

Off-Highway Vehicle Recreation (OHVR) Grant Manual

General Information

The Off-Highway Vehicle Recreation (OHVR) grant program is funded by the off-highway vehicle (OHV) registration fees under authority of NDCC 39-29-05. Offered through the North Dakota Parks and Recreation Department (NDPRD), OHVR grants reimburse up to 80 percent of eligible expenses with a maximum grant of \$150,000 for construction, improvement, renovation of OHV recreation facilities throughout North Dakota or other OHV related education and events. This grant program also offers up to 100% funding for law enforcement agencies to assist with enforcement of OHV riding areas and promote responsible OHV use.

- **Eligible Applicants:** North Dakota political subdivisions (including cities, counties, park districts), state agencies, federal agencies, and OHV clubs and non-profit organizations recognized by the North Dakota Secretary of State. Any law enforcement agency in North Dakota may apply for the law enforcement grant.

- **Eligible Expenses: Planning, development, education or event grant category:**
 - Construction of new OHV trails and trail bridges
 - Restoration of existing OHV trails and trail bridges
 - Development and rehabilitation of OHV trailside and trailhead facilities and trail linkages
 - Signage
 - Costs associated with professional service fees for design and engineering and/or permits (may not exceed 20% of total project cost)
 - Land acquisition, lease, or easement
 - Equipment rental costs associated with eligible project
 - OHV related education and training – *Maximum of \$2,000*
 - OHV related events – *Maximum of \$2,000*

- **Eligible Expenses- Law enforcement grant category:**
 - Equipment used solely for enforcement of OHV activities
 - Overtime expense for officers patrolling OHV areas
 - Signage
 - Local/statewide media for public awareness of laws and safety issues
 - OHV related education and training – *Maximum of \$2,000*
 - OHV related events – *Maximum of \$2,000*

Agencies must clearly demonstrate their intended use of the equipment and overtime hours in the application

- **Ineligible Expenses:**
 - Ongoing operation or maintenance
 - Access roads and/or road maintenance
 - Equipment (equipment is only eligible to the law enforcement category)
 - Recreation facilities which do not directly benefit OHV recreation

- **ADA and ABA Requirements:** All support facilities must meet requirements of the Americans with Disabilities Act and the Architectural Barriers Act.

- **Land Acquisitions, Lease or Easements:** Land acquisitions may be eligible for funding. Project sponsors should contact NDPRD for more information before applying. Leases or easements must be for a minimum of 25 years.

- **Project Clearance:** Projects must be reviewed for environmental, historical and cultural clearances through the ND State Historic Preservation Office, the ND Natural Heritage Inventory and the Land and Water Conservation Fund. The projects selected for funding will be forwarded by NDPRD to these agencies for review. Projects which do not pass this review will not receive funding.

- **State and Local Contributions:** NDPRD will reimburse the project sponsor up to 80% of the total eligible project costs, with the remainder the responsibility of the local project sponsor. Law enforcement agencies may receive up to 100% funding depending on available funds. 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, force account contributions, cash donations or other state or federal funding sources so long as those programs allow.

- **Project Timeline:** Grant recipients must utilize funding within 18 months of the award to ensure timely completion of the project and efficient use of the funds.

General Provisions

- **Project Application:** Please see the attached OHVR and OHVR Law Enforcement grant applications.

- **Pre-award Inspection:** All projects are subject to a pre-award site inspection.

- **Grant Award Agreement:** NDPRD will provide the project sponsor with a grant award agreement that must be signed by both parties prior to starting the project or purchasing equipment.

- **Reimbursement:** The project sponsor will not receive a cash grant at the time of the grant award. The sponsor must pay the bills first and then request reimbursement for the allowable

maximum of the expenses incurred for the project. Reimbursement requests may be made periodically during the project period. Reimbursement forms are available at <https://www.parkrec.nd.gov/business/grants/ohv-trail-grant>

As in any program where a reimbursement is requested for a portion of the project costs, adequate documentation and records are essential. Provide supporting documentation (i.e. invoices and canceled checks) for each item of cost claimed - estimates are not sufficient. NDPRD may request additional support documentation in order to deem a reimbursement request complete.

- Reimbursement Requests: The following is a list of documentation NDPRD will need to process all reimbursement requests:
 - Reimbursement Request Form
 - Progress Report Form
 - Affidavit of publication, supplied by the newspaper when you advertise for bids.
 - Minutes of any meeting at which action is taken on bids received. Should be dated and signed by responsible official.
 - Contractor invoices (or final progress payment, if countersigned by contractor acknowledging payment of all prior charges, and if the cost of each major work item is shown) and cancelled checks to contractor (copy of both sides).
 - Cancelled checks (copy of both sides) for all other materials and services.
 - Copies of invoices. Not monthly statements.
 - Employee time records.
 - Individual earnings records for the calendar year or payroll journals. Should show gross wages, withholdings and net pay for each pay period.
 - Equipment rental time records.
 - Detailed schedule showing how you computed owned-equipment rental rates. For donated equipment time, you must use hourly rates via a quote from a local rent all or a published equipment billing chart for a municipality.

- Partial Billing: Using the Reimbursement Request Form, a partial billing along with supporting documentation may be submitted to NDPRD after portions of the work have been completed.

- Final Billing: Final billings should be submitted within thirty days of the completion of the project or the grant expiration date, whichever comes first. Final billing must be submitted to NDPRD utilizing the process outlined above. Once a final billing is received, NDPRD staff will contact the local sponsor to discuss the completed grant project and arrange for a final inspection. Final billing and grant closeout will not be completed until NDPRD has conducted the final inspection and certified the project is indeed complete, meeting the description outlined in the grant application and/or project amendment.

- Reimbursement Request Form: The local sponsor is responsible to track costs according to the categories on the Reimbursement Request Form and must maintain an auditable record for a period of not less than 3 years from the expiration date of a grant award. The

Reimbursement Request Form provided by NDPRD must be submitted with all payment requests

- **Procurement:** Grant recipients are required to follow their agency's own procurement requirements. If the grant recipient has no procurement requirements, then the grant recipient shall follow the State of North Dakota's procurement guidelines when purchasing goods or services. If a local process is in place, please provide a copy to NDPRD prior to any expenditure.
<https://www.nd.gov/omb/sites/omb/files/documents/agency/purchasing/purchasing-thresholds.pdf>
- Documentation Requirements: Each procurement transaction must be adequately documented for audit and public record purposes. Include any required approvals, solicitation document used, list of bidders solicited, responses received, bid summary or evaluation worksheets, reasons for rejecting a particular bid, and method of award (e.g. purchasing card or purchase order). Written determinations are required for all emergency, limited competitive and noncompetitive procurements.
- **Amendments:** During the grant period, various situations may result in changes or deviations from the grant description. An amendment is necessary to add to or alter the approved project. Changes that may necessitate an amendment are increases or decreases in the grant amount, scope changes, or an extension of the project period.
- Changes in Project Scope: Only those items approved for the grant are eligible for reimbursement. Projects must be constructed in the same location as designated on the 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 amendment is approved.

The amount of state assistance specified on the award letter is the maximum amount reserved for that particular project. Costs over this amount have to be paid by the applicant. All changes in project scope should be in accordance with the intent of the original application, and must be justifiable. The need for the change must be documented by a letter to the NDPRD, accompanied by revised cost estimates, construction plans, and maps.

- Project Period Extensions: All acquisition and development must take place within the project period, which is identified in the award letter. The award letter 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 an 18 month project period.

If the project cannot be completed during the period identified on the project letter, a request must be submitted for a time extension. 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. Typically no more than one six month extension can be granted and then only under unforeseen circumstances. Work performed after the project has expired will not be eligible for reimbursement. Final payments for work

done during the project period can be made after the project has expired. These payments should specify the work had been completed before the project expired.

- Submission of an Amendment Request: The grant sponsor initiates the amendment by submitting a request for the changes to NDPRD. This request should include all project revisions desired, including cost estimates, maps or design plans, and justification of the need for the changes. It is recommended the NDPRD be contacted prior to the submission of the amendment request. Department staff will be able to provide advice on the feasibility of an amendment approval. An amendment for a change in scope can be requested any time prior to the beginning of work on the added item. An amendment for an extension of time should be submitted forty-five days before the grant is scheduled to expire.

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 grant application will not be accepted. It is the responsibility of the local sponsor to thoroughly determine the type of project prior to submission and, upon approval, carry through with that proposal.

- **Trail Signage:** Any project, upon completion, must be adequately marked for clear and safe usage of Off-Highway Vehicles.
- **Grant Completion:** Upon notification by the local sponsor that a project has been completed, NDPRD staff will conduct a final inspection. If the project has been completed in accord with the grant description, the final billing can be processed. In order for a project to be considered completed and ready for final billing, it should be submitted within thirty days of the completion of the grant or expiration date, whichever comes first. Law enforcement agencies must submit a final report describing results of enforcement events (including number of contacts, citations/warnings issued, etc.), media campaigns, amount and effect of overtime hour use, and photos of equipment and signage.
- **Grant Termination:** A local sponsor may request withdrawal of a grant at any time prior to the first payment or expenditure of grant funds. After the initial payment, the grant may be rescinded, modified or amended only by written mutual agreement between the local sponsor and NDPRD.

NDPRD may terminate a grant in whole or in part, at any time before the date of completion, if it is determined the local sponsor has failed to comply with the terms of the grant proposal or the intent of the program. Failure by the local sponsor to comply with the terms of the grant may cause suspension of all obligations and a return of any monies received. If a grant is terminated, the local sponsor will be notified in writing of the determination and the reasons for the termination, together with the effective date. Payments made to the local sponsor or recovery of funds by the NDPRD under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.

NDPRD may terminate the grants in whole or in part at any time before the date of completion when all parties agree that the continuation of the grant would not produce beneficial results

commensurate with the further expenditure of funds. The parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated. The local sponsor shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. Termination either for cause or for convenience requires the grant in question be brought to a state of recreational usefulness agreed upon by the local sponsor and NDPRD or all funds must be returned.

- **Project Site Retention & Future Responsibilities:** At the time of project approval, the local sponsor, through the acceptance of funds, commits that the facilities developed with state assistance must remain open for general public use and will be operated and maintained. The site and facility must remain in public use until the facilities become obsolete or are at the end of their useable life.
- **Display Requirement:** All projects funded through the Off-Highway Vehicle Recreation Grant must display signage acknowledging the North Dakota Parks and Recreation Department OHV Program.
- **Forms and Resources:** All Grant Program forms are available at <https://www.parkrec.nd.gov/business/grants/ohv-trail-grant>

Off-Highway Vehicle Recreation Grant Application

Sponsor Agency or Organization:	
Sponsor Primary Contact Name & Title:	
Sponsor Mailing Address:	
Sponsor Email:	
Sponsor Phone:	
Alternate Contact Name & Title	
Alternate Mailing Address:	
Alternate Email:	
Alternate Phone:	

Type of Grant (check one):

- Planning, Development, Education or Event Grant
 Law Enforcement Grant

Project or Grant Name:	
Project Location (legal description or address):	
Total Project Cost:	
Requested Grant Amount:	
Scope of Project (200 words or less):	
Describe the OHV enforcement need (overtime, equipment, signage, etc.)	
Describe the proposed enforcement area, including problems and how this assistance will help with addressing these problems.	

Describe the proposed project site (200 words or less).	
Does the Project Sponsor own the land? If not, explain and include documentation of any leases or other agreements.	
Describe the plan for long-term maintenance of the site or equipment. Or for enforcement, will this be recurring grant application?	
Describe current OHV opportunities or events that occur near the project:	
Describe how this project is part of a strategic plan for recreation.	
Describe the public process completed to date that supports this Grant.	
Describe Any Unique or Important Significance of the Project.	
Describe What Actions You Have Taken to Identify Any Environmental, Cultural or Historic Impacts from This Project.	
Describe any partnerships or agreements with other agencies that will benefit from this project.	
Explain any benefits or negative impacts from this project.	

What is the estimated start and end date?	
Please explain how you will meet the sponsor match requirements. Include all funding sources, amounts and commitments. Include a budget spreadsheet detailing expenses.	
Would partial funding affect completion of this grant? If so, explain.	

Please attach the following documents:

- a.** A copy of the Warranty Deed or lease/easement agreement
- b.** Project location maps
- c.** Site development plan
- d.** Equipment specifications
- e.** Public relations plan
- f.** Supporting documents (such as photos, letters of support, meeting minutes, etc.)

I certify that all information in this application (including attachments) is true and accurate to the best of my knowledge, and that I am an authorized official of the project sponsor:

Authorized Official Signature

Authorized Official Title

Project Sponsor

Date

Please return completed application to:

ND Parks and Recreation Department
 Attn: Motorized Recreation Coordinator
 1600 East Century Avenue, Suite 3
 Bismarck, ND 58503
 (701) 328-5357
 parkrec@nd.gov