

Indiana Trails Program Manual

2023 - 2024

INDIANA TRAILS PROGRAM

FOREWORD

These guidelines explain the administration of the Indiana Trails Program (ITP). The Indiana Department of Natural Resources Division of State Parks, Community Grants and Trails Section, administers State Funds made available to the DNR through INDOT's Federal Fund Exchange Program to help government agencies and 501(c)3 not-for-profit organizations develop recreational trail facilities for public use. This manual contains the forms and information needed to complete your application as well as guidelines to complete your project. Directions for preparing the application are found in Chapter 2. Please refer to the application checklist at the end of the chapter for assistance in submission of all required items. The Appendix contains the forms required to be copied and submitted with original signatures and information for a complete application. [Applicants](#) should carefully review the entire Indiana Trails Program Guidelines Manual, paying particular attention to:

1. Chapter 1, the Indiana Trails Program. Consult this chapter for a summary of grant information as well as to determine eligibility.
2. Chapter 2, Grant Application and Project Evaluation. Consult this chapter to prepare your grant application and review how the DNR evaluates projects.
3. Chapter 3, Project Approval and Amendments. Consult this chapter to review the DNR's process for approving projects and amending current projects.
4. Chapters 4 & 5, Land Acquisition and Construction Procedures. Consult these chapters to review policies related to land acquisition and development of the project.

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

Applicants are strongly encouraged to meet with the grants staff about their prospective project several months prior to application submittal to ensure the project evaluates as it should. If you have any questions, please contact the staff of the State Parks' Community Grants Section. Your application must be submitted electronically via email to egummere@dnr.IN.gov by 11:59 p.m., Eastern Time, on March 1. For further information, please contact:

Grants Section
Division of State Parks
Department of Natural Resources
402 W. Washington Street, Room W271
Indianapolis, Indiana 46204-2782
Telephone: (317) 232-4075
<http://on.in.gov/community-grants-trails>

Grant Timeline

ONE ELECTRONIC COPY OF THE ENTIRE GRANT APPLICATION MUST BE COMPLETED AND RECEIVED BY MARCH 1, 2023, TO THE STATE PARKS COMMUNITY GRANTS AND TRAILS SECTION

March - May 2023 – State application review, additional information period, site visits, evaluation of projects

June - July 2023 – State approval

Fall 2023 – State Grant Agreement

Winter 2023 - Summer 2024 –All land acquisition should occur as soon as possible.

Grantee applies for Early Coordination through DNR Fish & Wildlife, reviews project for any permits and environmental coordination, and completes SHPO and local historical coordination.

Grantee submits detailed architectural/engineering plans for ADA review by the State Parks Community Grants and Trails Section.

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

Summer 2024 - Winter 2025 – Grantee bid and start construction, that is, if all goes well in the above timeline. This timeline can change because of many variables, but it gives you an idea of the time it will take to get a project to the development stage.

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

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Chapter 1

THE INDIANA TRAILS PROGRAM

Overview & Background

The Indiana Trails Program (ITP) replaces the federal Recreational Trails Program (RTP) in Indiana. The ITP will play the same role as RTP, the intent of which is to provide funds to states for trails and trail-related projects. This program gives the State of Indiana the opportunity to initiate projects to benefit all kinds of motorized and non-motorized trail users. The Department of Natural Resources (DNR) Division of State Parks, Community Grants and Trails Section, has been assigned to administer the program for the State.

The Indiana Trails Program is a bi-annual grant program, with a new grant round offered every two years. This allows monies to accumulate over a longer period of time, resulting in a larger pool of grant funds available for eligible projects.

Indiana Trails Program funding represents a portion of the revenue received by the Federal Highway Trust Fund from the federal motor fuel excise tax paid by users of off-road recreational vehicles such as snowmobiles, off-road motorcycles, all-terrain vehicles, and off-road light trucks. These monies are made available from Indiana's share of funds from the [Fixing America's Surface Transportation \(FAST\) Act](#).

Eligible Participants

All units of government and certain organizations incorporated as not-for-profit 501(c)3 corporations will be eligible to participate. Eligible not-for-profit organizations must have a central mission that focuses on providing public outdoor recreation opportunities and has the capability to maintain the trail for a minimum of 25 years.

Not-for profit organizations must provide proof of eligibility in the grant application packet by providing documentation from the IRS verifying Not-for-Profit 501(c)3 status. Not-for-profit 501(c)3 status must be granted and active at time of grant application to be eligible. Not-for-profits must also provide proof that the organization's central mission via a webpage link, planning document, or other resource that clearly states the organization's mission. Community Grants and Trails Staff reserve the right to deny an application if the agency's mission does not meet the eligibility criteria.

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

Eligible Projects

Eligible projects should meet the ITP Measurables. Projects can include the acquisition of land or easements for trail and trail amenity development, and development of trails, trailheads and trail support facilities (benches, parking, signage, water fountains, and restrooms).

Trails and amenities developed with ITP funds must be readily accessible to and usable by persons with disabilities. All projects will be required to meet current ABA/ADA guidelines as they apply to trails and trail facilities. They also must be developed off of all regularly maintained roadways, including sidewalks and alleys.

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

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

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

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

Grant Amounts

The Indiana Trails Program is a reimbursable grant. Eighty percent (80%) State assistance will be provided for eligible projects with a 20% local match. Local applicants may request a minimum amount of \$100,000 (total project with match = \$125,000) and a maximum grant amount of \$400,000 (total project with match = \$500,000).

Local Share

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

Reimbursement

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

Quarterly Reporting

Quarterly reporting is a requirement of all Indiana State Parks Community Grants and Trails grant programs. Quarterly reports are due in the first week of the new fiscal quarter, unless a specific date is set by the Grant Coordinators. Failure to submit quarterly reports in a timely manner may result in the local sponsor being barred from receiving grant assistance in the future. The Quarterly Report Template, detailed form instructions, and a sample report may be found in the Appendix.

Project Selection Process

Applications will be reviewed by DNR staff for eligibility and completeness. Then they are evaluated by staff to determine how closely they meet the program measurables and feasibility. Grant management and oversight constitutes a large share of DNR State Parks, Community Grants and Trails, limited staff resources. In order to maximize the efficiency of the ITP, projects will also be evaluated subjectively based upon the anticipated ease or difficulty of managing the project to completion. If there are more requests for funding than available funds each year, the eligible applications will be funded in priority order based on an internal review of measurables. This process is explained in detail in Chapter 2.

Dates of Eligible Contributions and Expenses

To be eligible for matching assistance, project costs must be incurred after the State project agreement is completed. Donations of equipment, labor, and materials must be contributed after State grant approval/agreement. Cash contributions may be received at any time.

Chapter 2

WRITING THE GRANT APPLICATION

The Grant Application

This manual provides the instructions to apply for an Indiana Trails Program grant and is available on the Indiana State Parks Community Grants and Trails webpage at www.in.gov/dnr/state-parks/recreation/. **An electronic copy of the full grant application packet is due via email to egummere@dnr.IN.gov by 11:59 p.m., Eastern Time, March 1 of each application year.** Paper applications are no longer accepted. This chapter includes instructions for filling out the application forms, plus a description of the various attachments that must be submitted in the application packet. A checklist of items needed for all application packets is found at the end of this chapter. Please provide a completed copy of the checklist with the packet. *Applicants are strongly encouraged to meet with the grants staff about their prospective project before they apply and/or if when preparing an application questions arise beyond the information in these guidelines.*

Application Form

All items on the standard application form (see Appendix) should be answered. Include any acquisition acreage in the description section of the form. The Budget Information in the form instructions refers to the Cost Classification section of the form. Total costs should not exceed the maximum allowable project cost of \$500,000 (grant + match).

Proof of Eligibility for Not-for Profits

Not-for-profit organizations must provide proof of eligibility in the grant application packet by providing documentation from the IRS verifying Not-for-Profit 501(c)3 status. Not-for-profits must also provide proof that the organization's central mission via a webpage link, planning document, or other resource that clearly states the organization's mission.

Cost Breakdown

One copy of a separate detailed cost breakdown must be submitted with the project application. The cost breakdown should include any design/engineering, an estimated value of the acreage being acquired (if applicable) and all development for which reimbursement is being requested (up to the maximum total project cost of \$500,000). The sample cost breakdown (see Appendix) shows an example of the detail needed. The total project cost shown on the cost breakdown must match the figure listed on the project Application Form, Cost Classification section, line 8, and includes the grant amount plus local match.

Cost estimates should be as accurate as possible. Your project could take as long as four years to complete, so your cost estimates should account for inflation. Where appropriate, unit costs should be included in the application. If the project will utilize donated labor, equipment, or materials, these must be identified in the cost estimate.

Match Documentation

In order for the Division of State Parks to consider an application for grant approval, the applicant must have its 20% share of the project costs available for the project at the time the application is submitted. The type of documentation varies according to the source of funds as explained below.

Appropriations, Bond Issues, Other Federal Funds, and Force Account/In-kind Contributions. One copy of a statement from the applicant must certify these funds will be available in the applicant's budget when the project will take place. This statement may simply be a letter addressed to the Division of State Parks and certified by the applicant's financial officer. If the agency is a not-for-profit organization, the agency's fiscal officer must provide proof that the funds needed for the local share are available. The letter must state exactly how much is available and its source. At least 20% of the total project cost must be from non-State sources.

In the case of a bond issue, the applicant's attorney should provide a letter explaining the steps through which the bond issue has already progressed and a schedule for remaining action to take place. A bond issue must be completed up to the sale of the bonds prior to the grant application being submitted to the Division of State Parks. If bonds will provide the local share of a project, the bond issue should cover 100% of the project cost, rather than only the sponsor's 20%. This will enable the applicant to complete the project if State funds are not obtained and to pay the project expenses, since grants are provided on a reimbursing basis.

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

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

- d. Materials may be valued by the lower of at least two quotes from commercial suppliers of similar items.

Project Narrative

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

1. Project Description. Describe your project goals, indicate in detail the type of development proposed and all amenities included, the method of developing the facilities as described in Chapter 5, and the type of users expected. Be sure to address and discuss all measurables (listed at the end of the chapter) that meet program requirements including:
 - a. The trail length
 - b. If the project is part of the Visionary Trail or Potential Visionary Trail System
 - c. If the project is in a trail-deficient county
 - d. Describe all trail connections and extensions to existing trail(s)
 - e. Describe any land secured with existing State protections
2. Project Timeline. Provide a complete and detailed timeline with estimated activity milestones for your project from grant approval to construction completion.
3. Accessibility. Describe how the project site and development will be designed, constructed and maintained for people with disabilities, in conformance with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Site and building plans submitted with the project should illustrate accessibility. (A further description of the accessibility requirements can be found in Chapter 5.)
4. Life of Facility. The applicant must estimate the useful life of each facility being developed in the project. The estimate should be no less than 25 years and must meet the approval of the DNR. Project agreements for operation, maintenance and public use will be written for this period of time.

Public Participation

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

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

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

Jurisdictional Approval

Applicants must provide letter(s) of support from the jurisdictional authority (state, county, city or town) relevant to the location of the proposed trail project.

Environmental Information

Applicants must address the project's potential resource impacts and make note of any significant natural areas (wetlands, riparian corridors, etc.) at or near the project site (these should also be identified on any maps). All applicants should provide a summary of any known environmental, historical, archaeological, and architectural information, and indicate any associated permits anticipated. In addition, *applicants must initiate a DNR Early Coordination review and provide proof of submittal, or a copy of the response if already completed, with the application.* The Early Coordination review request should be submitted to the DNR Division of Fish & Wildlife Environmental Coordinator:
<https://www.in.gov/dnr/water/files/EnvironmentalReviewRequiredinfo.pdf>. Coordination with additional agencies may be necessary for environmental review if the project is awarded, depending on potential impacts. Common examples include the DNR Division of Water, Indiana Department of Environmental Management (IDEM) and/or the U.S. Army Corps of Engineers (USACE).

Location Map

Each application must include a copy of a map that outlines and labels the project within the larger geographic area or municipality. Indicate the project name, acreage, and the map scale. **Include project site address.**

Site Map

Applications must include one copy of a conceptual site map. The map should be drawn to scale and include all amenities to be created with the grant as well as existing features. Be sure to include any program measurables that can be shown on a map, land acquisition with parcel ID and acreage, trail location and length, eligible trail amenities, connections to existing trails, etc. Label features and indicate if they are existing or proposed. Also include on the Site Map the exterior boundaries of the site, all permanent or temporary easements, utility rights-of-way, etc., and any natural or cultural resources (wetlands, stream crossings, floodplains, archaeological sites, historic structures, etc.).

Design and Engineering Plans

If design and engineering plans are complete, provide a copy with the application. The plans must be reviewed by DNR staff prior to bidding and construction to ensure the project promotes safety and accessibility and is sustainable in the long term.

Easements

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

Property Deed(s)

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

Letters of Intent to Sell/Donate

For projects including land acquisition, the applicant must provide a signed letter of intent to sell or donate land from the landowner.

Estimate of Value/Appraisal

For acquisition, including donated land, the applicant must provide an estimate of value or appraisal. Estimates of value, unless supplied by a certified real estate broker, are subject to DNR review.

Photographs

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

Indiana Trails Program Measurables

Length: ITP will give preference to projects based on length. Projects will be evaluated in comparison to the field of applicants.

Visionary Trail: ITP will give preference to projects that further completion of the Visionary & Potential Visionary Trail System (see map).

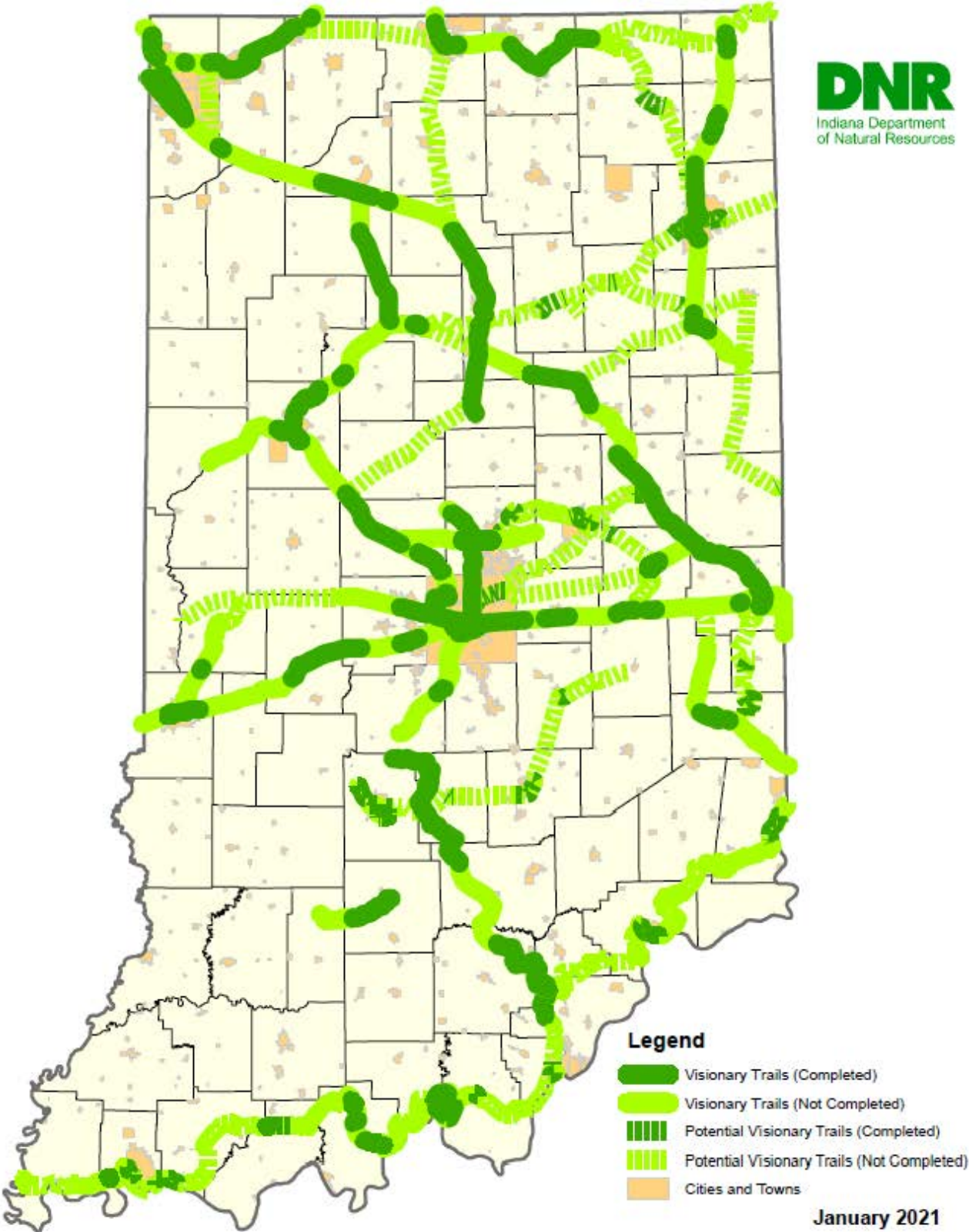
Connections & Extensions: Preference will be given to projects that connect to or extend existing trail.

Connection to Nature: Preference will be given to projects that connect users to natural features in the community. Photographs, a narrative description, and other supporting documentation directly related to the natural feature(s) must be provided to qualify for this measurable.

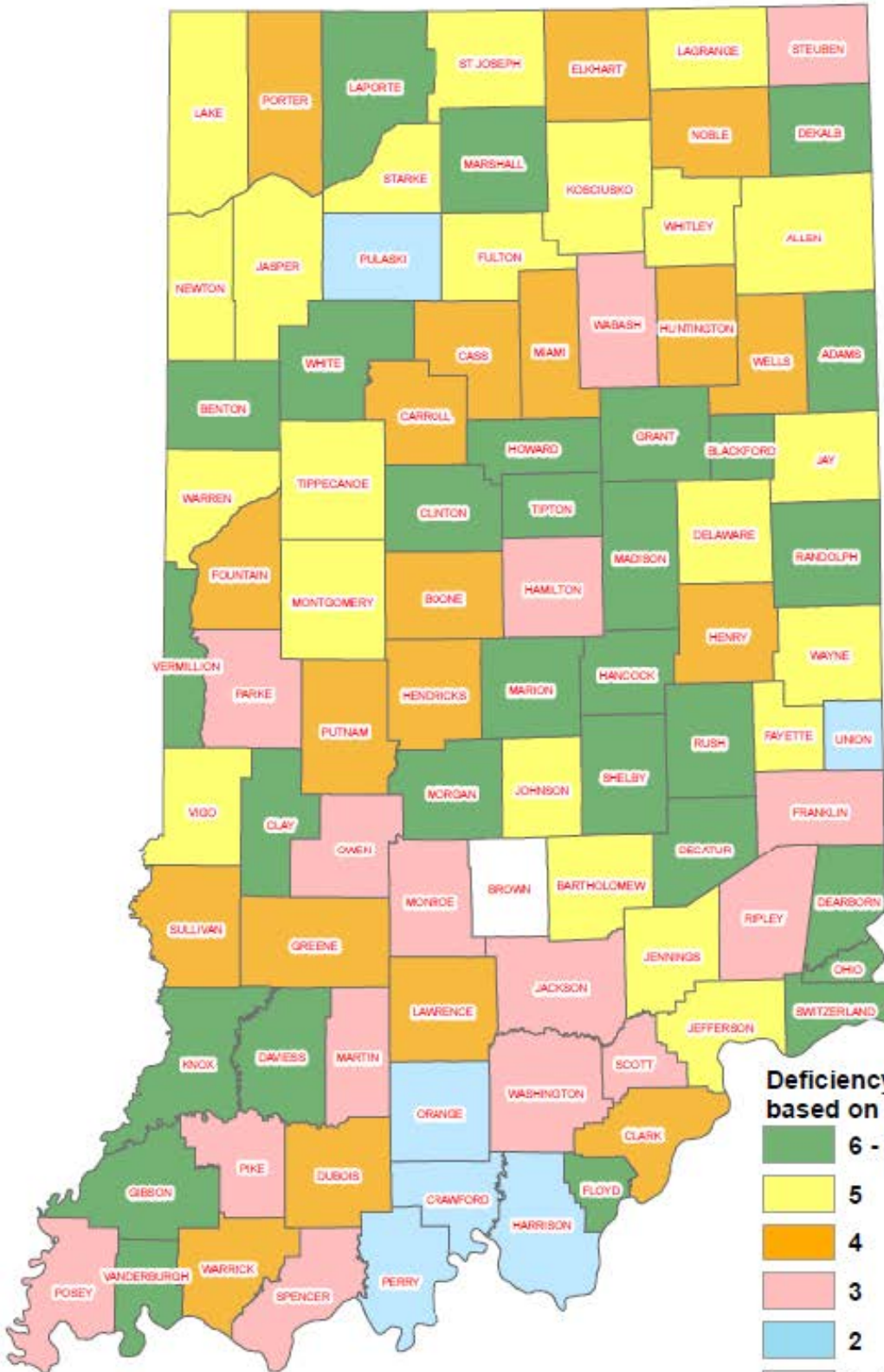
Deficient Counties: ITP will give preference to projects located in counties that are considered deficient in trail miles per capita, based on Indiana Trails Inventory and U.S. Census data.

Land secured with existing State protections: During the past 25 years, DNR has invested millions of dollars acquiring and protecting trail corridor throughout the state for future trail development. To realize the potential of these investments, ITP will give preference to projects that make use of previously acquired trail corridor protected by State-held conservation easement or deed restriction. This only applies to land purchased or preserved for a specific trail, not recreation or trails in general.

2021 Visionary Trails System



Trails Per Capita: Most and Least Deficient Counties



Miles per 1000 people determined using Indiana Trails Inventory data and 2010 population estimate from the US Census Bureau.

Category breakdown using Jenks Natural Breaks method.

Deficiency scores of 1 to 6 based on Trails per Capita:

- 6 - Most Deficient
- 5
- 4
- 3
- 2
- 1 - Least Deficient

January 2021

Indiana Trails Program Grant Application Checklist

The items listed below are to be submitted as part of the project application packet. Please indicate "Y" for yes, "N" for no, or "N/A" for not applicable on each blank. Each "No" response must be justified via a written explanation. Original signatures are required on all documents requiring signatures unless otherwise noted. Please provide this completed checklist with your application packet.

- ___1. Application Form. One Application Form signed by the applicant. (Appendix) Costs should only add up to a maximum \$500,000.00 project (including \$100,000.00 match); if a larger project then add those costs and description in the Remarks area at the bottom.
- ___2. Proof of Eligibility for Not-for-Profits. Documentation from the IRS verifying Not-for-Profit 501(c)3 Status. Not-for-profit 501(c)3 status must be granted and active at time of grant application to be eligible. Not-for-profits must also provide proof that the organization's central mission via a webpage link, planning document, or other resource that clearly states the organization's mission.
- ___3. Cost Breakdown. One detailed cost breakdown for the project showing the estimated cost of all development, by major work unit (not to exceed the total project amount, grant+match).
- ___4. Match Documentation. A statement from the clerk-treasurer, county auditor, or fiscal agent certifying the availability and source of local funds and/or letters of intent for project donations.
- ___5. Project Narrative. One project narrative including:
 - ___a. Detailed description of the project (DO NOT include work outside of/beyond the grant project). Include acreages for existing property and any acquisition. Mention all features/amenities the grant will cover and include the length of the trail. Address all measurable in the narrative.
 - ___b. A detailed project timeline from grant approval to construction completion. Milestones should be organized in a month/year format.
 - ___c. Description of how the project will comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability.
 - ___d. Indicate that the facilities developed by the project sponsor will be maintained for a minimum of 25 years.
- ___6. Public Participation. Provide documentation addressing all public participation.
- ___7. Jurisdictional Approval. Provide letter(s) of support from relevant authority.
- ___8. Environmental Information. Include a description of any environmental, archaeological, or historic/cultural resources known. Provide the Early Coordination documentation and mention any known/anticipated permits.
- ___9. Location Map. One map clearly showing the boundaries of the project site within the local area/municipality.

- ___10. Site Map. One overall site map showing project boundaries, existing and proposed facilities, any easements/ROWs, property lines, streets, natural/cultural resources, etc. and drawn to scale. *Be sure to include all measurables that can be identified on a map, such as land acquisition (include acreages and/or linear footage & width), trail location, notable natural features or resources, bench location, connections to other trails, etc.*
- ___11. Design and Engineering Plans. Provide a copy of any design plans that have been completed.
- ___12. Current easement(s). One copy of all existing easements that cross the property to be developed, such as utility lines, roads, access drives, etc.
- ___13. Current deed(s). One copy of the property deed for each parcel of land to be developed showing clear ownership by the grantee.
- ___16. Photographs. Photos keyed to a site map showing the natural features, existing recreation facilities, buildings, and trail area.
- ___14. Letters of Intent to Sell or Donate land, signed by the landowner.
- ___15. Estimate of value/appraisal for each acquisition parcel (or full appraisal, if available).

Chapter 3

PROJECT APPROVAL AND AMENDMENTS

Project Approval

After reviewing the submitted applications, the DNR Division of State Parks grant committee will select projects for approval and contact sponsors of the recommended projects to arrange a post-award meeting regarding the project sequence. After the notification of awards and post-award meeting, the awardee will receive notification regarding the electronic contract via email. The awardee will be responsible for developing and/or maintaining the project site as outlined in the Grant Agreement and all documents incorporated into the agreement for the Indiana Trails Program. A sequence of the grant process is included later in this chapter.

After Project Approval

After State approval the following items must be completed by the awardee and/or their representative before any acquisition or construction may occur:

State Grant Agreement (*1 to 2 months*)

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

1. The organization with whom the Agreement was made.
2. A project number given for identification purposes.
3. The project title to be used on all project correspondence.
4. The date of project expiration.
5. The project scope, which identifies the elements included in the project proposal. Only those items will be eligible for reimbursement. If the project sponsor needs to make revisions, the State grant officer should be contacted before those revisions are made. If reimbursement is to be requested, State approval must be granted before revised work can be started.
6. The total cost of the project, including the project sponsor's share and State grant share.
7. Specific elements incorporated into the project agreement, such as provisions outlined by the Indiana Department of Natural Resources or the Indiana Department of Administration.

The Grant Agreement must be signed by the applicant's appropriate signatory and internally at the State

by the director of the Department of Natural Resources, the head of the Department of Administration, the head of the State Budget Agency, and the Attorney General. Instructions for electronically signing the Agreement can be found here: <https://www.in.gov/idoa/2977.htm>.

Environmental Clearance (6 to 12 months)

All ITP projects must have some basic environmental data to determine the impact of the proposed project. A DNR Early Coordination review from the Division of Fish & Wildlife must be completed, and the environmental effects of a project evaluated through the completion of an Environmental Assessment (see Appendix). The Environmental Assessment addresses how the proposed project will impact natural and man-made environments in the project area and surrounding areas. An assessment will also help identify any permits needed. It is very important the information provided is accurate and objective.

The environmental clearance process includes obtaining the appropriate permits, which may include local permits, Construction in a Floodway permit (DNR), Rule 5 Stormwater (DNR), and/or Wetlands permit from Indiana Department of Environmental Management (IDEM); and/or U.S. Army Corps of Engineers (USACE) permits. To coordinate with resource agencies or obtain additional information see below.

- For the DNR Division of Water, if construction in a floodway is expected:
<https://www.in.gov/dnr/water/regulatory-permit-programs/>
- For IDEM, if impacts to waterways/permitting are expected:
<https://www.in.gov/idem/wetlands/information-about/section-401-water-quality-certification/>
- For IDEM, if stormwater permitting is expected:
<https://www.in.gov/idem/stormwater/construction-land-disturbance-permitting/>
- For USACE, if impacts to waterways/permitting are expected:
www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit

Acquisition and construction may not start until all environmental clearances and permits are obtained and approval is given by OR grants staff.

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

Communities affected by designated flood hazard areas as determined by the Department of Housing and Urban Development and later by the Federal Emergency Management Agency will initially be required to join the flood hazard insurance program. Project sponsors may wish to contact their city/county executive or the DNR Division of Water regarding the community's status in the flood insurance program and the eligibility of existing structures for insurance.

State and Local Historical Coordination (1-2 months)

Since ITP funding is State, not federal, the projects do not need to go through the Section 106 process. Please refer to the State website: <https://www.in.gov/dnr/historic-preservation/review-and-compliance/state-project-review/> for information regarding State projects. Typically, a DNR Division of Historic Preservation & Archaeology (DHPA) review is only necessary if you may impact a historic

property listed on the National or State Register. If you have any concerns or questions involving archaeology sites, please contact the DHPA office:

Cathy Draeger-Williams, Archaeologist
Indiana Department of Natural Resources
Division of Historic Preservation & Archaeology
Indiana State Historic Preservation Office
(317) 234-3791 (please leave a message to voicemail)

In the unlikely event that an archaeological reconnaissance is needed, any eligible costs may be submitted for reimbursement. Please contact the Division of State Parks, Community Trails and Grants staff regarding any reconnaissance required by the DHPA.

Appraisal Review (for acquisition projects only) (2 months)

Before you make a commitment to obtain land for an ITP project, you must submit an appraisal to the Department of Natural Resources and receive approval. The land is required to be appraised by a State-certified general appraiser. Qualified appraisers can be located using Indiana's online search for licensed professionals available at <https://mylicense.in.gov/EVerification/>. Enter only information for License Type (choose "Certified General Appraiser"), Status (choose "Active"), and County or City, State, and/or ZIP code. The landowner must be given the opportunity to accompany the appraiser on their inspection of the property.

There are two sets of criteria for completing an appraisal. The formal appraisal is required for land with a value of \$25,000 or more. Where a parcel has a value of less than \$25,000 and paying for a formal appraisal would not be fiscally wise, a Waiver Valuation from a qualified person knowledgeable of the general market values in the project area will be acceptable. Note that the averaging of the final values of two or more appraisal reports to estimate the fair market value of a property is unacceptable.

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

Construction Plans Review (2 to 4 weeks)

This is a review of the 90-100% complete design plans and specifications by the State grant officer. The officer will review the project for compliance with federal regulations and specific compliance with the Architectural Barriers Act of 1968 and the Americans with Disabilities Act of 1990, as well as current best available guidance.

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

After all of these requirements are met, the applicant can acquire property, advertise for bid (send us a copy of the bid tab sheet and award summary), sign contracts, and start construction. Donations of materials, equipment and labor for the project may be accepted after the grant is approved. Cash may be received both before and after project approval. Refer to the acquisition guidelines in Chapter 4 and the construction guidelines in Chapter 5 for further information on how to proceed.

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

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

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

Amendments

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

Changes in Project Scope

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

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

Project Period Extensions

All acquisition and development must take place within the project period, which is identified in the Grant Agreement. The Agreement is sent to the project sponsor after the project has received approval. For most projects, the target date for project completion will be based on a two- to four-year project period. The project sponsor is encouraged to complete the project as soon as possible. Inflation can add a 5% cost increase each year. If the project cannot be completed during the period identified on the Agreement, a request may be submitted for a time extension at least 3 months before the current Grant Agreement expires. The request must justify why the project cannot be completed before the expiration date. This justification should include a time schedule for completing the remaining items. Work performed after the Grant Agreement has expired will not be eligible for assistance. Final

billings/payments for work done during the project period can be made after the Agreement has expired. The billing should have documentation showing that the work had been completed before the current Agreement expired.

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

Project Completion

Upon notification by the project sponsor that a project has been completed, the State Parks Community Grants and Trails staff will conduct a final inspection. If the project has been completed in accord with the Project Agreement, the final billing can be processed. Certain additional documentation will be needed for the final billing as indicated in chapters 6 and 7.

Notification of completion should be submitted within 60 days of the completion of the project or the Grant Agreement expiration date, whichever comes first. This procedure will enable both the applicant and the Division of State Parks to compile the final project data and terminate administrative procedures as soon as possible. The Applicant's long-term obligations regarding project sites are explained in Chapter 7.

Project Sequence Checklist

Estimated time to completion is 3 years.

After State Approval

- ___ 1. **Post Award Meeting.** After receiving notification that an application is being recommended by the State for grant funding, project sponsors must participate in a post-award meeting with State Parks Community Grants staff. This meeting will provide project sponsors guidance on the many aspects of the ITP grant process and usually occurs between July and September of the application year.

- ___ 2. **Registration with the State.** The State conducts all contracting electronically, and all grantees must be registered.
 - To get registered as a vendor, fill out a W9 and Direct Deposit form and submit to DNRVendorForms@dnr.IN.gov.

 - To register as a bidder, click here: <https://www.in.gov/idoa/procurement/supplier-resource-center/requirements-to-do-business-with-the-state/bidder-profile-registration/> and follow the steps (there is also a help area and a number to call if you get stuck). **Bidder registration is required for ALL vendors, regardless of their classification.**

 - To register with Secretary of State click here: <https://www.inbiz.in.gov/BOS/Home/Index>
***Secretary of State registration is not required for some vendors, if they are a governmental entity, such as a county, city, fire department, school, or State university, or if they are classified as a sole proprietor or an individual.

- ___ 3. **State Grant Agreement.** The grantee will be notified via email that the Grant Agreement is ready for download, review and signature via the State website. The agreement will provide information required for project correspondence and will describe the responsibilities of the State and of the park and recreation board. Please read the agreement carefully.

- ___ 4. **Begin Quarterly Reporting.** Quarterly reports are due by the end of the first full week of the new fiscal quarter, unless otherwise assigned. Quarterly reports should cover all project progress from the previous quarter. Detailed instructions and a template may be found in the appendix.

- ___ 4. **Environmental Clearance.** Grantee obtains necessary environmental clearances.

- ___ 5. **State & Local Historical Coordination.** Grantee coordinates with state and local historic preservation offices, with DHPA review if necessary.

- ___ 6. **Appraisal.** Engage a State-certified appraiser to appraise acquisition parcels and submit this to grant officer for approval by DNR Division of Land Acquisition (acquisition projects only).
 - 2 months to complete

 - Appraiser search <https://mylicense.in.gov/EVerification/>

- ___7. **Plans.** Submit detailed architectural/engineering plans for all development, with particular attention to ADA guidelines, for review and approval by the Division of State Parks.
 - Review takes 2 to 4 weeks
 - ADA/ABA Standards <https://www.access-board.gov/>

After Plan and Permit Approvals

- ___8. **Acquire land** in compliance with State regulations. See Chapter 4 for details.
 - Acquisition may take 1 to 3 months
- ___9. **Record deeds or easements** with ITP encumbrance language at the local level
 - Send a draft deed or easement to the project’s Grant Coordinator for DNR Review prior to recording the document

After Land Acquisition

- ___10. **Bid** the trail project following State bidding procedures. Submit bid tabulation sheet and award summary to grant coordinator within 30 days of contract award.
- ___11. **Construct** trail.
 - Construction may take 4 to 9 months.
- ___12. **Reimbursement** requests. Send request to OR for reimbursement quarterly, at a minimum. Submit acquisition documents and payments or donation proof with first billing.
 - There is an approximately 3-week State turn-around.
- ___13. **Final inspection and project close-out.**
 - Final signed as-built plans and signed Post Construction Certificate needed

Checklist for Amendments

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

For changes in project scope:

- ___1. One (1) copy of a revised cost breakdown showing the cost of items completed and the estimated cost of work yet to be done, including the items to be added to the project.
- ___2. For buildings being revised or added to the project, one (1) copy of the floor plans and elevation diagrams.
- ___3. One (1) copy of a revised site plan, showing the locations of the facilities to be added or a plat map showing the location of the additional land to be purchased.
- ___4. One (1) copy of a justification for the revisions, which may be included in the transmittal letter.

For project period extensions:

- ___1. One (1) copy of a time schedule showing the dates the remaining project items are to be completed.
- ___2. One (1) copy of a justification for the project period extension, which may be included in the transmittal letter.

Chapter 4

LAND ACQUISITION CRITERIA AND PROCEDURES

Eligible Acquisitions

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

Indiana Trails Program Encumbrance Requirements

ITP requires protective deed restrictions for property acquired or developed by the program. The purpose of these restrictions is to protect DNR's investment in the trail development improvements, and/or in the acquisition of property (in fee) or property rights (by easement). The exact encumbrance language required for ITP projects depends on each's projects land acquisition and development scope. Please refer to the Appendix for specific examples of encumbrance language for various project scopes.

Before recording a protective deed restriction for the project's property, DNR must approve a draft version of the document. Easements (either term or permanent) granted (whether purchased or donated) to the applicant or Notices of Restrictions under the ITP program must be recorded by the County Recorder and Cross-Referenced to the Grantor's vesting deed.

Land Acquisition Costs

Eligible Costs

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

1. The appraised fair market value of fee simple title or an easement for the use of real property acquired by negotiated purchase.
2. The purchase price for an easement or fee title to real property acquired by bargain sale (below appraised value). This bargain sale amount can be used as match. Similarly, lands for which 100% of the value is donated may only be used as the organization's share of a project to purchase other land or build facilities.
3. Appraisal fees.
4. Engineering reconnaissance fees where a land acquisition project involves proposed major facilities and their feasibility needs to be established. Examples of such eligible fees include hydrologic investigations, subsurface explorations, availability of construction materials, and preliminary cost

outlines. Detailed plans and specifications for construction of the facilities would not be eligible in a grant for only the land purchase but would be eligible in a grant that included building the facilities.

Ineligible Costs

Costs ineligible for reimbursement in an acquisition project include the purchase of real property to which the project sponsor became committed prior to State approval of the grant.

Transfer of Title

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

Timing for Purchases and Dates When Costs Incurred

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

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

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

Options

The applicant may wish to take an option on the property to prevent the land from being sold prior to the approval of a project. The date an option is exercised is normally the date the buyer advises the seller that they desire to complete the purchase under the terms of the option. The option may include

special conditions or terms that govern whether the buyer will purchase. For example, one condition could be the availability of funds or financing. An option is unacceptable if it is exercised prior to project approval, unless it specifies that acceptance is contingent on the availability of ITP grant money so that the date of project approval would be the exercise date.

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

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

Any additional payments prior to grant approval may make the acquisition ineligible. It is important that documentation of the option payment required for reimbursement billings be kept for later use. Grantees are encouraged to consult the Division of State Parks before negotiating an option to ensure the eligibility of the land acquisition under the option conditions.

Timing for Land Donations

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

Property Rights for Control and Tenure

Adequacy of Title

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

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

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

Title to land may be conveyed by warranty or quit claim deed to the applicant. The project sponsor must submit a description of the character and nature of the title received before requesting reimbursement. This evidence of title must include the property deed and either a written opinion from an attorney on the adequacy of title or a title insurance policy. A survey may be required when there is reasonable doubt about the exact location of the boundary or of the size of tract being acquired. The project sponsor is responsible for quieting claims against title and for replacing property found to have defective title with other properties of equivalent value, usefulness, and location acceptable to the Department of Natural Resources or by paying the grant back to the State if the land is lost.

Reservations, Adverse Rights, and Deed Restrictions

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

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

Land that has a reversionary clause in the deed whereby the landowner could repossess the property if it ceased to be used solely for the purpose specified in the deed may make the project ineligible. If a reversionary clause in the deed specifies that the land must be developed for a specific purpose, even though the project includes that type of development, the project may be ineligible. The Division of State Parks should be consulted before you submit a project application involving deed clauses and restrictions.

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

Easements

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

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

Negotiations for easements must follow general negotiated land purchase regulations.

Rail Banking

Applicants planning to develop trail facilities on land involved in the "Rail Banking" process should contact the Division of State Parks to determine the eligibility of their project proposal. Please have a copy of any agreements involved with this process.

Methods of Acquiring Land

Negotiated Purchases

This section outlines specific procedures mandated by state law to follow in acquiring land through negotiated purchases involving grant assistance. These steps must be followed by the sponsor in negotiating with the landowner.

1. Make initial contact with the landowner to see if the land might be available for sale. **At this point, the price should not be negotiated since the purchase amount must be based on an appraisal.**
2. Obtain information as to whether the owners, business(es), or tenants will be eligible for relocation assistance. The Department of Natural Resources can provide booklets that can be given to the landowner or tenant. The property residents must be advised of their right to relocation assistance.
3. Have the land appraised, with the landowner having the opportunity to accompany the certified appraiser.
4. Submit the appraisal to the Division of State Parks for review by a review appraiser in the Department of Natural Resources Division of Land Acquisition. Upon receiving approval of the appraisal, the applicant will then know the acceptable fair market value of the property they seek to acquire.
5. Inform the owner in writing of the value of the property based on the results of the appraisal and offer to purchase the property for this price. Also, inform the landowner of his or her eligibility for relocation benefits. It is not necessary to show the appraisal itself to the landowner. The authorized agent of the applicant and the property owner must sign the Statement of Just Compensation and Written Offer to Purchase letter, which should indicate the appraised value of the property. Contact your State grant officer for the letter template.
6. Based on the written offer at the appraised value, the final selling price is negotiated. If the purchase price is more than the appraised value, additional documentation explaining the difference in value will be needed, as explained later in this section. If the price is less than the

appraised value, the acquisition is called a “bargain sale”. At this point, the applicant may sign an option to purchase, if desired, but the applicant may not make a commitment to acquire the property before the grant receives approval.

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

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

When the project sponsor believes the negotiated price is an adequate indication of market value, yet that price is higher than the approved appraised value, a detailed and well-documented statement regarding this difference that includes all pertinent appraisal documents should be submitted. This statement should explain why the appraisal may not reflect the true value as well as the steps the applicant took to establish the true value. This statement should include a history of negotiations documenting discussions of price between the landowner and the applicant. The statement may indicate the importance of the proposed purchase as opposed to that of alternative sites or provide other justification regarding the need to purchase the subject property at a higher amount.

Condemnation

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

Land Donations

A donation of land from a private landowner can be used as part, or all, of the sponsor’s share of the project costs. The donation may be used to match the State funds for: (1) the purchase of land at the same site, (2) the development of facilities on or at the same site as the land gift, or (3) the purchase of land or construction of facilities at other sites serving a similar purchase.

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

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

To appraise a land donation, the appraiser should first be approved by the Indiana Department of Natural Resources Division of Land Acquisition. Qualified appraisers can be located using Indiana’s

online search for licensed professionals at <https://mylicense.in.gov/EVerification/>. The appraisal must be paid for by the project sponsor. Appraisals provided by landowners cannot be used as the basis for State assistance.

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

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

Bargain Sale

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

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

Summary of Steps to Take in Negotiating with Landowners

Purchases and Bargain Sales

1. Make contact with the landowner regarding availability of the property and permission to appraise.
2. Have the land appraised by a State-certified general appraiser. The landowner must be given the opportunity to accompany the appraiser.
3. Submit the appraisal for approval by the Department of Natural Resources.
4. Offer to purchase the property for the approved appraised value.
5. Negotiate the selling price. If the owner wishes to donate part of the land's value, the acquisition will be a bargain sale.
6. An option to purchase may be obtained once the price has been determined for a negotiated purchase.
7. Obtain title insurance or an abstract opinion, and then obtain title to the land. The project sponsor pays for the land, closing and incidental acquisition costs and relocation benefits.

8. Record the deed or easement with a clause stating that the land will remain for public trail use for a minimum of 25 years.
9. A reimbursement request for the State share of the acquisition costs may then be submitted to the DNR.

Donations

1. After the landowner offers to donate the property, clarify whether the landowner intends to donate with or without an appraisal. If the landowner desires an appraisal, obtain permission to appraise.
2. Have the land appraised according to State requirements, with the donor being given the opportunity to accompany the appraiser.
3. Submit the appraisal for DNR review.
4. Do not accept title prior to approval of grant award and environmental clearance.
5. Obtain title insurance or an abstract opinion, obtain the property deed, and pay for closing, including incidental acquisition costs and any relocation benefits.
6. Prepare draft deed with a clause stating the land will remain for public trail use for a minimum of 25 years and submit to DNR for review. Once approved, record the deed and send a copy to the DNR.
7. A reimbursement credit request for State funds based on the land gift may be submitted to the DNR.

Chapter 5

DEVELOPMENT PROJECT CRITERIA AND PROCEDURES

Development Projects

Selecting Development for a Grant Application

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

Site Location, Control and Tenure

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

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

Per State policy, an applicant that is going to develop trail facilities will have to enter into a Grant Agreement with the State concerning the use, operation and maintenance of the site. The agreement will designate that the project sponsor must keep the facility open for public use.

Eligible Types of Development

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

Eligible Development Costs

Consultant Services

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

The consultant may be paid according to: (1) fixed price, (2) per hour, (3) per diem, or (4) actual expenses incurred. The contract must specify the payment method. No consultant fee may be paid to any federal, state, or project sponsor's employee unless such a payment is specifically agreed to by the Division of State Parks.

Typical eligible consultant costs include site planning, environmental coordination, archaeological work, construction plans and specifications. Costs incurred for designing facilities not developed in the project are ineligible.

Construction

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

Contract Construction Wages

The Indiana Trails Program is not subject to the Davis-Bacon Act unless the project occurs within the road right of way. As such, contractors are not bound to construction wage rates established by the U.S. Department of Labor. Contact your attorney to follow State bidding procedures.

Supplies and Materials

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

Information and Interpretation

Fund assistance may share the costs of providing information directly related to a project, as distinguished from publicity. These may include signs giving information and directions at the entrances of recreation areas and other necessary places throughout the project site, display boards, limited interpretive signage, and other facilities required to explain the site and bring it to public attention.

Methods of Developing Facilities

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

Contract

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

All construction associated with an Indiana Trails Program project must comply with State competitive bidding procedures and requirements.

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

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

A copy of all plans must be submitted to the Division of State Parks for approval and prior to advertising for bids. In addition, copies of the bid tabulation summary sheet must be submitted within thirty (30) days after award of the contract. Any proposed change orders to the contract should first be discussed with the Division of State Parks before the change order is negotiated.

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

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

Force Account

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

Force accounts cannot be used to circumvent a competitive bidding process required by State law. In accordance with State Law, all force account projects must cost no more than the competitive bid threshold requirement of the local agency or organization. Further interpretation of the Indiana laws regarding this issue should be directed to the State Board of Accounts.

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

In-Kind Contribution

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

The Division of State Parks must agree on the local sponsor's method of valuing in-kind contributions of goods and services before project approval for such in-kind contributions to be considered as part or all of the agency's matching share. Unexpected donations that occur after project approval may also be eligible for reimbursement if requested by the local sponsor and agreed to by the State.

The procedures for determining the value of in-kind contributions from private sector sources are as follows:

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

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

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

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

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

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

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

Project Reviews

Another step in processing a project requires the submission of the project plans and the specifications to various agencies for the appropriate reviews. This section discusses the five major reviews required for development projects.

Fire and Building Safety Review

If a sponsor proposes the development of a new building or alterations to an existing building, the plans and specifications for the new construction must be sent to the state's Department of Fire and Building Safety for review at least one month before the bids are to be let or construction started. These plans are to be prepared by an architect or engineer registered in the State of Indiana, or under their direct supervision. Sponsors must submit three sets of plans and specifications. They will distribute copies of the plans to the State Board of Health if necessary. For more information, contact:

Indiana Department of Fire and Building Services
402 W. Washington St., Room W246
Indianapolis, IN 46204-2739
Telephone: (317) 232-6422
Email: planreview@dhs.IN.gov

Accessibility and Other Considerations Regarding Development

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

Construction of Facilities for Inclusion of Persons with Disabilities

Facilities developed with Indiana Trails Program assistance must be designed and built to be accessible to persons with disabilities. The federal government has developed uniform standards for the design, construction, and alteration of buildings so that persons with disabilities will have access to facilities. These standards are the 2010 Americans with Disabilities Act Standards for Accessible Design, available online at www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm#titleII.

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

1. Curb cuts or ramps that provide easy access to sidewalks.
2. Gradually sloped, hard, non-slip surface walkways leading from parking areas to all facilities.
3. Playground equipment designed to accommodate children with disabilities.
4. Picnic sites with tables designed for persons in wheelchairs.
5. Water fountains and similar facilities designed to permit use by persons with disabilities.
6. Hard-surface parking spaces with curb cuts and signs reserving them for persons with disabilities.

The State also requires all facilities developed with assistance from the program to be designed in conformance with the [Architectural Barriers Act of 1968](#). They also should meet the [Manual on Uniform Traffic Control Devices for Streets and Highways \(MUTCD\)](#) as applicable.

Support Facilities Only

Projects that contain support facilities only will not usually be eligible for assistance through the ITP. Parking lots, restrooms, and similar support facilities may be eligible at sites where trail facilities currently exist. The eligibility of these types of projects will be decided on a case by case basis.

Summary of Construction Procedures

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

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

Chapter 6

BILLING FOR REIMBURSEMENT

Reimbursement

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

Cash Flow

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

Incurred Costs

To be eligible for matching assistance, costs must be incurred within the project period. The local sponsor may not begin development until the project has been approved by the Department of Natural Resources, and environmental coordination has been completed.

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

Billing Submissions

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

Final Billings

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

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

Project sponsors should expect the final billing to take longer to process than progress billings and should arrange their financing accordingly. An “as built” site plan which clearly delineates the completion date, dimensions of the site, and the location of State-assisted development must be submitted with the final billing. The Division of State Parks Community Grants and Trails staff will work with the Applicant in documenting the “as built” site plan.

Billing Documentation

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

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

1. Claim Vouchers: One copy, front and back, of itemized claim vouchers. Claim vouchers must be certified (signed) by the authorized sponsoring agency members or the proper city and county officials. The project name and number should be specified on the claim vouchers. The warrant number of the check payment should also be entered on the vouchers.
2. Canceled Checks: One copy, front and back, of the canceled checks corresponding to each claim voucher.
3. Warranty Deeds: One copy of the recorded warranty deed for each parcel transferring title land or easement restrictions to the grantee.
4. Relocation Information: One copy of the relocation forms and supporting data. Special forms for computing the relocation costs are available from the Grants Staff.
5. Closing Statements: One copy of the closing statement or other documentation showing that incidental expenses were paid by the grantee, regardless of whether reimbursement is being requested.

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

1. Invoices: One copy of invoices from firms or individuals performing work or supplying materials or

equipment for the project. The project name and number should be specified on invoices. The eligible costs should be identified if the invoices include items that are not a part of the project.

2. Claim Vouchers: One copy, front and back, of itemized claim vouchers corresponding to the invoices. The claim vouchers must be certified by the authorized sponsoring agency members or the proper city and county officials. The project name and number should be specified on the claim vouchers. If the claim voucher contains items that are not part of the project, all eligible items need to be identified. The eligible site should be designated with the project number. This designation should be made at the time the claim voucher is prepared. Park and Recreation boards, cities and counties, and not-for-profit agencies are tax exempt and therefore cannot be reimbursed for payment of any sales tax. If sales tax is inadvertently included in a vendor's invoice, it should be identified as an ineligible cost and deducted from the billing.
3. Canceled Checks or Bank Statement: One copy, front and back, of the canceled checks corresponding to the claim voucher. If the check includes payments of ineligible items, the amount included in the billing should be written on the check and labeled as eligible costs. Another option is to provide a bank statement showing the electronic funds transfer (EFT).
4. Force Account Information: If force account costs are claimed in a development billing, the following types of information are required.
 - a. Payroll: One copy of the agency's payroll for the time period during which force account costs are being claimed. The names of those individuals for which force account costs are claimed should be circled or underlined.
 - b. Canceled Checks: One copy, front and back, of the canceled checks corresponding to the force account items. The amount paid for eligible costs should be indicated on the checks by writing across the checks "Eligible Costs" and the amount.
 - c. Force Account Labor Form: One copy of the form, which must include a statement that the individuals for which force account costs are claimed actually performed the listed work. This statement should be signed by the employee involved and the park superintendent, appropriate city or county official, or agency director.
5. In-kind Contributions: The following documentation is required for each of these types of contributions:
 - a. Donated Labor: One copy of the donated Labor Form (Appendix) must be completed for each person donating labor for construction and signed by the donor and agency supervisor. The per-hour value of the labor donations will usually have been documented in the project application by clerk/treasurer's and/or employers' letters as explained in Chapter 2. If a skilled construction person who has not previously provided evidence of his or her per hour wage rate donates time, evidence should be submitted with the billing.
 - b. Donated Materials: A letter from the donor that briefly describes the donated items and states that the donor donated them for the project must be provided. To establish the value of the gifts, quotations of prices for similar materials should be provided from two local commercial suppliers, and the lower of the two quotations will be considered the donated value. Donated materials from a federal source are ineligible as a cost share.

- c. Donated Equipment: A letter from the donor that briefly describes the equipment and its use in the project construction must be submitted. For donated amenities to be installed at the site, price quotations from suppliers of similar equipment will be the value for billing purposes. Quotations for local rental rates from other suppliers and the donor may be used to determine the donated rate per hour. The donor's letter for construction equipment needs to list the dates, hours and types of work performed for the project. Donated federal equipment cannot be used as a cost share.
- d. Donated Cash: Because these contributions are used to pay expenses for a project, the regular payment documentation suffices for cash gifts.

Billing Assembly

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

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

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

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

State Processing of Billings

Once the billing is received by the grant officer, all the documentation is reviewed. This process usually takes between 7 and 14 days, after which reimbursement is requested from the State Auditor. This transaction takes approximately 3 weeks. Once the reimbursement is received by the State Auditor, the money will be electronically deposited into the grantee's account. The entire process will take approximately 5 to 7 weeks.

Billing Checklist

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

- ___1. One copy of the Grant Billing Form.
- ___2. One copy of the invoices for development costs.
- ___3. One copy, front and back, of itemized sponsor claim/pay vouchers.
- ___4. One copy, front and back, of canceled checks or bank statement showing EFT.
- ___5. One copy of the force account information, if applicable.
 - ___a. Payroll with staff pay ordinance for the year work was completed
 - ___b. Canceled Checks
 - ___c. Force Account Labor Form
- ___6. One copy of the in-kind contribution information, if applicable.
 - ___a. Donor's Letter or Donated Labor Form
 - ___b. Evidence of Value
- ___7. One copy of the Post Construction Certificate, if a final billing.
- ___8. A short summary of the project's status to date.

Chapter 7

PROJECT COMPLETION & FUTURE RESPONSIBILITIES

Project Completion

The date of completion is the date when all work in a project is completed, or the date the project expires, whichever comes first. The project sponsor should submit the final billing for the project within 60 days of the date of completion.

Upon notification of project completion, the Division of State Parks Community Grants and Trails staff will conduct a final inspection of the project site. An “as built” site plan must be prepared and submitted along with a Post Construction Certificate (see Appendix). The plan must identify the work funded by the grant, completion date, and boundaries of the site. In a few cases, there may be no changes from the site map submitted with the application other than labeling it with the completion date. The Division of State Parks may make additional notations or revise information on the map.

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

Retention of Records for Audit

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

All files are subject to audit by the State Board of Accounts, which reviews all Indiana governmental fiscal procedures for State compliance.

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

The Applicant agrees that a permanent record shall be kept in the participant’s public property records and shall be available for public inspection. These records shall detail the use of State assistance to acquire and/or develop the project site(s), and state that the site will not be converted to other uses without the prior written approval of the applicable State agencies.

Inspections

Upon project completion, a final inspection is made by the Division of State Parks prior to the authorization of the final reimbursement. Completed projects may be inspected periodically by the Division of State Parks. It must be emphasized that the State of Indiana does not desire to become involved in the daily operation and maintenance of a funded facility. The operation and maintenance requirements are no more restrictive than those required by the local taxpayers or users for the facility they helped to finance.

Operation and Maintenance

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

Public Use and Fees

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

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

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

Project sponsors may impose reasonable limits on the type and extent of use of areas and facilities developed with State assistance when such a limitation is necessary for maintenance or preservation. Thus, limitation may be imposed on the number of persons using an area or facility for the type of users.

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

Retention of the Site for the Use Intended

At the time of project approval, the project sponsor will sign a Grant Agreement with the Indiana Department of Natural Resources Division of State Parks concerning the use, operation and maintenance of the facilities developed with State funds. The Grant Agreement will state that the facilities developed with State assistance must remain open for public trail use for 25 years. When a project sponsor thinks the facility has reached the end of its useful life, the DNR must be contacted. In order for a grantee to be able to close a funded facility, the appropriate DNR staff must concur that the facility is obsolete.

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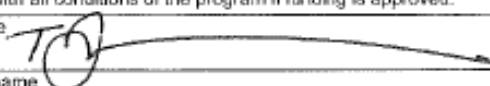
Sample Cost Breakdown

Hoosiertown Trail Project

Design & Engineering (TT&T Consulting Firm)		\$38,000.00
	Trail design & construction engineering	\$35,200.00
	Environmental review & permitting	\$2,800.00
Construction		\$462,000.00
<i>New Trail</i>		<i>\$408,255.00</i>
	HMA for trail (0.83 miles)	\$184,500.00
	Stone subgrade	\$145,650.00
	General earthwork & seeding	\$78,105.00
<i>Trail Node</i>		<i>\$25,970.00</i>
	Concrete pad extension	\$19,100.00
	Concrete pad subgrade	\$3,570.00
	Post-consumer recycled material bench (2)	\$2,000.00
	Dog-waste station (1)	\$1,300.00
<i>Crossing Signage</i>		<i>\$4,600.00</i>
	Crosswalk markings – thermoplastic (1)	\$2,110.00
	Trail crossing signage – trail & road	\$2,490.00
<i>Contingencies (5%)</i>		<i>\$23,175.00</i>
TOTAL PROJECT		\$500,000.00



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

APPLICATION INFORMATION		
Type of grant (Please check one.)		
<input type="checkbox"/> Land and Water Conservation Fund (LWCF)	<input type="checkbox"/> Recreational Trails Program (RTP)	
<input type="checkbox"/> Wabash River Heritage Corridor Fund (WRHCF)	<input checked="" type="checkbox"/> Other: <u>Indiana Trails Program</u>	
Name of organization Hoosiertown Dept. of Planning		Employer identification number 35-22906
Name of contact person Morgan Smith, Town Planner		Data Universal Number System (DUNS) number 9022771098
Address (number and street, city, state, and ZIP code) 333 South Road, Hoosiertown, IN 46222		
Telephone number (317) 555-7734	Fax number (317) 444-7734	E-mail address msmith2@hoosiertown.org
Name and brief description of project: Hoosiertown Trail - build 0.83 miles of asphalt bike/pedestrian trail (10' wide, 2' recovery areas), and expand current trail node by 25 square-feet. Project includes two benches, one dog-waste station, and a road crossing with signage and pavement markings. Design and engineering fees are included in the project, provided by TT&T Consulting, up to \$38,000.00.		
COST CLASSIFICATION		
1. Preliminary expenses	\$	
2. Land, structures, and rights-of-way	\$	
3. Architectural and engineering basic fees	\$ \$38,000.00	
4. Relocation expenses	\$	
5. Construction and equipment	\$ \$462,000.00	
6. TOTAL PROJECT AMOUNT (Lines 1 through 5)	\$ \$500,000.00	
7. Grant Request in line 6	\$ \$400,000.00	
8. Applicant's share of line 6	\$ \$100,000.00	
METHOD OF FINANCING APPLICANT'S SHARE		
1. Local Appropriations (by applicant)	\$ \$93,000.00	
2. Donations	\$	
a. Land	\$	
b. Cash	\$ \$7,000.00	
c. Labor	\$	
d. Equipment	\$	
e. Materials	\$	
3. Federal source (Specify in Remarks.)	\$	
4. Force account (Specify in Remarks.)	\$	
5. Other (Specify in Remarks.)	\$	
6. TOTAL APPLICANT'S SHARE	\$	
Remarks: \$4,500 cash donation from Colts County Community Foundation via the Hoosiertown Community Trail Fund, and \$2,500 cash donation from Lofton Family Foundation. Please see donation commitment letters in the application appendix. Hoosiertown Town Council has committed \$93,000 to the Hoosiertown Trail (capital improvement funds), and has funds available to cover expenses beyond \$500,000.		
To the best of my knowledge, information in this application is true and correct, the grant application has been duly authorized by the applicant and it will comply with all conditions of the program if funding is approved.		
Signature 		Date (month, day, year) 02/27/2023
Printed name Taylor Johnson		Title Town Council President

Application Form Instructions

Use the forms link on the example form to ensure you are using the most current form.

BUDGET INFORMATION

1. Preliminary Expenses • Enter any costs incurred prior to grant award and/or submittal (pre-agreement costs). Eligible types of costs would include archaeological literature searches and architectural/engineering preliminary design services. Other costs, including grant application preparation services, are not eligible.
2. Land, Structures, and Rights-of-way • State the value of all land and rights to land which will be acquired in the project, whether by negotiated purchase, condemnation, donation, or bargain sale.
3. Architectural and Engineering Basic Services • Specify the anticipated costs for architectural/engineering design services, including project plan and specification preparation, project inspection fees, and any other necessary professional services.
4. Relocation Expenses • Enter anticipated costs for providing relocation assistance to affected (displaced) individuals, groups, or businesses.
5. Construction and Equipment • State the projected costs for all construction, materials, and labor costs which will be incurred in this project.
6. Total Project Amount • Add lines 1 through 5. This amount will equal the total cost for acquisition and development.
7. Grant Request • State the amount of ITP assistance which will be requested for this project.
8. Applicant's Share • State the amount of match from the applicant for the project.

METHOD OF FINANCING APPLICANT'S SHARE

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

Environmental Assessment

ENVIRONMENTAL ASSESSMENT

AGENCY _____

ADDRESS _____

ACTION IDENTIFICATION _____

TARGET DATES: Start _____ Completion _____

PROJECTED COST _____

PREPARED BY (Name, Title, Agency, and Telephone Number) _____

I. Background Information

1. Give a brief description of the proposed action(s) and describe how your agency is involved in the action.

2. Describe the geographical area or areas which will be affected by the action(s), including distinguishing natural and man-made characteristics and a brief description of the present use of the area or areas.

II. Assessment of Environmental Impact

Answer the following questions by placing a check in the appropriate space; consider both short- and long-term impact. All questions must be answered in narrative form, whether "yes" or "no" is checked. Not applicable (N/A) responses will not require a narrative explanation.

	Short Term		Long Term		
	Yes	No	Yes	No	N/A
1. Could the action(s) adversely affect the use of a recreational area or area of important aesthetic value? Why or why not?	_____	_____	_____	_____	_____
2. Are any of the natural or man-made features which may be affected in the area(s) unique; that is, not found in other parts of the state or nation? Explain.	_____	_____	_____	_____	_____
3. Could the action(s) adversely affect an historical or archaeological structure or site? Explain the extent of the site specific historic/archaeological information.	_____	_____	_____	_____	_____

	Short Term		Long Term		N/A
	Yes	No	Yes	No	
4. Could the action(s) adversely affect fish, wildlife, or plant life? Describe these populations.	_____	_____	_____	_____	_____
5. Have any fish, mammals or plant species on the rare or endangered list been sighted in the affected area(s)? Which list was checked?	_____	_____	_____	_____	_____
6. Could the action(s) change existing features of any of the state's fresh waters or wetlands? Describe the wetland(s).	_____	_____	_____	_____	_____
7. Could the action(s) change existing features of any of the state's beaches? Explain.	_____	_____	_____	_____	_____
8. Could the action(s) result in the elimination of significant acreage of land presently utilized for agricultural or forestry purposes? Describe the present land use.	_____	_____	_____	_____	_____
9. Will the action(s) require certification, authorization or issuance of a permit by any local, state or federal environmental control agency? Which ones and why?	_____	_____	_____	_____	_____
10. Will the action(s) involve the application, use or disposal of potentially hazardous materials? Describe your source of information.	_____	_____	_____	_____	_____
11. Will the action(s) involve construction of facilities in a flood plain? Describe the extent of the floodway on this site.	_____	_____	_____	_____	_____
12. Could the action(s) result in the generation of a significant level of noise? Explain.	_____	_____	_____	_____	_____

Short Term		Long Term		N/A
Yes	No	Yes	No	

13. Could the action(s) result in the generation of significant amounts of dust? Explain.

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

14. Could the action(s) result in a harmful effect on the quality of the air? Explain.

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

15. Could the action(s) result in a negative effect on the quality or quantity of any portion of the state's water resources? (Indicate the extent and whether surface, ground water, offshore.)

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

16. Could the action(s) affect an area of important scenic value? Describe.

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

17. Could the action(s) result in increased congestion and/or traffic in an already congested area or in an area incapable of absorbing such increase? Explain.

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

18. Could the action(s) require a variance from or result in a violation of any statute, ordinance, by-law, regulation or standard, the major purpose of which is to prevent or minimize damage to the environment? Cite the law.

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

19. Could the action(s) result in any form of adverse environmental impact not included in the above questions? Identify the impacted resource or area.

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

III. Statement of No Significant Environmental Effects

A "Yes" answer in the "Long Term" column in Section II indicates that the action may cause significant environmental impact. If you have answered "Yes" to any of the questions, the effect of which is not clearly beneficial, but still think the action will cause no significant adverse environmental impact indicate your reasons below.

ITP Quarterly Report Template

Indiana State Parks, Community Grants & Trails

Project Name:

Grant #:

Contact Information: *Name/title/phone/e-mail*

Report Date: *1st Quarter 2021 (Jan. 1-Mar. 31, 2021)*

Progress Report

(provide additional detail in Narrative Section below)

Timeline	Task	Status
<i>Month/Year- Month/Year</i>		<i>Completed</i>
		<i>In Progress (behind, on-time)</i>
		<i>Behind Schedule</i>
		<i>On Schedule</i>

‘Status’ Options: Completed; In Progress (behind, on-time); Behind Schedule; On Schedule

Grant Spend Overview

Scope Item	Funds Spent to Date	Cost Estimate
<i>Phase 1: Land Acquisition – Appraisals</i>		
<i>Phase 1: Design & Engineering</i>		
<i>Phase 2: Construction</i>		
CHECK	[A: total spent to date]	[B: total project cost]

Narrative Section

Progress since last report:

Anticipated work next quarter (next steps):

Month 1:

Month 2:

Month 3:

Land Acquisition summary (attach parcel table if necessary):

Permitting/Environmental summary:

Design/Engineering summary:

Obstacles or hardships:

Potential scope or budget changes:

Information needed from DNR or external stakeholders?

Attach photos of any progress on the ground (DNR may use for promotional purposes in addition to monitoring progress).

Quarterly Report Instructions

Indiana State Parks, Community Grants & Trails

General Information

1. Fill in the project name and grant number as they appear on the State Grant Agreement.
2. Fill in the contact information section with the local project manager. If a consultant is assisting with the project at the local level, their contact information should also be provided.
3. Indicate the date of the report and the timeframe the report covers.
 - Please note: the first quarterly report should cover any eligible pre-agreement activities, thus the start date of the report should be back-dated to the date of the grant award announcement.

Progress Report

1. Fill in the 'Task' column with milestones related to the project. These milestones will vary from project to project, please work with your assigned Grant Coordinator to determine appropriate milestones before submitting the first quarterly report.
2. Fill in the 'Timeline' column with the appropriate timeframe for each milestone. These timeframes should be in accordance with the project timeline agreed upon in the application phase.
3. Fill in the 'Status' column with the status option that best fits the particular task: Completed; In Progress (behind, on-time); Behind Schedule; On Schedule.

Grant Spend Overview

1. Fill in the 'Scope Item' column with the scope items identified in the State Grant Agreement cost breakdown.
 - a. Scope items should be categorized into phases. Typically Phase 1 includes land acquisition and design/engineering, while Phase 2 is for construction. Please work with your assigned Grant Coordinator to organize scope items into phases prior to submitting the first Quarterly Report.
 - b. If there are scope items that will be covered by donations, force account, or volunteer labor, please identify them in this column.
2. Fill in the 'Funds Spent to Date' column with the amount of money paid toward that specific scope item, up to the end-date of the report's period.
 - a. A good rule of thumb is to look at the documentation available for the payment. If you have an invoice, cleared check, and local payment voucher, you should include the total payment amount in the 'Funds Spent to Date' column. *Please refer to Chapter 6 for specific billings guidance.*
3. Fill in the 'Cost Estimate' column with the total estimated cost for the scope item as identified in the State Grant Agreement's cost breakdown.
4. Fill in 'Check' Box A with the total funds spent to date for all scope items. 'Check' Box B should be the total project costs as identified in the State Grant Agreement's cost breakdown.

Narrative Section

Progress Since Last Report: Provide a narrative description of the progress achieved since the last report.

- If force account or volunteer labor was utilized during the reporting timeframe, please identify how many hours were accumulated and the anticipated match value.
- If a billing was submitted during the reporting period, please identify the total reimbursement request and the date sent to CGT for review. If reimbursement funds were received, please identify the date and confirm amount.

Anticipated Work Next Quarter: Identify the major project milestones to be achieved in the next reporting period. If specific dates are available (e.g. when bids will be opened) then please mention them here.

Land Acquisition summary: Identify any progress made regarding land acquisition including appraisals, offers/negotiations, DNR Approvals, purchases/donations, and transfers of title. *Please read Chapter 4 very closely to ensure that the proper land acquisition guidelines are followed.*

Permitting/Environmental Summary: Identify any progress made towards environmental reviews, permitting, and any project related coordination with agencies apart from Indiana State Parks. You should also identify if you are waiting on communication/have received from another stakeholder with environmental or historical permitting power, such as US Army Corps of Engineers or State Historic Preservation (SHPO). *Please provide copies of correspondence where applicable.*

Design/Engineering Summary: Identify any progress made towards design and engineering for the project, including the how the plans have developed since the last report (e.g. 70% complete). Please identify a target date for the plans to reach 90% completion and update as necessary. *CGT plan reviews focus on safety, ADA compliance, and project scope items. Please coordinate with you assigned Grant Coordinator to ensure a sufficient level of detail is provided for CGT review prior to the initial plan submittal.*

Obstacles or Hardships: Describe any hurdles or setbacks that the project has experienced during the reporting period. This could include supply-chain delays or poor weather conditions, to name a few. *If the project experiences a major obstacle, please contact your assigned Grant Coordinator as soon as possible.*

Potential Scope or Budget Changes: Describe any possible scope or budget changes that may need CGT's approval. These may include reducing the project scope due to high cost of materials or adding a new scope item because costs were saved elsewhere. *All scope or budget changes must be approved by CGT prior to action being taken.*

Information needed from DNR or external stakeholders: Describe any questions you may have for the CGT team.

Attach Photos of any progress on the ground: These photos may help your assigned Grant Coordinator identify issues during the construction phase, so all parties can avoid issues during the final close-out of the project. Additionally, CGT may showcase the project's progress on our social media outlets.

Sample ITP Quarterly Report

Indiana State Parks, Community Grants & Trails

Project Name: Hoosiertown Trail

Grant #: ITP23-01

Contact Information: *Morgan Smith, Town Planner, msmith2@hoosiertown.org;*

Alex McKelly, Project Manager TT&T Design Group, mckellya@t3design.com

Report Date: 2nd Quarter 2023 (April 1st – June 30th, 2023)

Progress Report

(provide additional detail in Narrative Section below)

Timeline	Task	Status
<i>May 2023</i>	Notified of Grant Award, begin design/environmental work and State Grant Agreement coordination	<i>In Progress (on-time)</i>
<i>June - August 2023</i>	Receive copy of State Grant Agreement, submit Environmental Review	<i>On Schedule</i>
<i>September – October 2023</i>	Submit detailed designs & draft encumbered deed for CGT review. Hopeful approval by end of October.	<i>On Schedule</i>
<i>November – December 2023</i>	Submit draft bidding documents for CGT review. Advertise for bid by early December . <i>Submit 1st billing</i>	<i>On Schedule</i>
<i>January 2024</i>	Open and award bids January 8 th , send CGT bid tabulation, award summary, and copy of contract.	<i>On Schedule</i>
<i>March - October 2024</i>	Construction of trail and trailhead	<i>On Schedule</i>
<i>November 2024</i>	Final construction punch-list determined, reach out to CGT to coordinate final inspection. <i>Submit 2nd billing</i>	<i>On Schedule</i>
<i>December 2024</i>	Final inspection of trail and trailhead, grand opening for the Hoosiertown community	<i>On Schedule</i>
<i>January – March 2025</i>	Close-out paperwork & <i>final billing</i>	<i>On Schedule</i>
<i>April – May 2025</i>	Final billing received, project officially closes-out	<i>On Schedule</i>

‘Status’ Options: Completed; In Progress (behind, on-time); Behind Schedule; On Schedule

Grant Spend Overview

Scope Item	Funds Spent to Date	Cost Estimate
<i>Phase 1: Design – Environmental Review & CSGP Permit</i>	\$2,600.00	\$2,800.00
<i>Phase 1: Design – Design & Engineering</i>	\$8,100.00	\$35,200.00
<i>Phase 2: Construction – 0.83 miles of asphalt trail + amenities</i>		\$462,000.00
<i>CHECK</i>	\$10,700.00	\$500,000.00

Narrative Section

Progress since last report:

TT&T has completed the ITP environmental review and coordination with IDEM, please see attached documents. Work continues on the detailed designs of the trail; progress is on track for a September submission for CGT review. Hoosiertown's Attorney should have a draft Notice of Restriction ready for review in July. Hoosiertown received a copy of the State Grant Agreement on June 3rd for local signatures and have returned it to the State for final approval.

Anticipated work next quarter (next steps):

Month 1: Continue design and engineering, submit draft Notice of Restriction

Month 2: Receive approval, and record Notice of Restriction. Design will continue

Month 3: Submit 90% complete plans to CGT for review by September 15th

Land Acquisition summary (attach parcel table if necessary): N/A

Permitting/Environmental summary: See attached completed environmental review and Construction Stormwater General Permit

Design/Engineering summary: Detailed design works continues, progress is currently at ~70%.

Obstacles or hardships: N/A

Potential scope or budget changes: N/A

Information needed from DNR or external stakeholders? Please provide guidance regarding crossing signage requirements for ITP. TT&T wants to ensure that they understand where ITP programmatic standards may exceed MUTCD standards.

Attach photos of any progress on the ground (DNR may use for promotional purposes in addition to monitoring progress).

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



GRANT FORCE ACCOUNT LABOR

State Form 55084 (R / 2-20)
DEPARTMENT OF NATURAL RESOURCES

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

Grantee	Project number
Name of employee	Pay period

Date <i>(month, day, year)</i>	Location	Hours	Wage Rate	Overtime Wage Rate	Total	Description of Work
TOTALS						

I certify, under penalty of perjury, that the above time record is correct, fair, and based upon work performed and actual payment.	
Signature of employee	Date <i>(month, day, year)</i>
Signature of supervisor	Date <i>(month, day, year)</i>

Force Account Labor Form Instructions

The Force Account Labor Form documents the labor costs of the applicant's employees who worked on an Indiana Trails Program project. Use the forms link on the example form to ensure you are using the most current form. To justify these expenses, the Force Account Labor Form must be submitted along with copies of the payroll.

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

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

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



GRANT DONATED LABOR
 State Form 55083 (R / 2-20)
 DEPARTMENT OF NATURAL RESOURCES

INSTRUCTIONS:

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

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

Grantee	Project number
Name of donor	

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

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

Donated Labor Form Instructions

This form is used to document labor costs of volunteer workers who worked on the Indiana Trails Program project. Use the forms link on the example form to ensure you are using the most current form. To justify their donated time, the completed form must be submitted with the billing.

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

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

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

Grant Billing Form Instructions

One copy of the Grant Billing Form must be completed in order to request reimbursement. Use the forms link on the example form to ensure you are using the most current form. Instructions for the completion of the form are as follows:

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

Indiana Trails Program Encumbrance Language

ITP requires protective deed restrictions for property acquired or developed by the program. The purpose of these restrictions is to protect DNR's investment in the trail development improvements, and/or in the acquisition of property (in fee) or property rights (by easement). Please note that in order to comply with the ITP Manual, the applicant must submit deeds to the **fee simple** property acquired with ITP funds or donated for ITP trail development with a clause that reads:

"WHEREAS the property herein described was acquired under the State of Indiana's Indiana Trails program. The intent of the Indiana Trails program is to preserve and develop important recreational trail resources throughout the State of Indiana for the use and enjoyment of the citizens of the State and others. Property acquired under the Indiana Trails program will be used solely for recreational trail purposes in perpetuity."

This statement can be included in the original deed of conveyance to the applicant or can be recorded in a subsequent quitclaim deed from the applicant to the applicant.

Trail corridor improved with ITP funds should be protected by deed restriction wherever possible. If the property to be improved by the ITP grant was **owned by the applicant prior to application**, the following language should be inserted into the property deed, and re-recorded by quitclaim deed from the applicant to itself:

"WHEREAS the property herein described was developed for recreational trail purposes under the State of Indiana's Indiana Trails program. The intent of the Indiana Trails program is to preserve and develop important recreational trail resources throughout the State of Indiana for the use and enjoyment of the citizens of the state and others. Property developed under the Indiana Trails program will be used solely for recreational trail purposes for a term of no less than 25 years from the date of recording hereof."

Limited exceptions may apply to situations such as public road of way, or property that is already restricted by a State of Indiana Conservation Easement (Indiana Heritage Trust, President Benjamin Harrison Conservation Trust, or Bicentennial Nature Trust).

If the property rights acquired with ITP funds or donated for ITP trail development are under a **permanent easement** held by the ITP applicant, the recorded easement should contain a clause that reads:

"WHEREAS the easement area herein described was acquired under the State of Indiana's Indiana Trails program. The intent of the Indiana Trails program is to preserve and develop important recreational trail resources throughout the State of Indiana for the use and enjoyment of the citizens of the State and others. Property rights acquired with these funds will be used solely for recreational trail purposes in perpetuity."

If the property rights acquired with ITP funds or donated for ITP trail development are under a **term easement** held by the ITP applicant, the recorded easement should contain a clause that reads:

"WHEREAS the easement area herein described was acquired with the assistance of funding from the State of Indiana under the Indiana Trails program. The intent of the Indiana Trails program is to preserve and develop important recreational trail resources throughout the State of Indiana for the use and enjoyment of the citizens of the State and others. Property rights acquired with these funds will be used solely for recreational trail purposes for a term of no less than 25 years from the date of recording hereof."

Easements (either term or permanent) granted (whether purchased or donated) to the applicant under the ITP program must be recorded by the County Recorder and Cross-Referenced to the Grantor's vesting deed.



GRANT POST CONSTRUCTION CERTIFICATE

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

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

INSTRUCTIONS:

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

AS-BUILT PLANS:

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

As-built plans must include:

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

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

Check one:

Attached are copies of as-built plans.

Plans did not change from those previously submitted and approved.

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

Signature of president or designee / grantee

Date (month, day, year)

Signature of project engineer / architect

Date (month, day, year)

Certification number of stamp



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

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



www.in.gov/dnr/state-parks/recreation/

Indiana DNR, Division of State Parks
Community Grants and Trails Section
402 West Washington Street, W271
Indianapolis, IN 46204
(317) 232-4075

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