
RECREATIONAL TRAILS PROGRAM MANUAL

MAY 2018



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I. INTRODUCTION

The US Congress created the National Recreational Trails Program (NRT) in the Intermodal Surface Transportation Efficiency Act of 1991. The Program was then reauthorized in 1998 under the Transportation Equity Act for the 21st Century (TEA-21); in 2005 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for All Users (SAFETEA-LU); in 2012 under Moving Ahead for Progress in the 21st Century Act (MAP-21); and most recently, under the 2016 bill, Fixing America's Surface Transportation (FAST) Act. The RTP provides federal funds to states to develop and maintain recreational trails and trail-related facilities for motorized and non-motorized recreational trail uses. There are many different recreational trail uses, such as pedestrian uses (hiking, running, wheelchair use), bicycling, in-line skating, equestrian use, cross-country skiing, snowmobiling, off-road motorcycling, all-terrain vehicle (ATV) riding, four-wheel driving, or using other off-road motorized vehicles.

The Maryland Department of Transportation State Highway Administration (MDOT SHA) encourages non-profit organizations and government agencies to utilize the Maryland Recreational Trails Program (RTP) to fund land and water-based trail-related projects. This information has been developed to provide a broad overview of project reporting and financial management requirements. Minor adjustments and refinements may be made to address specific project needs. For questions, please contact the RTP Manager (see **Appendix A** for contact information).

A. Available Funding

FAST-Act legislation provides Maryland an average of \$1,000,000 per year to the RTP.

All states must use 30 percent of their funds in a fiscal year for motorized trail uses, 30 percent for non-motorized trail uses, and 40 percent for diverse trail uses (motorized or non-motorized or both). Diverse motorized projects (such as ATV and motorcycle) or diverse non-motorized projects (such as pedestrian and equestrian) may satisfy two of these categories at the same time. Canoe, kayak, or rowboat trails may count toward a State's 30 percent non-motorized requirement, and motorboat or personal water craft trails may count toward a State's 30 percent motorized requirement.

B. Federal and State Requirements

RTP projects must conform to all applicable Federal and State requirements, metropolitan and statewide planning processes, and public involvement activities, including, but not limited to:

- United States Code (USC);
- Code of Federal Regulations (CFR) Title 23;
- Code of Maryland Regulations (COMAR) Title 21;

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- Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and provided for under 49 CFR Part 24, and 23 CFR Subchapter H Part 710;
- National Environmental Policy Act (NEPA);
- Section 106 of the National Historic Preservation Act (Section 106);
- Section 4(f) of the US DOT Act;
- Section 7 of the Endangered Species Act (Section 7);
- Section 404 of the Clean Water Act;
- Chesapeake and Atlantic Coastal Bays Critical Areas Act; and
- Metropolitan and Statewide Transportation Planning Requirements

The RTP is administered by the Regional and Intermodal Planning Division (RIPD) within MDOT SHA's Office of Planning and Preliminary Engineering (OPPE). MDOT SHA is responsible for managing the program, assuring that all appropriate regulations are followed, screening all applications, and awarding funding.

The RTP is federally-funded and administered on a reimbursement basis. The Sponsor incurs the expense for approval expenditures and is reimbursed by MDOT SHA after their submitted invoice is approved.

C. Sponsor Responsibilities

Most governmental agencies and IRS-approved non-profit organizations are eligible candidates to sponsor RTP projects. In general, a Project Sponsor shall be responsible for:

- Applying for Program funds;
- Signing a Memorandum of Understanding (MOU) with MDOT SHA, stipulating that Program funds shall be spent in accordance with all applicable Program requirements, as well as State and Federal laws;
- Obtaining environmental approvals and securing applicable permits;
- Obtaining Right-of-Way (ROW) certification from MDOT SHA;
- Meeting all State and Federal procurement regulations;
- Providing MDOT SHA with all necessary documentation when requesting Program funds for reimbursement of project expenses;
- Providing a match value of a minimum of 20 percent (20%) of the total project costs, as well as contributing any costs beyond the approved award amount necessary to complete the project;
- Providing all necessary documentation and project status reports; and
- Taking ownership and maintenance of the project.

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II. ELIGIBLE/INELIGIBLE PROJECTS

This section describes the types of projects that qualify for the RTP and specifies the types of activities and project components that are eligible to receive funding through the Program. All projects that are awarded funds must be available for public use.

A. Eligible Project Types

- Maintenance and restoration of existing recreational trails, including signage;
- Development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails;
- Purchase and lease of recreational trail construction and maintenance equipment;
- Construction of new recreational trails (with restrictions for new trails on Federal lands);
- Acquisition of easements and property for recreational trails or recreational trail corridors;
- Assessment of trail conditions for accessibility and maintenance identified in a local, regional, or statewide recreation plan;
- Operation of educational programs to promote safety and environmental protection as those objectives relate to the use of recreational trails; and
- Development and dissemination of publications and operation of educational programs to promote safety and environmental protection related to the use of recreational trails, including supporting non-law enforcement trail safety and trail use monitoring patrol programs, and providing trail-related training.

B. Ineligible Project Types

- Condemnation of any kind of interest in property;
- Construction of any recreational trail on National Forest System land for any motorized use unless certain conditions are met;
- Construction of any recreational trail on Bureau of Land Management land for any motorized use unless certain conditions are met; and
- Upgrading, expanding, or otherwise facilitating motorized use or access to recreational trails predominantly used by nonmotorized recreational trail users and on which, as of May 1, 1991, motorized use was prohibited or had not occurred.

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III. INELIGIBLE REIMBURSEMENT COMPONENTS

Project activities that do not qualify for funding reimbursement are listed below. However, some of these items may be eligible as allowable match items (see **Table 1**). For a complete list of ineligible items, see https://www.fhwa.dot.gov/environment/recreational_trails/legislation/.

- Employee salaries for maintenance not tied to a specific trail construction or trail maintenance project;
- Salary or personnel expenses beyond the base hourly rate without detailed payroll verification that identifies each benefit amount (taxes, unemployment, insurance benefits, leave time, etc.);
- Research, planning, and design including surveys, flagging, etc.;
- Grant management (including Sponsor administrative time with permitting, application development, procurement, invoicing, and NEPA coordination);
- Construction plans and specifications;
- Staff or volunteer time and mileage to and from the jobsite;
- Equipment not solely used for the construction or maintenance of the trail project;
- Food, beverages, lodging, or entertainment;
- Rental cars, transit, and other transportation-related expenses such as fuel, tolls, parking fees, etc.; and
- Business operation and overhead expenses such as general accounting, insurance policies, etc.

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IV. MATCH REQUIREMENTS

Sponsor matching obligations consist of a minimum of 20 percent of the total project cost. Matching (or cost sharing) is defined as the portion of project or program costs not borne by the Federal Government (2 CFR 200). For a complete list of federally eligible and ineligible items, see https://www.fhwa.dot.gov/environment/recreational_trails/legislation/. Notes that certain federally eligible items may not be eligible under the Maryland RTP Program guidelines.

All matching sources that the Sponsor elects to secure must adhere to the requirements in the following sections and be documented in detail on the RTP Funding Application. Any changes to the Sponsor match made after the issuance of the MOU may require an amendment to the MOU. All changes must be coordinated with the RTP Manager (see **Section IV**: Project Initiation). **Note: All equipment purchases must have a 20 percent cash match.**

The required match amount can be calculated by multiplying the project’s total cost by 20 percent.

Match = Total Project Cost x 0.2

Example of a project with a total cost of \$50,000:

$\$50,000 \times 0.2 = \$10,000$ (required match)

The requested award would be the total cost minus the required match, or in this example, \$40,000.

Table 1 summarizes the allowable match items and provides applicable details and/or examples.

Table 1: Allowable Match Items

Allowable Match Items	Detailed Description
Donated right-of-way (ROW)	Appraised value of ROW is acceptable, as long as both the donation of the ROW and the appraisal were completed within 18 months of MOU execution date. The deed and the plat must be submitted to the RTP Manager for review.

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Allowable Match Items	Detailed Description
Past property acquisitions	Property acquisitions undertaken as part of the current project (less than 18 months prior to, but not after the project application submission) may be used toward the match. The deed and the plat must be submitted to the RTP Manager for review. The value match will be determined as the appraised value within 18 months of the MOU execution date. For the property acquisitions to be considered a match, the Sponsor must have had to follow the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
Design and direct project development activities	Design and project development activities that are directly tied to the planning of the specific trail construction or maintenance project. These activities must occur within 18 months of the MOU execution date. This can be proof of payment to a licensed design professional or in-house staff time (see Wage Rates in Table 3).
Construction costs	Construction costs over and above the award amount. For construction costs to be considered a match, the Sponsor would have had to follow proper procurement procedures.
Materials	In-kind match refers to tangible contributions, for example, donated materials for construction of the project, which will be valued based on documented cost at the time of purchase. The Sponsor may also use the value of purchased materials (at time of purchase) if not sought for reimbursement. For sponsor-purchased materials to be considered a match, the Sponsor would have had to follow proper procurement procedures.
Equipment	Equipment purchased or rented specifically for the subject project and not sought for reimbursement. For equipment to be considered as match, proper procurement procedures must be followed.
Donated funds	Donations specifically designated to the awarded project scope and identified to be used as match are allowed as a cash match. The source of these donations must be identified in the application. Copy of cancelled check must be included in records.

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Allowable Match Items	Detailed Description
Funds from other Federal grants or State agencies directly tied to the same construction or maintenance project	Funds in place from other grants or programs must be awarded prior to submittal of application. Funds from other Federal grants that are counted toward a matching requirement for that grant agreement cannot also be used as a match under this Program. Documentation proving funds are not being double-counted must be submitted to the RTP Manager.
Work performed (directly related to the subject project)	Paid or volunteer work performed that is directly related to the project, provided it is accurately documented and a value can be established (see Section IX: Invoicing for Reimbursement / Project Close-out). To be eligible, work must have occurred after the execution of the MOU.
Mileage and fuel	Mileage from vehicles being used to transport materials to and from a job site will require proper documentation and prior approval.
Employee or staff fringe benefit expenses with detailed payroll verification	Taxes, unemployment, insurance benefits, leave time, etc.

Table 2 summarizes the prohibited Match items and provides applicable details and/or examples.

Table 2: Prohibited/Ineligible Match Items

Prohibited/Ineligible Match Items	Description
Mileage or rental vehicles	Mileage from employees or volunteers traveling to and from the job site.
Meals/food/beverages/entertainment / lodging expenses	Meals, food, beverages, entertainment, and lodging expenses.
Employee or staff fringe benefit expenses without detailed payroll verification	Taxes, unemployment, insurance benefits, leave time, etc.
Value of equipment or tools	The value of equipment not purchased or rented for the project.
Donated equipment or tools	Value of donated equipment and tools.
Previously completed work	Any work completed prior to the date of the executed MOU and/or any work completed that is outside of the scope of work and/or project limits as noted in the application.

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Prohibited/Ineligible Match Items	Description
Business and overhead expenses	Business operation and overhead expenses such as general accounting, insurance policies, application development, and grant management (such as invoicing, MOU, correspondence, procurement, etc.).
Equipment repairs	Equipment repairs for items not solely used for the project.
On-going maintenance activities	maintenance activities after project completion.

MDOT SHA will use the mean wage rates listed in **Table 3** for volunteer match and personnel reimbursement for RTP projects. These rates are from the 2017 Bureau of Labor Statistics (BLS) for Maryland. For anyone serving in multiple roles, time performed per activity must be documented with the corresponding wage rate. If an employee is paid at a higher rate, documentation must be submitted (pay stubs or payroll records) in order to be reimbursed at that rate. If any part of a project is within a Federal-aid highway ROW, the Davis-Bacon Act prevailing wage requirements apply. (<https://www.fhwa.dot.gov/construction/cqit/dbacon.cfm>).

Table 3: Allowable Wage Rates for RTP Projects (paid and volunteer)

Labor Category ¹	Rate ² (Per Hour)
General unskilled labor (BLS Occupation Code: 47-2061) <i>Trail construction, maintenance, mowing, landscaping/weeding, brush removal</i>	\$16.20
Skilled Labor (BLS Occupation Code: 47-2073) <i>Operating engineers and other construction equipment operators. If an employee of the Sponsor is providing this type of labor, documentation demonstrating prior work experience and/or education is necessary.</i>	\$23.58
Construction Supervisor (BLS Occupation Code: 47-1011) <i>Supervisors of unskilled and skilled labor</i>	\$34.93
Professional Design ¹ (BLS Occupation Code 17-3019) <i>Prepare detailed drawings of architectural and structural features of projects.</i>	\$29.51
Foresters (19-1032) <i>Manage public and private forested lands for economic, recreational, and conservation purposes. May determine how to conserve wildlife habitats, creek beds, water quality, and soil stability, and how best to comply with environmental regulations.</i>	30.14

Source: https://www.bls.gov/oes/current/oes_md.htm#47-0000

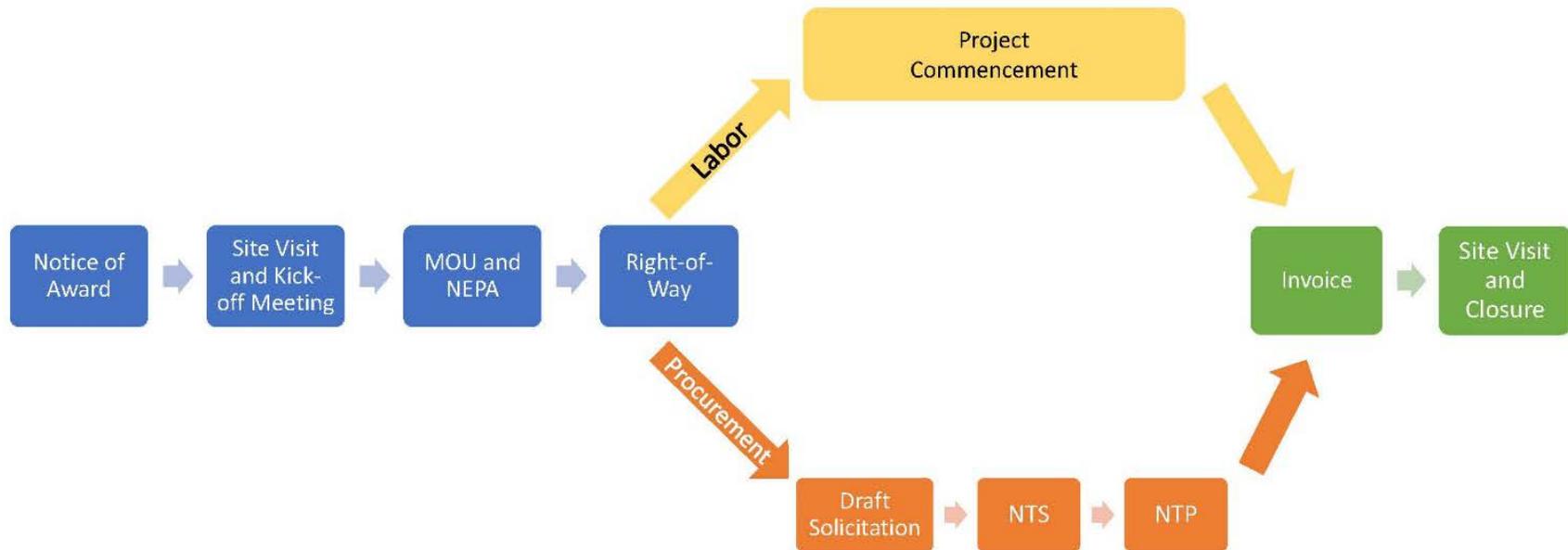
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¹ Other specialty skilled labor rates can be used upon submitting documentation to MDOT SHA that shows prior education and experience in the skill that is being used on the project. The employee's rate can be used upon documentation of the wage rate.

² The rates listed do not include any salary-related expenses beyond the base hourly rate. These salary-related expenses are not eligible for reimbursement or match.

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V. WORKFLOW



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VI. PROJECT INITIATION

Since the RTP is federally funded, each Sponsor is required to meet certain State and Federal requirements before allocated funds can be authorized for spending. This section is intended to help sponsors meet these requirements.

A. Notice of Award

Sponsors of projects that are approved by the MDOT SHA Administrator for funding will receive a Notice of Award Letter. After this Letter is issued, MDOT SHA will contact the Project Sponsor to schedule a meeting to discuss program requirements. This exchange of information will provide both parties a detailed understanding of the project implementation process. The RTP manager may also complete a project initiation site visit.

B. Memorandum of Understanding (MOU)

1. Preparation of an MOU

MDOT SHA will prepare a draft MOU for each awarded project, outlining the project description, amount of funds awarded, activities for which funds will be reimbursed, matching obligations, and responsibilities of MDOT SHA and the Project Sponsor. Reference **Appendix B**: MOU Template.

Prior to final approval, the RTP Manager will circulate the draft MOU to both the Project Sponsor and MDOT SHA personnel for review. Once the Project Sponsor and MDOT SHA are satisfied with the MOU, the Sponsor must sign two originals as well as provide a Federal I.D. number, and then mail both originals to MDOT SHA for final signatures. Once MDOT SHA signs both originals, one executed original will be returned to the Sponsor.

The MOU must be executed (signed by all parties) before any Federal funds can be authorized for spending. Sponsors are encouraged to call the RTP Manager with any questions or concerns.

The MOU will contain a provision that will require project activities to be underway within one year from the date of the signed MOU. In addition, if the project remains idle and/or does not move forward within two years of the date of the signed MOU, the funds for the project may be withdrawn by the MDOT SHA Administration. Any work started prior to a fully executed MOU and/or any Federal funds being authorized for the project will not be eligible for reimbursement.

2. MOU Amendment Process

Changes to an MOU must be coordinated with the MDOT SHA RTP Manager, and additional environmental approvals may be required for certain MOU amendments. All

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MOU amendments will be considered on a case-by-case basis. Reference **Appendix C: MOU Amendment Templates**. Eligible and non-eligible MOU amendments are detailed below.

Eligible MOU Amendments:

- 1. Minor Location Change:** A minor change in location means expanding the Limits of Disturbance (LOD) of an existing project, which will require additional environmental review. The location must also be within the same project site. For minor changes, an MOU amendment must be addressed and submitted to the OPPE Director for approval. If the amendment receives approval after its reviewed by the OPPE Director and the RTP Manager, an MOU amendment will be granted to the Sponsor.
- 2. Sponsor Change:** An MOU amendment for a change in Sponsor can be submitted to the OPPE Director for consideration. The new Sponsor must complete the same project as described, be an eligible RTP recipient, demonstrate ownership of the property or have a signed agreement with the property owner, and agree to the maintenance and other requirements of the original Sponsor in perpetuity. If the amendment receives approval after its reviewed by the OPPE Director and the RTP Manager, an MOU amendment will be granted to the Sponsor.
- 3. Scope Change:** Any change in project scope requires an MOU amendment with justification, along with an updated Work Plan, budget, and match amount will require OPPE Director consideration. The new scope must be consistent with the original project scope and may require additional environmental review.
- 4. Minor Funding Amount Increases:** If essential to the project, a Sponsor may request additional RTP funding after the original RTP award is given and before the project is awarded to a contractor. MDOT SHA will consider increases up to an additional 10 percent above the original award amount. Requests for increases will require an amendment request with justification along with an updated Work Plan, budget, and match amount, and will require OPPE Director consideration. The RTP Manager will review and make a recommendation.
- 5. Budget Line Item or Match Changes:** If the amount or the type of match or budget line item changes, an MOU amendment should be submitted for the OPPE Director for consideration. The RTP Manager will review and make a recommendation to the OPPE Director.

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6. **MOU Extension:** If essential to project scope completion, an MOU expiration extension of up to 18 months will be considered. An MOU Extension Request should be submitted to the OPPE Director for consideration. The RTP Manager will review and make a recommendation to the OPPE Director.

Non-Eligible MOU Amendments:

1. **New Tasks from Remaining Balance:** If the scope of the originally awarded project is complete, all remaining funds will be redistributed to RTP. No new tasks will be awarded.
2. **Major Scope Change:** Scope changes that involve a new project location is more than 35 percent (of the requested fund amount), involves a new project location, or is not consistent with original award will not be eligible. The project will be closed, and the funds will be redistributed to RTP.

C. Environmental Approval

Although the RTP is administered via MDOT SHA, it is a federally-funded program and, as a result, is subject to NEPA and other Federal and State environmental regulations that ensure the environment is protected and enhanced. Laws ensuring environmental protection include, but are not limited to:

- NEPA;
- Section 106 of the National Historic Preservation Act;
- Section 4(f) of the US DOT Act
- Section 404 of the Clean Water Act;
- Section 7 of the Endangered Species Act;
- Wetland/Waterway/Floodplain/Erosion & Sediment Control Permits; and
- Chesapeake and Atlantic Coastal Bays Critical Areas Act.

For projects that receive notice of Federal funding, NEPA requires Sponsors to consider natural, cultural, and socioeconomic factors, and use a systematic, interdisciplinary approach before committing to a project. Environmental approval is required for all projects regardless of the scope of work. The level of environmental coordination and documentation for a RTP project is commensurate with the potential natural and cultural resource impacts. For example, projects that are non-construction related will not require the same level of coordination as new trail construction.

Sponsors must coordinate with the RTP Environmental Coordinator (see Appendix A) to obtain a NEPA document. NEPA approval is also required before advertising a non-construction project, a small purchase procurement, or acquisition of property.

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Project Sponsors are the lead in coordinating with the Maryland Historical Trust (MHT), Maryland Department of Natural Resources (DNR), and the United States Fish and Wildlife Service (USFWS), among other agencies, and are responsible for obtaining any necessary permits. MDOT SHA is responsible for providing guidance to Sponsors and for obtaining final approval of the environmental document. The Project Sponsor should provide MDOT SHA with a detailed map of the exact location/LOD for trail construction and trail maintenance projects.

When Project Sponsors correspond with the agencies listed above, it is important to include as many details as possible. Further, the RTP Manager and Environmental Coordinator should be copied on all agency correspondence. A detailed description of the proposed work and a clear location map must be included.

Guidance on the NEPA process is outlined below:

1. Once the RTP funding has been approved by MDOT SHA, the Project Sponsor should contact the RTP Environmental Coordinator and provide a short, but detailed project description with a map of the exact location/LOD.
2. The RTP Environmental Coordinator will provide the Project Sponsor with specific guidance and an agency template letter so that the Project Sponsor can begin coordination with MHT. MHT has programmatically excluded some minor activities from individual MHT review. The RTP Environmental Coordinator will provide the Sponsor with this information.
3. If the RTP project results in impacts to non-tidal and/or tidal wetlands, waterways, or floodplains, the Project Sponsor should coordinate with the Maryland Department of the Environment (MDE) and obtain a joint MDE and US Army Corps of Engineers (USACE) permit for impacts to those resources.
4. Chesapeake Bay and Atlantic Coastal Bay Critical Areas exist in all Maryland counties except for Carroll, Howard, Frederick, Montgomery, Washington, Allegany, and Garrett. If the project falls outside of these counties and is located near tidal waters, impacts to the Critical Areas need to be evaluated. Please notify the RTP Environmental Coordinator to determine whether impacts may occur and, if so, obtain guidance on the coordination process.
5. Coordination with USFWS and DNR needs to be completed to determine if federally- or state-listed rare, threatened, or endangered species may occur within the project area. Both agencies have online coordination tools to streamline the coordination process. The RTP Environmental Coordinator will send tutorials to the Sponsor on how to use the online tools.

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6. The Project Sponsor should ensure that the RTP project complies with all county and local ordinances.
7. After all coordination is complete, the Project Sponsor should send electronic copies of all responses/permits from the resource agencies to the RTP Environmental Coordinator. The RTP Environmental Coordinator will then submit the environmental document for approval internally at MDOT SHA. This process typically takes two weeks. The Sponsor will be carbon-copied on the approved environmental document and a copy will also be sent to the Sponsor via email.

D. Permitting

The Sponsor is responsible for obtaining all required permits. The permits need to be included as part of any bid package and are therefore required prior to advertising the project for construction bids.

The permits include, but are not limited to:

- Wetland permit/waiver (USACE, MDE) if impacts to wetlands or wetland buffers will occur;
- Waterway Construction Permits if the project involves a bridge (hydrology/hydraulic studies and a scour study are required for this) (MDE);
- Access permit for work within State ROW (refer to RTP Manager to provide contact information for MDOT SHA District Regional Engineers);
- Floodplain permits (MDE);
- Coordination with the Federal Emergency Management Agency (FEMA), if the project involves a bridge in a FEMA flood plain; and
- Sediment and Erosion Control and Stormwater Management approvals (MDE).

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VII. RIGHT-OF-WAY CERTIFICATION

All sponsors must coordinate with the RTP Manager to obtain ROW Certification which requires a ROW Verification Letter and an executed MOU.

A. Right-of-Way Verification Letter

The Sponsor is required to obtain a ROW Verification Letter, which is **not** needed for NEPA approval, but **is** needed for the ROW Certification. Reference **Appendix D: Right-of-Way Verification Letter**.

1. *Sponsor Owns the Land*

If a Sponsor already owns the land, a ROW Verification Letter must be submitted to the MDOT SHA RTP Manager indicating as such.

2. *Sponsor Does Not Own the Land*

If a Sponsor does not own the land, the Sponsor must contact the land owner and request verification of their approval to complete the project on their land. Should the land owner agree to give the Sponsor rights to the land, the Sponsor must obtain a ROW Verification Letter from the land owner and submit a copy to the MDOT SHA RTP Manager.

B. Land Acquisition

When Sponsors propose to acquire property or property easements for RTP projects, the acquisition of real property interests related to trail projects must conform to governing State and Federal laws. No State or Federal funds may be used to improve private property or property not dedicated to public use.

The Sponsor shall be responsible for providing verifiable documentation evidencing compliance for any real property that may have previously been acquired for the project, which is to serve as the project match. Acquisition of land or easements for RTP projects is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act). The Uniform Act provides fair and equitable treatment of persons whose property will be acquired or who will be displaced because of programs or projects financed with Federal Funds. See **Appendix E: Land Acquisition**.

C. Right-of-Way Certification

Once the MOU is fully executed and NEPA requirements are fulfilled, the RTP Manager will coordinate with the Office of Real Estate to obtain the ROW Certification.

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VIII. PROCUREMENT

RTP projects with project elements under \$50,000 are divided into three procurement categories (see **Table 4**). Details on project activities that qualify for each procurement type and the processes to follow are provided in the following sections. Any procurement for project elements over \$50,000 will need to be coordinated with the RTP manager and the Federal Aid Programming Division of MDOT SHA’s Office of Finance.

A. Procurement Process

The procurement process follows Title 21 of the COMAR procurement policy which divides the procurement process into three cost categories, based on the cost of the particular procurement. Details on the requirements and process to follow for each procurement category is provided in **Table 4**. Procurement Package documents can be found in **Appendix F**.

Table 4: Procurement

Category	Cost	Advertisement Required	Process for Approval
Category I	<\$5,000	No formal advertisement required.	<ol style="list-style-type: none"> 1. Sponsor develops Procurement Package (see Appendix F). 2. Procurement package is submitted to MDOT SHA for review and approval. Sponsor determines whether the solicitation must be sent to a Preferred Provider. 3. A Notice to Solicit (NTS) is given to Project Sponsor by MDOT SHA. 4. If Sponsor has determined that the solicitation must be sent to a Preferred Vendor, the Sponsor must contact the Preferred Vendor with the solicitation. The Preferred Vendor will either provide an offer or issue a waiver. 5. If the Sponsor determines the solicitation does not need to be sent to a Preferred Vendor, Sponsor solicits to at least two (2) vendors. Offers can be oral or in writing; however, proof/documentation are required. 6. Sponsor receives acceptable offers and documents prices (at least two acceptable offers must be received to qualify). These offers are documented on the verbal offer record (see Appendix G). 7. Sponsor selects a recommended vendor. This requires additional justification if it is not the lowest responsive and responsible bid. 8. Sponsor submits recommendation with documentation of offers to MDOT SHA for concurrence (see Appendix H).

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Category	Cost	Advertisement Required	Process for Approval
			9. MDOT SHA issues Notice to Proceed (NTP) to Sponsor.
Category II	\$5,000 to \$14,999	No formal advertisement is required under this category.	<ol style="list-style-type: none"> 1. Sponsor develops Procurement Package (see Appendix F). 2. Procurement package is submitted to MDOT SHA for review and approval. Sponsor determines whether the solicitation must be sent to a Preferred Provider. 3. An NTS is given to Project Sponsor by MDOT SHA. 4. If Sponsor has determined that the solicitation must be sent to a Preferred Vendor, the Sponsor must contact the Preferred Vendor with the solicitation. The Preferred Vendor will either provide an offer or issue a waiver. 5. If the Sponsor determines the solicitation does not need to be sent to a Preferred Vendor, Sponsor solicits at least three (3) vendors. Solicitations must be in writing. 6. Sponsor receives bids and documents prices (at least two responsive bids must be received to qualify). 7. Sponsor selects a recommended vendor, based on lowest responsive and responsible bid. 8. Sponsor submits recommendation with documentation of solicitations and bids to MDOT SHA for concurrence (see Appendix H). 9. MDOT SHA issues NTP to Sponsor.
Category III	\$15,000 to \$50,000	Formal advertisement is required (see Step 5 under Process for Approval).	<ol style="list-style-type: none"> 1. Sponsor develops Procurement Package (Appendix F). 2. Procurement package is submitted to MDOT SHA for review and approval. Sponsor determines whether the solicitation must be sent to a Preferred Provider. 3. An NTS is given to Project Sponsor by MDOT SHA. 4. If Sponsor has determined that the solicitation must be sent to a Preferred Vendor. 5. If the Sponsor determines the solicitation does not need to be sent to a Preferred Vendor, Sponsor posts solicitation on website or bid board for a minimum of three (3) working days before the bids are due and opened. 6. Sponsor receives bids and documents prices (at least two bids must be received to qualify). If only a single bid is received, contact RTP Manager for guidance on how to proceed.

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Category	Cost	Advertisement Required	Process for Approval
			<p>7. Sponsor selects a recommended vendor, based on lowest responsive and responsible bid. A written and signed bid form is to be submitted with the recommendation for concurrence.</p> <p>8. Sponsor submits recommendation with documentation of solicitations and bids to MDOT SHA for concurrence (see Appendix H).</p> <p>9. MDOT SHA issues NTP to Sponsor.</p>

For all categories, all necessary affirmative action steps shall be taken to assure that minority firms and women’s business enterprises are used whenever possible. These steps shall include: placing qualified small and minority businesses and women’s business enterprises on solicitation lists, and assuring that small, minority businesses and women’s business enterprises are solicited whenever there are potential sources.

For all categories, State preferred vendors must be given the opportunity to fulfill project needs for those items in the vendor catalog. Preferred vendors include Maryland Correctional Enterprises, Maryland Blind Industries, and Maryland Works. Additional guidance will be provided when the Sponsor enters the procurement phase. Each Procurement Package is completed by the Project Sponsor and submitted to the RTP Manager. Each package must include the following items:

- Independent cost estimate;
- Request for bids;
- Bid submittal form;
- Preferred vendor disclosure form;
- List of potential bidders;
- Environmental Permit Certification form;
- Right-of-Way Certification form;
- NEPA approval; and
- Copy of the project MOU.

B. Notice to Solicit

As detailed above, a written NTS is issued once the procurement package has been approved by MDOT SHA.

C. Advertising the Request for Bids

Once the waivers are received, the Sponsor should move on to advertising the request for bids. Sponsors should assume that for any projects over \$15,000, they should plan to advertise on

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eMaryland Marketplace (if that Sponsor is a government entity), a bid board, or on their website. These bids must be sealed and opened at a time specified in the solicitation document. For advertisements under that amount that will be sent directly to vendors, the advertisement should be emailed. The email will act as documentation that the request for bids went to multiple vendors. It is essential that there is documentation that the process was competitive, even if bids are solicited verbally.

D. Notice to Proceed

A written NTP is issued once the Sponsor has received all bids, has selected the most responsive, responsible bidder, and has mailed a Concurrence in Award/Request for NTP letter. The template for the Concurrence in Award/Request for NTP letter will be provided to Sponsors during the procurement process. The NTS and NTP will be signed by the RIPD Assistant Division Chief or Division Chief and will be sent in the mail.

E. Other Types of Procurement

If the project contains elements that are part of a larger procurement that has already taken place, NTP may be provided if the procurement process used is determined to be sufficiently robust. To determine whether NTP can be issued on a project element that has already been procured, contact the RTP Manager and have the documents listed above, as well as proof of advertisement (a screen shot or report showing that the invitation to bid was posted in a public location), the letter of award/NTP on the contract, and the contract agreement/purchase order readily available.

Department of General Services (DGS) contracts may be used for State, county, and municipal agencies. To determine whether NTP can be issued on a project element to procure from a DGS contract, contact the RTP Manager.

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IX. INVOICING FOR REIMBURSEMENT / PROJECT CLOSE-OUT

A. Invoicing for Reimbursement

The following procedure shall be used for reimbursement to the Sponsor:

1. The Sponsor shall request an invoice template package when ready to request reimbursement (**Appendix I**).

Project Sponsors will not be reimbursed for any project activities undertaken prior to execution of the MOU, NEPA approval, ROW certification, and other necessary federal approvals.

2. When requesting reimbursement for services or materials, the Sponsor shall prepare an invoice cover letter and submit this, along with a copy of the invoice/receipt and payment verification, to the RTP manager. When requesting reimbursement of more than one item, include a summary table detailing reimbursable items and match items.

3. When requesting reimbursement for labor costs, the Sponsor shall prepare an invoice cover letter and submit this, along with the Personnel and Volunteer Activity Report and payment verification, to the RTP manager.

4. In addition to the invoice, the Sponsor shall submit documentation for the matching funds corresponding to the reimbursement request amount.

When there are multiple expenditures shown on an invoice, please highlight those expenditures that pertain to the present amount requested for reimbursement. Also, be sure to document and highlight line items concerning the match.

5. Sponsor’s final invoice for reimbursement will include a final project performance report and the following certification, signed by the Project Sponsor:

I/We certify that the subject project was completed in reasonable conformance to the advertised plans and specifications, using materials of equal or greater quality specified in the advertised documents. I/we also certify to the workmanship of the project and that all advertised activities have been accomplished, unless written approval for modifications have been requested of and received from MDOT SHA. As of the date of this certification, any additional work and or maintenance on this project will be the sole responsibility of the Project Sponsor, or other entity as specified in the Memorandum of Understanding.

Any items not detailed in the MOU and application are not eligible for reimbursement.

6. A project site inspection to certify project completion will be conducted.

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7. A final payment will be processed.
8. PROJECT IS CLOSED – NO FURTHER MDOT SHA INPUT OR REIMBURSEMENT.

B. On-going Maintenance

Funding allocated under this Program comes with the long-term obligation to maintain and protect the project area after a project is complete. Adequate maintenance procedures must be developed and followed to maintain the property and the equipment.

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X. PROJECT PERFORMANCE REPORTING

Sponsors are required to provide MDOT SHA with updates via project performance reports (**Appendix J**) annually on April 15, October 15, and at project completion. Failure to provide the required updates could result in termination of funding.

Sponsors must immediately notify MDOT SHA of the following:

- Any developments that have a significant impact on the award-supported activities, and/or
- Any problems, delays, or conditions which prohibit the grantee to meet the objectives of the award.

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APPENDIX A: CONTACT LIST

The following is a list of program contacts.

Role	Contact
RTP Manager	Cheryl Ladota cladota@sha.state.md.us (410) 545-8552
Deputy Director, Office of Planning and Preliminary Engineering	Eric Beckett ebeckett@sha.state.md.us (410) 545-5666
Division Chief, Office of Planning and Preliminary Engineering, Regional and Intermodal Planning Division	Samantha Biddle sbiddle@sha.state.md.us (410) 545-5560
Environmental Coordinator	Juliet Healy (EPLD) jhealy@sha.state.md.us (410) 545-8698

Mailing Address:

Maryland Department of Transportation State Highway Administration
707 North Calvert Street, MS C-502
Baltimore, Maryland 21202

MEMORANDUM OF UNDERSTANDING

by and between

**MARYLAND STATE HIGHWAY
ADMINISTRATION**

and

[Project Sponsor Name]

RT#

**MEMORANDUM OF UNDERSTANDING
FOR
NATIONAL RECREATIONAL TRAILS PROGRAM
Federal FY 2018 Recreational Trail Program Project**

THIS MEMORANDUM OF UNDERSTANDING (MOU) executed in duplicate, effective this ____ day, in the month of _____ of the year _____, by and between the Maryland Department of Transportation State Highway Administration, acting for and on behalf of the State of Maryland, hereinafter called the “**MDOT SHA,**” and the [project sponsor name], [project sponsor entity type], hereinafter called the “**PROJECT SPONSOR.**”

WHEREAS, certain funds have been set aside in the National Recreational Trails Program (“**RTP**”), under the Federal Highway Reauthorization, for the purpose of providing funding for the development and maintenance of recreational trails and trail related projects, hereinafter called “**RTP FUNDING;**” and

WHEREAS, MDOT SHA, pursuant to Fixing America’s Surface Transportation Act (Pub. L. No. 114-94) is the current federal Appropriations Act for transportation funds (“**FAST Act**”), is authorized to distribute RTP FUNDING to agencies and organizations within the State of Maryland, hereinafter called the “**AWARD,**” provided the PROJECT is constructed on property that will be accessible to the public by way of public ownership, easement, or other legally binding agreement; RTP FUNDING is used to reimburse a PROJECT SPONSOR for expenses they have paid relating to the PROJECT; and the PROJECT SPONSOR is responsible for financing all costs in excess of the federal participation award relating to the PROJECT; and

WHEREAS, MDOT SHA is responsible for the oversight and assistance to the PROJECT SPONSOR projects financed with federal funds in accordance with –Title 23 U.S.C.; 23 CFR 635.105; containing regulations (general and permanent rules published in the Federal Register) relating to highways including 2 CFR 200. Regulations based on Civil Rights requirements in 49 CFR Part 21, the Uniform Relocation Assistance and Real Property Policies, and other Federal laws and regulations sets forth procedures where by services and facilities of PROJECT SPONSOR may utilized on federally aided projects and requires that an agreement be executed between MDOT SHA and the PROJECT SPONSOR setting forth the conditions under which any project would be implemented; MDOT SHA determines a sub-recipient of Federal funds is able to satisfy the following under (23 U.S.C. 106(g)(4)),

WHEREAS, the PROJECT SPONSOR has adequate project delivery systems and sufficient accounting controls to properly manage projects; and

WHEREAS, the PROJECT SPONSOR is staffed and equipped to perform work satisfactorily and cost effectively, and adequate staffing and supervision exists to manage the Federal project(s); and

WHEREAS, MDOT SHA finds the PROJECT can be satisfactorily completed in an economic and expedient manner under the direction of the PROJECT SPONSOR, and the

PROJECT SPONSOR is adequately staffed and suitably equipped to direct Project work, subject to the approval of MDOT SHA; and

WHEREAS, MDOT SHA has authorized an AWARD of RTP FUNDING for reimbursement to the PROJECT SPONSOR up to the maximum amount of [grant award], to be used by PROJECT SPONSOR on one Recreational Trail Project as described in the Project Description; and

WHEREAS, the PROJECT SPONSOR has agreed to co-finance the PROJECT with an amount equal to at least twenty percent (20%) of the TOTAL PROJECT COST of [total project amount], hereinafter called the MATCH; and

WHEREAS, MATCH is estimated to be [match amount]. All match activities must be directly related to the proposed RTP project; and

WHEREAS, MDOT SHA and the PROJECT SPONSOR hereby agree that the PROJECT will be a benefit to all parties of this MOU and would promote the safety, health and general welfare of the citizens of the State; and

WHEREAS, the PROJECT SPONSOR desires to cooperate with MDOT SHA in carrying out Projects, in accordance with the regulations, policies, and procedures of the FHWA, with the provisions of MDOT SHA's, USDOT Order dated August 14, 2014 & Stewardship Agreement between MDOT SHA/FHWA dated May 21, 2015, where applicable;

NOW, THEREFORE, in consideration of the mutual promises between MDOT SHA and the PROJECT SPONSOR, as set forth herein, the adequacy of which is hereby acknowledged, the parties hereby agree to the following:

I. PROJECT DESCRIPTION

The PROJECT shall assist PROJECT SPONSOR in [detailed project description]. All as described in the approved project application marked Exhibit 1, attached hereto and incorporated herein.

II. PROJECT SPONSOR RESPONSIBILITIES:

Project Sponsor shall:

- A. Procure all services and materials for which RTP FUNDING is being used to reimburse the PROJECT SPONSOR in accordance with State and Federal laws and regulations, which include but are not limited to 2 CFR 200. The provisions of 2 CFR 200 are incorporated herein by reference. Copies of 2 CFR 200 may be obtained at https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl or from the office of the MDOT SHA Recreational Trails Program Manager.
- B. All Federal-aid Projects must receive environmental clearance in accordance with the National Environmental Policy Act prior to authorization of subsequent phases of work (e.g. Right of Way, Final Design, Construction). In addition, all Projects must be drawn from an approved State Transportation Improvement Program (STIP) and when applicable, an approved Metropolitan Transportation Improvement Program (TIP).
 - 1. MDOT SHA, through its Environmental Planning Section, shall coordinate with the PROJECT SPONSOR and may provide technical assistance in the preparation of environmental documents, where required. As staff resources are available, MDOT SHA may also provide technical assistance for the preparation of environmental documents during the preliminary engineering phase of project development.
- C. In conformance with established MDOT SHA and/or federal procedures, PROJECT SPONSOR shall provide the opportunity for, and hold when required, public hearings for each federal-aid project.
- D. Project work shall be performed in accordance with plans, estimates, and specifications prepared in accordance with Section 1 above, approved in advance, by MDOT SHA, if exempt from FHWA oversight, or by MDOT SHA and FHWA, if MDOT SHA's exempt status is not applicable.
 - a. The PROJECT SPONSOR shall either perform project work with their own forces in compliance with 23 CFR 635 Subpart B only in an emergency; or advertise, receive bids, and award a contract or contracts for the performance of the work (all Contract Procedures shall comply with the provisions of 23 CFR 635 Subpart A). The PROJECT SPONSOR forces

performing work on a Force Account basis or Agreed Unit Price shall be acceptable to, and approved in advance, by MDOT SHA and FHWA.

- E. Construct all projects using RTP FUNDING in accordance with applicable design standards including but not limited to:
 - 1. National Environmental Policy Act - Prior to the commencement of PROJECT work, prepare and submit to MDOT SHA environmental studies and environmental documentation required for the PROJECT under applicable State and/or Federal law including, but not limited to, those required to obtain National Environmental Policy Act (NEPA) approval.
 - 2. Americans with Disabilities Act – Construct the PROJECT to be reasonably accessible to individuals with physical disabilities in accordance with Federal and State requirements; the PROJECT design shall not include features that would make it more difficult for people with disabilities to use the trail.
 - 3. Environmental Permits - Prior to the commencement of PROJECT work, apply for and obtain all permits required by Federal, State or local authorities, including but not limited to, Erosion and Sediment Control, Stormwater Management, Critical Areas, and Wetlands.
 - 4. Construction Permits - Prior to the commencement of PROJECT work, coordinate with and resolve any conflicts with all utility companies within the PROJECT limits; purchase or obtain permanent easements to all properties within the PROJECT limits; and coordinate with any State or local agencies for the required traffic control plan approvals.
- F. Prior to the PROJECT SPONSOR submitting their final invoice to MDOT SHA for payment of the AWARD, the PROJECT SPONSOR shall certify in writing that the MATCH has been satisfied. Value of MATCH shall be in the form of cash and MDOT SHA-approved in-kind services.
- G. All changes to the Project work shall be acceptable to and approved in advance, by MDOT SHA, if Exempt from FHWA oversight or be acceptable to, and approved in advance, by MDOT SHA and FHWA, if the Exempt status is not applicable.
- H. The cost of any change or additional work that has not been approved by MDOT SHA or by MDOT SHA and FHWA shall be borne solely by the Project Sponsor.
- I. The amount of MATCH required for any other funds, grants, or activities paid by SHA, the Maryland Department of Transportation, or the United States Department of Transportation may not be used as MATCH for the PROJECT.
- J. PROJECT SPONSOR shall maintain the PROJECT both during and after completion of the PROJECT work.

III. MDOT SHA RESPONSIBILITIES:

MDOT SHA shall:

- A. Provide timely review and comment of the PROJECT, within thirty (30) days following receipt by MDOT SHA, design plans, specifications and estimates submitted by the PROJECT SPONSOR.
- B. Following receipt of the required PROJECT documents from the PROJECT SPONSOR, provide PROJECT certification of acceptance in accordance with 23 U.S.C. and 2 CFR 200 Federal requirements.
- C. Provide oversight inspection and review of the PROJECT to assure all obligations are being met.
- D. Coordinate monetary reimbursements to the PROJECT SPONSOR associated with the terms of this MOU.
- E. Reimburse the PROJECT SPONSOR within thirty (30) days following the receipt by MDOT SHA of each PROJECT invoice. Invoices will not be reimbursed unless, and until, all three of the following circumstances are met:
 - 1. Request for reimbursement contains all necessary information for processing, including documentation that the PROJECT SPONSOR has met or exceeded their MATCH requirement for the invoice; and
 - 2. No charges are disputed by MDOT SHA; and
 - 3. The invoice does not cause the maximum AWARD amount of [award amount] to be exceeded.

IV. GENERAL

- A. The AWARD for the PROJECT shall be used only for the stated purposes of this MOU. The AWARD shall not be redirected by the PROJECT SPONSOR for any other purpose.
- B. Any excess AWARD not needed for the PROJECT shall revert to MDOT SHA for redistribution to other programmed projects at the sole discretion of MDOT SHA. In addition, the funds for this PROJECT shall revert to MDOT SHA if the PROJECT remains idle and/or does not move forward within one (1) year of the date of this MOU.
- C. The parties hereto agree to cooperate with each other to accomplish the terms and conditions of this MOU.
- D. This MOU shall inure to and be binding upon the parties hereto, their agents, successors, and assigns. However, the PROJECT SPONSOR shall not assign its

interests in this MOU without prior written consent of MDOT SHA, which may be reasonably withheld.

- E. This MOU and the rights and liabilities of the parties hereto shall be governed in accordance with Maryland law.
- F. The PROJECT SPONSOR shall document and certify to MDOT SHA that all PROJECT activities associated with the AWARD have been accomplished in accordance with Federal law.
- G. Title VI Assurances. All parties to this MOU shall comply with the requirements of **APPENDIX A** (2 pages) and **APPENDIX E** (1 page) of MDOT SHA's Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A which generally set forth non-discriminatory regulations and other civil rights related regulations. **APPENDIX A** and **APPENDIX E** are attached hereto and incorporated herein as substantive parts of this document. The term "Acts" in Appendix A refers to Title VI of the Civil Rights Act of 1964. The term "Regulations" in Appendix A refers to 49 C.F.R Part 21 and 28 C.F.R. Section 50.3. The term "Recipient" in Appendix A refers to MDOT SHA.
- H. The Project Sponsor shall maintain, in readily accessible files, all payrolls, contract documents and all other original source documents and records relating to the project costs, for a minimum of three (3) years after FHWA makes the final payment of its share of the project costs.
- I. The PROJECT activities covered by this MOU must be completed and invoiced within three (3) years of the MOU execution date.
- J. If the PROJECT cannot be completed as described in MOU then the AWARD will be withdrawn and the PROJECT SPONSOR shall return to SHA all AWARD monies previously paid to the PROJECT SPONSOR, immediately upon demand by SHA. If the PROJECT SPONSOR fails to return the AWARD monies due to PROJECT non-completion, as stated herein, then SHA may make a deduction from the PROJECT SPONSOR's share of Highway User Revenues in an amount equal to the AWARD monies paid to the PROJECT SPONSOR.
- K. All publications, exhibits, and final products that RTP funds must utilize the National Recreational Trails and State Highway Administration logos for recognition purposes.
- L. This MOU shall be executed in two (2) counterparts; one original MOU to be retained by the PROJECT SPONSOR and one to be retained by MDOT SHA.
- M. The PROJECT SPONSOR will be responsible for providing administrative records to MDOT SHA to review upon request and to cooperate in any type of inspection by MDOT SHA.

- N. The PROJECT SPONSOR shall include MDOT SHA in the review of primary drafts, external, and public documents that use the RTP name and/or infer or state the endorsement of MDOT SHA.
- O. The PROJECT SPONSOR shall complete an RTP Status Report on April 15, October 15 and as requested for the PROJECT. Failure to submit timely status reports may delay or withhold reimbursement payment and future funding.
- P. Any amendment to the MOU must first be approved in writing by all the parties signing the MOU.

V. CONTACTS

For [Project Sponsor Name]:

Name:
Title:
Address:

Phone number:
Email:

(or such other persons as may be formally designated to act)

For MDOT SHA:

Name: Cheryl Ladota
Title: Recreational Trails Program Manager
Address: MDOT State Highway Administration
707 N Calvert Street
Baltimore, MD 21202
Phone number: 410-545-8552
Email: cladota@sha.state.md.us

(or such other persons as may be formally designated to act)

APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. **Compliance with Regulations:** The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such. provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction; the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. § 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 741 00);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).



IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their respective duly authorized officers.

WITNESS:

MARYLAND STATE HIGHWAY
ADMINISTRATION

BY: _____ (SEAL)

Gregory I. Slater Date
Administrator

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

RECOMMENDED FOR APPROVAL:

Kenneth P. Barnhart
Assistant Attorney General

Jason Ridgway, P.E.
Acting Deputy Administrator for Planning, Engineering,
Real Estate and Environment

William J. Bertrand
Director
Office of Finance

C. Scott Pomento, P.E.
Director
Office of Planning and Preliminary Engineering

PROJECT SPONSOR

Tax ID: _____

Witness

Name: _____

Date: _____

Recreational Trails Program Manual
APPENDIX C: MOU AMENDMENT TEMPLATE



MOU Extension Request:

SPONSOR LETTERHEAD

[DATE]

Mr. C. Scott Pomento, PE
Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration
707 N. Calvert Street, MS C-411
Baltimore, MD 21202

RE: [NAME OF SPONSOR – RT number]
[NAME OF PROJECT]

Dear Mr. Pomento:

Please consider this letter to be a request for an amendment to the Memorandum of Understanding (MOU) between [PROJECT SPONSOR] and the State Highway Administration for the above referenced project. [PROJECT SPONSOR] was awarded \$ [] in Recreational Trail funds and has completed []% of work. The project was delayed because.....fill in why project was delayed

The original MOU expired on [MOU EXPIRATION DATE] and we are requesting to amend the original MOU, extending the term nunc pro tunc, effective [DATE ONE DAY PRIOR TO EXPIRATION] until [PROPOSED CLOSE OUT DATE.]

The updated schedule is as follows: LIST a Timeline

Task Number & Name	Start Date	Completion Date	Responsible Party	Justification

Please indicate your concurrence with this request by signing two copies of this document. Keep one original for your records and return the other to me. Please contact me if you have any questions or concerns regarding this request via email at: [CONTACT EMAIL] or by phone at [CONTACT PHONE NO.]

Sincerely,

Recreational Trails Program Manual

APPENDIX C: MOU AMENDMENT TEMPLATE



[AUTHORIZED SIGNOR FOR PROJECT SPONSOR]
[PROJECT SPONSOR]

STATEMENT OF CONCURRENCE

I concur with the stated changes to the terms of the [RTXXXX] [NAME OF PROJECT] project and the Memorandum of Understanding between the Maryland State Highway Administration/Recreational Trails Program and the [PROJECT SPONSOR], extending the term nunc pro tunc, effective [DATE ONE DAY PRIOR TO EXPIRATION] until [PROPOSED CLOSE OUT DATE.]

Eric Beckett
Deputy Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration

Date

C. Scott Pomento, PE
Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration

Date

Recreational Trails Program Manual
APPENDIX C: MOU AMENDMENT TEMPLATE



MOU Amendment for Change of Scope:

SPONSOR LETTERHEAD

[DATE]

Mr. C. Scott Pomento, PE
 Director, Office of Planning and Preliminary Engineering
 Maryland State Highway Administration
 707 N. Calvert Street, MS C-411
 Baltimore, MD 21202

RE: [NAME OF SPONSOR – RT number]
 [NAME OF PROJECT]

Dear Mr. Pomento,

Please consider this letter to be a request for an amendment to the Memorandum of Understanding (MOU) between [PROJECT SPONSOR] and the Maryland Department of Transportation State Highway Administration (MDOT SHA) for the above referenced project.

[PROJECT SPONSOR] was awarded \$_____ in Recreational Trail funds for [PROJECT DESCRIPTION].

This amendment would allow us to alter the scope of the project and use the funds for [NEW PROJECT DESCRIPTION]. The update in scope would include the following:

Amended Workplan

Task Name	Start Date	Completion Date	Responsible Party

Amended Budget

Task Name	Requested Fund	Match	Total Task Cost

Recreational Trails Program Manual
APPENDIX C: MOU AMENDMENT TEMPLATE



Total Cost			

Please indicate your concurrence with this request by signing two copies of this document. Keep one original for your records and return the other to me. Please contact me if you have any questions or concerns regarding this request via email at: **Contact Email** or by phone at **Contact Phone #**.

Sincerely,

[AUTHORIZED SIGNOR FOR PROJECT SPONSOR]
[PROJECT SPONSOR]

STATEMENT OF CONCURRENCE

I concur with the stated changes to the terms of the **[RT----] [NAME OF PROJECT]** project and the Memorandum of Understanding between the Maryland State Highway Administration Recreational Trails Program and the **[PROJECT SPONSOR]**, amending the project scope to allow for **[NEW PROJECT DESCRIPTION]**.

 Eric Beckett Date
 Deputy Director, Office of Planning and Preliminary Engineering
 Maryland State Highway Administration

 C. Scott Pomento, PE Date
 Director, Office of Planning and Preliminary Engineering
 Maryland State Highway Administration

Recreational Trails Program Manual

APPENDIX C: MOU AMENDMENT TEMPLATE



MOU Amendment for Remaining Funds:

SPONSOR LETTERHEAD

[DATE]

Mr. C. Scott Pomento, PE
Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration
707 N. Calvert Street, MS C-411
Baltimore, MD 21202

RE: [NAME OF SPONSOR – RT number]
[NAME OF PROJECT]

Dear Mr. Pomento,

Please consider this letter to be a request for an amendment to the Memorandum of Understanding (MOU) between [PROJECT SPONSOR] and the Maryland Department of Transportation State Highway Administration (MDOT SHA) for the above referenced project.

[PROJECT SPONSOR] was awarded \$_____ in Recreational Trail funds for [PROJECT TITLE] and has completed ____% of work. The project came in under budget, and has a remaining \$_____ in funds.

This amendment would allow us to alter the scope of the project and use the remaining funds for [NEW PROJECT DESCRIPTION]. The update in scope would include the following:

Task Number & Name	Start Date	Completion Date	Amount

Please indicate your concurrence with this request by signing two copies of this document. Keep one original for your records and return the other to me. Please contact me if you have any questions or concerns regarding this request via email at: **Contact Email** or by phone at **Contact Phone #**.

Recreational Trails Program Manual

APPENDIX C: MOU AMENDMENT TEMPLATE



Sincerely,

[AUTHORIZED SIGNOR FOR PROJECT SPONSOR]
[PROJECT SPONSOR]

STATEMENT OF CONCURRENCE

I concur with the stated changes to the terms of the [RT----] [NAME OF PROJECT] project and the Memorandum of Understanding between the Maryland State Highway Administration/Recreational Trails Program and the [PROJECT SPONSOR], amending the project scope to allow for [NEW PROJECT DESCRIPTION].

Eric Beckett
Deputy Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration

Date

C. Scott Pomento, PE
Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration

Date

Recreational Trails Program Manual

APPENDIX D: RIGHT-OF-WAY VERIFICATION LETTER



Letter for a City, County, or State Entity:

SPONSOR LETTERHEAD

[DATE]

Ms. Cheryl Ladota
Manager, Recreational Trails Program
Maryland State Highway Administration
707 N. Calvert Street, MS C-502
Baltimore, MD 21202

RE: [NAME OF SPONSOR – RT number]
[NAME OF PROJECT]

Dear Ms. Ladota:

I, as a representative of [SPONSOR NAME], affirm that we are the owner of [PROJECT LOCATION] and therefore own the right of way for [PROJECT NAME]. The [SPONSOR NAME] will have the responsibility for ongoing maintenance of the project. Please do not hesitate to contact me if you have any questions.

[Signature]

Name

Title

Contact Information

Recreational Trails Program Manual

APPENDIX D: RIGHT-OF-WAY VERIFICATION LETTER



Letter for a Sponsor who Owns the Property:

SPONSOR LETTERHEAD

[DATE]

Ms. Cheryl Ladota
Manager, Recreational Trails Program
Maryland State Highway Administration
707 N. Calvert Street, MS C-502
Baltimore, MD 21202

RE: [NAME OF SPONSOR – RT number]
[NAME OF PROJECT]

Dear Ms. Ladota:

I, as a representative of SPONSOR NAME, affirm that we are the owner of PROJECT LOCATION and therefore own the right of way for PROJECT NAME. The SPONSOR NAME will have the responsibility for ongoing maintenance of the project. Please do not hesitate to contact me if you have any questions.

[Signature]

Name

Title

Contact Information

Recreational Trails Program Manual

APPENDIX D: RIGHT-OF-WAY VERIFICATION LETTER



Letter for Property Owner when a Sponsor Does Not Own the Property:

SPONSOR LETTERHEAD

[DATE]

Ms. Cheryl Ladota
Manager, Recreational Trails Program
Maryland State Highway Administration
707 N. Calvert Street, MS C-502
Baltimore, MD 21202

RE: [NAME OF SPONSOR – RT number]
[NAME OF PROJECT]

Dear Ms. Ladota:

On behalf of the [ENTITY THAT OWNS PROPERTY], the owner of [PROJECT LOCATION], we hereby reaffirm our agreement with [SPONSOR NAME] giving the [SPONSOR NAME] permission to undertake trail improvements on the [NAME OF PROPERTY]. We work closely with the [SPONSOR NAME] and are regularly apprised of the status of their projects and are fully supportive of this work. The [SPONSOR NAME] will have the responsibility for ongoing maintenance of the project. Please do not hesitate to contact me if you have any questions.

[Signature]

Name
Title
Contact Information

Recreational Trails Program Manual

APPENDIX E: LAND ACQUISITION

The Sponsor shall be responsible for providing verifiable documentation evidencing compliance for any real property that is acquired or may have previously been acquired for the project, which is to serve as the project match. Required documentation is as follows:

- Right of Way Plans/Plats with areas listed
- Appraisal, including letter to owners stating that they are encouraged to walk through the property with the Appraiser (especially if they need to point out features such as septic, drain fields, etc.)
- Appraisal Review (it can be done independently or by SHA Reviewers, if available)
- Title Search
- Written Offer letter (based on Appraisal) **
- Certified Record of Negotiations
- Signed and Approved Option Contract
- Waivers (if donation or dedication of property by owners)
- Relocation (if needed)
- Administrative Settlement Letter signed for approval by Administrative Head
- Deed (?)

**Customers DO NOT have to accept first offer – they can counter offer.

Please note: NEPA approval must be acquired first before certification is issued. You should start the acquisition process as soon as possible.

-----SPONSOR LETTERHEAD-----

REQUEST FOR BIDS
FOR
[PROJECT/ITEM NAME]

[SPONSOR NAME], is soliciting bids for [PROJECT/ITEM DESCRIPTION]

Please read the instructions and submit bids based on the information contained on this sheet. The attached Bid Proposal sheet shall be filled out completely and submitted with the bid.

General Instructions:

This invitation for bids is for the purchase of the following:

[PROJECT/ITEM DESCRIPTION]

Bids will be submitted to [SPONSOR CONTACT]

For further information contact [PROJECT SPONSOR CONTACT INFO.]
[SPONSOR NAME] RESERVES THE RIGHT TO ACCEPT/REJECT ANY OR ALL BIDS.

*****All vehicles to be purchased must be verified to have been made and/or assembled in America in order to be eligible for reimbursement under program guidelines and documentation will be required upon reimbursement.**

-----SPONSOR LETTERHEAD-----

BID SUBMITTAL SHEET
[SPONSOR NAME]
RT#

PROJECT ELEMENTS AND COSTS

Item #	Description	Qty	Unit Price	Total Cost
1	[Add description]	[Add #]		
2	[Add description]	[Add #]		
3 (etc.)	[Add description]	[Add #]		

Total Cost _____

Delivery/Shipping Cost _____

Bidders Name: _____

Address: _____

Telephone: _____

Fax: _____

Signature: _____

Date: _____

-----SPONSOR LETTERHEAD-----

[SPONSOR NAME]

PREFERRED VENDOR DISCLOSURE

[Please add check marks to the lines below to indicate compliance.]

___ I have read the Preferred Vendor Instructions sheet.

___ I have reviewed the Master Lists / Catalogs from the three Preferred Vendors.

[Select one of the two statements below (and its accompanying statements, if applicable).]

___ Once I receive NTS, I will be contacting [Preferred Vendor Name].

___ I understand that if the Preferred Vendor can fulfill my request, I must purchase from them.

___ If the Preferred Vendor is not able to fulfill my request, they will provide me with a waiver. I understand that I will need to provide this waiver to the Recreational Trails Manager before I begin solicitation.

___ My required product/labor is not listed in the Master Lists / Catalogs, and I will not be contacting a Preferred Vendor.

Certified by: [Signature] _____

[Printed Name] _____

Date: _____

Phone: _____

-----SPONSOR LETTERHEAD-----

[SPONSOR NAME]

Potential Bidders List:

1. Vendor 1
Street Address

2. Vendor 2
Street Address

3. Vendor 3
Street Address

DRAFT

-----SPONSOR LETTERHEAD-----

[SPONSOR NAME] Cost Estimate

[PROJECT/ITEM DESCRIPTION]

Estimated at \$X.00 each = \$X.00 Total

*****NOTE:** *Cost estimates for projects should be obtained by the Sponsor through independent research, not by calling vendors to ask for quotes. Calling vendors to ask for a cost estimate constitutes an unfair advantage when it comes time to bid. Sponsors can use information online and at the [Bureau of Labor Statistics](#) to help with their research. (The cost estimate is just that—an estimate!) If a sponsor has requested a cost estimate from a vendor, that vendor will not be eligible to bid on the project.*

DRAFT

Preferred Vendor Instructions

Before proceeding to solicitation, all procurements must be reviewed to determine if they can be fulfilled by one of Maryland’s three Preferred Vendors: Maryland Correctional Enterprises, Blind Industries & Services of Maryland, or Maryland Works. If one of these providers can provide the requested goods or services, the sponsor must purchase from them. If the preferred vendor cannot provide the goods or services requested, the Preferred Vendor will provide a waiver.

Here are the steps to working with the Preferred Vendors:

1. Check to see if the service or product you need is available from [Maryland Correctional Enterprises \(MCE\)](#), [Blind Industries and Services of Maryland \(BISM\)](#), or [Employment Works Program \(EWP\)](#) through Maryland Works. Review the Master List / Catalog on each of these sites to determine if the product or service is available.
 - Maryland Correctional Enterprises (MCE) can provide the following RTP-relevant items and services: park benches and picnic tables; signage and signposts; digital color copying, printing, or binding; and moving, recycling, or agricultural/planting services.
 - Blind Industries & Services of Maryland (BISM) can provide paper products, janitorial products, and assembly products.
 - The Employment Works Program creates quality employment opportunities for individuals with disabilities. The Employments Works program can provide the following RTP-relevant items and services: dune revegetation; landscaping and horticulture; recycling services; and wood stakes.
2. If the requested product or service is on the Master List / Catalog, contact the appropriate representative with your request for bids.

Preferred Vendor	Contact
MCE	Ms. Rhonda Bell, rhondae.bell@maryland.gov
BISM	orders@bism.org
EWP	opportunities@mdworks.com

- Once the Preferred Vendor receives your request for bids, they will review to determine if they are able to fulfill the request.
 - If the Preferred Vendor can fulfill your request, you must plan to purchase from the Preferred Vendor.
 - If the Preferred Vendor is unable to fulfill your request, they will issue a waiver. Please provide the waiver to Cheryl Ladota, Recreational Trails Manager, at CLadota@sha.state.md.us.
3. If the requested product or service is not on any of the Master Lists or catalogs, you may proceed to solicitation.

Frequently Asked Questions

- Is there a cost threshold that triggers the need to use the Preferred Vendors? **No.**
- Do all ads need to be sent to all three Preferred Vendors, or only to the one Preferred Vendor most likely to be able to meet the project needs? **Only the one most likely to meet the project needs. You can check each provider's website to see which provider is the best fit.**
- If it's clear that none of the Preferred Vendors would be able to meet the needs of the ad, do we skip this step? **Yes, you may skip this step if it is very clear that none of the providers would be able to meet the needs of your ad. However, if it is unclear, it is best to check with the provider to confirm. If you send them the request for bid and they cannot meet the requirements, they will provide a waiver stating they cannot perform.**
- If a Preferred Vendor could conceivably meet one or several of the needs of the ad, but not all of them, should the ad be broken up? **No, the scope of work should be submitted as one. If the preferred provider cannot meet all the requirements they will provide a waiver.**
- If a Preferred Vendor indicated that they couldn't fulfill a certain need in the past, and I received a waiver for it, do I need to ask again? **Even if one of the preferred providers indicated that they would not be able to fulfill a particular need in the past, if the good or service is listed in their catalog, a new waiver must be obtained.**

SPONSOR LETTERHEAD

Verbal Bid Record for Category 1 Solicitation

Bid for: **[PRODUCT/ITEM/LABOR]**

Vendor and Contact Information	Date and Time of Contact	Product Specifications/Details	Quote Price

Name and title of individual obtaining quotes: _____

Signature: _____ Date solicitation prepared: _____

Recreational Trails Program Manual
APPENDIX H: REQUEST FOR CONCURRENCE IN AWARD
AND NOTICE TO PROCEED



SPONSOR LETTERHEAD

Date

Ms. Cheryl Ladota
Scenic Byway / Recreational Trails Coordinator
Maryland State Highway Administration
707 N. Calvert Street, MS C-502
Baltimore, MD 21202

Reference: Recreational Trails Program
Project: RT **XXXX: PROJECT NAME**
Sponsor: **PROJECT SPONSOR**
Contact: **NAME OF CONTACT**
TITLE OF CONTACT

Requesting Concurrence in Award: **PROJECT / PROJECT ELEMENT NAME**

Ms. Ladota:

Please find enclosed:

- A request for SHA’s Concurrence in Award and Notice to Proceed;
- **Confirmation of our request for bids; (*only necessary for Category III and up*)**
- Bid submittal sheets; and
- Additional information provided by vendors with their bids.

Please let me know if you have any questions.

Sincerely,

Name
Title
Organization/Agency

Recreational Trails Program Manual
APPENDIX H: REQUEST FOR CONCURRENCE IN AWARD
AND NOTICE TO PROCEED



SPONSOR LETTERHEAD

Date

Reference: Recreational Trails Program
Project: RT XXXX
Sponsor: SPONSOR NAME
Contact: CONTACT NAME
Project: PROJECT TITLE

SPONSOR NAME solicited bids for the PROJECT/PROJECT ELEMENT NAME and received NUMBER (#) bids:

Contractor/Vendor Name	Total Cost of Bid
(Contractor/Vendor 1)	\$X.XX
(Contractor/Vendor 2)	\$X.XX
(Contractor/Vendor 3)	\$X.XX

(See attached for bid submissions.)

After reviewing the bids, we, PROJECT SPONSOR and WITNESS elected to have selected CONTRACTOR/VENDOR to provide us with SERVICE/PRODUCT DESCRIPTION at a price of \$X.XX.

We hereby request SHA’s concurrence and issuance of the Notice to Proceed.

Signature Date

(Project Contact)
(Title)
(Project Sponsor)

Witness Date

Recreational Trails Program Manual

APPENDIX I: INVOICE PACKAGE



[ON PROJECT SPONSOR LETTERHEAD]

Date

Ms. Cheryl Ladota
Recreational Trails Program Manager
Maryland State Highway Administration
707 N. Calvert Street, MS C-502
Baltimore, MD 21202

RE: **[Project Title]**
State Highway Project Number: **RT----**

Invoice Number - ____

Dear Ms. Ladota:

This is to inform you that the **[Project Sponsor]** has completed approximately ____% of the work needed to complete the **[Project Title]**, using \$**[Award Amount]** in Recreational Trails Program funds. At this time **[Project Sponsor]** respectfully requests reimbursement from the State Highway Administration for the **[description of material/labor supplied for this portion of project]**.

Project Information

To be supplied by sponsor

Project Title: _____
Project Sponsor: _____
Federal ID Number: _____
Total Cost of Project: _____
RTP funds awarded (Total Project Cost – 20% Match Amount): _____
20% Match requirement for entire award: _____
20% Match already provided for this award: _____
RTP reimbursement funds already requested for this project: _____
RTP funds remaining available for this project: _____
RTP funds requested with this invoice: _____
20% Match amount for this portion of reimbursement: _____
DBE/MBE Contractors/Vendors
(Disadvantaged Business Enterprise/Minority Business Enterprise)
Invoicing Amount for this request [if any]: _____

Recreational Trails Program Manual

APPENDIX I: INVOICE PACKAGE

Please find the following items enclosed:

- 20% Match documentation
(Provide detailed report presenting the breakdown of how you have spent this money on the project with backup In-Kind summary pages and/or invoices w/ canceled checks)
- Copy of invoice from contractor/vendor to sponsor
(Include copy of invoice)
- Copy of cancelled check paid to contractor/vendor
(Include copy of cancelled check(s))
- DBE/MBE: Copy of Invoice from Disadvantaged Business Enterprise/Minority Business Enterprise contractor or vendor (if applicable)
(Include copy of invoice)
- Copy of cancelled check paid to DBE/MBE contract or vendor (if applicable)
(Include copy of cancelled check(s))
- Copy of American-Made Certification Documentation regarding vehicle purchases (if applicable)
(Include copy of manufacturer's documents)

(For final invoice please insert the following language and sign):

I/We certify that the subject project was completed in reasonable conformance to the advertised plans and specifications, using materials of equal or greater quality specified in the advertised documents. I/we also certify to the workmanship of the project and that all advertised activities have been accomplished, unless written approval for modifications have been requested of and received from SHA. As of the date of this certification, any additional work and or maintenance on this project will be the sole responsibility of the project sponsor, or other entity as specified in the Memorandum of Understanding.

Should you have any questions or require additional information, please contact me at XXX-XXX-XXXX

Sincerely,

[Name and Title]
[Project Sponsor]

Recreational Trails Program Manual
APPENDIX I: INVOICE PACKAGE



Personnel and Volunteer Activity Report

Project Name _____

State Agency _____

Name of Staff Person/Organization Contributing Donated Time _____

Title _____

DATE	TASK	TOTAL WORK HOURS	HOURLY RATE	VALUE (DONATED HOURS X RATE)
TOTAL VALUE OF DONATION:				

DONOR CERTIFICATION:

I swear and affirm that the above reported hours, mileage, and tolls have been donated towards the grant project goals and objectives outlined in the Memorandum of Understanding between the _____ by and through the _____ and the Maryland Department of Transportation by and through the State Highway Administration.

Signature of Staff Person/Organization Representative Donating Time _____

Date _____

Verifying Fiscal Officer's Signature _____

Date _____

Recreational Trails Program Project Performance Report

Project Number Date

Project Name

Project Sponsor

Person Completing Report

Award Amount Amount Reimbursed

Report Type

Project Status 0% <50% >50% 100%

Description of Project Status

On target with workplan? Yes No

If no, describe requested modification to workplan

Changes needed to approved budget or match? Yes No

If yes, describe changes requested

Additional Information

A. Application Overview

The amount of funding requests often exceeds the amount of RTP funds available. Therefore, MDOT SHA has established an application process to ensure that all projects are evaluated competitively by their merit. This section explains the application process for RTP funds. For additional information, please contact the RTP Manager referenced in **Appendix A**.

Project Sponsors must complete a RTP Funding Application (located at <http://marylandsha.force.com/rofas>) for each project (see **Appendix A**). The required information includes scope of work, funds requested, and matching funds to be provided. MDOT SHA requires that the maximum Federal share for each project from RTP funds is 80 percent. In other words, a maximum of 80 percent of the total project costs can be reimbursed by RTP funds; the remaining 20 percent will be covered by Sponsor-matching resources/funds.

Funds requested per project shall not exceed \$80,000; however, exceptions could be considered on a case-by-case basis. The minimum request is \$20,000.

Project applications will be reviewed for eligibility, merit, and adherence to Program criteria by the RTP Manager. Complete and eligible applications will be considered for award by the RTP Advisory Committee (see **Section V**: Selection Process). Applications that do not have a sufficiently detailed project description, work plan, and budget are deemed incomplete and will not be considered by the Committee.

After the RTP Advisory Committee makes its recommendations, the MDOT SHA Administrator makes the final award decisions. Selected recipients will receive an Award Letter by MDOT SHA.

B. Project Selection Preferences

MDOT SHA will make every effort to distribute the funds throughout the State in a variety of project categories. Preference will be given to projects that have broad-based community support, provide linkage to or complete existing regional trails, and provide improvements to a trail in order to benefit or mitigate impacts to the environment.

Preference will be given to projects that include the following:

- Have local support for the project;
- Have the ability to take ownership and responsibility for long-term maintenance of the project;
- Provide linkages to, complete or maintain existing recreational trails;
- Provide improvements to a trail in order to benefit or mitigate impacts to the natural environment;
- Will be accomplished with youth conservation or service groups to perform construction and maintenance;
- Have the potential to improve the trail-user experience through direct benefits by providing facilities or interpretive elements where none are available;
- Consistent with other transportation plans/projects; and
- Consistent with Metropolitan Planning Organization plans.

Recreational Trails Program Manual

APPENDIX K: APPLICATION PROCESS



C. Advisory Committee Review

For projects to be eligible for funding under the RTP, the application must document how match will be met. The project must be located on property that has a permanent easement or is owned by the Sponsor. Eligible projects with applications that contain complete and concise information will be reviewed by the RTP Advisory Committee, which consists of representatives from MDOT SHA, DNR, Office of Tourism Development (OTD), and Maryland Department of Planning (MDP), as well as representatives of motorized and non-motorized trail-user organizations in Maryland. Upon review, the Advisory Committee will forward its recommendations for funding to the MDOT SHA Administrator for concurrence. Incomplete applications will not be reviewed by the Advisory Committee.