

CONSERVATION PARTNERS LEGACY GRANT PROGRAM

REQUEST FOR PROPOSAL

General Information

Award Type: Grant
Posted Date: August 25, 2009
Due Date for Applications: Applications may be submitted at any time. However, in order to be considered for the first round of grants, applications must be received no later than 5 pm Central Time on **November 3, 2009**. A second round of grants will be selected if funds remain from the first round. Applications for a second round must be received no later than 5 pm Central Time on **March 1, 2010**.

Application Method: DNR Online Grant Application System (available on the grant webpage)

Eligible Applicants: Local, regional, state, and national nonprofit organizations, including government entities.

Expected Award Announcement Date: December 15, 2009
Project Completion Date: June 30, 2012
Estimated Funding This Year: \$3,760,000
Maximum Award: \$400,000
Minimum Award: \$5,000
Match Requirement: 10% nonstate funds or in-kind services
Fund Source: The Outdoor Heritage Fund
Grant Program Webpage: <http://www.dnr.state.mn.us/grants/habitat/lessard-sams.html>

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I. Grant Opportunity Description

A. Summary

The Minnesota Department of Natural Resources (DNR) manages this program to provide competitive matching grants of up to \$400,000 to local, regional, state, and national nonprofit organizations, including government entities. The grants must restore, protect or enhance prairies, wetlands, forests, or habitat for fish, game, or wildlife in Minnesota. A 10% match of non-state funds is required from all grantees, and may be from in-kind sources. The amount and source of match must be identified at the time of application.

This RFP, Program Manual, and other associated documents provide as much information as possible about the grant program. It is not possible to anticipate all questions and circumstances; therefore please contact Grant Program Staff at LSCPLgrants.DNR@state.mn.us with any questions.

B. Funding Source

This program was recommended by the Lessard-Sams Outdoor Heritage Council (LSOHC) to, and approved by, the 2009 Minnesota Legislature as 2009 MN Session Law [Chapter 172](#), Article 1, Section 2, Subd. 5a, as the Outdoor Heritage Conservation Partners Grant Program (also known as the “Conservation Partners Legacy Grant Program” (CPL)).

Funding for the CPL grant program is from the Outdoor Heritage Fund created by the people of Minnesota which receive 33 percent of the sales tax revenues resulting from the Clean Water, Land, and Legacy Constitutional Amendment passed by the voters in the November 2008 election.

C. Program Priorities

Grant activities include the enhancement, restoration, or protection of forests, wetlands, prairies, and habitat for fish, game, or wildlife in Minnesota. For the purpose of this grant program, this work is defined as:

Restore: action to bring a habitat back to a former state of sustaining fish, game or wildlife, with an ultimate goal of restoring habitat to a desired conservation condition.

Enhance: action to increase the ability of habitat and related natural systems to sustain and improve fish, game or wildlife in an ecologically sound manner.

Protect: action to maintain the ability of habitat and related natural systems to sustain fish, game or wildlife through acquisition of fee title or conservation easements. This also includes preserving ecological systems and preventing future degradation of those systems.

Restoration and enhancement projects will only be funded on lands permanently protected by conservation easement or public ownership. A description of various activities can be found in the [CPL Habitat Activity Definitions](#).

Acquisitions will protect wetlands, prairies, forests, and habitat for fish, game, and wildlife by acquiring land through fee title or permanent conservation easement. Lands acquired in fee title will be open to the public for hunting and fishing during open seasons unless otherwise provided by state law. Easements must include stewardship provisions to perpetually monitor and enforce the conditions of the easements.

D. Eligible Applicants

Eligible applicants are limited to local, regional, state, and national organizations, including government entities. For the purpose of this grant program, “organizations” means nonprofit organizations (501(c)3 or 501(c)3–eligible groups).

Private individuals and for-profit organizations are not eligible to apply for these grants.

E. Grants and Public Information

Under Minnesota Statute [13.599](#), responses to a RFP are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed.

After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

F. Definitions

Applicant: An eligible organization or government entity that is applying for grant funds under the CPL program.

Grantee: An applicant who has been awarded grant funds.

Grant administration: Activities necessary to directly implement the grant, such as compiling and writing required grant reports, documenting expenditures, requesting payment, etc.

Grant agreement: The legal document containing the project description, budget, and other legal requirements.

Work program: The final, approved version of the grantee’s application that specifies the work to be done, who will do the work, budget, timeline, and other details. The work program must include quantifiable project deliverables (acres, miles, etc.) so that outcomes can be accurately measured. The work program will be attached to and incorporated into the grant agreement.

II. Program Information

A. Grant Funds:

A total of \$3,740,000 is available in state fiscal year 2010. The maximum grant is \$400,000; the minimum grant is \$5,000.

1. For the first round of grants, \$1,870,000 is available to fund grant applications between \$5,000 and \$125,000. Up to \$500,000 of this will be available for grants between \$5,000 and \$10,000.
2. The remaining \$1,870,000 is for grant applications requesting from \$125,001 to \$400,000.
3. Any funds not awarded in the first round will be available for a second round of grants, with the total funds available balanced between the small and large grants.
4. DNR reserves the right to award less than the total amount available if suitable projects are not submitted.

B. Match Information

This program requires a match of 10% nonstate funds. The match may be in-kind. The match requirement is determined by dividing the total project cost by ten. DNR will use the following formula:

$$\text{Total Project Cost (\$)} / 10 = \text{minimum match (\$)}$$

For example:

$$\begin{aligned} \$100,000 \text{ Total Project Cost} / 10 &= \$10,000 \text{ match required} \\ & \$90,000 \text{ state funds granted} \end{aligned}$$

Match funds are subject to the same requirements as grant funds, unless specifically listed.

See Program Manual Section E, Match Information, for more details.

C. Eligible Restoration and Enhancement Projects

These projects must restore or enhance habitat for fish, game, or wildlife on lands permanently protected by conservation easement or public ownership. Suggested activities can be found in [CPL Habitat Activity Definitions](#).

Permanent conservation easements in Minnesota must meet the definition given in MS [84C.01](#):

"Conservation easement" means a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

Facility development or improvement projects such as parking lots, roads, water access sites, and hunter blinds are generally not considered habitat projects and will only be

permitted on a very limited basis if necessary to accomplish a primary wildlife habitat improvement project.

Maintenance work necessary to establish a prairie planting, etc., is allowed. Long-term, traditional maintenance is not allowed.

Monitoring and evaluation work to determine the impacts of a project is allowed during the project period and must be specified in the work program.

See Program Manual Section B, Restoration and Enhancement Projects, for more details.

D. Eligible Land Protection Projects

Acquisitions must protect wetlands, prairies, forests, or habitat for fish, game, and wildlife by acquiring land through fee title or permanent conservation easement. Lands acquired in fee title will be open to the public for hunting and fishing during open seasons unless otherwise provided by state law. Easements must be permanent and include stewardship provisions to perpetually monitor and enforce the conditions of the easements.

Applicants intending to acquire permanent conservation easements are encouraged to adopt and implement the practices and procedures described in the Land Trust Alliance's [Trust Standards and Practices](#)

Land protection also includes preserving ecological systems and preventing future degradation of those systems. This include initial site development of newly acquired lands to eliminate encroachment, prevent unauthorized vehicle travel and groundwater contamination by developing access roads, parking lots, conducting boundary surveys and installing signs, well/septic closure, building site cleanup, and covering bare ground with vegetation.

See Program Manual Section C, Land Protection, for more details.

E. Project Period

The project period starts when the grant agreement is "executed," meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds, and cannot be used as match. All grants must be completed by June 30, 2012, at which time all grant projects must be completed and final products delivered. Requests for extensions for up to one year (no later than June 30, 2013) will be considered on a case-by-case basis. A request for extension must be received and approved before June 1, 2012.

If a project receives federal funds, the period of grant agreement is extended to equal the length of time that the federal funds are available. The DNR must be notified that the project is receiving federal funds before executing the grant agreement.

F. Award Information

Grants will be awarded using a grant agreement. The grant agreement is the legal document containing the project description, budget, and other requirements. The grant agreement must be signed by the grantee and DNR. **Work may not begin until the grant agreement is “executed,” meaning all signatures have been obtained.**

1. Partnerships

Partnerships are encouraged. DNR will award funds to one eligible applicant as the recipient even if other eligible applicants are named as partners or co-applicants or members of a coalition or consortium. The recipient is accountable to DNR for the proper expenditure of funds and on-the-ground accomplishments.

2. Subgrants

Grantees may provide subgrants to fund partner work within the overall project. Subgrantees are subject to the same responsibilities and restrictions as the original grantee.

3. Application status

DNR will notify all applicants, by electronic or postal mail, of their status in late December, 2009 for the first round of grants, and late May, 2010, for the second round of grants. The notification of a full or partial funding recommendation, which advises the applicant that it has been preliminarily selected and is being recommended for award, is not an authorization to begin work

III. Eligibility Information

A. Ineligible Applications

The following applications will not be considered eligible under this RFP and will be disqualified:

1. Applications requesting less than \$5,000 or greater than \$400,000;
2. Applications that do not meet the requirements set out in the 2009 MN Session Law [Chapter 172](#); and/or
3. Applications that include:
 - a. Activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state or federal law;
 - b. Activities that constitute restoration for natural resource damages under federal, state or local law;
 - c. Activities that constitute complying with a biological opinion under section 7 of the Endangered Species Act, and/or
 - d. Activities that are required by a separate consent decree, court order, statute or regulation.

B. Eligible Expenses

Eligible expenses are those expenses (salary, equipment, supplies and materials, etc.) **directly** incurred through project activities that are solely related to and necessary for producing the products described in the application. These expenses must be specified in the application and documented as specified in the [Eligible and Non-Eligible Expenses](#) document.

Up to 2.5% of the total project cost may be used for grant administration and must be specified in the application. This includes staff salary, FICA, and benefits for work and **direct** costs required to administer the grant. Eligible costs that are over and above the 2.5% rate may be used as match.

Transportation and travel expenses such as lodging, meals, and mileage of personnel directly working on the grant are eligible expenses (grant or match) in the same manner and in no greater amount than provided for in the current "[Commissioner's Plan](#)" promulgated by the Commissioner of Minnesota Management and Budget. Travel and subsistence expenses incurred outside Minnesota are not eligible expenses unless the State's prior written approval for out of state travel was received. Minnesota will be considered the home state for determining whether travel is out of state.

More information on travel costs can be found in [Eligible and Non-Eligible Expenses](#).

All grant and match expenses must fall within the project period, which begins when the final signature on the grant contract is obtained and continues until all work is completed but no later than June 30, 2012 (unless extended or federal funds are involved).

C. Ineligible Expenses

Indirect costs (overhead costs for basic operational functions such as lights, office rent, water, phone) costs are not eligible grant or match expenditures. Travel and transportation costs are limited and must be specified in the final application. See the [Eligible and Non-eligible Expenses](#) document for further details.

Pre-award costs are also ineligible. A pre-award cost is a cost that occurs before the grant agreement is executed.

D. Other Requirements

See Program Manual Section A, Grant Requirements, for more information.

IV. Application and Submission Information

A. Address for Application Information

Complete application information, including the applicable forms, instructions, and DNR Online Grant Application System can be found at <http://www.dnr.state.mn.us/grants/habitat/lessard-sams.html>

B. Application Deadlines

Applications will be accepted continually. To be eligible for the first round of grants, applications must be received by 5 pm Central Time on November 3, 2009. It is anticipated that the first round of grants will be selected by December 15, 2009.

After the first round of grants is awarded, applications will continue to be accepted in the event funds are not fully expended. The remaining amount of funds available will be announced on the website in January, 2010. To be eligible for the second round of grants, applications must be received by 5 pm Central Time on March 1, 2010. It is anticipated that the second round of grants will be selected by May 11, 2010.

All grants must be executed by June 25, 2010.

C. Content and Form of Application

This program requires an online application that can be found on the grants website at <http://www.dnr.state.mn.us/grants/habitat/lessard-sams.html>. All projects must meet the requirements set out in the 2009 MN Session Law [Chapter 172](#).

The Project Planning Form is available for applicants to fill out to help determine the feasibility, cost, and timeline for their proposed projects. Some of the information to be entered into Project Planning Form may have to be “best guesses”, but this form is an important tool to help the applicant and appropriate land manager work out the details of the proposed work. The blank form should be filled out as much as possible, printed, and reviewed at the meeting between the applicant and land manager.

The public land manager or private landowner and easement holder of the lands where work will take place must be contacted, and will need to review and approve all projects. This review and approval is required for an application to be considered. This step is to help the applicant submit a complete and detailed final application, to make sure all requirements can be met, to make all parties aware of the proposed project, and allow for feedback.

A complete grant application package should be submitted following the guidelines in this document. Applications that are not complete will be rejected. Where a page or word limit is given, pages in excess of the page limitation will not be reviewed. A checklist of items to include with the application is available on the CPL website.

See Program Manual Section F, Application Information, for more details.

D. Administrative and Environmental Compliance Requirements

Because the CPL program is funded with state dollars, DNR and the grantee must comply with various administrative requirements and environmental laws. Such compliance requires the participation and cooperation of the DNR, CPL grant applicant, appropriate public land manager, and/or private landowner and conservation easement holder. These requirements apply to all restoration, enhancement, and protection projects.

Applicants for CPL grant funding must include a line item in their budget estimating the cost of administrative and environmental compliance for their project. These duties and associated grant funds for work on state lands may be assigned back to DNR by letter, with DNR consent.

See Program Manual Section D, Administrative and Environmental Compliance. Specific administrative and environmental requirements can also be found on the [Working on Public Lands](#), [Working on DNR Lands](#), and [Working on Private Lands](#) documents linked here or available on the CPL website.

E. Financial Review of Nongovernmental Organizations

The State Grant Policy 08-06, [Financial Review of Nongovernmental Organizations](#), requires that before awarding a grant of over \$25,000 to a nongovernmental organization, Minnesota state agencies must assess a recent financial statement from that organization. Items of significant concern must be discussed with the grant applicant and resolved to the satisfaction of state agency staff before a grant is awarded.

1. Grant applicants with annual income of under \$25,000 or who have not been in existence long enough to have a completed IRS Form 990 or audit must submit their most recent board-reviewed financial statements.
2. Grant applicants with annual income of over \$25,000 and under \$750,000 must submit their most recent IRS Form 990.
3. Grant applicants with annual income of over \$750,000 must submit their most recent certified financial audit.

V. Application Review Information

A. Evaluation Criteria and Scoring

Evaluation criteria and a scoring system have been developed by the Grant Program staff and will be used to evaluate grant applications. Applications should be submitted with this information in mind. Applications that clearly address the specific ranking criteria in an organized manner will facilitate application review and scoring.

See Program Manual Section G, Criteria and Scoring Table.

B. Review and Selection Process

The evaluation process will be comprised of three steps: An Initial Review, Technical Review, and Commissioner's Approval.

The DNR reserves the right to reject any and all applications which do not meet the requirements of this RFP, or are outside the scope of the Conservation Partners Legacy Grant Program. All or part of a grant may be funded. DNR also reserves the right to award less than the total amount available if suitable projects are not submitted.

See Program Manual Section H, Application Review and Selection, for more details.

VI. Award Administration Information

A. Anticipated Award Dates

It is anticipated that the recipients of the first round of CPL grants will be announced by late December, 2009. All first round grants will be executed by late February, 2010.

The recipients of the second round of CPL grants (if necessary) will be announced by late May, 2010. All second round grants will be executed by June 25, 2010.

B. Project Reports, Field and Financial Reviews

Project reports are required from grantees to document the project accomplishments and actual costs. Project reports cover a state fiscal year (July 1 – June 30) and are due to Grant Program staff in mid-August of each year. Payments cannot be made to grantees with outstanding reports. It is expected that grantees will meet or exceed the planned accomplishments as outlined in their work program. Forms will be provided for grantees' use.

Field reviews are intended to ensure that work was performed as described in the grant contract. Financial reviews ensure State funds are properly spent and accounted for. Ideas for improving the program are also discussed during both reviews. Reviews may occur while grant work is in progress, or after it is completed.

State Grant Policy 08-10, [Grant Monitoring](#), requires state agencies to conduct at least one monitoring visit (field review) per grant period on all state grants of over \$50,000 and to conduct at least annual monitoring visits on grants of over \$250,000. See the policy for more information.

The DNR or Legislative Auditor may also conduct financial (audits) and field reviews.

VII. Agency Contacts

Grant program webpage: <http://www.dnr.state.mn.us/grants/habitat/lessard-sams.html>

Grant program email: LSCPLgrants.DNR@state.mn.us

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VIII. Other Information

A. Insurance

DNR requires that all grantees carry sufficient insurance to protect themselves and the State should any claims arise. Insurance must meet the current cap on tort claims of \$1.5 million. If the grantee does not have insurance, and any claims occur where the state is found liable for the loss, any payment would have to come from the DNR's operating budget.

DNR is currently revising their list of insurance modifications based on activity, remoteness, etc. The updated list should be available soon.

Insurance costs directly related to the project may be used as match. For example, an organization carries insurance for a fishing tournament, and needs to add a rider to cover grant-funded shoreland restoration work. Only the rider for the shoreland restoration work may be used as match for the grant—the cost of insurance for the fishing tournament could not be used as match for the grant.

See Program Manual Section I, Insurance, for more information.

B. Payment Information

1. Grant Payments

Payment may be made to the grantee after work has been performed or materials purchased, but before the vendor is paid by the grantee. Grantees must provide proof that the work has been completed or a purchase made must be provided in order to receive payment. Partial payments and advances may be allowed if specified in the final work program. See the [Payment Manual](#) for more information.

State Grant Policy 08-08, [Grant Payments](#) has more information on grant payment methods and schedules, and other payment information.

2. Payment Timeline

If all required documentation is submitted with the payment request, Grant Program Staff can generally review and approve requests for payment from grantees within a

week. If questions arise or invoices or other documents are missing, payment approval may take longer.

3. Direct Deposit of Payments

The fastest way to receive payment is by signing up for direct deposit from Minnesota Management and Budget at www.mmb.state.mn.us/maps-efit. This program will also allow grantees to review payment details for the past three months.

4. Changes to the application or grant agreement

Any changes to the approved application must be submitted to and approved by the Grant Staff before the grant agreement is signed and work begins. Changes that are significant enough to alter the project beyond scope of the approved application are not allowed.

Any amendment(s) to the original grant agreement must be in writing and will not be effective until the amendment has been signed and approved by the same parties who executed and approved the original agreement, or their successors in office.

5. Holdback of Final Payment

Under 2009 MN Session Law [Chapter 172](#), Article 1, Section 2, Subd.5a: No less than 15 percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report in the form prescribed by and satisfactory to the Lessard Outdoor Heritage Council.

6. Payment Manual

Additional information on the payment process and requirements can be found in the Payment Manual. *This manual is still under development at the time of posting the RFP.*

C. Subcontracts

Grantees may award subcontracts for goods or services to accomplish work described in the work program. Subcontractors are subject to the same responsibilities and restrictions as the original grantee.