

# **INSTRUCTIONS FOR APPROVED PROJECTS**

## **Recreation Grant Programs**

Revised September 2014



PWD BK P4000-1146

**Section 1**

**INTRODUCTION**

## **CIVIL RIGHTS REQUIREMENTS**

The contractor is required to comply with regulations issued pursuant to the Civil Rights Act of 1964 with respect to nondiscrimination in assisted programs of the Department.

The following provisions, known as the EQUAL OPPORTUNITY CLAUSE are to be incorporated verbatim in each contract and must be included in the plans and specifications submitted for TPWD review.

"During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, religion, creed, color, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, creed, color, or national origin. Such action shall include but not be limited to employment, upgrading, demotion or transfer, recruitment or retirement, advertising, layoff or termination, rates of pay or other forms of compensation, and selection training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the non-discrimination clause.
2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, creed, color, sex, or national origin.
3. The contractor will send to each labor union or representative of workers with whom he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order Number 11246, as amended in 3 CFR 169 (1974), and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4. The contractor will comply with all provisions of Executive Order Number 11246, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.
5. The contractor will furnish all information and reports required by Executive Order 11246, as amended, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
6. In the event of the contractor's non-compliance with the non-discrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order Number 11246, as amended or by rules, regulations, or orders of the Secretary of Labor, or as otherwise provided by law.

7. The contractor will include the provisions of Paragraphs 1 and 7 in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order Number 11246, as amended, so that such provisions will be binding upon each subcontractor or purchase order, as the contracting agency may direct as a means of enforcing such provisions, including sanctions for non-compliance; provided however, that in the event the contractor becomes involved in or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interest of the United States.”

## **CONTRACT AND BOND REQUIREMENTS**

Contracts awarded under the grant are required to follow Texas competitive bidding procedures in accordance with Local Government Code Chapters 252, 262, and 375.

Standard construction practices recommend a bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

Pursuant to the Texas Uniform Grant and Contract Management Act, the following minimum requirements apply to all contracts exceeding \$50,000 in total value:

1. A Performance Bond on the part of the contractor for 100 percent (%) of the contract price. A Performance Bond is one executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such a contract.
2. A Payment Bond on the part of the contractor for 100 percent (%) of the contract price. A payment Bond is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.
3. In lieu of the bond requirements for contracts less than \$50,000 a provision that no money will be paid to the contractor until completion and acceptance may be included in the contract.

The sponsor shall include, in addition to provisions to define a sound and complete contract agreement, the following provision in all contracts:

1. Contracts shall contain such contractual provisions or conditions which will allow for administrative, contractual, or legal remedies where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate.
2. All contracts, amounts for which are in excess of \$10,000 shall contain suitable provisions for termination by the sponsor including the manner by which it will be affected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated or default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

## **WAGES**

Contractors are required to comply with the Texas prevailing wages requirements established in Government Code Ch. 2258.

## **WORKERS' COMPENSATION**

The sponsor shall comply with the Reporting Requirements for Building or Construction Projects for Governmental Entities of 28 TAC 110.110.

Additional information regarding these requirements may be obtained from:

Texas Department of Insurance  
Division of Workers' Compensation (DWC)  
7551 Metro Center Drive, Suite 100  
Austin, TX 78744-1609  
512/804-4000  
<http://www.tdi.state.tx.us/wc/indexwc.html>

## **PERMITS**

The sponsor shall insure that all applicable permits or approvals have been obtained prior to construction. A copy of these approvals or permits shall be provided to the Department. Examples include, but are not limited to:

1. Comptroller of Public Accounts for tax permits
2. Corps of Engineers Permit for construction in water of the United States
3. Texas Department of Health approval of new water or sewage systems
4. Texas Commission on Environmental Quality for storm water and air permitting

## **Native Planting Requirement**

In order to encourage the use of native plants, grant funds will not be allowed toward the purchase and plantings of any non-native or invasive plant species. An exception to native plantings is made in circumstances such as in the grass turf that can be contained in the baseball field, though thought here should also be given to native alternatives. Additional information regarding native plants can be found at <http://tpid.tpwd.state.tx.us/> as well as at <http://www.wildflower.org/plants/> a native planting list if applicable is required to be submitted through the online grants management system at: <https://tpwd-recgrants.fluidreview.com>.

## ACKNOWLEDGEMENT SIGNS

On-site program acknowledgement signs are required for all approved acquisition and construction projects. Signage requirements include a temporary sign which should be displayed throughout the activity stages of a project (once land acquisitions are complete – if applicable), and a permanent sign or plaque which must be installed and maintained at the site.


Costs for program acknowledgement signs are reimbursable for approved projects if included in the "Budget Summary."

Examples of both temporary and permanent acknowledgement signs for **state funded projects** are shown below. Information shown on the examples is the minimum information required.

### TEMPORARY SIGN (Minimum Size – 4' x 8')

The (City/County/District) of _____		
Public Recreation Site (Acquisition/Development) Project		
Funding assistance from a portion of the state sales tax on sporting goods		
Through the LOCAL PARK GRANT PROGRAM		
Administered by Texas Parks & Wildlife Department		
FUNDING		
State of Texas	50%	\$ 500,000
(City/County/District)	50%	\$ 500,000
Total Project		\$ 1,000,000

### PERMANENT SIGN OR PLAQUE (Minimum Size – 18" x 24")

	A TEXAS LOCAL PARK GRANT PROJECT
Funded in part from a portion of the state sales tax on sporting goods	
Administered by Recreation Grants Branch	

Use these samples **only** for projects supported with Local Park Grant Program funds.

**LAND AND WATER CONSERVATION FUND**

**PROJECT ACKNOWLEDGEMENT SIGNS**

On-site program acknowledgement signs are required for all approved acquisition and construction projects. Signage requirements include a temporary sign which should be displayed throughout the activity stages of a project (once land acquisitions are complete – if applicable), and a permanent sign or plaque which must be installed and maintained at the site.



Costs for program acknowledgement signs are reimbursable for approved projects if included in the "Budget Summary."

Examples of both temporary and permanent acknowledgement signs for **federally funded** projects are shown below. Information shown on the examples is the minimum information required.

**TEMPORARY SIGN (Minimum Size – 4' x 8')**

The (City/County/District) of [REDACTED]		
Public Recreation Site (Acquisition/Development) Project		
With Funding Assistance through		
LAND AND WATER CONSERVATION FUND		
U.S. Department of the Interior, National Park Service		
Administered by the Texas Parks & Wildlife Department		
	FUNDING	
Land and Water Conservation Fund	50%	\$ 500,000
(City/County/District)	50%	\$ 500,000
Total Project		\$ 1,000,000

**PERMANENT SIGN OR PLAQUE (Minimum Size – 18" x 24")**

	
A LAND AND WATER CONSERVATION FUND PROGRAM PROJECT	
Funding Assistance through	
U.S. Department of the Interior, National Park Service	
Administered by Texas Parks & Wildlife Department	

**Use LWCF wording only if notified by the Department that a project will receive federal funding.**

## **Section 4**

# **DESIGN/DEVELOPMENT PROCESS**



## **PROJECT CLOSEOUT CHECKLIST**

Before requesting a final inspection of a completed grant project, the following must be accomplished:

- \_\_\_\_\_ 1. All facilities must be complete and usable for recreation as specified in the Agreement. If facilities differ significantly from the original site plan, an as-built site plan must be provided to the Department.
- \_\_\_\_\_ 2. A permanent grant program recognition sign must be installed in a visible location. The temporary recognition sign should be removed when the permanent sign has been installed.
- \_\_\_\_\_ 3. Project must be registered with Texas Department of Licensing and Regulation.
- \_\_\_\_\_ 4. The Sponsor must submit a Final Reimbursement Request.

## **Section 5**

# **REIMBURSEMENT PROCESS**

## **REIMBURSEMENT FORMS**

- I. Daily Work Record for Employees
  - I-a. *SAMPLE* Daily Work Record
- II. Weekly Work Record for Employees
- III. Daily Work Record for Volunteers
- IV. Weekly Work Record for Volunteers
- V. Equipment Listing
  - V-a. *SAMPLE* Equipment Listing
- VI. Certification for Donated Professional/Skilled Labor or Service
- VII. Certification of Recreation Grants Reimbursement Request
- VIII. *SAMPLE* Spreadsheet for Budget Summary
- IX. *SAMPLE* Budget Summary
- X. Direct Deposit Authorization

Note: A Budget Summary will be furnished after the execution of a grant agreement. The spreadsheet is the responsibility of the sponsor. These forms are to be used by you for requesting reimbursement. Please feel free to duplicate as necessary or you can develop your own as long as the same information is provided.



## I. DAILY WORK RECORD FOR EMPLOYEES

**Project Number:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Department:** \_\_\_\_\_ **Foreman or Supervisor:** \_\_\_\_\_  
**Nature of Work:** \_\_\_\_\_  
**Project Element:** \_\_\_\_\_ **Location:** \_\_\_\_\_

PERSONNEL				SIGNATURE
Name	Hours	Rate	Cost	
<b>PAYROLL SUMMARY</b>				

EQUIPMENT				RECAPITULATION	
Unit	Hours/ Miles	Rate	Cost		Cost
				Personnel	
				Equipment	
				Fringe Benefits*	
Note for equipment: Sponsor must have cost records or use approved Department rates. Rates will be furnished by the Department upon written request.				<b>TOTAL</b>	

I certify that the above named employees were on the payroll of the \_\_\_\_\_  
 on the date shown and that these employees and the above listed equipment were used on  
 Project Number \_\_\_\_\_, \_\_\_\_\_ Project.

\*Fringe Benefits: Upon request, method of fringe benefits calculation must be made available to the Department.

\_\_\_\_\_  
Signature, Project Officer or Supervisor



# SAMPLE I-a. DAILY WORK RECORD FOR EMPLOYEES

**Project Number:** 50-009999

**Date:** 6/1/2005

**Department:** Parks and Recreation Department

**Foreman or Supervisor:**

**Nature of Work:** Water Line Construction

John T. Jones

**Project Element:** Construction

**Location:** Anywhere, Texas

### PERSONNEL

Name	Hours	Rate	Cost
John Doe	4	\$11.76	\$47.04
Jonas Doe	8	\$10.74	\$85.92
Joseph Doe	7	\$9.89	\$69.23
Jonathan Doe	9	\$12.41	\$111.69
<b>PAYROLL SUMMARY</b>			\$313.88

### EQUIPMENT

### RECAPITULATION

Unit	Hours/ Miles	Rate	Cost		Cost
Tractor with Grader	8	\$4.76	\$38.08	Personnel	\$313.88
				Equipment	\$38.08
				Fringe Benefits* (9.74%)	\$30.57
Note for equipment: Sponsor must have cost records or use approved Department rates. Rates will be furnished by the Department upon written request.				<b>TOTAL</b>	<b>\$382.53</b>

I certify that the above named employees were on the payroll of the City of Anywhere on the date shown and that these employees and the above listed equipment were used on Project Number 50-009999, Anywhere City Park, Project.

\*Fringe Benefits: Upon request, method of fringe benefits calculation must be made available to the Department

\_\_\_\_\_  
Signature, Project Officer or Supervisor



## II. Weekly Work Record for Employees

Project Name: \_\_\_\_\_ Period From: \_\_\_\_\_ To: \_\_\_\_\_

Project Number: \_\_\_\_\_

Employees	Nature of Work							Total
	S	M	T	W	Th	F	S	
Employee Name	(# Of Hours Worked on Project)							Hourly Rate

Total \_\_\_\_\_

Fringe Benefits % \_\_\_\_\_

Total Employees Cost \_\_\_\_\_

Equipment	Nature of Work							Total	Reference Number
	S	M	T	W	Th	F	S		
Unit Description	(Hours/Miles Operated)							Rate Per Hrs./Mi.	

Total Equipment Cost \_\_\_\_\_

**NET TOTAL (Employees + Equipment)** \_\_\_\_\_

I certify that the listed employees were on the payroll of \_\_\_\_\_ on the dates shown and that these employees and the above listed equipment were used for the development of the project named above \_\_\_\_\_

Project Officer/Supervisor Signature: \_\_\_\_\_



### III. Daily Work Record for Volunteers

**Project Number:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Department:** \_\_\_\_\_ **Foreman or Supervisor:** \_\_\_\_\_  
**Nature of Work:** \_\_\_\_\_  
**Project Element:** \_\_\_\_\_ **Location:** \_\_\_\_\_

PERSONNEL				SIGNATURE
Name	Hours	Rate	Cost	
<b>PAYROLL SUMMARY</b>				

EQUIPMENT				RECAPITULATION	
Unit	Hours/ Miles	Rate	Cost		Cost
				Personnel	
				Equipment	
				Fringe Benefits*	
Note for equipment: Sponsor must have cost records or use current FEMA rates.				<b>TOTAL</b>	

I certify that the listed individuals were used on the dates shown and that the listed equipment was used on the project named above

\*Fringe Benefits: Upon request, method of fringe benefits calculation must be made available to the Department

\_\_\_\_\_  
Signature, Project Officer or Supervisor



## IV. Weekly Work Record for Volunteers

Project Name: \_\_\_\_\_ Period From: \_\_\_\_\_ To: \_\_\_\_\_

Project Number: \_\_\_\_\_

Volunteers	Nature of Work							Total Hours	Hourly Rate	Total	Signature
	S	M	T	W	Th	F	S				
Name	(# Of Hours Worked on Project:)										

Total \_\_\_\_\_  
 Fringe Benefits %(if applicable) \_\_\_\_\_  
 Total value towards project \_\_\_\_\_

Equipment	Nature of Work							Total Hrs./Mi.	Rate Per Hrs./Mi.	Total	Reference Number
	S	M	T	W	Th	F	S				
Unit Description	(Hours/Miles Operated)										

Total Equipment Cost \_\_\_\_\_  
**NET TOTAL (Volunteers + Equipment)** \_\_\_\_\_

I certify that the listed individuals & equipment were used on the dates indicated for the development of the project named above.

Project Officer/Supervisor Signature: \_\_\_\_\_



### V. EQUIPMENT LISTING

\*Rates Available at [www.FEMA.gov/government/grant/pa/eqrates\\_2010.pdf](http://www.FEMA.gov/government/grant/pa/eqrates_2010.pdf)

**Sponsor:** \_\_\_\_\_  
**Project Name:** \_\_\_\_\_  
**Project Number:** \_\_\_\_\_

Year	Make/Model	Description	Combined Weight	Capacity	Size/H.P.	Single/ Tandem	Wheeled or Track-Mounted	Cost Code No. Assigned	Rate

(Please indicate if the equipment has been purchased with local, state, or federal funds.)





# SAMPLE VIII SPREADSHEET FOR BUDGET SUMMARY

Sponsor: City of Anywhere  
Project Name: Anywhere City Park  
Project Number: 50-009999  
Request Number: 1  
Period: 01/02/2005 - 03/04/2005

Date(s)	Payee	Check Number	1A A/E	2A Site Prep	2B1 Water	2B2 Electrical	2D Restroom	Retainage	Total
1/2/05	James Engineering	234567	\$300.00						\$300.00
2/8/05	John Doe	234570		\$1,000.00					\$1,000.00
2/9/05	A to Z Utilities	234572			\$800.00	\$6,000.00			\$6,800.00
3/1/05	Tiny's Contracting, Inc.	234580					\$4,800.00	(\$480.00)	\$4,320.00
12/12/05 - 12/15/05	*Total Force Account	N/A			\$102.65				\$102.65
<b>TOTAL</b>			<b>\$300.00</b>	<b>\$1,000.00</b>	<b>\$902.65</b>	<b>\$6,000.00</b>	<b>\$4,800.00</b>	<b>-\$480.00</b>	<b>\$12,522.65</b>

\*Force Account: Daily Work Records for Force Account Work can be consolidated on a spreadsheet. The spreadsheet total should be for the reimbursement request period. To facilitate the final audit and inspection, the Force Account records must be tabulated on a daily basis.