

GREENWAYS, TRAILS AND RECREATION PROGRAM (GTRP)

Program Guidelines | November 2019



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Section I – Statement of Purpose

Act 13 of 2012 (Act of February 14, 2012 (P.L. 87, No. 13) (58 Pa.C.S. §2315(a) and (a.1)(1)(iv)) establishes the Marcellus Legacy Fund and allocates funds to the Commonwealth Financing Authority (the “Authority”) for planning, acquisition, development, rehabilitation and repair of greenways, recreational trails, open space, parks and beautification projects.

Section II – Eligibility

A. Eligible Applicants

Any of the following entities may apply for a grant under Greenways, Trails and Recreation Program (GTRP):

1. **Municipality** – Any county, city, borough, incorporated town, township or home rule municipality.
2. **Councils of Governments** – An entity organized by units of local government under an intergovernmental agreement, which provides cooperative planning, coordination and technical assistance to its member governments on issues of mutual concern that cross jurisdictional lines, and which does not act under the direction and control of any single member government.
3. **Authorized Organization** – An entity involved in research, restoration, rehabilitation, planning, acquisition, development, education or other activities, which furthers the protection, enhancement, conservation, preservation or enjoyment of this commonwealth's environmental, conservation, recreation or similar resources. The organization must be a tax-exempt institution under section 501(c) (3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c) (3)) and registered with the Bureau of Charitable Organizations or an educational institution involved in these authorized activities or a municipal authority.
4. **Institution of Higher Education** – An entity that is an accredited university, college, seminary college, community college or two-year college.
5. **Watershed Organization** – An entity recognized by the PA Department of Conservation and Natural Resources (DCNR) or the PA Department of Environmental Protection (DEP) that was established to promote local watershed conservation efforts in an identified watershed.
6. **For Profit Businesses** – other than “producers” of natural gas as defined in Act 13.

B. Eligible Projects

Eligible projects under the GTRP include:

1. **Public Park and Recreation Areas** – These projects involve the rehabilitation and development of public indoor and/or outdoor park, recreation and conservation areas and facilities. Parks and recreation areas are areas of land and/or water, for use as a neighborhood, community or regional public park and recreation site. Property may be acquired for active and/or passive recreation use to create new park and recreation areas and/or expand existing recreational sites.

2. **Greenways and Trails** – These projects involve the renovation and development of linear public facilities, such as bicycle, walking, equestrian, snowmobile, and nature trails; passive recreation areas; riparian forest buffers; wetland boardwalks; observation decks. Related support facilities including: access roads, parking areas, walks, comfort station, lighting, landscaping, and signage are also eligible. Greenways are areas of land and/or water which provides a linear recreation, conservation, or open space corridor along a natural or man-made feature.

Trails are designated land and/or water corridor with public access that provides recreation and/or alternative transportation opportunities to motorized and/or non-motorized user of all ages.

3. **Rivers Conservation** – These projects enhance rivers, streams, and watersheds for recreational purposes.

C. Eligible Use of Funds

Funds may be used by the applicant to pay for any of the following project costs:

1. **Development, Rehabilitation and Improvement** of public parks, indoor and outdoor recreation facilities, trails, greenways, and watershed implementation projects to include:
 - a. Construction activities. Construction contingencies are limited to 5% of actual construction costs.
 - b. Fixed equipment
 - c. The clearing and preparation of land.
 - b. Environmental site assessment.
 - c. Related engineering, design, and inspection costs not to exceed 10% of grant award.
 - d. Professional services including services, such as land surveying, preparation of bid documents, construction inspection, archaeological surveys, land surveys, PNDI surveys, appraisals etc.
 - e. Settlement cost, acquisition projects only.
 - f. Administrative costs of the applicant necessary to administer the grant. Administrative costs will include advertising, legal, and audit costs as well as documented staff expenses. Administrative costs shall not exceed 2% of the grant.
2. **Planning Projects** that “lay the groundwork” for future land acquisition, development and/or management of parks, recreational facilities, critical habitat, open space, natural areas, greenways, motorized and non-motorized trails and river/watershed corridors. Planning projects also include the development of business plans for expansion or establishment of outdoor recreation businesses.
3. **Acquisition** of land, easements, or rights of way for park and recreation areas, natural areas, greenways, trails, river/watershed conservation, critical habitat conservation and/or open space.

Natural areas are areas of land and/or water, which are important in preserving flora, fauna, native ecological systems, and geological, natural, historical, open space, scenic or similar features of scientific or educational value.

Critical habitats are areas of land and/or water which provides habitat for rare, threatened or endangered plant and animal species or ecological or natural communities which are at risk of destruction or substantial degradation.

Ineligible costs include but are not limited to public relations, outreach, communications, lobbying, litigation, fees for securing other financing, interest on borrowed funds, application preparation fees and other costs incurred prior to the approval of grant funds.

Section III – Program Requirements

A. Applicant Cost Share Requirements

Projects require a 15% local cash match of the total project cost or cash equivalents for the appraised value of real estate. If using the value of real estate as match, **an appraisal not older than 1 year will be required.** Match commitment documentation is required to be provided along with the application (see Appendix 1, Exhibit 3).

B. Planning and Permit Requirements

All recipients of funding under GTRP will be required to secure all necessary planning and permit approvals for the project from the federal, state, and local governments prior to disbursement of funds.

C. Other Requirements

1. Conflicts of Interest

An officer, director, or employee of an applicant who is a party to or who has a private interest in a project shall disclose the nature and extent of the interest to the governing body of the applicant and may not vote on any action of the applicant concerning the project, nor participate in the deliberations of the applicant concerning the project.

2. Nondiscrimination

No assistance shall be awarded to an applicant under this program unless the applicant certifies that the applicant shall not discriminate against any employee or against any person seeking employment by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act, which prohibits discrimination on the basis of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability, or in violation of any applicable federal laws. All contracts for work to be paid with grant funds must contain the commonwealth's official nondiscrimination clause.

3. Project Records

The applicant must maintain full and accurate records, retained as Daily Activity Logs, with respect to the project and must ensure adequate control over related parties in the project. The Authority requires access to such records, as well as the ability to inspect all work, invoices, materials, and other relevant records at reasonable times and places to authorize daily activities and expenditures. Upon request of the Authority, the applicant must furnish all data, reports, contracts, documents, and other information relevant to the project.

4. Pennsylvania Prevailing Wage Act

All the construction work associated with the project may be subject to the Pennsylvania Prevailing Wage Act, as determined by the Pennsylvania Department of Labor and Industry.

5. Certification of Expenses

The applicant shall sign a payment request form certifying that the expenses were incurred and were in accordance with the scope of work approved by the CFA. In lieu of a formal project audit and prior to final closeout of the grant agreement, the applicant shall be required to submit copies of all canceled checks verifying the expenditure of the Greenways, Trails and Recreation Program proceeds. Bank statements may also be submitted if electronic payment of the expenditure occurred.

6. Bidding Requirements

Applicants must comply with all applicable federal, state, and local laws and regulations dealing with bidding and procurement.

7. Control of Property, Deed Restrictions and Public Access

The applicant must demonstrate control of the property that will be developed, rehabilitated or for which a Site Development Drawing will be completed. All facilities and property funded must be accessible to the public for uses consistent with the purposes for which it was acquired.

8. Guideline Provisions

The GTRP guideline provisions may be modified or waived by the Authority unless otherwise required by law.

D. Fees

The Commonwealth Financing Authority charges a \$100 non-refundable application fee for Greenways, Trails and Recreation Program applications. The application fee must be paid electronically by credit or debit card or electronic check through our secure, third-party vendor. Payment of the application fee must be completed prior to the certification and submission of the Electronic Single Application. Detailed payment instructions will be provided on the Certification Tab of the Electronic Single Application once all required fields have been completed.

Section IV – Grants

1. Grants shall not exceed a total of \$250,000 for any project.
2. Commencement of work prior to receiving authority approval will result in the project being ineligible for consideration.
3. To be eligible for reimbursement, project costs must be incurred within the time frame established by the grant agreement.

Section V – Application Procedures

1. To apply for funding, the applicant must submit the electronic on-line PA Department of Community and Economic Development Single Application for Assistance located at www.esa.dced.state.pa.us. Required supplemental information outlined in Appendix I of these guidelines must be attached electronically to the application as directed on the Addenda tab. For technical inquiries regarding the submission of the on-line application, contact the Customer Service Center at (800) 379-7448 or (717) 787-3405.
2. Applications will be accepted between February 1st and May 31st of each year. All applications and required supplemental information must be received by May 31st.

Section VI – Application Evaluation

All applications for financial assistance will be reviewed by the Authority in conjunction with the PA Department of Community and Economic Development and the PA Department of Conservation and Natural Resources to determine eligibility of the proposed project as well as the competitiveness of the proposal. Applications are evaluated on a competitive basis using the following criteria:

1. The economic conditions of the region where the project is located.
2. The level of matching investment.
3. Regional nature of the project.
4. Local financial support.
5. Project readiness.
6. Current availability of greenway, recreational, and trail facilities in the area.
7. Financial need.

Section VII – Procedure for Accessing Funds

Upon approval of an application by the CFA, a grant agreement and commitment letter will be electronically issued to the applicant explaining the terms and conditions of the grant. The Grantee must provide the names, titles and e-mail addresses for two authorized individuals to receive and electronically sign the grant agreement. The grant agreement must be electronically signed and returned to the CFA within 45 days of the date of the commitment letter or the offer may be withdrawn by the CFA.

The applicant shall obtain the services of a professional engineer, architect, or landscape architect licensed in Pennsylvania who will certify to the Authority during construction that the expenses were incurred and were in accordance with plans approved by the Authority. The Authority will release funds to the applicant at not less than 30-day intervals.

Section VIII – Program Inquiries

Program inquiries should be directed to:

PA Department of Community and Economic Development
Office of Business Financing – CFA Programs Division
Greenways, Trails and Recreation Program
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Telephone: (717) 787-6245
Fax (717) 772-3581
E-mail: ra-dcedsitedvpt@pa.gov

These guidelines can also be accessed online at dced.pa.gov

Appendix I – Supplemental Information

In addition to completing the PA Department of Community and Economic Development Single Application for Assistance, please include the following items when applying for a grant under GTRP:

Exhibit 1: Project Description

Provide a narrative which discusses all the following:

- a) a description of the project;
- b) the specific location of the project area;
- c) current owner of the project site;
- d) whether the project is consistent with an existing county or local comprehensive plan;
- e) whether the project will result in a substantiated positive economic development impact;
- f) the historical and proposed use of land served by the project;
- g) the estimated start and end dates of construction;
- h) the names of the municipalities that will participate in and benefit from the project;
- i) a description of the existing greenways, recreational, or trail facilities in the area to be served by the project.

Exhibit 2: Cost Estimate

A thorough and detailed estimate for the total project cost. The estimate must be prepared by an engineer or other qualified professional and should be accompanied where appropriate by copies of the signed bid/quotations, contractor estimates, sales agreements or other documentation that verify project cost estimates.

Exhibit 3: Matching Funds Commitment

Provide funding commitment letters from all other project funding sources (including equity commitments).

- Funding commitments or term sheets provided by lending institutions must include the term, rate, and collateral conditions, and must be signed and dated.
- Funding commitments of equity from the applicant or private third party must be signed and dated (indicating the amount of funds being committed) and be accompanied by documentation (such as audited financial statements) showing the ability to commit such funds.
- If using the value of real estate as match, an appraisal not older than 1 year will be required.

Exhibit 4: Color-Coded Map

A color-coded map or plot plan detailing the location of the proposed project.

Exhibit 5: Permits

A list of all state, federal, and local planning and permit approvals required for the project.

Exhibit 6: Planning Letter

A letter from the appropriate planning agency certifying that the proposed project is in compliance with the comprehensive land use plans.

Exhibit 7: Resolution

Public sector applicants, provide a resolution duly adopted by the applicant's governing board formally requesting the grant, designating an official to execute all documents, describing briefly the project scope, and identifying the grant amount (see Appendix II for a Sample Resolution).

Exhibit 8: Land Acquisition Documents

For acquisition projects, please provide the following:

- copy of the sales agreement or easement
- an appraisal prepared by either a Member, Appraisers Institute (MAI) formerly Institute of Real Estate Appraisers or a PA State Certified Appraiser.

Exhibit 9: Acquisition Consent Letter

For Authorized Organizations who are using grant funds for acquisition, provide copies of written consent from the county and municipality in which the land is situated.

Appendix II – Authorized Official Resolution

Be it RESOLVED, that the _____ (Name of Applicant) of _____ (Name of County) hereby request an Greenways, Trails and Recreation Program (GTRP) grant of \$ _____ from the Commonwealth Financing Authority to be used for _____.

Be it FURTHER RESOLVED, that the Applicant does hereby designate _____ (Name and Title) and _____ (Name and Title) as the official(s) to execute all documents and agreements between the _____ (Name of Applicant) and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, _____, duly qualified Secretary of the _____ (Name of Applicant), _____ (Name of County) _____, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the _____ (Governing Body) at a regular meeting held _____ (Date) and said Resolution has been recorded in the Minutes of the _____ (Applicant) and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the _____ (Applicant),
this ____ day of ____, 20__.

Name of Applicant

County

Secretary