accessible and open to the general public; and there appears to be adequate staff to ensure proper safety and servicing of the facilities. It must be emphasized that neither the State of Indiana nor the Federal Government desires to become involved in the daily operation and maintenance of a funded facility. The operation and maintenance requirements are no more restrictive than those required by the local taxpayers or users for the facility they helped to finance.

## **Operation and Maintenance**

Property developed with federal assistance must be properly operated and maintained for general public use. The site should appear attractive and inviting to the public. Proper sanitation and sanitary facilities should be maintained in accord with applicable health standards. The site should be kept safe for public use. Buildings, roads, and other improvements should be kept in reasonable repair throughout their lifetime to prevent undue deterioration and to encourage public use. Evidence of vandalism should be repaired as quickly as possible.

## **Public Use and Fees**

The facility should be kept open for general public use at reasonable hours and times of the year according to the type of area or facility. Property developed with federal assistance shall be open to entry and use by all persons regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, or place of residence.

The site cannot be restricted for use only by community or county residents. If trails are partially funded by local tax revenues, a higher user fee may be charged to out-of-city or out-of-county residents. Where there is no charge for residents, but a fee is charged to nonresidents, nonresident fees cannot exceed fees charged for residents at comparable State or local public facilities. Reservations, membership or annual permit systems available to residents must also be available to nonresidents and the period of availability must be the same for both. These provisions apply only to general park entrance fees as described in the Project Agreement.

Except for general park entry fees, any fees charged for the use of a site developed with federal assistance, may only be used for the operation and maintenance of the funded facilities. Any additional fees or fee charges will need DNR approval.

Project sponsors may impose reasonable limits on the type and extent of use of areas and facilities developed with federal assistance when such a limitation is necessary for maintenance or preservation.

Thus, limitation may be imposed on the number of persons using an area or facility for the type of users.

All limitations shall be in accord with the applicable grant agreement and amendments. Permits for the use of facilities must be in accord with federal nondiscrimination provisions.

## **Future Nondiscrimination Audits**

The Department of Transportation, Office for Equal Opportunity periodically conducts desk and on-site audits of agencies which have received federal assistance. The reviews involve compliance with Title VI of the Civil Rights Act and Section 504 of the Rehabilitation Act, as explained in Chapter 3. An audit may take place long after a project has been completed, since grant recipients must comply with the nondiscrimination provisions in perpetuity. Project sponsors are responsible for voluntarily complying with any audit findings which need to be resolved.

## **Retention of the Site for the Use Intended**

At the time of project approval, the project sponsor will sign a Grant Agreement with the Indiana Department of Natural Resources' Division of Outdoor Recreation concerning the use, operation and maintenance of the facilities developed with federal funds. The Grant Agreement will state that the facilities developed with federal assistance must remain open for public trail use for 25 years. When a project sponsor feels the facility has reached the end of its useful life the DNR must be contacted. The Department staff must concur that the facility is obsolete.

# APPENDIX

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# Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion

## Lower Tier Covered Transactions

1. By signing this proposal, Applicant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Natural Resources (DNR) may pursue available remedies, including suspension and/or debarment.
3. The Applicant shall provide immediate written notice to its assigned IDNR grants coordinator if at any time the Applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The Applicant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the IDNR or Federal Highway Administration.
6. The Applicant further agrees by submitting this proposal that it will include this clause entitled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction,” without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. The Applicant may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. An Applicant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to check the Nonprocurement List on file with the IDNR’s; Division of Outdoor Recreation grants staff.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 above, if an Applicant knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the IDNR may pursue available remedies, including suspension and/or debarment.

I. The \_\_\_\_\_ (Applicant) certifies, by submission of this proposal, that neither It nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

II. If the Applicant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Typed Name and Title of Authorized Representative)

*This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 49 CFR Part 12, Section 12.510, Participants’ Responsibilities. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 191 60-19211). To obtain a copy of the regulations, contact:*

*U.S Dept. of Transportation Acquisition and Assistance Division  
Office of Acquisition and Property Management  
Washington, D.C. 20240*

# Sample Cost Breakdown

## Smallville Trail Project

1	Land acquisition (11.3 acres by donation)	\$32,600.00
2	Architectural and engineering fees	
	Environmental Clearance (CE)	\$20,000.00
	Design and Engineering	\$20,000.00
3	Construction of parking area	
	Grading	\$16,000.00
	Asphalt	\$20,000.00
4	Construction of trailhead facilities	
	Drinking fountain	\$4,000.00
	2 Benches	\$1,500.00
5	Construction of trail	
	Grading	\$24,000.00
	Paved accessible trail (1 mile)	\$169,400.00
6	Signage	\$4,500.00
6	Trail Information	
	Webpage updates	\$500.00
	<b>TOTAL</b>	<b>\$312,500.00</b>



# GRANT APPLICATION

State Form 55049 (7-12)  
Approved by State Board of Accounts, 2012  
INDIANA DEPARTMENT OF NATURAL RESOURCES

Reset Form

Interactive version online at  
<https://forms.in.gov/Download.aspx?id=10697>

## APPLICANTS GRANT INFORMATION

Type of grant (please check one)

- |  |   |
|--|---|
| <input type="checkbox"/> Land and Water Conservation Fund (LWCF)     | <input checked="" type="checkbox"/> Recreational Trails Program (RTP) |
| <input type="checkbox"/> Wabash River Heritage Corridor Fund (WRHCF) | <input type="checkbox"/> Shooting Range (SR)                          |
| <input type="checkbox"/> Hometown Indiana (HI)                       | <input type="checkbox"/> Other: _____                                 |

Name of organization Small County Parks and Recreation Board	Employer identification number 35-222906
---	---

Name of contact person Jane Smith, President	Data Universal Number System (DUNS) number 902271098
---	---

Address (number and street, city, state, and ZIP code)  
3333 North Lane, Smallville, IN 46222

Telephone number ( 317 ) 333-4444	Fax number ( 317 ) 334-6655	E-mail address jsmith@smallville.in.gov
--------------------------------------	--------------------------------	--

Name and brief description of project:

Smallville Trail - Acquire 11.3 acres by donation and construct 1 mile of paved, multi-use trail (10' wide) with parking area, drinking fountain, benches, and signage.

## COST CLASSIFICATION

1. Preliminary expenses	\$ 0
2. Land, structures, and rights-of-way	\$ 32,600.00
3. Architectural and engineering basic fees	\$ 40,000.00
4. Relocation expenses	\$
5. Construction and equipment	\$ 239,900.00
6. TOTAL (lines 1 through 5)	\$ 312,500.00
7. Less program income	\$
8. Net project amount (line 6 minus line 7)	\$ 312,500.00
9. Add contingencies (not to exceed 10%)	\$
10. TOTAL PROJECT AMOUNT	\$ 312,500.00
11. Grant Request in line 10	\$ 250,000.00
12. Applicant's share of line 10	\$ 62,500.00

## METHOD OF FINANCING APPLICANT'S SHARE

1. Appropriations (by applicant)	\$ 22,500.00
2. Bonds	\$
3. Tax levies	\$
4. Donations	\$
a. Land	\$ 32,600.00
b. Cash	\$
c. Labor	\$
d. Equipment	\$ 7,400.00
e. Materials	\$
5. Federal source (specify below)	\$
6. Force account (specify below)	\$
7. Other (specify below)	\$
8. TOTAL APPLICANT'S SHARE	\$ 62,500.00

Remarks:

Applicant will cover any expenses beyond \$312,500.00

To the best of my knowledge, information in this application is true and correct, the grant application has been duly authorized by the applicant and it will comply with all conditions of the program if funding is approved.

Signature <i>Jane Smith</i>	Date (month, day, year) 02/24/2020
--------------------------------	---------------------------------------

Printed name Jane Smith	Title President, Smallville Parks and Recreation Board
----------------------------	---

# Application Form Instructions

## BUDGET INFORMATION

1. Preliminary Expenses • Enter any costs incurred prior to grant award and/or submittal (pre-agreement costs). Eligible types of costs would include archaeological literature searches and architectural/ engineering preliminary design services. Other costs, including grant application preparation services, are not eligible.
2. Land, Structures, and Rights-of-way • State the value of all land and rights to land which will be acquired in the project, whether by negotiated purchase, condemnation, donation, or bargain sale.
3. Architectural and Engineering Basic Services • Specify the anticipated costs for architectural/ engineering design services, including project plan and specification preparation, project inspection fees, and any other necessary professional services.
4. Relocation Expenses • Enter anticipated costs for providing relocation assistance to affected (displaced) individuals, groups, or businesses.
5. Construction and Equipment • State the projected costs for all construction, materials, and labor costs which will be incurred in this project.
6. Total • Add lines 1 through 5. This amount will equal the total cost for acquisition and development.
7. Program Income • Enter the amount of income which will be generated by timber sales, cash cropping, or other revenue which will be generated by the site during the project. This must be reduced from the total on line 6.
8. Net Project Amount • Subtract line 7 from line 6 and enter the result here.
9. Contingencies • DO NOT put any contingency amount here; add to individual costs if necessary.
10. Total Project Amount • Add lines 8 and 9 and enter the amount here. This figure must match the total project cost which is on the cost breakdown.
11. Grant Request • State the amount of grant assistance which will be requested for this project. This usually will be 80% of line 10. It may not exceed the grant application limit of \$250,000.00.

## METHOD OF FINANCING APPLICANT'S SHARE

Identify the amount and source(s) of the applicant's share (usually 20%). The total must equal the amount specified in the *evidence of local share* item on the application checklist. Explain details of the costs in the remarks section and/or, if applicable, state if the project is larger than the grant amount+match.



**GRANT FORCE ACCOUNT LABOR**  
 State Form 55084 (9-12)  
 DEPARTMENT OF NATURAL RESOURCES

Interactive version online at  
<https://forms.in.gov/Download.aspx?id=10789>

**NAME OF PROGRAM (Check one)**

- Land and Water Conservation Fund (LWCF)     
  Hometown Indiana (HI)     
  Recreational Trails Program (RTP)  
 Wabash River Heritage Corridor Fund (WRHCF)     
  Shooting Range (SR)     
  Other: \_\_\_\_\_

Grantee	Project number
Name of employee	Pay period

Date <i>(month, day, year)</i>	Location	Hours	Wage Rate	Eligible Wage Costs	Description of Work	Time in Hours	Overtime Wage Rate	Eligible Overtime Costs	Total Claimed Costs
<b>Totals</b>					<b>Totals</b>				

I certify, under penalty of perjury, that the above time record is correct, fair, and based upon work performed and actual payment.

Signature of employee	Date <i>(month, day, year)</i>
Signature of supervisor	Date <i>(month, day, year)</i>

## **Force Account Labor Form Instructions**

The Force Account Labor Form documents the labor costs of the applicant's employees who worked on a Recreational Trails Program project. To justify these expenses, the Force Account Labor Form must be submitted along with copies of the payroll.

Column headings are self-explanatory. The employee's entire day must be documented. If the employee spent half a day on the project site an entry must be made for the remainder of the day.

Overtime pay is not normally eligible unless a written justification accompanies the force account sheet. The justification should explain the circumstances surrounding the additional time needed to complete the work. Overtime reimbursement will be considered only when an employee is working fulltime for a period of several days or weeks at the project site. A rule to remember is that salaries and wages for persons working on assisted projects shall not exceed wage rate for similar persons working on similar jobs.



**GRANT DONATED LABOR**  
 State Form 55083 (9-12)  
 DEPARTMENT OF NATURAL RESOURCES

Interactive version online at  
<https://forms.in.gov/Download.aspx?id=10788>

**INSTRUCTIONS:**

1. Use this form to document labor costs of volunteer workers who worked on the grant project; to justify their donated time, submit this completed form with the billing.
2. Complete one form for each person, listing the date(s), hour(s), wage rate, and type of work completed on the project.
3. Both the donor and their supervisor (usually the park superintendent or board president) must sign this form.
4. Include a statement certifying the wage rate from the local fiscal officer, if not previously submitted.

NAME OF PROGRAM (Check one)	
<input type="checkbox"/> Land and Water Conservation Fund (LWCF)	<input type="checkbox"/> Hometown Indiana (HI)
<input type="checkbox"/> Wabash River Heritage Corridor Fund (WRHCF)	<input type="checkbox"/> Shooting Range (SR)
<input type="checkbox"/> Recreational Trails Program (RTP)	<input type="checkbox"/> Other: _____

Grantee	Project number
Name of donor	

Date (month, day, year)	Location	Hours	Wage Rate	Total Eligible Wage Cost	Description of Work
<b>TOTALS</b>					

I certify, under penalty of perjury, that the above information is correct, fair, and accurate representation of the actual work performed.	
Signature of donor	Date (month, day, year)
Signature of supervisor	Date (month, day, year)

## **Donated Labor Form Instructions**

This form is used to document labor costs of volunteer workers who worked on the Recreational Trails Program project. To justify their donated time, the completed form must be submitted with the billing.

One form must be completed for each person, listing the date(s), hour(s), wage rate, and type of work completed on the project. The form must be signed by the donor and their supervisor (usually the applying Agency's president).

If a Volunteer is employed in a skilled trade and they were providing that skill for the project, then their time may be valued at their normal rate. A statement of their hourly wage on company letterhead must be provided.

The value of donated or volunteer services is \$10 for unskilled general labor and \$20 (with documentation) for supervisory/skilled trail building ... personnel.



**GRANT BILLING**

State Form 55081 (9-12)  
DEPARTMENT OF NATURAL RESOURCES

Interactive version online at

<https://forms.in.gov/Download.aspx?id=10784>

<b>NAME OF PROGRAM (Check one)</b>		
<input type="checkbox"/> Land and Water Conservation Fund (LWCF)	<input type="checkbox"/> Hometown Indiana (HI)	<input type="checkbox"/> Recreational Trails Program (RTP)
<input type="checkbox"/> Wabash River Heritage Corridor Fund (WRHCF)	<input type="checkbox"/> Shooting Range (SR)	<input type="checkbox"/> Other: _____

1. Name of project	2. Project number
--------------------	-------------------

3. Name of applicant	4. Telephone number (     )	5. Type of request (check one) <input type="checkbox"/> Partial <input type="checkbox"/> Final
----------------------	--------------------------------	---

6. Billing number	7. Period covered From: _____ To: _____	8. Page number _____ of _____
-------------------	--	----------------------------------

9. Name of vendor	10. Check number	11. Total claim paid or donated amount	12. Amount eligible	13. Specific explanation of purchase for reimbursement

14. Amount eligible for reimbursement \$ _____ x _____ % =	15. Amount requested
---	----------------------

I certify that, to the best of my knowledge and belief, the above costs are in compliance with the terms of the project and that the reimbursement request represents the Federal share due, which has not been previously reimbursed, and that all work meets the terms of the grant.	
16. Signature of agency president or designee / grantee	17. Date (month, day, year)

## Grant Billing Form Instructions

One copy of the Grant Billing Form must be completed in order to request reimbursement. Instructions for the completion of the form are as follows:

1. – 4. Self-explanatory.
5. Check “partial” unless this is the final close-out billing.
6. Note if this is the first, second, third, etc. billing submittal for reimbursement.
7. Indicate the period that is covered by the work incurred for this billing. For example: *From May 16, 2012 to August 4, 2012.*
8. If more than one billing form is used, mark each consecutively and note the total number of pages. For example: *Page 3 of 5.*
9. Indicate the name of the vendor, individual, or contractor to whom payment was made. In the case of donations, identify the donor.
10. Provide the number from the check that was used to pay the vendor in column #9. You can enter multiple check numbers here for the same vendor to keep it all on one line and reduce form use. In the case of donations, indicate by the word “donation.”
11. Fill in the total dollar amount as written on the check(s) or the full value of the donation.
12. Indicate the amount of the figure in column #11 that is eligible for reimbursement. This amount is usually the same as that in column #11 except when several items, eligible and ineligible, have been included on the same check. For example: If twenty light poles were purchased but only seven were used for the RTP project, then the price of seven poles should be indicated in column 12.
13. Describe exactly what was purchased for each reimbursable item. Identify the facility so that the grants coordinator can determine the eligibility of the item. For example: *seven poles for lighting the trail.*
14. Add all of the figures in column 12 and indicate the sum here. Include the reimbursement percentage (80% usually or 100% if full match is being submitted with the first billing).
15. Multiply the figure in item #14 by .8, or it will be the same for 100% reimbursement, and indicate that amount here. This will be the amount of the reimbursement check for this billing.
16. The agency president or person responsible for project administration must certify to the accuracy of the reimbursement request.
17. Fill in the current date.



# GRANT POST CONSTRUCTION CERTIFICATE

State Form 55082 (9-12)  
DEPARTMENT OF NATURAL RESOURCES

Interactive version online at  
<https://forms.in.gov/Download.aspx?id=10787>

### INSTRUCTIONS:

This certificate must be submitted with the final billing. The form is signed by the applicant and the architect or engineer who supervised the construction. If the project did not involve a consulting architect or engineers, the town, city, or county engineer should inspect the project and sign the form.

### AS-BUILT PLANS:

If deviations in design or site location were made from the plans previously submitted to the Division of Outdoor Recreation, "as-built" plans must accompany this form.

As-built plans must include:

- a) site plan showing the location of the project area and facilities;
- b) elevations and floor plans of structures.

Two copies of as-built plans are to be submitted. The project sponsor must record one set of plans which identifies the work done with federal funds at the site, at both the Town Hall and County Courthouse.

Check one:

Attached are copies of as-built plans.

Plans did not change from those previously submitted and approved.

I hereby certify that construction of Project Number \_\_\_\_\_ has been completed in accordance with the original and revised plans and specifications on file with the Indiana Department of Natural Resources, Division of Outdoor Recreation. The plans and specifications are consistent with the scope of the project approved by the National Park Service and the Indiana Department of Natural Resources. The project has been constructed in accord with all applicable State and local building rules and regulations and is acceptable for public use.

Signature of president or designee / grantee

Date (month, day, year)

Signature of project engineer / architect

Date (month, day, year)

Certification number of stamp



**Support Conservation Through The Natural Resources Foundation.**  
Donations of money or property are accepted to promote the work of the IDNR.



**Support the President Benjamin Harrison Conservation Trust Fund.**  
Buy an Environmental License Plate. Your donation will purchase natural areas for preservation and recreation.

*For more information about the heritage trust or the  
Natural Resources Foundation contact:*

Natural Resources Foundation 402 West Washington Street  
Indianapolis, Indiana 46204-2212 (317) 233-4020.



[www.in.gov/dnr/outdoor/](http://www.in.gov/dnr/outdoor/)

Indiana DNR, Division of Outdoor Recreation  
402 West Washington Street, W271  
Indianapolis, IN 46204  
voice: (317) 232-4075  
fax: (317) 233-4648

Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the U.S. Government prohibits discrimination on the basis of race, color, national origin, sex, sexual orientation, gender identity, age or disability. If you believe that you have been discriminated against in any program, activity, or facility as described above, or if you desire further information please contact the Department of Natural Resources, Executive Office, Indianapolis, Indiana.



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