

3.4.4. GRANT ADMINISTRATION

After award recipients (hereafter referred to as grantees) have entered into a grant agreement, they are responsible for the ongoing administration of the grant and should work closely with their designated Grant Officer to ensure all requirements are met in a timely manner as well as maintain Good Standing.

Eligible and Ineligible Costs

RPOSD will either reimburse or advance Measure A funds to grantees for eligible project costs. In general, eligible costs for reimbursement fall into two categories: soft costs and hard costs. Table 3-6 provides examples of potential eligible costs for each type of grant program, while Table 3-7 provides examples of ineligible costs. These tables are not exhaustive, and grantees should consult their Grant Officer for cost eligibility questions.

Table 3-6: Eligible Costs, by Grant Type

ELIGIBLE COSTS: DEVELOPMENT GRANTS	
Soft Costs	Hard Costs
CEQA/NEPA	Community Engagement
Community Engagement	Construction Documents: Beyond 30% CD level
Design Documents: Up to 30% CD level	Construction Equipment Usage Rate Fees ²
Grantee Labor	Construction Management & Labor
Inspections	Engineering
Indirect Costs	Fixed Assets ³ with Life >5 years
Overhead Rate ¹	Interpretive Displays
Surveys	Permits
	Rental Equipment
	Technology and GIS
	Signage
	Surveys
ELIGIBLE COSTS: ACQUISITION GRANTS	
Soft Costs	Acquisition Costs
CEQA/NEPA	Appraisals
Community Engagement	Escrow Fees
Grantee Labor	Purchase Price
Inspections	Relocation Costs
Negotiations	Title Insurance
Overhead Rate ¹	Preliminary Title Report
	Property Taxes
ELIGIBLE COSTS: PROGRAM GRANTS	
Soft Costs	Hard Costs
Community Engagement	Community Engagement
Grantee Labor	Consultant Services ⁴
Insurance	Portable Equipment ²
Overhead Rate ¹	Grantee Labor
	Interpretive Displays
	Rental Equipment
	Signage
	Training Materials ²
	Transportation ²
ELIGIBLE COSTS: PLANNING & DESIGN FUNDS	
Soft Costs	Hard Costs
Grantee Labor	CEQA/NEPA
Overhead Rate ¹	Community Engagement
	Design Documents
	Grantee Labor
	Plans and Specifications
	Technical Studies

Table 3-7: Ineligible Costs

INELIGIBLE COSTS, ALL GRANT PROGRAMS
Bonus Payments
Ceremonial Expenses
Charges above Normal/Customary Rates
Contingency Reserves
Contract Cost Overruns
Costs Paid by Other Funding Sources
Damage Judgments, Attorney's/Legal Fees
Deficits, Overdrafts
Discounts not Taken
Direct Costs of Rent
Fixed Assets with a Life of <5 years
Grant Application Costs
Interest Charges
Lodgings, Meals, and Incidentals
Non-fixed, Portable Equipment ⁶
Office Equipment/Furnishings

Notes for Table 3-6 and Table 3-7:

1. If an overhead rate is used, the costs of employees that are charged directly to a grant must not be included in this rate. RPOSD will not allow overhead to be applied to any costs if the grantee fails to adhere to this guideline.
2. Use of vehicles and/or equipment owned by the grantee may be charged to the project for each use. Rental rates published by the California Department of Transportation may be used as a guide.
3. Fixed assets must have a useful life of 5 years or more. Examples include air-conditioning, fire alarms, interpretive displays, lighting, signage, and security systems.
4. Grantees must pay consultants according to the grantee's customary or established method and rate. Consultant fees may not be paid to the grantee's own employees or to any organization under common control of the grantee or in which any employee of the grantee has a financial interest.
5. Excludes Recreation Access Program grants that include pop-up, non-fixed features.

Soft Costs

Grantees may request reimbursement for eligible soft costs after the Grant agreement is fully executed. Approval of ongoing soft costs is dependent on progress in relation to grant scope, budget, and timeline. Soft costs that were paid and/or reimbursed by RPOSD must be returned for projects that are cancelled and/or terminated, unless RPOSD and the grantee agree that the termination is due to changes outside the grantee's control.

Up to 25 percent of the grant award may be used for soft costs. If necessary, grantees may request an increase in the soft cost percentage by providing a detailed grant budget and justification for the requested increase. Those expenses that qualify as soft costs are noted in Table 3-6 and differ based on grant type (e.g., development, acquisition, programmatic, or planning and design).

Hard Costs

Grantees may request reimbursement for eligible hard costs after the GA is fully executed, and the dates for these requests must be included in the timeline, and /or budget for the grant. Approval of ongoing hard costs is dependent on progress in relation to grant scope, budget, and timeline. Hard costs vary by project type, as shown in Table 3-6.

Grantee Labor

Eligible grantee labor costs include accounting, design, project management, or services that the grantee's employees directly engaged in development. Direct costs must be tracked, charged, and accounted for directly to a specific project. All grantee labor charges must be listed on the project budget. Grantees may request reimbursement of labor costs calculated through an adopted cost allocation rate or by listing direct costs.

Indirect Costs

Grantees may request reimbursement of eligible indirect cost by providing a cost allocation plan or indirect cost rate. The plan or rate must not include labor costs charged directly to a grant.

Grantees may be required to submit additional documentation supporting their cost allocation plan or indirect cost rate. The plan or rate must be a document adopted by an agency authorized representative or designee. Reimbursement will be denied if this guideline is not followed.

Local Policy Mandates

Grantees may be eligible to receive reimbursements for project elements not included in Table 3-6 but required by local policy mandates. All reimbursements of this nature must be reviewed for approval by RPOSD.

Advancements

As written in Measure A, if advance payment is required to get a project started, grantees may request advancement of funds up to 50% of the grant award. Grantees must provide a spending plan demonstrating when funds will be spent and for what purposes. (e.g. shown within the project timeline and budget.)

Grantees must provide proof of jurisdictional support for funds advancement from a city council or board resolution. This proof of support may also be submitted during the registration process. Requests for advance funds are subject to approval. RPOSD will consider a grantee's history with handling advance funds along with Good Standing status when reviewing a request for approval.

Unused advanced funds must be returned to RPOSD with grant closeout.

If funds are advanced for escrow purposes and are not expected to close in three days, these funds must be deposited into an interest-bearing account. All interests earned belongs to RPOSD and must be returned within 8 weeks.

Grantees may request advance funds from their annual allocations to help cover the cost of holding community outreach or engagement. RPOSD will review the proposed Community Engagement Plan, timeline, and budget to determine the amount of funds to advance.

Reimbursements

Measure A funds will be distributed to grantees on a reimbursement basis, unless advancement of funds is requested and approved. Eligible costs must have been incurred within the grant performance period to be approved for reimbursement.

Requirements for supporting documentation may vary by grant based on scope, funding category, and grantee type. Specific requirements will be described in detail through the GMS.

Grantees may begin requesting reimbursements once grant costs have been incurred and grantee is prepared to submit all supporting documentation.

All reimbursement requests should be completed in a timely manner as identified in the budget and timeline submitted as part of the grant application. Failure to submit payment request forms in the self-identified time frames may impact grantee's Good Standing status.

- Final payment on development/construction may be withheld on capital projects until the project scope is complete and the project conforms to the agreement as a usable public facility.
- Allow four weeks for all supporting documents to be reviewed and for payments to be processed.
- Payment requests will not be accepted or processed from June 15th through July 15th due to end of fiscal year bookkeeping requirements.
- For Acquisition Grants, Grantees may request reimbursement for acquisition costs after the deed restrictions have been reviewed, approved, and recorded. Acquisition documents should be submitted to the Grant Officer at least 15 days before any requests for deposits to escrow or submittal of requests for reimbursement of acquisition costs.

Supporting Documentation, All Grants

All grantees are required to submit the following documentation in order to receive reimbursement:

Grant Status Updates (GSU)

Grantees must provide grant status updates at a minimum of twice per year through the GMS. The due dates are self-identified in the budget/timeline included in the application. The required contents of the GSU will vary by grant program and will be specified in the GMS. The GSU may include, and is not limited to written narrative of progress, project photos, signage photos, notification of ceremonies, and other documentation of grant status. It is the grantee's responsibility to provide GSUs by the due date. If grantee fails to do, the grantee will not be in Good Standing with RPOSD. The requirement to provide GSUs will remain in place until RPOSD receives all closing documentation. Reimbursements will not be processed if the grantee does not have Good Standing.

Payment Request Form

Grantees must submit a payment request form using the GMS. Reimbursements will only be issued for expenses incurred during the grant performance period.

Updated Grant Budget/Timeline

If the overall grant budget/timeline has changed since being submitted during the application stage, grantees must submit an updated budget highlighting the changes. These changes may result in an amendment to the Grant agreement.

Deed Restrictions (DR)

All development projects and acquisition projects funded by Measure A are subject to a deed restriction (DR), which places restrictions on the deed of the grant-funded property through the grant agreement. The restriction must be recorded by the grantee/property owner with the Los Angeles County Registrar-Recorder/County Clerk. Any exceptions (e.g., for parkway improvement projects) to DR requirements must be approved in writing by RPOSD. This process may be identified and start at the application process.

- *Acquisition-Only Projects.* The DR is required after the acquisition is complete and the grantee takes ownership of the property.
- *Development-Only Projects.* The DR is required drafted with final language, held at the offices of RPOSD, then executed and recorded by the grantee at the completion of the development. A copy of the recorded Deed Restriction shall be sent to RPOSD or uploaded to the GMS.
- *Acquisition/Development Projects.* The DR is required after the acquisition is complete and before reimbursement of any development costs.

Third Party Agreements

Any agreements submitted in draft form or as a letter of intent during the application stage must be updated to reflect the final authorization of all involved parties.

Joint/shared-use agreements, if applicable, must comply with the following:

- Allows for reasonable public use and access of the site;
- Must be in place for a minimum of 5 years (executed agreement period of land tenure plus addendum/extension clauses) after date of application for grant funds, and must provide an option and/or method to extend;
- Includes the use of indoor and/or outdoor facilities;
- Allows third parties to operate programs;
- If there are fees for site use or participation, there may be no differential fees that allow one group to receive a lower fee due to their membership, affiliation, place of residence, etc.
- Includes language ensuring that the party responsible for the dissolution of the agreement is responsible for paying back grant funds expended.
- Requires RPOSD review/approval before ending joint/shared-use agreement.

Supporting Documentation, Acquisition Grants

In addition to the requirements outlined above, projects involving acquisition require the following supporting documentation:

Appraisal Report

Grantees must provide a comprehensive narrative appraisal report that meets Uniform Standards of Professional Appraisal Practice. Because of the changing real estate values in Southern California, appraisals more than one year old will not be accepted without prior RPOSD approval.

If the owner sells the property for the appraised value, and the just compensation language is not included in the purchase agreement, then the appropriate section of certification of compliance must be signed by the property owner.

If the owner sells the property for less than the appraised value, and a statement that partial donation of property has taken place is not included in the purchase agreement, then the appropriate section of certification of compliance must be signed by the property owner.

In accordance with RPOSD's Displacement Avoidance Strategy, sales for more than the appraised value will not be eligible.

Purchase Agreement

The agreement must include the terms and conditions of the acquisition and be signed by all parties.

Escrow Instructions

Escrow Instructions must state that: if escrow is not expected to close within 3 days of RPOSD paying funds into escrow, such funds shall be invested in an interest-bearing account insured by the Federal Deposit Insurance Corporation (FDIC). All interest accrued on RPOSD funds paid into escrow shall be returned to RPOSD within 4 weeks of escrow closing.

Preliminary Title Report

Grantees must submit a preliminary title report confirming ownership of the parcel of land identified in the proposal.

Disclosure Form

Shall list title exceptions and the intended dispositions. For some exceptions, "None" is appropriate to list as an intended disposition. The original disclosure form with an electronic signature by the applicant's authorized representative must be uploaded.

Estimated Buyers Statement

Estimated closing escrow statement.

Escrow Memo

Must include grant number, project name, and escrow information. List all parcels to be acquired and identify which parcels will be paid for with Measure A funds.

Certification of Compliance

Grantees must certify compliance with the policies and regulations governing real property acquisitions. The form must be submitted with an electronic signature by the applicant's authorized representative via the Grants Management System.

Relocation Plan (if applicable)

Relocation costs are allowable for projects resulting in displacement of any person or business. Grantees must comply with the State Relocation Act even if relocation costs are not claimed for reimbursement. If relocation costs will be charged to the grant, a copy of the relocation plan is required.

Settlements (if applicable)

Provide an itemization of all charges imposed on the grantee and the seller in connection with the acquisition. This includes administrative settlement summary or legal settlement (if applicable).

Acquisitions through Eminent Domain

- *Express Authorization to Acquire through Eminent Domain.* Send a copy of the resolution approved by the governing body of the grantee that provides evidence of express authorization to acquire through eminent domain.
- *Judgment in Condemnation.* Grantees must provide a copy of the court document demonstrating that the grantee has applied for an order of condemnation on property to be acquired and showing the price determined by the court.

Supporting Documentation, Development Grants

In addition to the requirements outlined above for all grants, development projects require the following supporting documentation.

Contract(s)

Must provide award letter along with the signed and fully executed competitive bid contract and any applicable purchase orders, sole source agreements, and change orders to reflect final contract amount.

Labor Cost Forms/Purchase Orders

Additional Insured Instructions

Must include additional insured certificate naming the “Los Angeles County Regional Park and Open Space District” as an additional insured on all liability insurance policies applicable to the project.

California Environmental Quality Act (CEQA) Documentation

The Grantee is required to comply with applicable provisions of the California Environmental Quality Act. The Grantee should consult with its local planning agency for more information on how to complete CEQA. As evidence of compliance, the Grantee must submit to the District complete CEQA documentation, which must include one of the following:

- a) An Initial Study with either an Environmental Impact Report or a Negative Declaration, which must be submitted with:
 - i) A response from the California State Clearinghouse, if applicable; and
 - ii) A Notice of Determination filed with and stamped by either the Los Angeles Registrar-Recorder/County Clerk or the California State Clearinghouse;
- Or,
- b) A Notice of Exemption filed with and stamped by either the Los Angeles County Registrar-Recorder/County Clerk or the California State Clearinghouse.

Plans and Specifications

Must provide applicable plans and specifications. Must verify that any landscaping elements are done in accordance with the landscaping provision of the GA unless grantee can prove, to RPOSD’s satisfaction, that it would be infeasible to do so.

Resolution

Although a resolution is not required by RPOSD, if one is required, approved or adopted by the governing body of the grantee, it must be submitted to RPOSD.

Amendments

Projects must be completed in accordance with development plans, specifications, scope, budget, milestones, and timelines approved in the grant agreement.

Grantees must report any change by submitting a grant amendment request within the grant performance period. Failure to comply will affect Good Standing status.

RPOSD will carefully evaluate all amendment requests and may require an in-person meeting to address areas of concern. If the request to amend the grant agreement is approved, RPOSD will initiate an amendment to the grant agreement.

Grantee must submit an amendment request form and include the supporting documentation shown in Table 3-8.

Table 3-8: Required Documentation for Amendment of Grant Agreement

REQUIRED DOCUMENTATION	AMENDMENT TYPE		
	Grant Amount	Project Scope	Performance Period
Justification for the request	✓	✓	✓
Revised project budget based on the new grant amount and/or new project scope	✓	✓	*
Revised site plan		✓	
Revised project timeline	✓	✓	✓

Note: If a grantee’s governing body requires an adopted resolution for an amendment, that Resolution must be submitted to RPOSD.

*A change in project scope &/or budget may require extension of the Performance Period.

Site Visits

RPOSD Grant Officers will conduct site visits at key stages of projects to verify grant status and consistency with scope, timeline, and budget as described in the grant agreement. These dates should be included as tentative dates within the timeline and budget documents, to be confirmed with the assigned Grant Officer at the time of the Grant agreement execution.

Grant Officers will work closely with grantees to determine a suitable point in the grant's timeline to conduct the visits. Grant Officers will issue site visit reports to the GMS with notification to the grantee within five days of the visit.