

BUREAU OF RECREATION AND CONSERVATION

Title: Development- Eligible and Ineligible Grant Project Activities/Costs/Match		
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Approved By: Tom Ford, Bureau Director	Program Area: All	

AUTHORITY

Act 18 of 1995, Section 306, Community Recreation and Heritage Conservation. The Department shall have the power to administer Federal and State programs for grants and loans to local governments, municipal authorities and nonprofit organizations for community and regional projects involving the planning, acquisition, rehabilitation and development of public park, recreation and conservation areas, facilities and programs.

SCOPE

Provides directive for administration of the Community Conservation Partnerships Grant Program

PURPOSE

The Department of Conservation and Natural Resources (DCNR) Community Conservation Partnerships grant program is administered by the Bureau of Recreation and Conservation (Bureau). This policy has been established to help define the various types of activities, costs and match, to include both cash and non-cash match values, which are eligible under this program for development projects.

Please note that it is difficult to identify all possible project activities, costs and match scenarios. The Bureau reserves the right, at its sole discretion, to review and determine the eligibility of all proposed project activities, costs and match both during the grant application process and the grant administration and management process, should your project be selected for funding.

POLICY

To be considered eligible, all project activities, costs and match must be:

1. Approved by the Bureau.
2. Directly related to performing the official scope of work included in Appendix A of the Grant Agreement.
3. Incurred within the Grant Agreement period.

A. Eligible Activities, Costs and Match

1. If an application is funded, costs incurred prior to the approval of the Grant Agreement necessary to submit the grant application and to meet the Bureau's requirements may be eligible at the Bureau's discretion. Examples of eligible pre-agreement costs include the preparation of the site development drawings, specifications, and surveys related to the development of the project.
2. Professional Service Fees contracted to perform all or part of the Bureau approved project scope of work. These fees/costs may include: design costs provided by an architect, engineer or landscape architect to develop drawings and specifications, bid advertisements including postage, construction observation, property surveys, solicitor/attorney fees, permitting costs, etc.

- a. Reimbursement of Professional Service Fees are limited to 20% of the total eligible construction costs. Exceptions are evaluated on a case-by-case basis.
 - b. For projects funded under the Small Community Program, \$10,000 of the grant award is earmarked for Professional Service Fees only and does not require a match. This \$10,000 cannot be used for Construction Costs (Materials, Equipment, or Labor Costs). The unused balance will be returned to DCNR or disencumbered from the Grant Agreement. Professional Service Fees exceeding \$10,000 may also be considered for reimbursement. Reimbursement of Professional Service Fees is limited to a maximum of 20% of the total eligible construction costs. Exceptions are evaluated on a case-by-case basis.
 - c. Design work must be under the seal of a licensed professional who is authorized by Pennsylvania law to apply the seal. Depending on the project, the professional could be an architect, engineer, or landscape architect. No value for drawings and specifications will be accepted for work done by individuals not meeting these qualifications and licensure requirements.
3. Costs related to an independent project audit, if required by the Bureau. These costs may be considered eligible even if the audit is performed after the grant agreement period, as specified in the Grant Agreement Terms and Conditions.
4. Construction contracts and/or materials contracts executed between the applicant/grantee and a contractor/supplier to perform the approved scope of work. Construction contracts must meet the specifications approved by the design consultant and Bureau.
5. Stormwater infrastructure that supports the development of recreation amenities. This can include grey stormwater infrastructure, green stormwater infrastructure and nature-based solutions. The determination of whether the infrastructure proposed (grey or green) supports recreation amenities will be at the sole discretion of the Bureau. The Bureau will also consider whether the proposed infrastructure is consistent with provisions in the Donated and Dedicated Property Act.
6. Small Community Program Projects ONLY:
 - a. \$10,000 of the grant award is earmarked for Professional Service Fees and does not require a match. This \$10,000 cannot be used for Construction Costs (materials, equipment, or labor). Any unused balance earmarked for Professional Service Fees will be returned to DCNR and disencumbered from the Grant Agreement.
 - b. Professional Service Fees exceeding \$10,000 may also be eligible for reimbursement. Total reimbursement of Professional Service Fees is limited to a maximum of 20% of the total eligible construction costs.
 - c. In small communities where capacity may be limited, the Professional Service Fees allowance is intended to support a greater leadership role by a design consultant to ensure compliance with program and permitting requirements for successful completion of the project. Roles and responsibilities may include community and municipal leadership engagement, grant management oversight, construction management and/or observation, etc.
7. Cash contributions provided by other organizations for use as local matching funds should be transferred to the applicant/grantee to expend. In such cases where an outside organization/agency wishes to expend funds on behalf of the applicant/grantee, a formal agreement must be executed by all parties to define roles and responsibilities (e.g. Community Development Block Grant Funds, County Gaming Funds, County Redevelopment Authority

Funds, etc.). Draft agreements should be provided to the Bureau for review and approval prior to execution.

8. Costs associated with ordering a PNDI environmental review receipt.

B. Ineligible Activities, Costs and Match

1. Items related to the preparation of the grant application.
2. Projects located outside of the Commonwealth of Pennsylvania.
3. Grant project administration, including costs associated with creating and maintaining complete and accurate grant project records (e.g. generating Bureau progress reports, submitting payment requests, correspondence or resolutions; in-house costs related to supervision of staff; costs for accounting and bookkeeping, etc.).
4. Costs of conducting fundraising activities
5. Costs associated with lobbying activities.
6. Costs for food, drink, gifts and other hospitality items related to the general promotion of the applicant/grantee organization or project.
7. Costs determined by the Bureau to be in violation of the Grant Agreement Terms and Conditions.
8. Purchase of maintenance equipment such as tractors, mowers, maintenance supplies, recreational supplies, hand tools, etc. (except for ATV & Snowmobile Program funded grants/projects).
9. Appraisal and other costs related to a land donation.
10. Costs of memorials for specific people, groups, and/or events such as remembrance walls, pavers, plaques, etc.
11. Generally, items not permanently affixed to real property. Because it is not possible to list all items, the Bureau will determine the eligibility of all questionable items at its sole discretion. Examples of such items may include: portable equipment such as tables, chairs, sporting equipment; portable toilets; concession stand equipment; kitchen equipment such as refrigerators, stoves, fryers, and microwaves; computers; televisions; microphones; tools; etc.
12. Temporary facilities such as portable bathrooms and skating rinks, removable field fencing, temporary bridges, tents, etc.
13. Demolition costs not pre-approved by the Bureau. Pre-approved demolition costs may include costs that are nominal in relation to the total project cost.
14. Cost of subscriptions or memberships for technology services such as security camera monitoring
15. Construction, renovation or enhancement of grey or green stormwater infrastructure that does not serve recreation interests. The Bureau reserves the authority at its sole discretion to determine what serves a recreation interest.

C. Match General Requirements

1. DCNR Development grants require a match. Depending on the project type and category, match may include Cash and/or Non-Cash Values (In-House Services, Equipment Use, Donated Goods & Services and/or Volunteer Labor). All match must be directly related to the Grant Agreement scope of work. For additional information, refer to the Grant Program Guidelines for each project type and funding source and the following table.

Project Type	Required Match	Eligible Match Type		
		Cash	Non-Cash Value	Land Donation Value
Development – Parks, Trails, Rivers	50%	X	X	X
Land & Water Conservation Fund	50%	X		
Small Community Program	Varies	X	X	X
PA Recreational Trails Program	20%	X	X	
Snowmobile & ATV Trails Programs	None			

2. Typically, items eligible for reimbursement with grant funds are also eligible as match. All project activities, whether reimbursed with grant funds or used as match, must follow competitive bidding/purchasing requirements established by law and outlined in the Bureau Competitive Bidding/Purchasing Policy.
3. Grant funds cannot be used for reimbursement of Non-Cash match activities or costs.
4. Match in excess of that counted for a project may not be carried over for use on another grant.
5. Cash, Non-Cash, and Land Donation match may be used only once as match. If it has been counted as match for another project/grant or portion of this project, it may not be counted as match again, regardless of who funded the project(s).
6. Cash contributions provided by other organizations for use as local matching funds should be transferred to the applicant/grantee to expend. In such cases where an outside organization/agency wishes to expend funds on behalf of the applicant/grantee, a formal agreement must be executed by all parties to define roles and responsibilities (e.g. Community Development Block Grant Funds, County Gaming Funds, County Redevelopment Authority Funds, etc.). Draft agreements should be provided to the Bureau for review and approval prior to execution. Grantees may not permit partner organizations to contract labor and/or purchase materials/equipment for the purpose of avoiding competitive bidding/purchasing requirements established by law and outlined in the Bureau Competitive Bidding/Purchasing Policy.
7. Donated work is valued at the value of the work performed, not the value of the individual performing the work. For example, a licensed Landscape Architect preparing a site plan may value that work at the rate for which they normally bill for such work. However, the value of the work provided by a Landscape Architect doing non-skilled labor will be valued at the [PA Independent Sector Volunteer Rate](#) at the time the work was performed, not at the billable rate of the Landscape Architect. Likewise, professional tradesmen bring significant value to a project and the value of their billable rate may be claimed. Individuals with no training and/or

experience cannot perform the work and claim the value of that work to be at the level of a professional.

8. Individuals and firms must possess the appropriate qualifications, certifications, skills, training, and experience necessary to provide the services. The Bureau may request to review a resume and qualifications. The acceptable rate will be established as the professional's actual hourly rate as documented on their employer's official letterhead or invoice.

D. Eligible Match

1. **In-House Services:** In-House Services and labor must be directly related to the performance of work that is tied, all or in part, to the Bureau approved Project Scope of Work as stated in Appendix "A" of the Grant Agreement. The value of In-House Services is equal to the employee's established hourly wage rate or the employee's hourly rate plus fringe benefits and operational overhead costs. Fringe benefits and overhead costs may include but are not limited to employee insurance, retirement benefits, and paid vacation. A Billable Rate Schedule must be provided at the start of the project. Detailed recordkeeping is required during the grant period.
2. **Equipment Use:** Equipment Use must be directly related to the performance of work that is tied, all or in part, to the Bureau approved Project Scope of Work as stated in Appendix "A" of the Grant Agreement. Equipment must be owned by the grantee or use donated by an equipment owner. A Billable Rate Schedule must be provided at the start of the project. Detailed recordkeeping is required during the grant period.
3. **Donated Goods and/or Services (non-cash only):** Donated Goods and/or Services are provided at no cost to the Grantee and are directly related to the performance of labor and/or the provision of site materials, tied all or in part, to the Bureau approved Project Scope of Work as stated in Appendix "A" of the Grant Agreement.
 - a. Partner organizations may not contract labor and/or purchase materials/equipment and then donate the value to the Grantee for the purpose of avoiding competitive bidding/purchasing requirements established by law and outlined in the Bureau Competitive Bidding/Purchasing Policy.
 - b. Donated Goods must meet the design specifications approved by the design consultant and the Bureau. Donated materials must meet the design specifications required for the project and must be documented by an itemized, dated, and signed donation letter from the entity making the donation. The value of Donated Goods is equal to their actual cost, if purchased.
 - c. Donated Services may include both labor and equipment costs. Donations require a Letter of Commitment at the time of application. Upon conclusion of the project, a formal written letter must be supplied by the contractor providing specifics of the donated work and/or equipment including date, type, and value of work performed.
 - d. **Volunteer Labor (non-cash only):** Volunteer Labor consists of non-skilled labor not paid for by the Grantee. Volunteer Labor must be directly related to the performance of work, tied all or in part, to the Bureau approved Project Scope of Work, as stated in Appendix "A" of the Grant Agreement. Volunteer Labor is valued the current [Pennsylvania Independent Sector Volunteer Rate](#) at the time the work was performed. Work performed by prisoners or individuals under the age of 18 is valued at the Commonwealth's minimum wage rate.
4. **Land Donation (non-cash only):** Land Donation of the land to be developed may be eligible as non-cash match. The market value of land must be determined by a state certified General Real

Estate Appraiser and a copy of the appraisal must be provided with the application. A second appraisal may be required if the project is funded. Refer to the Land Acquisition policy/guidelines for additional information related to the appraisal. A Letter of Commitment regarding the proposed land donation must be provided during the application period. Transfer of the land to the applicant/grantee must occur during the approved Grant Agreement period, not before.

E. Ineligible Match

1. Contracted labor and/or purchase of materials/equipment that does not follow competitive bidding/purchasing requirements established by law and outlined in the Bureau Competitive Bidding/Purchasing Policy.
2. The value of lands acquired by Mandatory Dedication or by other federal, state or local requirements may not be used as match (e.g. wetland or brownfield mitigation, landfills, etc.).
3. Appraisal costs and other costs related to a land donation are not eligible as a match on development projects.
4. Volunteer time affiliated with attendance at meetings or other related grant administrative tasks.
5. Some state and federal sources of funding cannot be used as match for DCNR grant projects. For example, the Pennsylvania Redevelopment Assistance Capital Program (RACP or RCAP) grant funds are an ineligible match source.
6. Construction, renovation or enhancement of grey or green stormwater infrastructure that does not serve recreation interests.
7. If there are questions about the eligibility of match, contact a Bureau Regional Advisor or Project Manager before incurring any project costs.

DISCLAIMER

The policies and procedures outlined in this guidance document are intended to supplement existing requirements. The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DCNR to give the rules in these policies that weight or deference. This document establishes the framework within which DCNR will exercise its administrative discretion in the future.

PAGE LENGTH

6 pages

EFFECTIVE DATE

Immediately. This policy is to be reviewed and updated every year.

EXPIRATION

This policy remains in effect until revised or rescinded.

Tom Ford, Bureau Director

12/14/2023

Name/Title of Bureau or Office Director

Date