

FEDERAL RECREATIONAL TRAIL PROGRAM EQUIPMENT GRANTS

2020 Program Manual



In Partnership with

Minnesota Recreational Trail
Users Association (MRTUA)

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I. PROGRAM INTRODUCTION

The Fixing America's Surface Transportation (FAST) Act reauthorized the Recreational Trails Program for Federal fiscal years 2016 through 2020. This current federal highway bill is set to expire on September 30, 2020, however a replacement bill (America's Transportation Infrastructure Act (ATIA) has been proposed.

The Recreational Trails Program provides financial assistance for the development and maintenance of recreational trails and trail-related projects and provides funding from the Federal Highway Trust Fund in acknowledgment of off-road recreational fuel use.

Grants are awarded for nearly any trail related project, **including purchasing trail maintenance equipment** that is solely located within the state of Minnesota. The intent is for equipment which is dedicated for trail building and maintenance. This equipment cannot be used for other activities such as law enforcement or non-trail related construction and maintenance. Equipment purchased with this grant must meet Buy America Requirements (Section C.).

The priorities for each year are developed by the Minnesota Recreational Trail Users Association (MRTUA) and vary from one grant round to the next. The priorities for the current year are included in section IV of this manual. The eligible project categories are included in section III of this manual.

This program is unique in that, legislatively it is specified that the funds must be expended for projects that are strictly motorized as well as projects that are strictly non-motorized, while at the same time encouraging the development of projects that provide for both. The law specifies that 30 percent of the funds must be used for motorized projects, 30 percent for non-motorized, and 40 percent for projects that can be utilized by both.

Private non-profits and other trail organizations are encouraged to work with Federal, State, and local government agencies to develop applications. The goal of the State and MRTUA is to foster cooperative efforts between these groups for long-term development, enhancement and management of recreational trails in Minnesota.

This program was first funded in 1991 through the Intermodal Surface Transportation Efficiency Act (ISTEA) and was called the National Recreational Trails Fund. Since that time, this program has funded 665 trail projects in Minnesota.

Contact Information:

Minnesota Department of Natural Resources
Division of Parks and Trails
500 Lafayette Road, Box 39
Saint Paul, MN 55155
Daniel Golner, Grant Coordinator
Daniel.golner@state.mn.us or (651) 259-5599

II. IMPORTANT ITEMS YOU NEED TO KNOW

A. How to Apply

- Funding for 2020 is approximately \$2.4 million.
- **All applications must be received electronically by February 28th, 2020.**
- Applications are to be submitted electronically in one ‘.pdf’ format by the due date above. Paper submission of applications will not be accepted. To submit the application, email a pdf version of the application and attachments to Trailgrants.DNR@state.mn.us. This is the official submittal email box. Submitting to any other email will not be accepted. Format the entire application, including all attachments, as one pdf document with all pages 8 ½” by 11” in dimension. After submission, make sure you have received a confirmation email that your application has arrived in a useable format by the due date. **A confirmation email should arrive within one business day after you have submitted your application and after it is reviewed for readability.** Each email is opened to insure files are readable and then followed with a confirmation email. Applications submitted in an unusable format will NOT be considered for funding. If there are any questions about submitting the application please contact program staff.
- Grant awards will be announced by June 2020.
- **Funds will first be available no earlier than November 1, 2020 to start the contracting process.** This means projects funded in this grant round will not have a contract in place before November 1st and thus cannot begin the project prior to this date (see B. Grant Timeline section). **Do not incur any costs that you plan to have reimbursed by the grant or included as part of the required cash match until after a grant contract has been processed for your project.**
- All local units of government (typically cities, counties, and townships) are eligible to apply. Also user groups and/or trail organizations may apply, but only in coordination with a local unit of government per legislation. **Funding is only available to a local unit of government.**
- The maximum permissible request is \$75,000 per piece of equipment. The minimum is \$1,000.
- These grants are “cash match” reimbursement grants. **Equipment purchases at or above \$75,000 require a 50% secured cash match, and those purchases below \$75,000 require a 25% secured cash match.** That means the grantee must complete the project and fully pay for it, produce documentation that shows actual expenditures and proper procurement process has been followed.
 - **Neither this funding source, nor the match can be used for in-house labor services and/or to meet existing payroll (see Section III, D. Non-eligible Reimbursement Costs for additional ineligible costs).**
 - Only contract services, materials, and supplies are reimbursable.
 - If pre-approved, in-kind match including donations toward equipment purchase may be eligible. See in-kind match section of this manual.

- All projects awarded through this grant round must be completed by **June 30, 2022** and equipment must be used on trails for the general public.
- All equipment that are funded through this program must follow Federal Purchasing Requirements (See Section VI); as well as maintained, for no less than twenty years or per disposition requirements and stated in their resolution (see sample attached).
- Each proposal must specifically and directly address each requirement and criterion to qualify and receive consideration. If one section of the application is not addressed, the application will not be reviewed for consideration.
- All pages and attached maps must be **8 1/2 X 11 inches ONLY** and in color.
- Read each question thoroughly to make sure each part of a question is answered. Do not answer a question inside the same box as the question. Use the blank box associated with each question for the response.
- When identifying recreation use for your project, make sure to only mark the existing or proposed uses of the trail under primary use. Your selections affect if your project will be classified as motorized, non-motorized, or joint motorized/non-motorized.
- Secondary usage to be considered must meet the following criteria:
 - The secondary use needs to be a regular use and **not an incidental use.**
 - It needs to be open to the secondary use for a significant portion of that secondary use's season.
 - It should include a letter of support from the recognized user group indicating that this project would be a sought after project location for their user group.
 - Trail projects should have all the primary and secondary usages identified on trailhead signs, trail signs and trail maps.
- [Federal Recreational Trail Program Equipment Grant](#) application.

B. Grant Timeline

Grant Application Timeline

Mid-December 2019	→	Grant application materials available on the DNR website
February 3, 2020	→	Draft applications due if grant applicant seeks comments by Grant Coordinator (not required)
February 28, 2020	→	Grant application due date; Applications will NOT be accepted after this date.
February 28 - June 2020	→	Application review and selection process.
June 2020	→	Grant applicants are notified of the results. All grant applicants will be sent a letter if they are awarded a grant or not. Copy of the notification letter will also be sent to the applicant partner, if applicable. Awarded grantees then will follow the timeline below.

Awarded Grant Timeline

Selected projects are tentatively awarded in June. The awarded list is sent to FHWA for final approval. These grant funds are based on FFY which starts in October. Funds are not available until after the start of the FFY and after FHWA final approval.

June 2020	→	Award letter received! Congratulations! Required documentation checklist also included with notification letter.
June - November 2020	→	Grantee should begin working on meeting Buy America Requirements.
October/November 2020	→	DNR receives authorization through a DNR contract with FHWA approving the awarded grantee projects.
November-December 2020	→	Grantees who have received final DNR approval of their required documentation may have their contract written in November after FHWA approval. No equipment purchases can be made nor can grantees expect reimbursement until there is a fully signed contract in hand.
December 2020 – June 30, 2022	→	Grantee completes required documentation to receive a contract; Grantee must complete the project by 6/30/2022.

C. Buy America Provision Requirement

Projects must abide by the Buy America provision requirement for grants through FHWA policy. This applies to any project that uses iron and steel products. Specifically, any project that permanently incorporates steel or iron products in the project (such as steel I-beams for bridges) or purchases a piece of equipment used for trail construction or maintenance (such as a groomer) must ensure that the product or equipment is domestically produced. Reimbursement requests will require Buy America certification in order to receive reimbursement from the grant.

Review [the Construction Program Guide to Buy America](#) for FHWA's policy. FHWA also to a question and answer section including how it especially applies to the [Fixing America's Surface Transportation \(FAST\) Act](#) legislation which currently funds this program. Review the "[Side-by-Side Comparison Information Sheet](#)" providing some detail about how Buy America applies to FHWA funded projects.

Buy America

The Secretary of Transportation shall not obligate any funds unless steel, iron, and manufactured products used in such project are produced in the United States.

Applies to steel and iron permanently incorporated in a project funded by RTP when the total cost of the materials or equipment exceeds \$2,500. The grantee must be able to document the amount of incorporated foreign steel and iron to ensure that the minimal use threshold amount is not exceeded at any point in the contract (0.1% of the total contract amount or \$2,500 whichever is greater). This \$2,500 threshold does not apply on an incremental basis, it is based on total contract cost.

To document Buy America compliance, project sponsors must obtain certification from the manufacturer documenting that all manufacturing processes occurred domestically. Heat mill certificates for all steel parts are typically used for verification. Certificates must be provided with the request for reimbursement and retained in the project sponsor's grant files.

Letters from equipment manufactures indicating they meet the Buy America requirements or are exempt must be obtained.

In order to receive reimbursement, all grantees will be required to submit a certification letter from the vendor/manufacturer stating the equipment purchased was assembled in the United States and built with U.S. steel.

III. PROJECT ELIGIBILITY, TRAIL & EQUIPMENT FRTP

A. Eligible Program Projects

- Construction of trails on federal (with limitations), state (with limitations), county, municipal or private lands where a twenty year easement for the purpose of the project can be obtained.
- Development of urban trail linkages near homes and workplaces.
- Contracted maintenance of existing recreational trails.
- Development of permanent trailside and trailhead facilities (e.g., drainage, crossings, stabilization, parking, signage, controls, open-sided shelters, water, and sanitary facilities).
- Provision of features that facilitate access and use of trails by persons with disabilities.
- Land acquisition from willing sellers, where value is established by a licensed and certified federal appraiser (and whose conclusions of value are certified by the State), and only if twenty-year easements for recreation trail purposes is conveyed to the state. (Not applicable with equipment grants).
- **Purchase of equipment (e.g., snowmobile trail groomers)**

B. Eligible Reimbursement Costs

- Advertising costs solely for (1) Recruitment of personnel; (2) Solicitation of bids; and (3) Disposal of scrap materials.
- Capital and labor expenditures for facilities, equipment and other capital assets.
- Materials and/or supplies.
- Freight transportation expenses.
- Professional services and Project administration costs provided that they do not exceed 20 percent of the total cost of the project.
- In-kind match, including unpaid skilled volunteer labor at a rate of \$20.00 per hour, or materials, services, or skilled labor donated to the project at no charge. These are only eligible for in-kind match and not for reimbursement.
- Any cost not defined as an eligible cost or not included in the approved Application shall not be paid from funds committed to the project, unless the Department has provided written authorization.
- **Equipment purchases at or above \$75,000 require a 50% secured cash match and those purchases below \$75,000 require a 25% secured cash match.**

C. Non-eligible Projects

Non-eligible projects include but are not limited to the following:

- Condemnation of any kind, including costs associated with, or reimbursement for projects associated to condemnation.
- Construction of trails within federally designated wilderness areas (with some exceptions).
- Upgrading, expanding, or otherwise facilitating motorized use or access to trails predominantly used by non-motorized trail users on which motorized use is either prohibited or has not occurred.
- Construction of ordinary sidewalks.
- Construction of new snowmobile trails that are NOT already within the state Grant-in-Aid program.
- Planning projects that are preliminary to construction of any trail projects.
- Improvements on highways or other roadways, including but not limited to, lighting, striping, and shoulder work.

D. Non-eligible Reimbursement Costs

Including all costs not defined as eligible costs, but not limited to the following:

- Any expenditure that occurs before the effective date of this agreement.
- Fund raising.
- Taxes, except sales tax on goods and services.
- Insurance, except title insurance.
- Attorney fees.
- Loans, grants, or subsidies to persons or entities for development.
- Bad debts, late payment fees, finance charges or contingency funds.
- Interest, investment management fees.
- Lobbyists.
- Political contributions.
- Wages and expenses of Sub grantee's employees.
- Fringe benefit costs of Sub grantee's employees.
- Land appraisals.
- Entertainment, gifts and prizes, food and refreshments.
- Purchase of phones, computers, tablets or audiovisual equipment.
- Memberships (including subscriptions and dues), publications, periodicals and other subscription fees.
- Agency advertising and marketing expenses.
- Office Rental Fees, and Overhead and Indirect Expenses (including, but not limited to office or storage space rental, utility expenses, copier rental, phone bills, office materials and supplies).

IV. MRTUA'S PRIORITIES

The Minnesota Department of Natural Resources (DNR) has been designated by the Governor to oversee distribution of these funds. The DNR is advised in the distribution of these funds by the state's trail advisory board, the *Minnesota Recreational Trail Users Association (MRTUA)*.

The Board is made up of thirty members. There are three representatives from each of the ten identified trail user groups (hiking, bicycling, mountain bicycling, in-line skating, horseback riding, cross-country skiing, snowmobiling, off-highway motorcycling, all-terrain vehicle riding, four-wheel drive truck driving). The Board meets three times annually to discuss project funding, updates to existing grants, priorities for future grant rounds, and other relevant trail issues.

This year's priorities for funding are as follows:

- Projects that accommodate both motorized and non-motorized uses, including same-season access corridors.
- Projects that involve youth corps workers such as Conservation Corps Minnesota will be given special consideration.
- For all-terrain vehicle, off-highway motorcycle, off-road 4x4 vehicle, and snowmobile projects, priority will be given to trail acquisition and purchase of permanent easements, to trail development and trail linkages to existing systems over equipment purchases.
- For all horse, in-line skate, cross-country ski, hike, and bicycle, priority will be given to trail linkages and restoration to existing trail systems, necessary trail facilities, trail signage to improve safety, and trail maintenance equipment.
- For mountain bicycle projects, the development of new single track trail systems, located in areas of high user demand, in partnership with city, county, and state land managers will be given priority.
- Projects that provide recreational opportunities in underserved areas.

V. IN-KIND MATCH REQUIREMENTS

In-kind match is allowed to count toward the grant project's total cost if properly documented and pre-approved.

In-Kind Match

Individuals, organizations, or businesses may contribute costs donated to the equipment purchase at no charge toward the in-kind match. To receive credit for this type of donation, the donor must provide an invoice for the costs with a notation on the invoice identifying the value of the donation. Each donation invoice must be recorded on the Billing Data Sheet and a copy of the invoice must be included with each reimbursement request.

VI. FEDERAL PURCHASING REQUIREMENTS

Please read through the following requirements, which mandate policy for the Federal Highway Administration when purchasing equipment for federal funds. **Especially take note of the Disposition Section, which outlines what will occur, in the event that the grantee's organization decides to ultimately sell or trade the piece of equipment at some point in the future.**

(d) Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part with grant funds, until disposition takes place will, as a minimum, meet the following requirements:

- (1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- (2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- (3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated.
- (4) Adequate maintenance procedures must be developed to keep the property in good condition.
- (5) If the grantee or sub grantee is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

(e) Disposition. When original or replacement equipment acquired under a grant or sub grant is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, disposition of the equipment will be made as follows:

- (1) Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- (2) Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.
- (3) In cases where a grantee or sub grantee fails to take appropriate disposition actions, the awarding agency may direct the grantee or sub grantee to take excess and disposition actions.

(f) Federal equipment. In the event a grantee or sub grantee is provided federally owned equipment:

- (1) Title will remain vested in the Federal Government.
- (2) Grantees or sub grantees will manage the equipment in accordance with Federal agency rules and procedures, and submit an annual inventory listing.
- (3) When the equipment is no longer needed, the grantee or sub grantee will request disposition instructions from the Federal agency.

(g) Right to transfer title. The Federal-awarding agency may reserve the right to transfer title to the Federal Government or a third party named by the awarding agency when such a third party is otherwise eligible under existing statutes. Such transfers shall be subject to the following standards:

- (1) The property shall be identified in the grant or otherwise made known to the grantee in writing.
- (2) The Federal-awarding agency shall issue disposition instruction within 120 calendar days after the end of the Federal support of the project for which it was acquired. If the Federal awarding agency fails to issue disposition instructions within the 120 calendar-day period the grantee shall follow Sec. 18.32(e).
- (3) When title to equipment is transferred, the grantee shall be paid an amount calculated by applying the percentage of participation in the purchase to the current fair market value of the property.

**DO NOT SELL THE EQUIPMENT PURCHASED THROUGH THIS GRANT.
ONLY TRADE IN OR DISPOSITION ALLOWED PER DNR AGREEMENT WITH
FHWA.**

Annually a Materials Management Inventory Form on the equipment purchased through this grant is required and is due annually by December 31st of each year.

VII. SAMPLE RESOLUTION

WHEREAS, the City of Sunnybrook supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to purchase snowmobile grooming equipment for the Sunnybrook Recreational Trail System. The trail system is located within 30 acres of Sunnybrook Park, and

WHEREAS, the City of Sunnybrook recognizes the twenty-five (25) percent match requirement for the Federal Recreational Trail Program, and has secured the matching funds

NOW, THEREFORE, BE IT RESOLVED, if the City of Sunnybrook is awarded a grant by the Minnesota Department of Natural resources, the City of Sunnybrook agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Sunnybrook will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Trail Program Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of Sunnybrook names the fiscal agent for the City of Sunnybrook for this project as:

Jane Doe
Director of Finance/Treasurer
City of Sunnybrook
1111 Happy Trails Avenue
Sunnybrook, MN 59985

BE IT FURTHER RESOLVED, the City of Sunnybrook hereby assures the equipment acquired through this grant will be maintained for no less than twenty (20) years as required by the Federal Recreational Trail Grant Program or until such time as appropriate disposition actions are approved by the Minnesota Department of Natural Resources.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SUNNYBROOK THIS _____ DAY OF _____, 2020.

JOHN DOE - MAYOR

ATTEST:

MARY DOE - CITY CLERK

VIII. OTHER PROGRAM REQUIREMENTS

A. Grants and Public Information

Under [MN Statute 13.599](#), responses to a request for proposal are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public.

After the application evaluation process is completed, 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, which includes the selected grantee(s) application.

[MN Statute 13.44](#) categorizes estimated or appraised value of real property prior to purchase and sale as confidential data on individuals or protected nonpublic data. See also Minnesota Government Data Privacy Act for more information. This information, along with corresponding budget information, will be redacted from the applications before making them public.

B. Reporting Requirements

It is the policy of the State of Minnesota to monitor progress on state grants by requiring grantees to submit written progress reports at least annually until all grant funds have been expended and all of the terms in the grant agreement have been met. A progress report form will be provided by program staff. Grant payments shall not be made on grants with past due progress reports unless program staff have given the grantee a written extension.

C. Monitoring Requirements

It is the policy of the State of Minnesota to conduct at least one monitoring visit 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. A Materials Management Inventory Form on the equipment purchased through this grant is required and is due annually by December 31st of each year.

D. Conflict of Interest

It is the policy of the State of Minnesota to work to deliberately avoid actual, potential and perceived conflict of interests related to grant making at both the individual and organizational levels.

A conflict of interest (actual, potential, or perceived) occurs when a person has actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A conflict of interest exists even if no unethical, improper, or illegal act results from it.

Actual Conflict of Interest:

An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict. Examples include, but are not limited to:

- One party uses his or her position to obtain special advantage, benefit, or access to the other party's time, services, facilities, equipment, supplies, badge, uniform, prestige, or influence.
- One party receives or accepts money (or anything else of value) from another party or has equity or a financial interest in or partial or whole ownership of the other party's organization.
- One party is an employee, board member or family member of the other party.

Potential Conflict of Interest:

A potential conflict of interest may exist if one party has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests. For example, when one party serves in a volunteer capacity for another party, it has the potential to, but does not necessarily, create a conflict of interest, depending on the nature of the relationship between the two parties. A disclosed potential conflict of interest warrants additional discussion in order to identify the nature of the relationship, affiliation, or other interest and take action to mitigate any potential conflicts.

Perceived Conflict of Interest:

A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist. A disclosed perceived conflict of interest warrants additional discussion in order to identify the nature of the relationship, affiliation, or other interest and take action to mitigate any potential conflicts.

Organizational Conflict of Interest:

A conflict of interest can also occur with an organization that is a grant applicant or grantee of a state agency. Organizational conflicts of interest occur when:

- A grantee is unable or potentially unable to render impartial assistance or advice to the State due to competing duties or loyalties
- A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties
- A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

The Grantee, by signing a grant contract with the State, must certify it has read and understands the Office of Grants Management [Conflict of Interest Policy 08-01](#), will maintain an adequate Conflict of Interest Policy and, throughout the term of the contract, monitor and report any actual, potential, or perceived conflicts of interest to the State.

E. Non-Government Organizations

[Grants Management Policy 08-06 Financial Review of Nongovernmental Organizations](#) is the policy of the State of Minnesota to make grants to nongovernmental organizations that are financially stable enough to carry out the purpose of the grant. 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. A state agency staff must review at least one of the following documents before awarding a grant: an internal financial statement, an IRS Form 990, or a certified financial audit.

F. Reimbursement Requirements

For equipment grants you need to complete the Request for Reimbursement Form and Cost Summary Sheet and then you must include the following documentation:

- Request for Reimbursement Form – Signed by the grantee (sponsor/local unit of government).
- Cost Summary Sheet – Each line completed should correspond to a check paid to your selected vendor/manufacturer.
- Proof of proper procurement process – ex. your bid or quote process based on the cost of the equipment you must show your bid and/or quote process. If none, pending the cost of equipment, then cite that policy.
- Copy of invoice(s) for the equipment.
- Copy of warrant check(s) that was cashed by the vendor as your proof of payment; equipment must be fully paid for before submitting for reimbursement.
- The vendor/manufacturer must certify to the Buy America provision and a certification letter must be included with the reimbursement request.
- Complete the Materials Management Inventory Form on the new piece of equipment. This form then will be required to be completed annually and are due by December 31st each year until the piece of equipment's value goes below \$5,000 (at this time a vendor will have to concur with that estimate) or the DNR pre-approves a trade-in agreement with a vendor only.