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COMMONWEALTH OF VIRGINIA

**Virginia**  
**Recreational Trails Program**  
**2013-2014**

Department of Conservation and Recreation  
Division of Planning and Recreational Resources  
600 East Main Street  
Richmond, Virginia 23219-2010



Department of Conservation & Recreation  
CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

(DCR199-123) (10/13)  
(DCR-PRR-002) (10/13)

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## Virginia Recreational Trails Program

The Recreational Trails Program (RTP) is a matching, reimbursement grant program established for the purposes of providing and maintaining recreational trails and trails-related facilities. It is funded through the Federal Highway Administration (FHWA), which establishes a program for allocating funds to the states for recreational trails. The agency responsible for administering the program in Virginia is the Department of Conservation and Recreation (DCR).

RTP funds represent a portion of the federal gasoline tax attributed to recreation on non-gasoline tax supported roads. The FHWA sets many of the regulations governing this program. Grant funding may be provided to non-profit organizations, city governments, county governments, or other government entities, but must consider guidance from the Virginia Recreational Trails Advisory Committee. Program requirements mandate that 30% of the trail program funds be used for motorized recreational trail uses, 30% for non-motorized recreational trails and 40% for trails with the greatest number of compatible recreational purposes and/or those that provide for innovative recreational trail corridor sharing (multiple-use trails).

This is a reimbursement program, meaning that the applicant should be capable of financing the project while requesting periodic reimbursements. All project applications must have a 20% (minimum) applicant match in total cost. Planning proposals, gap analysis, feasibility studies, administrative and indirect costs are not eligible for funding through this program.

DCR intends that RTP grant funding be used to enhance trail opportunities by achieving results that would not otherwise be possible. Therefore, RTP grants that replace other potential or actual trail funding will not be awarded.

RTP grants are for projects that are recreational in nature, rather than serving a more utilitarian transportation function.

Grants are limited to a minimum of not less than \$25,000 and no more than \$200,000.

Projects are selected and recommended for funding through a competitive grant cycle. Those projects recommended for funding must complete an environmental analysis in accordance with the National Environmental Policy Act, and at a minimum, the Endangered Species Act, the Historic Preservation Act and Executive Orders 11988 and 11990: Floodplain Management and Wetlands Protection. If applicable to the subject project, a Consistency Determination in accordance with the Coastal Zone Management Act in order to receive formal approval for funding is also needed.

**The RTP Application deadline for the 2013-2014 grant cycle is 5 December 2013. RTP Applications must be received no later than 4:00 pm on 5 December 2013. Applicants are responsible for effecting delivery by the deadline; late submissions will be rejected without consideration, postmarks will not be accepted.**

## Important Points

- This is a **reimbursement program**; therefore, **the grant recipient must pay 100% of the cost of any eligible item before submitting a request for reimbursement.**
- Projects funded with RTP are to be consistent with needs established in the *2007 Virginia Outdoors Plan* [www.dcr.virginia.gov/recreational\\_planning/vop.shtml](http://www.dcr.virginia.gov/recreational_planning/vop.shtml).
- RTP can reimburse up to 80% of a project's total eligible costs.
- Trails crossing private land must provide evidence that the applicant has legal access to the property or is in active negotiation with the property owner for legal access to the property in order for the applicant to receive a grant. Non-profits undertaking trail projects on publically owned land must provide evidence from the governmental body authorizing the proposed work.
- Applications recommended for funding must undergo environmental analysis in accordance with the National Environmental Policy Act, and at a minimum the Endangered Species Act, and Historic Preservation Act.
- Applicants are highly advised to read the grant manual thoroughly before completing and submitting a RTP Application.
- The value of donated labor and materials cannot serve as a total match for a trail proposal, but can be a portion of the total project cost.
- The matching share can include federal funds other than RTP funds. However, the project must adhere to the 95% rule which states that federal funding cannot exceed 95% of the total project costs. This means a minimum of 5% of the project cost must come from state, local or private sources.
- This manual reflects the most recent Federal Highway Administration guidance on the Recreational Trails Program and supersedes all previous guidance materials prepared by the Virginia Department of Conservation and Recreation.
- **A recommendation for funding is not a guarantee of funding.** Only projects that meet the intent of the RTP, demonstrate an appropriate state of readiness to go to construction and are in harmony with the mission of the Department of Conservation & Recreation will be forwarded to the Federal Highway Administration for formal approval.

## **Program Eligibility**

### ***Eligible Entities:***

Grants may be awarded to any of the following:

- Municipalities (cities, towns, counties, etc.)
- State agencies (State Parks, Forestry, Game & Inland Fisheries, etc.)
- Federal government agencies (Federal applicants need to be aware that the combined total of funding on any given project cannot exceed 95% federal funds.)
- Other government entities (regional park authorities, etc.)
- Non-profit organizations: A qualified non-profit organization is one that meets the following criteria: 1) Registered within Virginia as a non-profit for at least 5 years, 2) Can name a successor at the time of any change in organizational status (for example, dissolution), 3) Does not discriminate on the basis of age, disability, gender, income, race, religion, 4) Can demonstrate the capability both fiscally and administratively of managing a federal grant.

### ***Eligible Projects:***

A grant recipient may use monies received under this program for:

- Construction of new trails.
- Restoration of existing recreational trails (includes restoration of backcountry terrain damaged by usage).
- Development/rehabilitation of trailside and trailhead facilities. This includes trail components or associated facilities which serve the purpose of improving the use of or safety of the recreational trail, and may include, but are not limited to the following: drainage, crossings, stabilization, parking, signage, controls, shelters, water, sanitary, and access facilities, trail bridge restorations. "Rehabilitation" means extensive repair needed to bring a facility up to standards suitable for public use or to protect resources. Trailside and trailhead facilities should have a direct relationship with an existing recreational trail.
- Completing critical gaps in existing recreational trail systems.
- Provision of features that facilitate the access and use of trails by persons with disabilities.

- Development of motorized trails except as noted under “uses not permitted.
- Fee simple or easement acquisition for trailheads for exiting recreational trails or for recreational trail corridors. RTP legislation prohibits condemnation of any kind of interest in property. Therefore, acquisition of any kind of interest in property must be from a willing landowner or seller. All acquisitions must comply with federal and state law; specifically, they must be undertaken in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646, as amended [http://www.access.gpo.gov/nara/cfr/waisidx\\_03/49cfr24\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/49cfr24_03.html) and the Uniform Appraisal Standards for Federal Land Acquisitions <http://www.usdoj.gov/enrd/land-ack/yb2001.pdf>. Proposals for easement or acquisition must also involve a construction component that can be completed within two years of acquisition unless trails already exist on the property. Fee simple acquisitions and easement acquisitions are required to be in perpetuity.

***Eligibility Conditions on Public Lands and Private Lands:***

**Work on Public Lands-** Applicants submitting proposals for work on lands owned by another public entity are required to enter into a separate agreement with the public agency to undertake work on the land. The agreement must be reviewed by DCR to ensure compatibility with the RTP before a grant will be approved.

**Work on Private Lands-** Public access to private lands must be secured. In order for the Department of Conservation & Recreation to enter into a RTP Project Agreement, the applicant must provide evidence that the applicant has legal access to the property. Non-profits undertaking trail projects on publically owned land must provide evidence from the governmental body authorizing the proposed work. Legal access may be through easement, lease or license agreement. The expected life term is as follows: (1) in perpetuity for public outdoor recreation, (2) 100 years, (3) 50 years and (4) 25 years. The term acceptable to DCR and the FHWA is dependent upon the RTP grant award amount for the project. Only in unusual and rare circumstances will a term of less than 25 years be considered. Easements recorded without the benefit of a title search will not be considered. This is to ensure the integrity of the trail corridor. Fees for the title searches may be eligible for reimbursement if included in the budget and have been incurred no more than eighteen months prior to notification the project has been recommended for funding.

***Uses not permitted:***

A grant recipient may not use monies received under this program for:

- Condemnation of any kind of interest in property.
- Upgrading, expanding, or otherwise facilitating motorized use or access to trails that prior to May 1, 1991, were predominantly used by non-motorized trail users, and on which motorized use was either prohibited or had not occurred.

- Planning proposals, gap analysis, and feasibility studies.
- RTP funds will not be used to provide sidewalks along or adjacent to public roads or streets, unless the sidewalk is needed to complete a critical missing link between other existing recreational trails. Applicants must explain why RTP funds are the only ones available to fund the sidewalk.
- Appraisal and legal fees associated with acquisition projects
- Advertising or promotional expenditures
- Food and/or lodging for volunteers or others working on a project
- Indirect and administrative costs
- Purchase of equipment where the primary use is other than recreational trail construction, maintenance or rehabilitation

### ***Project Classification & Categories***

#### ***Classification:***

Grant applications will be classified as rehabilitation/maintenance, new, or a combination of these two classes or acquisition:

**Rehabilitation Projects**-Projects that significantly contribute to the renovation and improvement of existing trail corridors, especially those trails where intensive use has caused resource deterioration or where storm damage has occurred.

**New Construction Projects**-Proposals that involve construction of new trails or trailside and trailhead facilities.

**Combination Projects**-Proposals involving both rehabilitation elements new construction and may involve acquisition.

**Acquisition**- Projects involving fee simple or easement acquisition for trails, trail systems, or for trail corridors.

#### ***Categories:***

RTP Legislation (23 U.S.C. 206) requires that states use 40 percent of their funds apportioned in a fiscal year for diverse recreational trail use, 30 percent for motorized recreation, and 30 percent for non-motorized recreation. The diverse, motorized, and non-motorized percentages are minimum requirements that must be met.

To provide flexibility in RTP project selection, FHWA established five categories to account for the 40-30-30 requirements:

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1. **Non-motorized project for a single use:** A project primarily intended to benefit only one mode of non-motorized recreational trail use, such as pedestrian only, or equestrian only. RTP projects serving various pedestrian uses (such as walking, hiking, wheelchair use, running, bird-watching, nature interpretation, backpacking, etc.) constitute a single use for the purposes of this category.
2. **Non-motorized diverse use project:** A project primarily intended to benefit more than one mode of non-motorized recreational use such as: walking, bicycling, and skating; both pedestrian and equestrian use; or pedestrian use in summer and cross-country ski use in winter.
3. **Diverse use project including both motorized and non-motorized uses:** A project intended to benefit both non-motorized recreational trail use and motorized recreational trail use. This category includes projects where motorized use is permitted, but is not the predominant beneficiary. This category includes RTP projects where motorized and non-motorized uses are separated by season, such as equestrian use in summer and snowmobile use in winter.
4. **Motorized single use project:** A project primarily intended to benefit only one mode of motorized recreational use. A project may be classified in this category if the project also benefits some non-motorized uses (it is not necessary to exclude non-motorized uses), but the primary intent must be for the benefit of motorized use.
5. **Motorized diverse use project:** A project primarily intended to benefit more than one mode of motorized recreational use, such as: motorcycle and ATV use; or ATV use in summer and snowmobile use in winter. A project may be classified in this category if the project also benefits some non-motorized uses (it is not necessary to exclude non-motorized uses), but the primary intent must be for the benefit of motorized use.

### ***Range of Grant Award Request Amounts***

RTP requires a 20% matching share from the applicant. The maximum grant award request is \$200,000 (\$250,000 minimum total project cost), and the minimum grant award request is \$25,000 (minimum \$31,250 total project cost).

### ***Matching Funds Required***

Recreational Trail Program funds cannot exceed 80% of total project cost. The remaining 20% must come from the applicant organization and/or governmental entity. This 20% contribution from the applicant is also called the match.

Allowable matches can include donation of private funds, materials, equipment and services at fair market value, and charges incurred by government entities. Other allowable matching costs are materials, equipment, services and force account (in-kind labor) approved specifically for the project. The value of donated labor and materials cannot serve as a total match for a trail proposal, but can be a portion of the total project cost.

The matching share can include federal funds other than RTP funds. However, projects involving other federal funds must adhere to the 95% rule which states that federal funding cannot exceed 95% of the total project costs. This means a minimum of 5% of the project cost must come from state, local or private sources.

For example, a total project cost of \$100,000 requires that the applicant provide at least \$20,000 in match (the RTP amount is \$80,000). To keep with the 95% federal source rule, the project applicant may use \$15,000 of eligible federal sources (other than RTP funds) and must provide \$5,000 of non-federal funds.

If using other grants as a source of match for the RTP application, the grant agreement number, approval and termination dates and name of the awarding agency must be provided. Pending grant awards are not eligible as a match. Note that projects that are only eligible for funding through the RTP will be given preference.

The maximum grant request amount must not exceed 80% of total cost including donated value of materials and labor. For projects approved for funding the actual grant amount reimbursed will vary based on the amount of actual dollars spent.

The following guidelines should be used for determining the value of the various match contributions:

**Paid Labor:** For personnel that will be paid for their work, estimate the number of required personnel hours directly applicable to the proposed project and multiply by their hourly wage.

**Volunteer:** Estimate the number of volunteer hours required for each task and multiply by \$20.90 ([www.independentsector.org](http://www.independentsector.org)), the recognized dollar value of volunteer time in Virginia. This value includes 12% for fringe benefits. For volunteers age 16 and younger, use the state minimum wage rate per hour. Applicants must submit and retain individual time records signed by all volunteers and force account/in-kind labor or services.

**Skilled volunteer/ labor and/or services** should be calculated as follows: Skilled volunteers are those who are professionally skilled in the work that is being performed. The rate for skilled volunteers is equal to what the individual is normally paid for the service. Applicants must submit and retain individual time records signed by the skilled volunteer and provide evidence of the rate the skilled volunteer charges professionally.

**Donated Materials and Services:** The retail value of any donated goods and/or services is also eligible for the match. Estimate the value of these items for your application. Ask whoever is donating the item what it would cost if you were to purchase it. Note that

donations of existing state or local government right-of-way, materials, or services cannot be credited toward the local match.

**Purchased Materials and Services:** The actual cost of any materials, equipment, tools or services purchased directly for the trail project can count towards the match. Estimate the cost of these items for your application. Obtaining estimates/price quotes from vendors will help you in estimating the cost.

Donated materials, services and volunteer and force account hours will be approved upon award by DCR. The true documented value of the match must equal at least 20% of the total project value before the final grant payment can be made and the grant closed out.

**Changes to the match must be approved by DCR.**

No matter what the value of the donated materials and labor, the grant reimbursement cannot exceed the value of actual dollars spent or exceed 80% of the total project cost. Donated materials and/or labor may be used toward the match, but reimbursements are limited to 80% of the total paid expenditures.

**Examples:**

<b># 1 Total Project Cost</b>	<b>\$40,000</b>
Cost of materials, service	20,000
Cost of city/county work forces (Force Account)	12,000
Value of private volunteer labor	8,000
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Combined cost of trail project	\$40,000

Maximum grant reimbursement on the above project is \$32,000

The maximum approved grant on this project is \$32,000. The applicant actually spent \$32,000 on materials, services and work forces, and then added the volunteer labor to the local match to receive the full grant reimbursement of \$32,000.

<b>#2 Total Project Cost</b>	<b>\$40,000</b>
Cost of materials, service	8,000
Cost of city/county work forces (Force Account)	8,000
Value of donated materials	12,000
Value of private volunteer labor	12,000
Combined cost of trail project	\$40,000

Maximum grant reimbursement on the above project is \$16,000.

The maximum grant amount approved for this project is \$32,000. The total paid expenditures on the project equal \$16,000. The total value of donated materials and labor is \$24,000. Therefore, the maximum reimbursement grant amount is \$16,000 or the cost of materials, services and work forces.

### ***Reimbursement Program***

**This is a reimbursement program; therefore, the grant recipient must pay 100% of the cost of any item before submitting a request for reimbursement for eligible costs.**

Reimbursements will be made only for those items that were approved in the RTP project agreement. All reimbursement requests will require signed certification by the grant recipient. The certification is to ensure that the expenditures submitted to DCR are proper and in compliance with the Recreational Trails Program and applicable regulations under 49 CFR, and scope of work described in the approved RTP project agreement. All project applicants seeking reimbursement are required to submit the proper documentation. The final 10-25% of the total grant amount may be withheld until the project is completed as determined by DCR. Please see the fiscal section of this manual to become apprised of the documentation requirements.

All reimbursement documentation must be suitable for audit.

The U.S Office of Management and Budget (OMB) has issued Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations that requires states assume responsibility for complying with federal requirements when they accept federal funds. When a state agency or department becomes a pass-through entity by granting federal funds to a non-state organization, federal agencies hold the state agency responsible for the non-state organization's (applicant's) compliance with federal grant requirements.

One compliance issue is the requirement that a non-federal entity will have its applicable records audited if it expends \$500,000 or more in federal assistance in a year. In order to comply with Circular A-133 monitoring requirements at the state level, all entities receiving federally funded grant awards must submit a copy of form SF-SAC, available online at <http://harvester.census.gov/fac/collect/2004FormAndInstruct.pdf> to DCR at 600 East Main Street, Richmond, VA 23219. Questions about the single audit form are also available online at <http://harvester.census.gov/fac/FAQ.htm>

## ***Grant Selection Process***

Projects are selected and recommended for funding through a competitive grant cycle. Projects recommended for funding must complete an environmental analysis in accordance with, the National Environmental Policy Act, and at a minimum, the Historic Preservation Act and Endangered Species Act in order to receive formal approval for funding.

During the grant selection process, DCR may contact the project applicant for additional information, such as photographs of the trail corridor, rehabilitation sites, mapping etc. The information will be used to move the proposal through the review phases. Failure to submit the requested information within the designated time frame will remove the proposal from further consideration for funding.

RTP Applications must be received at DCR **no later than 4:00 pm on 5 December 2013. Applicants are responsible for effecting delivery by the deadline; late submissions will be rejected without consideration.**

- Submit 8 paper copies and one electronic copy of the required attachments on CD or USB to

Recreational Trails Program  
Virginia Department of Conservation & Recreation  
600 East Main Street  
Richmond, VA 23219

All images, text and mapping on the CD should be capable of being copied and pasted into power point presentations created by DCR for moving the project through the review process.

- Applications will be reviewed by DCR staff for eligibility. Eligible projects will be forwarded to the Recreational Trail Advisory Committee for review, comment and recommendation for funding. Applications will be selected for recommendation for funding based on published scoring criteria.
- All applicants will be notified of their status whether selected for funding or not.
- Applications recommended for funding will be required to undertake an environmental analysis in accordance with the National Environmental Policy Act, and at a minimum, the Historic Preservation Act and Endangered Species Act. The applicant is responsible for fulfilling the requirements of the above laws and submitting evidence of this to DCR in order to be formally approved for funding. Applicants that fail to submit the documentation by the announced deadline will become ineligible for funding.
- All costs incurred by a grant recipient prior to receipt of a fully executed project agreement are ***ineligible*** for reimbursement.

### ***Grant Selection Timeline***

5 December 2013	RTP Preliminary Application due no later than 4:00 pm. Applicants are responsible for effecting delivery by the deadline; late submissions will be rejected without consideration. Postmarks are not accepted.
December 2013	RTP Applications screened for eligibility.
January-March 2014	Applications forwarded to the Recreational Trail Advisory Committee for review, comment, scoring and recommendation for funding.
April- June 2014	<p>Applicants notified of status. Applicants recommended for funding will undertake an environmental analysis in accordance with the National Environmental Policy Act and, at a minimum, the Endangered Species Act, Historic Preservation Act, Executive Orders 11988 and 11990 for Floodplain Management and Wetland Protection, and if applicable to the specific project, a Consistency Determination in accordance with the Coastal Zone Management Act.</p> <p>Applicants recommended for funding will be given a deadline for fulfilling the requirements of the above laws and submitting evidence of such to DCR. Applicants that fail to submit the documentation by that announced deadline will no longer be considered for funding.</p>
June- September 2014	DCR submits project to the Federal Highway Administration for review and approval. Upon FHWA approval, a project agreement will be drafted for the project and the applicants will meet with the RTP Administrator for signing of RTP project agreements, and discussion of grant administration requirements.

## ***Instructions for submitting the RTP Application***

The RTP Application is available on the Department of Conservation & Recreation website.

The application is a fillable word form. Questions are answered by checking the appropriate box, filling in the blank or in narrative form. All questions should be answered in the space available. Please do not attach pages to the application. The only attachments to the application are those listed in the document. Failure to follow these instructions will disqualify the application. Please call the RTP administrator with questions.

Eight complete copies of the RTP Application including the attachments along with one complete copy on CD or USB must be received at DCR no later than **4:00 pm on 5 December 2013**.

Applications should be sent to

Virginia Recreational Trails Program  
Department of Conservation & Recreation  
600 E. Main St., 24th Floor,  
Richmond, Virginia 23219.

**Applicants are responsible for effecting delivery by the deadline; late submissions will be rejected without consideration. Emailed applications will not be accepted. Postmarks will not be accepted.**

### ***Environmental Analysis Requirements.***

Applicants recommended for funding will be required to undertake an environmental analysis in accordance with the National Environmental Policy Act and at a minimum, the Endangered Species Act, and Historic Preservation Act and Executive Orders 11988 and 11990: Floodplain Management and Wetland Protection. Applicants located in the coastal zone of Virginia will need to obtain a Consistency Determination in accordance with the Coastal Zone Management Act.

Applicants recommended for funding will be invited to a workshop to help them understand the required documentation that must be submitted to DCR for obtaining approval from the FHWA. At that time the deadline for fulfilling the requirements of the above laws and submitting evidence of such to DCR will be announced. Applicants that fail to submit the documentation by that announced deadline will no longer be considered for funding.

When an applicant fails to submit the documentation by the announced deadline they will no longer be considered for funding for this grant cycle. The monies that become available will be placed on active RTP projects within the same category where the applicant is significantly overmatching the grant, or an active grant has encountered unexpected in field occurrences needing mitigation.

## ***Administering Recreational Trails Program Grants***

### **Reporting Requirements**

The Virginia Recreational Trails Program grant recipient must submit quarterly reports on or before the last day of each quarter providing the status of the trail project. Reports are due March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup> and December 31<sup>st</sup>. It is the responsibility of the applicant to submit the status reports to DCR. Failure to submit reports may result in rescission of your grant. The report may be emailed to [Synthia.Waymack@dcr.virginia.gov](mailto:Synthia.Waymack@dcr.virginia.gov). Be sure to reference the grant number and name in the subject line of the email.

The report should address the following topics

1. A narrative describing the status of the work required under the scope of the project agreement, including the percent of work completed.
2. Other pertinent information including, when appropriate, analysis and explanation of cost overruns, time schedule delays and other similar problems encountered and their expected impact on the project, etc.
3. A listing of completed elements and anticipated completion dates for elements associated with the scope of work.
4. If no activity has occurred within the quarter, an explanation as to why no work has been conducted must be given in detail.

### **Accounting Procedures**

The grantee should establish appropriate internal control procedures. Purchase orders, receiving reports, invoices, vouchers and other data showing proof of purchase and payment should be identified as being chargeable to the Recreational Trails Program project. Payments should be made by check, if possible.

The cost of supplies and materials issued from the grantee's stock must be supported by requisitions or similar documents. The costs for supplies and materials purchased specifically for project use must be supported by an invoice and cross-referenced to the check used in making payments. Signed receipts are required for payments made by cash. Duties should be distributed so that persons who have authorization to place orders should not have authorization to make payments.

An authorized official should sign payrolls. Salaries paid (gross amount) must be supported by time and attendance records or other records that show evidence of the time spent on each element by each employee. Reference should appear on the document as to the checks issued in payment of salaries. An auditor normally would review the time and attendance report, verify the cost to the applicable payroll voucher, and review the canceled

check to ensure that the employee had received payment. Likewise, time and attendance records are needed for volunteer labor and in-kind or force account labor.

In the use of force account equipment, the cost is reimbursable if a schedule of the rates and formula used in determining the rates are forwarded to DCR for review and approval **prior to the start of work**. Hourly-use records must be maintained for each piece of equipment used. Agencies, which do not have cost-accounting systems, may use Virginia Department of Transportation rates, U. S. Forest Service rates, Federal Emergency Management Agency rates or other documented rates, providing such rates are reasonable and meet prior approval from DCR.

**The RTP grant is a brick and mortar grant. Administrative and indirect costs are ineligible for reimbursement..**

One person should be assigned as the project coordinator. This person will then have the overall responsibility for the acquisition and/or all construction, for project cost accounting, and for submitting reimbursement requests with verifiable documentation to the Department of Conservation & Recreation (DCR) for reimbursement.

It is desirable that accounting procedures followed by the grantee to be in written form. This is not mandatory but would be helpful to accounting personnel, as well as to auditors, so that all interested individuals are informed of the prescribed procedures established by the Project Applicant.

#### **Purchases/Contracts**

Funding for the Recreational Trails Program is made possible through the, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21). Federal requirements place significant emphasis on increasing opportunities for Disadvantaged Business Enterprises (DBE) as outlined in 49 CFR Part 26, as amended. Since the Recreational Trails Program (RTP) is federal funding, the DBE requirement applies.

Grantees are required to take appropriate and reasonable steps to make a good faith effort to provide DBEs with the maximum opportunity to compete for and perform contracts for trail projects receiving aid through the program. For details on the policy and procedure for compliance with this requirement please refer to Appendix A. The grant recipients shall not discriminate on the basis of race, color, sex or national origin, in the award of RTP funded projects.

Purchase of supplies, equipment or services must be in accordance with the Virginia Public Procurement Act and/or each locality's procurement requirements, which may be more stringent. Non-profit trail organizations are also required to be in compliance with the Virginia Procurement Act.

Bid documentation must contain notice that the purchase or service is being offered or performed in accordance with the Recreational Trails Program, the FHWA and the Compliance Guidance in the United States Department of Transportation regulations in 49 CFR and applicable parts 18.19 and 26, as amended.

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Cost plus agreements are not allowed and will not be considered eligible for reimbursement.

Grantees are responsible for ensuring that all contracts are in compliance with federal and state laws concerning the solicitation of supplies, equipment and services. Compliance with the federal Davis Bacon Act is not required unless the trail project is within a highway right-of-way area.

**All bid proposals must be administratively reviewed and approved by DCR prior to awarding and signing of contracts.**

**Prior to the start of work on a project, a copy of the advertisement for bid, a spreadsheet showing the lowest bidder, evidence of the good faith effort for including DBEs in the bid process and a copy of the executed contract must be submitted to DCR.**

Project work shall not be awarded to any vendor which is debarred or suspended or is otherwise excluded for or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension."

### **Acquisition Projects**

Projects utilizing RTP funding for acquisition, whether fee simple or easement must comply with the Uniform Appraisal Standards For Federal Land Acquisition. The property purchased is required to include language in the deed or easement that protects it in perpetuity for public outdoor recreation. The grantee must demonstrate that the acquisition is being made from a willing land owner and does not involve condemnation of any kind of interest in the property. Condemnation is prohibited by the RTP. DCR must review the deed and/or easement for compatibility with the RTP.

The value of property to be acquired with funding assistance from the RTP must be supported by an appraisal performed in compliance with the Uniform Appraisal Standards for Federal Land Acquisition. The appraisal must then be reviewed and approved by an independent appraisal reviewer. The value established by the certified appraisal is the value that will be recognized for reimbursement purposes under the RTP.

Grantees will be required to provide a plat of the acquired area, evidence of title (attorney's opinion or title insurance), a statement of difference in value if the purchase price is different from the appraised value and a ten-year history of conveyance if not included in the appraisals in order to be reimbursed.

Non-profit applicants requesting RTP assistance for acquisition must be partnered with a governmental body. Non-profit applicants with a state, national or global presence that specialize in land conservation may be exempt from this requirement.

## Reimbursement Program

**This is a reimbursement program; therefore, the grantee must pay 100% of the cost of any item before submitting a request for reimbursement for eligible costs. Only expenses incurred during the project agreement period are eligible for funding.**

Requests for reimbursement of grant funds must be submitted no less than once per year on completed work that has been paid by the grantee. Reimbursements will be made only for those items that were approved in the project agreement. All reimbursement requests will require certification signed by the chief administrative or financial officer or project manager for the grant. The certification is to ensure that the expenditures submitted to DCR are proper and in compliance with the RTP and applicable regulations under 49 CFR, and that the cost incurred is for RTP approved scope of work. Grantees seeking reimbursement are required to submit documentation that is suitable for audit. Copies of expenditures (invoices for materials, supplies and services) and proof of payment (front and back of cancelled checks, credit card receipts, cash receipts) timesheets for in-kind/force account and volunteer time are required to be submitted to DCR. Documentation is for total expenditures on the project for the reimbursement period, not just the 20% match.

The final 25% of the total grant amount must be withheld until the project is completed and inspected by DCR.

## Reimbursement Documentation

1. Itemize summary of reimbursement documentation being submitted.
2. Copies of expenditures, i.e., copies (not originals) of invoices and proof of payment (front and back of cancelled checks, credit card receipts, cash receipts) for incurred eligible expenditures for the RTP approved scope of work.
3. Certification Payment Form (must be signed and dated)
4. Data Sheet For Purchases and Services
5. Data Sheet For Volunteer or In-Kind/Force Account Labor (if applicable and this type of labor was approved by DCR)
6. Data Sheet for Donation(s) (if applicable and the donation(s) have been approved by DCR.)
7. Data Sheet For Daily Equipment Usage (if applicable and approved by DCR)
8. Time sheets for Volunteer, In-kind/Force account labor (if applicable)
9. Daily Equipment Record Forms (if applicable)
10. If the reimbursement involves acquisition cost, additional documentation must include:
  - Prior approval of appraisals and reviews
  - Evidence of title - attorney's opinion, or title insurance
  - A survey plat of the area

- Statement of difference in value, if purchase price is different from appraised value
- Ten-year history of conveyance, if not included in appraisal

Copies of the items listed in 4, 5, and 6 are provided in Appendix B. Should you have forms you wish to use instead please contact the DCR for approval.

#### **Final Reimbursement Requests**

**Prior to receiving the final reimbursement on a project, DCR must perform a site inspection of the completed work. Final reimbursement requests must be made in writing within 90 days of project expiration date. No reimbursement will be made to the project applicant if this 90 day requirement is not met.**

#### **Project Period**

The project period will be included in the grant agreement and usually has a three-year life.

#### **Project Extensions**

Extensions of the project period result in an increased financial tracking, reporting and management workload. Extensions will only be considered when there are circumstances beyond the control of the Project Applicant (severe weather events, etc.) and if appropriate justification is provided. Extensions may also be denied on the constraints of the grant program guidelines or the source of funding. Please see Recreational Trail Policy included in Appendix C.

## Appendix A

# Disadvantage Business Enterprise (DBE) Policy and Procedures

## Department of Conservation & Recreation

### Disadvantaged Business Enterprise (DBE) Policy and Plan for Virginia Recreational Trail Program

Initiated August 2006

#### Policy

Section 110 (b) of the Transportation Equity Act for the 21st Century placed significant emphasis on increasing opportunities for Disadvantaged Business Enterprises (DBE). In 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) extended this requirement and the Moving Ahead for Progress in the 21<sup>st</sup> Century continues the commitment. Since the Recreational Trail Program (RTP) is included in the Transportation Act, the DBE requirement applies to the program.

The Virginia Department of Conservation & Recreation is committed to the proper administration of the Recreational Trail Program including the requirement that Disadvantaged Business Enterprises shall have the maximum opportunity to participate in Recreational Trail Program projects financed, in part, with federal funds.

As such, DCR will require that RTP fund recipients, heretofore called the “grantee” take all appropriate and reasonable steps to make a good faith effort in this regard for achieving compliance with the provisions of 49 CFR Part 26, to ensure that DBEs are given the maximum opportunity to compete for and perform contracts for RTP projects. The grantee shall not discriminate on the basis of race, color, sex or national origin, in the award of RTP funded projects.

#### DEFINITIONS

Definitions as given in 49 CFR Part 26 and 23, as amended and the Virginia Department of Transportation, Civil Rights Division Document, **49 CFR Part 26, as amended**, revised through July 16, 2003 will be used to define to RTP grant recipients the following terms:

- Disadvantaged Business Enterprise (DBE)
- Small Business Concern
- Socially and Economically Disadvantaged Individuals
- Owned and Controlled
- Manufacturer
- Regular Dealer
- Other Socially and Economically Disadvantaged Individuals

## COMPLIANCE & PROCEDURE

Federal guidelines require that work performed and materials purchased be done on a competitive basis and that the bid be awarded to the lowest bidder.

So that a “Good Faith effort” is made on behalf of the RTP DBE Goal DCR will require grantees to

1. Sign Project Agreement that shows (a) the grantee, its agents, employee, assigns, or successors, and any person, firm or agency of whatever nature with whom it may contract or make an agreement, shall comply with the provisions of 49 CFR, Part 26 and Part 23, as amended and (b) that the grantee shall take appropriate and reasonable steps in accordance with 49 CFR, Part 26, and Part 23 as amended, to ensure that DBE’s have an opportunity to compete for and perform on contracts and subcontracts. Grantees will be directed to use the listing of certified DBE firms online at [www.DMBE.state.va.us](http://www.DMBE.state.va.us) or to contact the Department of Minority Business Enterprises, 200-202 9<sup>th</sup> Street, 11<sup>th</sup> Floor, Richmond, Virginia 23219, or 804.786.6585 or 1.800.223.0671 (Virginia Only) for information related to DBEs within the project area.
2. Grantee will be instructed to follow the solicitation requirements of *the Virginia Public Procurement Act* and their local procurement requirements. However, they will be instructed to advertise the bid information in at least one newspaper of general circulation, at least one trade association publication and at least two minority-focused media if available within the bid area.
3. Grantees will be encouraged to arrange solicitations, presentation of bids, quantities, specifications and delivery of schedules in ways that facilitate DBE and other small business participation. The Grantee may choose in what manner to do this but must describe the process used when submitting bid information and documentation verifying their good-faith DBE efforts.
4. Grantees will identify as part of their *required* competitive bid documentation all of the DBEs, if any, who participated in the bid process. In addition, grantees will be required to identify the primary location of each DBE contractor identified on their list, the mailing address and the type of work performed by each. You may use the bid spreadsheet provided in Appendix B if desired.
5. Grantees will indicate the DBE participation in the total project expressed as a dollar value.

## Appendix B

### Reimbursement Forms

(DCR199-123) (10/13)  
(DCR-PRR-002) (10/13)

**VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION**

**VIRGINIA RECREATIONAL TRAILS PROGRAM  
CERTIFICATION/REIMBURSEMENT FORM  
BILLING SUMMARY**

Project Name:	Project Number:
Project Applicant:	Request Number:

Materials and Supplies	\$
Construction	\$
Volunteer Time	\$
Force Account	\$
Other	\$
Total Cost	\$
Local Cost	\$
Reimbursement Request Amount	\$

**CERTIFICATION: I certify that, to the best of my knowledge and belief, the billed costs of reimbursement on the attached documents are in accordance with the terms of the project agreement and that the reimbursement represents the reimbursement share due, which has not been previously requested, and that an inspection has been performed and all work is in accordance with the terms of the grant. In addition, I certify compliance with applicable federal and state regulations including, but not limited to, The Virginia Public Procurement Act, Federal and State Environmental Laws and Regulations, and, as applicable, Federal OMB Circulars A-87, A-123 or 122 and A-133.**

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Type Name Title and Agency

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Signature Date

SAMPLE DATA SHEET  
PURCHASES AND SERVICES

PROJECT NAME: \_\_\_\_\_

Project No. \_\_\_\_\_  
Reimbursement No. \_\_\_\_\_

(Check one of the following)

Progress ( )

Final Billing ( )

DATE PAID	INVOICE NUMBER	VENDOR	ITEM	AMOUNT	CHECK NUMBER
TOTAL COST				\$	



DAILY EQUIPMENT RECORD		
Date Used:		
Description	Model #:	Type:
Time	From:	To:
Project Number:		
Account Number:		
Description of Work:		
Driver's Signature		
Supervisor's Signature		

Reminder: In the use of force account equipment, the cost is reimbursable if a schedule of the rates and formula used in determining the rates are forwarded to DCR for review and approval prior to the start of work. Hourly-use records must be maintained for each piece of equipment used. Agencies, which do not have cost-accounting systems, may use Virginia Department of Transportation rates or other documented rates providing such rates are reasonable and meet prior approval from DCR for each piece of equipment used. Documentation supporting the rates used must be submitted with reimbursement request.

## Appendix C

### Sample Resolution

**Sample Recreational Trails Program Resolution**

A resolution authorizing application(s) for federal funding assistance from the Recreational Trails Program to the Virginia Department of Conservation & Recreation (DCR) as provided by the Federal Highway Administration of the U.S. Department of Transportation.

WHEREAS, under the provisions of RTP, federal funding assistance is requested to aid in financing the cost of the construction and/or rehabilitation of recreational trails and trail related facilities,

WHEREAS, \_\_\_\_\_ considers it in the best public interest to complete the \_\_\_\_\_ recreational trail project described in the 2013-2014 RTP application;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The \_\_\_\_\_ [Mayor, Manager, County Administrator, etc. ] be authorized to make formal application to DCR for funding assistance;

2. Any fund assistance received be used for implementation and completion of \_\_\_\_\_ within the specified timeframe ;

3. \_\_\_\_\_ hereby certifies that project funding is committed and will be derived from ;  
[Identify Funding Resources- Do Not list the RTP ]

4. We acknowledge that we are responsible for supporting all non-cash commitments to this project should they not materialize;

5. We are aware that the grant, if approved by the Federal Highway Administration, will be paid on a 80-20 reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid and remitted to our vendors and evidence of such has been provided to DCR in the format required by the project agreement.

6. This resolution becomes part of a formal application to the Virginia Department of Conservation & Recreation;

8. We acknowledge that we are responsible for compliance with the National Environmental Policy Act, and at a minimum the Endangered Species Act, and Historic Preservation Act as well as all applicable state and federal laws provided appropriate opportunity for public comment on this application

9. We acknowledge that appropriate opportunity for public comment has been provided on this application and evidence of such is a required component for approval.

This resolution was adopted by \_\_\_\_\_ during the meeting held:  
Location Date

Signed and approved by the following authorized representative:

Signed:  
Title:  
Date  
Attest:

(DCR199-123) (10/13)  
(DCR-PRR-002) (10/13)

Appendix D  
Extension Policy

**Virginia Recreational Trails Program**  
**Policy for Considering Requests for Extension of Grant Agreements (09-2006)**

**Overview**

Grant agreement extensions result in an increased financial tracking, reporting and project management workload. Therefore, extensions will only be considered when there are circumstances beyond the control of the Grantee and if appropriate justification is provided. Extensions may also be denied on the constraints of the grant program guidelines or the federal funding source.

**Policy**

Grant agreement extensions may be considered, on a case by case basis based on the following conditions:

1. Unforeseeable *severe* weather conditions prevented project implementation as scheduled;
2. Unexpected staff turnover during the project period and after beginning construction, which required that new personnel be hired or trained in order to meet project deliverables;
3. Delays due to unexpected environmental concerns encountered during construction.

Conditions that do not warrant a grant agreement extension include but are not limited to:

1. Project delays resulting from lack of attention;
2. Unexpected staff turnover during the project period and before the beginning of construction;
3. Extension request on projects where applicant has not met program reporting requirements;
4. Failure to complete project deliverables in accordance with the project schedule established in grant application and Project Agreement scope of work.

**Administrative Procedure**

At least 90 days prior to the agreement expiration date, the Grantee provides a written request to the Virginia Recreational Trails Grant Administrator that specifies the reason for the grant extension and the necessary time period needed to complete project. Extensions are made in one year increments. Only one extension request per grant agreement will be considered. The Virginia Recreational Trail Grant Administrator will forward the request to the Division of Planning & Recreation Resources Director with a recommendation to support or not-support the extension. If an extension is approved, the Virginia Recreational Trails Grant Administrator will prepare an Amendment to the Project Agreement (two copies) for signature by the Grantee and Division of Planning & Recreation Resources Director.