



EXHIBIT B1

**Illinois Department of
Natural Resources**

**Illinois Boat Access Area Development
Grant Program**

For State Fiscal Year

2020

Implementation & Billing Requirements

**PUBLIC
BOAT
LAUNCH**



ILLINOIS
DEPARTMENT OF
NATURAL
RESOURCES

Provided with assistance from
Illinois Department of Natural Resources
Financed with State Boating Funds

INTRODUCTION

In this packet, you will find necessary information and guidelines for implementing an approved development project involving Boat Access Area Development (BAAD) grant assistance through the Illinois Department of Natural Resources (IDNR).

PLEASE READ THIS PACKET CAREFULLY! Failure to comply with these guidelines could jeopardize project eligibility and grant payment.

GENERAL

- 1) The approved project grant award cannot be increased to cover cost overruns. Any cost overruns incurred to complete the approved project are the sole responsibility of the Grantee.
- 2) To maintain eligibility for grant payment, the Grantee must satisfactorily complete ALL approved project components as specified in the approved project application and the signed Project Agreement. Any changes (additions or deletions) to the project scope must be approved by the IDNR prior to implementation in order to maintain eligibility for grant reimbursement.
- 3) Project construction may be accomplished by either 1) publicly advertised competitive bid contracts; 2) directly hired labor and material purchases pursuant to state and local public procurement requirements; 3) using Grantee "in-house" Force Account labor; or 4) any combination of the three methods. It is highly recommended, however, that approved project development be accomplished using competitively bid construction contracts. If "in-house" Force Account labor is proposed, contact the IDNR for additional instructions.
- 4) All local governments must comply with applicable state statutes and applicable local ordinances concerning bidding requirements for construction contracts and equipment/material purchases. IDNR may request documentation from the local agency to verify compliance with applicable state statutes.
- 5) The approved BAAD development project must be completed and ready for a final close-out/acceptance inspection by IDNR staff AND all project costs for which reimbursement is expected must be paid no later than the expiration date specified on the signed grant agreement, unless otherwise approved by IDNR. Failure to have approved project components completed and paid for by the specified project expiration date could jeopardize approved grant reimbursement on the project.
- 6) Unless otherwise approved by the IDNR, the Grantee shall retain the services of a registered, professional engineer to make the necessary field surveys; prepare detailed construction plans, bid specifications and contract documents; and provide necessary construction supervision to help ensure proper project design and construction. (Exhibit A, attached at the end of this packet, provides a typical "Definition of Services" for an engineering professional services contract ordinarily associated with this type of construction project.)

The cost of necessary project engineering services shall not exceed 15.25% of approved project construction cost, unless otherwise approved by the IDNR. Costs for eligible

reimbursement expenses (including construction supervision, if necessary) may be added in proportion to project complexity if approved by IDNR. The amount of construction supervision and its associated costs as well as the method of compensation must be included in the engineering agreement between the Grantee and project engineer. The IDNR shall not be responsible for any engineering costs if the Grantee, by unilateral action, terminates the project prior to completion as specified in the signed Project Agreement.

- 7) Parking lots, restroom facilities, boat docks, etc. constructed with IDNR boating grant funds must be developed and designed in accordance with the Illinois Accessibility Code standards and the "Americans with Disabilities Act" Accessibility Guidelines (ADAAG). A copy of the Illinois Accessibility Code may be obtained at the following website: <https://www2.illinois.gov/cdb/business/codes/IllinoisAccessibilityCode/Pages/default.aspx> . Although the Illinois Accessibility Code does not address specific accessibility criteria for all outdoor recreation facilities, there is a "Recreation Boating Facilities" reference on Page 70. To supplement this information, the U. S. Architectural and Transportation Barriers Compliance Board pursuant to ADA has developed final guidelines for recreation facilities and outdoor developed areas. A copies of the guidelines can be found at the following website: <https://www.access-board.gov/guidelines-and-standards/recreation-facilities> .
- 8) The following design manual is an excellent reference to use in designing/constructing the approved boat access facility: Design Handbook for Recreational Boating & Fishing Facilities, published by the States Organization for Boating Access (SOBA). More information on this publication can be found on SOBA's web site: <http://www.sobaus.org/> . The IDNR may also be contacted regarding suggested facility design criteria.
- 9) In connection with and prior to the construction, and thereafter the subsequent operation and maintenance of BAAD grant assisted facilities, the Grantee agrees that it shall be responsible for and obtain all necessary Permits, Licenses or Forms of Consent, as the case may be, from, but not limited to, the following agencies:
 - a. U.S. Department of the Army, Corps of Engineers.
 - b. IL Dept. of Transportation (Division of Highways).
 - c. IL Environmental Protection Agency.
 - d. IL Dept. of Natural Resources regarding endangered species, wetlands, cultural resources (coordinated with the IIDNR Historic Preservation Division) and waterway impacts.
 - f. IL Dept. of Public Health (Campground Licensing and Recreational Area Act (210 ILCS 95/1).
 - g. Local building or zoning agencies or boards, where applicable.
- 10) Status of project progress MUST be reported to the IIDNR Grant Administrator assigned to the project each January 1, April 1, July 1, and October 1 throughout the duration of project implementation (i.e., until the project's FINAL billing is submitted to IIDNR). The enclosed "Periodic Performance and Periodic Financial Report" forms are provided on the following pages. Failure to submit these forms by the due dates will result in penalties up to and including Statewide stop payments, disallowing costs, suspension or termination, and debarment.
- 11) As you proceed with your project, if you have any questions regarding program requirements, please contact the Office of Grant Management and Assistance at (217) 782-7481 or dnr.grants@illinois.gov .

OPEN COMPETITIVE BIDDING

- 1) Procedures for competitive bidding of construction and/or material contracts shall be done in conformance with the local sponsor's statutory requirements and written procurement guidelines with the following exceptions:
 - a. Language similar to the following should appear in all bid advertisements:

"This project is financed with funds from the IL Dept. of Natural Resources, "State Boating Fund".
 - b. The local sponsor shall encourage: 1) "minority" business firms to submit bids on the approved project and 2) successful contract bidders to utilize minority businesses as sub-contractors for supplies, equipment, services, and construction.
 - c. The Illinois Works Job Program Act must be followed. See Part 3, clause 28.18 in your grant agreement.
- 2) Recommendations for Bid Specifications. The bid proposal forms should be structured for flexibility. This can usually be done most effectively with add/deduct alternates and bidding the work by specific/distinct work elements. The instructions to bidders should clearly indicate what constitutes a valid bid and how the contract/bid will be awarded (lowest responsible/qualified bidder for all work items versus individual work items; base bid and selected bid alternates versus base bid separate from bid alternates, etc.). It should also specify whether substitutes will be accepted and whether scope of individual work elements can be modified.

The IDNR requires that all projects be completed by the ending date specified in the Project Agreement. The Grantee should ensure that all bidders are aware of the expected completion date. The expected construction start date and project completion date should appear in the specifications package.

The Instructions and General Conditions of the bid specifications should, at a minimum, address the following:

- Bid Opening Date;
 - Number of days Bid must be held;
 - Bid, Performance and Payment Bond/Security Requirements
(In accordance with the "Public Construction Bonding Act", 30 ILCS 550/1 et.seq.)
 - Contractor Insurance Requirements;
 - Completion date and if liquidated damages occur for late completion;
 - Terms of Payment to Contractor;
 - Schedule of quantities/material list and Unit Costs; and
 - If Bid is for material or product supply, do not specify specific name brand without also accepting "or approved equal". Also, specifications for a particular product or material being bid cannot be written in such detail so as to prevent an open and competitive bidding situation.
- 3) Contract award(s) shall be made to the lowest responsible bidder whose bid proposal properly addresses and complies with the bid invitation and is most advantageous to the Grantee; price and other factors considered. (Factors such as discounts, transportation costs, and taxes may be considered in determining the lowest bid.) **Justification for acceptance of a no-bid contract or awarding a contract to other than the lowest bidder shall be subject to IDNR approval.**

- 4) In certain instances, after work has begun, conditions may arise which are beyond the control of the Grantee and contractor which may require a change in specification and/or price. To maintain grant eligibility, these changes must be done by formal change orders.

If the change order involves: 1) the total deletion of an identified project component, 2) the addition of a new component for which reimbursement will be sought, or 3) exceeds \$10,000 +/- in value, the Grantee MUST receive IDNR approval in order to ensure grant eligibility is maintained. For change orders in excess of \$10,000 +/- (pursuant to Section 33E-9 of the Criminal Code of 1961, as amended) written assurance MUST BE provided to the IDNR by the local agency that such a change order was not reasonably foreseen at the time of initial construction contract execution.

NO-BID PROCUREMENT & FORCE ACCOUNT (F.A.) LABOR GUIDELINES

- 1) On occasion, it is more advantageous for some project components to be completed using an agency's own labor and/or direct procurement of project materials known as "Force Account". However, the Grantee must comply with applicable state statutes and applicable local ordinances concerning bidding requirements for construction contracts and equipment/material purchases.
- 2) Equipment rental necessary to complete "Force Account" labor construction is eligible for grant reimbursement. However, the value of donated material, labor and equipment to a project IS NOT grant eligible nor is the purchase of non-consumable items (tools, etc.) necessary to complete project work.
- 3) For "Force Account labor", the Grantee shall maintain accurate time records and complete the appropriate time sheet summary form (attached) for reporting "in-house" force account labor necessary and reasonable for completing approved project components. This includes only those employees directly involved in project construction and any associated design work, construction supervision, and overall project record keeping and administration. The value of such labor shall reflect actual wages paid to each employee and may include fringe benefits. (Wages paid shall not be higher than those for persons on similar jobs within the local agency.)
- 4) For all small procurement (not required to be bid by state statute or local ordinance) material purchases, appropriate purchase orders and/or invoices and corresponding canceled checks must be recorded on the "Materials Itemization Sheet" (attached) according to each major project construction component for which the materials were purchased. (Warning! Keep in mind that the local sponsor must comply with applicable state statutes and applicable local ordinances concerning bidding requirements for equipment/material purchases.)

BILLING REQUIREMENTS

- 1) Only those costs incurred during the specified project period dates indicated on the signed Project Agreement and necessary for completion of approved project elements are eligible for grant payment.
- 2) Requests for reimbursement for project costs must be summarized on the attached forms and are required to be transmitted to the IDNR:
 - a) **Development Project Billing Form** (*engineering costs must be summarized and include a copy of the invoice/bill and proof that payment has been made, e.g. cancelled check (front and back) or a statement from the engineer that the bill has been paid in full.*)
 - b) **Project Performance Report**
 - c) **Force Account Project Material Cost Summary**
 - d) **Force Account Project In-House Labor Summary**
 - e) **Schedule of Professional Services and Publicly Bid Project Contracts**
 - f) **Schedule of Project Expenditures**

In addition, when submitting the first request for reimbursement for contracted construction costs, the following documents **must** be provided:

Proof of bid advertisement
Copy of the bid tabulation
Copy of the executed contract

- 3) After the pay request has been reviewed and approved by the IDNR, a voucher will be processed and payment will be made by the State Comptroller's Office. Payment generally is received by the Grantee within approximately 60 days.
- 4) Any late payment charges assessed by the contractor or engineer are not eligible for grant payment.
- 5) The **final reimbursement** request must additionally include:

One copy of the "As-Built Drawings" (which may be no larger than 11" x 17")
Copies of all final lien waivers
A photo of the "Boat/Canoe Access Area Development Program" acknowledgment sign (*will be provided to the local project sponsor upon project completion for installation at the project site*).
- 9) An inspection of the completed project site by IDNR personnel may also be conducted prior to approval and authorization of the final reimbursement payment.

RECORD RETENTION

As stipulated in the General Provisions of the grant Project Agreement, the Grantee must maintain, for a minimum three (3) year period following project completion, satisfactory financial accounts, documents, and records associated with the project and the disbursement of grant funds pursuant to the Agreement, and shall make them available to the Illinois IDNR, the State of Illinois, Auditor General or the Attorney General, for auditing at reasonable times. Failure by the Grantee to maintain such accounts, documents, and records as required herein shall establish a presumption in favor of the State of Illinois for recovery of any funds paid by the State per this Agreement for which adequate records are not available to support their purported disbursement.

AUDIT REQUIREMENTS

- A. If the Grantee charges the grant \$25,000 or more for Force Account labor or material purchase costs, the Grantee shall provide the Department with one of the following types of audits:
1. An agency-wide financial and compliance audit for each year that grant expenditures are made. This audit should be conducted as part of the grantee's annual audit as is generally required by
 - a) State law (i.e., 55 ILCS 5/6-3001 et seq. and 65 ILCS 5/8-8-1 et seq.),
 - b) OMB Circular A-133, or
 - c) the grantee's own governing body.
 2. A grant-specific audit covering all funds expended under the terms of the grant.

All required audits must be conducted by an independent certified public accountant, licensed by the State of Illinois and must be performed in accordance with generally accepted auditing standards adopted by the American Institute of Certified Public Accountants (AICPA). The Grantee will provide the Department with all required audits within 30 days of the audits' completion.

The Grantee shall be responsible for procuring all required audits in accordance with its normal procurement rules, providing that these rules promote open competitive procurement. (NOTE: It is important to inform the auditors that Boat Access Area Development grant funds are State funds, not Federal.)

If the approved Boat Access project includes the use of Force Account labor, the Grantee shall ensure that any audit required will include an internal control evaluation and opinion on the Grantee's time and attendance allocation system. In addition, if the Grantee uses materials purchased by means of a central procurement system and allocates a portion of those materials to the project (Force Account material claim), the audit must include testing and reporting on the allocation system used for tracking material use.

- B. If the Grantee receives less than \$300,000 in grant funds or charges the grant less than \$25,000 for Force Account labor or material purchase costs, the Grantee will provide the Department with copies of any audit(s) that report FINDINGS involving the Boat Access grant project.

Audit Resolution

The Grantee shall be responsible for timely action in resolving any audit findings or questioned project costs. If questioned costs are ultimately deemed disallowed as determined by the Illinois IDNR or its representative, the Grantee shall be responsible for repayment of such costs.

EXHIBIT "A"

DEFINITION OF PROFESSIONAL DESIGN SERVICES: duties and services normally included within a professional services contract for each of the following design and construction phases.

- A. Preliminary Phase: The services contemplated under the preliminary phase of the engineering work are those required to consider alternates and make specific recommendations as to the final project design. It will also include preliminary drawings. This will usually require:
1. Conferences with the Client or his authorized representative and/or any specialists representing the Client regarding his needs, both existing and anticipated.
 2. Studies to develop a comprehensive knowledge of the conditions so that feasible ideas for meeting the Client's needs may be formed and tentative cost estimates made for various solutions of the problem.
 3. Nominal examination and evaluation of existing facilities, if essential to proper conclusions, should be provided by the Engineer and allowed for in his compensation. Extensive investigation and evaluation should be considered as supplemental services.
 4. Economic studies as may be necessary to ascertain the proper construction system and major items of equipment to be utilized to accomplish desired results.
NOTE: Such studies should be concerned with prices of equipment and of methods of construction versus operating costs, maintenance and useful life. A "feasibility study" (see Supplementary services) is more involved and is an addition to the normal preliminary phase.
 5. Preparation of report, including statement of the problem and of governing conditions, preliminary layouts, sketches, and outline specifications to insure agreement between the Client and Engineer as to the proper arrangement and functioning of the project and the general type of equipment to be used, together with recommendations and preliminary cost estimates for the project, and for possible alternatives.
- B. Design Phase:
1. Review of preliminary work and coordination of the Client's requirements concerning engineering aspects of the project.
 2. Measurements and examinations for proper design work only.
 3. Preparation of contract drawings and specifications to be used for construction. During preparation of these documents the Engineer should maintain contact with the Client to ensure that the final documents satisfy the requirements and that the probable costs of the proposed work is known to the Client and is acceptable to him.
- C. Bidding and Contracting Phase:
1. Preparation of bidding forms for a single contract and preparation of Performance Bond and Contract Forms in conjunction with (or subject to review and approval by) the Client's attorney.

2. Preparation of a list of presumably qualified bidders for the project; assisting the Client in negotiating or advertising for construction bids; providing the bidders with copies of the plans, specifications, proposal forms and pertinent instructions and interpretations as needed.

NOTE: The maximum number of copies of plans and specifications to be furnished (usually 5 to 10) under a percentage fee basis should be stated in the Engineer's contract.

3. Assistance in the receipt, tabulation and evaluation of construction proposals, and advice to the client concerning award of contracts.

D. Construction Phase:

1. Review shop and working drawings furnished by contractors and suppliers to ensure compliance with design requirements of the plans and specifications as to the quality of materials and performance of equipment. However, such review should not be construed as relieving the contractor of primary responsibility to meet design requirements.
2. Consult with contractors relative to interpretation of drawings and specifications and require the establishment of satisfactory construction schedules on projects where coordination and/or time limits are essential.
3. Provide general guidance of construction by instructions to the contractor and periodic review of the work as it progresses. (Such review should be judiciously timed to coincide with critical construction phases where reasonably possible).
4. Prepare supplementary drawings required during construction to illustrate details or to indicate changes, and issue "change orders" as necessary.
5. Check and certify estimates prepared by the contractor for partial payments as the work progresses, compute final installed quantities (if required), and prepare extras and final payment certificates.
6. Perform over-all final review of the project. During the final review period, witness (if feasible) performance testing of any installed facilities.
7. Provide "Drawings of Record" (as-built) at the completion of the project for all facilities constructed, and assist in securing final lien waivers from all contractors and sub-contractors.

Source: Manual of Practice for Professional Engineers in Private Practice, published by the Illinois Society of Professional Engineers.

BOAT ACCESS AREA DEVELOPMENT BILLING CHECKLIST

- Development Project Billing Statement
- Project Billing Report
- Cost Support documents (See pages 10-14 for forms/examples)
 - Billing Claim for Bid & Non-Bid contracts
 - Force Account Material Cost Summary
 - Force Account Labor Summary
 - Contracted Project Design Work
 - Schedule of Professional Services
 - Schedule of Project Expenditures
- Proof of Payment for all claims
- Photo of BAAD Sign at site
- Periodic Performance Report
- Periodic Financial Report
- Approved CERP

DEPARTMENT OF NATURAL RESOURCES
BOAT ACCESS AREA DEVELOPMENT GRANT PROGRAM

DEVELOPMENT PROJECT BILLING FORM

Project Number: _____

Project Sponsor: _____

Project Title: _____

Project FEIN: _____ Project Billing #: _____

Cost Category	Expenditures to Date	Claimed This Billing
Construction Costs		
Bid Contracts		
Non-bid Contracts		
Forced Account Labor		
Forced Account Supplies/Equipment		
Architecture & Engineering Fees		
Archeological Survey Costs		
Other (specify)		
TOTAL		
Less Local Agency Share		
TOTAL CLAIMED FOR GRANT REIMBURSEMENT		

First and last date expenses were incurred for this billing:		to	
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I do hereby certify that this Billing is correct and just and based upon actual payment(s) of record or costs incurred by the Grantee in conjunction with the above referenced project; that payment from the State of Illinois has not been received for these costs; and that the completed work and/or purchases have been reviewed and found acceptable by the project engineer and/or Grantee and are in accordance with provisions of the signed Agreement for the referenced project including amendments thereto.

NAME: _____
(Signature)

(Printed)

TITLE: _____

AGENCY: _____

DATE: _____

(Document must be attested to by local agency fiscal officer)

ATTESTED By: _____
(Title)

(Signature)

DEPARTMENT OF NATURAL RESOURCES
BOAT ACCESS AREA DEVELOPMENT GRANT PROGRAM

Forced Account Project Material Cost Summary

Major Project Component: _____
(Use Separate sheet for each project component)

Page: _____ of _____

Project Number: _____

Project Sponsor: _____

Project Title: _____

Firm	Material Item	Quantity	Purchase Order Number	Check Number	Check Amount	Amount Claimed for Reimbursement
TOTAL						

I hereby certify that the above is true and correct and all materials were used exclusively on the referenced project.

Name: _____

Title: _____

Date: _____

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Forced Account Project In-House Labor Summary

Pay Period From: _____ to _____

Page: _____ of _____

Project Number: _____

Project Sponsor: _____

Project Title: _____

Employee Name(s)	Title	Job Description	Hours Worked on Project	Hourly Wage	Total Wages Claimed
TOTAL					

I hereby certify that the above is true and correct and all time listed was spent exclusively on the referenced project.

Name: _____

Title: _____

Date: _____

ATTACHMENT B

Schedule of Professional Services (A/E) and Publicly Bid Project Contracts [Example Format]

Grant Project #: _____

Firm Name	Project Element	Base Contract Amt	C. O. # and Amt	Total
John Doe & Associates	A/E services	\$10,500.00		\$10,500.00
		Professional Services (A/E) Subtotal:		\$10,500.00
Acme Paving Co.	Parking lot / Tennis & BB Court, & pathway paving	\$98,500.00	#1 - \$11,500.00	
			#2 - \$3,100.00	\$113,100.00
Fun Time Park Supply Co.	Playground Equipment, park benches, bleachers, etc	\$39,000.00		\$39,000.00
Park Structures, Inc.	(2) Pre-fab Park Shelters	\$28,000.00		\$28,000.00
MCDL Construction Co.	Install Playground & Shelter	\$32,500.00	#1 - \$ 900.00	
			#2 - \$1,800.00	
			#3 - \$2,300.00	\$37,500.00
Springdale Landscaping	Park Landscaping	\$24,200.00	#1 - \$1,200.00	\$25,400.00
SGS Concrete	Shelter Pad & walkways, etc.	\$9,500.00		\$9,500.00
		Publicly Bid Contracts Subtotal:		\$252,500.00
		GRAND TOTAL :		\$263,000.00

Note: This form should only show the professional services contracts and the publicly bid contracts; any change orders to those contracts; and the total contract amount.

- Subtotal the Professional Services
- Subtotal the Publicly Bid Contract
- Provide a Grand Total of all contracts shown

ATTACHMENT C

Schedule of Project Expenditures

[Example Format]

Grant Project #: _____

Vendor/Contractor Name	Project Element	Invoice Date and Number	Invoice Amount	Payment Check #	Amount	Amount Claimed for Grant Reimbursement	Total Reimbursement Amount
John Doe & Associates	A/E services	11111	\$5,000.00	12121	\$5,000.00	\$5,000.00	
Professional Services (A/E) Subtotal:							\$5,000.00
Acme Paving Co.	Tennis/BB court	22222	\$72,000.00	12122	\$64,800.00	\$64,800.00	
Fun Time Park Supply Co.	Bleachers	33333	\$8,841.00	12123	\$8,841.00	\$8,841.00	
Publicly Bid Contracts Subtotal:							\$73,641.00
Coyote Plumbing	Drinking fountains	44444	\$1,256.78	12124	\$1,256.78	\$1,256.78	
Non-Bid Contracts Subtotal:							\$1,256.78
Lowes	Lumber	900876	\$8,000.00	0001	\$8,000.00	\$8,000.00	
In-House "Force Account" Material/Supplies Subtotal:							\$8,000.00
ABC Accounting	Agreed Upon Procedures	55555	\$800.00	12425	\$800.00	\$800.00	
CPA Subtotal:							\$800.00
"Other" Category Subtotal:							\$0.00
<i>(Force Account Labor)</i> Employee Name or Code #	Job Description	Hours Claimed (1)	Hourly Wage		Total Wages	Amount Claimed for Grant Reimbursement	
Jane Doe (Employee #18)	Laborer	10	10		\$100.00	\$100.00	
In-House "Force Account" Labor Subtotal:							\$100.00
TOTAL PROJECT EXPENDITURE FOR THIS BILLING:							\$88,797.78

⁽¹⁾ Taken from Project Sponsor's time allocation records (time sheets)

I hereby certify that the costs shown on this "Schedule of Project Expenditures" are true and correct and based on actual expenditures by the Project Sponsor for the referenced OSLAD project; and that the costs are in accordance with provisions of the Illinois OSLAD grant program (17 IL Adm Code 3025).

CERTIFIED BY:

Name, Title & Date

Signature of Chief Administrator/Elected Official

ATTESTED BY:

(Signature of local agency's chief fiscal officer)

Note: This form should show **all project expenditures** including ones for the professional services contracts and the publicly bid contracts shown on Attachment B. The billing total on this page should match the "Total" amount on the Project Billing Form.