

# Veterans and War Memorial Grant Instruction Manual

## 2014 Grant Award Cycle



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Application Website: [www.oprdgrants.org](http://www.oprdgrants.org)



# SECTION 1 – THE PROGRAM

## 1.1 INTRODUCTION

The mission of the Oregon Parks and Recreation Department is to provide and protect outstanding natural, scenic, cultural, historic and recreation sites for the enjoyment and education of present and future generations.

The Veterans' and War Memorials Grant Program was created and established to provide funding assistance to non-profit veteran's organizations for the construction and restoration of veterans' and war memorials. The program will help honor Oregon's soldiers and veterans by commemorating their service to the country.

It is important to read and be familiar with the grant program guidelines and requirements. This manual includes state policies, procedures, instructions, and grant criteria to assist applicants and project sponsors wishing to participate in the Veterans' and War Memorials Grant Program. OPRD staff is always available for assistance.

## 1.2 HISTORY OF THE PROGRAM

The Veterans' and War Memorials Grant Program was created and authorized by House Bill 2739 during the 73<sup>rd</sup> Oregon legislative assembly held in 2005. House Bill 2739 created opportunities for organizations to receive grant funds to construct or restore veterans' and war memorials on public property pursuant to ORS 390.180(1)(d) and Oregon Administrative Rules Chapter 736, Division 17.

The Oregon Parks and Recreation Department (OPRD) was designated as the state department to administer this grant program. Funding for this program will come from the OPRD's budget.

## 1.3 ELIGIBLE APPLICANTS

Local governmental entities are eligible to apply. The governmental entity must partner with veteran organization. Local governmental entities include cities (municipal corporations); counties (political subdivisions); metropolitan service districts, park and recreation districts, and port districts. Partner veteran's organizations must meet the following criteria:

- A. Represent veterans of the Armed Forces of the United States of America;
- B. Were established for the purpose of supporting or recognizing veterans;
- C. Have an established membership, that includes officers, and bylaws; and
- D. Are physically located in Oregon or have a Chapter that is physically located in Oregon.

#### **1.4 ELIGIBLE SITE/LOCATION**

To be eligible for a grant, veterans' and war memorials must be placed on public property owned and controlled by a government entity. A government entity is a body of government, whether district, local, state, or federal, that owns or leases the property on which the project is to reside.

Public property means public lands, premises and buildings, including but not limited to any building used in connection with the transaction of public business, or any lands, premises or buildings owned or leased by the federal government, this state, or any political subdivision therein.

The named government entity must agree to the memorial's siting and maintenance for not less than 20 years from completion of the project.

For a construction project, an applicant must demonstrate that the government entity that owns or controls the public property will accept the memorial on that site.

For a restoration, an applicant must demonstrate the government entity that owns or controls the public property will authorize restoration activities on the memorial.

#### **1.5 TYPES OF ELIGIBLE PROJECTS**

The types of eligible projects include construction of a new memorial or restoration of an existing memorial. A memorial is a monument or place designated to commemorate or preserve the memory of wars involving the United States of America or to honor veterans of the Armed Forces of the United States of America.

Restoration means the improvement, rehabilitation, repair, or reconstruction of an existing memorial.

#### **1.6 TYPES OF INELIGIBLE PROJECTS**

Maintenance projects are not eligible for grants. This includes routine maintenance of and around a memorial such as landscaping, power washing, general cleaning, dusting, or removal of trash.

#### **1.7 MATCHING REQUIREMENTS**

The Veterans' and War Memorial Grant program provides, subject to the availability of funds, for up to 80 percent funding assistance with a minimum of 10 percent cash. The project sponsors match may include budgeted funds, donated funds, value of equipment use, donated materials, volunteer labor, planning or any combination thereof. The project sponsor may provide the remaining match by planning work done prior to project authorization or planning, construction, or restoration work performed following project authorization.

Planning work includes research, design, engineering, environmental, and site survey for any construction or restoration project.

## SECTION 2 – HOW TO APPLY

### 2.1 ONLINE GRANT APPLICATION

The Veterans and War Memorial Grant Program has moved to an online grant application. This system has been designed to make the grant application more efficient.

### 2.2 GRANT APPLICATION ATTACHMENTS CHECKLIST

- Letter of Participation (from partner veteran organization)
- Construction Drawings/Design Plan or Restoration Work Plan
- Vicinity Map/Park or Project Boundary Map
- Property Deed/Easement/Lease Agreement
- Other - Non-Required Attachments (Photos, Letters of Support, etc.)

### 2.3 APPLICATION PREPARATION

Applications must be submitted online at [www.oprdgrants.org](http://www.oprdgrants.org)

For Grant Type - select Veterans and War Memorial

For Grant Year – select 2014

### 2.4 APPLICATION DEADLINE

The online application must be submitted by November 8, 2013

### 2.5 ATTACHMENTS

#### A. Vicinity Map/Park or Project Boundary Map

Please include an area map that shows the location of the site within the city, county, park district, METRO or port district. This map must show project site in relation to highways, local roads/streets, landmarks, etc. Please include a project boundary map of the site that the memorial will be located. This map will also assist staff to locate the project.

#### B. Construction Drawings/Design Plan or Restoration Work Plan

Please provide conceptual design drawings, engineering plans, or a restoration work plan, which demonstrates what the proposed project will look like. This allows staff and committee members to see what is being proposed.

#### C. Property Deed, Easement, or Lease Agreements

Memorials may be developed on property owned or controlled by a governmental entity. A copy of the property deed, easement, or lease agreement must be submitted in the application to OPRD.

#### D. Letter of Participation

Letter from veteran organization to demonstrate partnership for the project.

#### E. Other - Non-Required Attachments

Photos, letters of support, other supporting documents that are not required, or a memo stating

## **SECTION 3 – PROJECT SELECTION**

### **3.1 TECHNICAL REVIEW**

OPRD staff will conduct a technical review of all applications. Applications will be reviewed for completeness, ineligible project elements, land ownership/lease requirements, and project funding (local match). Prior to determining the status of each grant application, ORPD will contact individual grant applicants to clear up mistakes or discrepancies.

If you have any questions about the application process, please contact ORPD at your earliest convenience.

### **3.2 LOCAL GOVERNMENT ASSISTANCE ADVISORY COMMITTEE**

The Local Government Advisory Committee will review all grant requests. The committee is composed of twelve (12) members appointed by the ORPD director. The committee will meet annually and at other times upon the call of the ORPD director. The committee will establish the priority order for funding eligible grant requests and may provide other assistance as requested by ORPD. The committee members will serve four-year terms and represent the following interests:

- A. Counties east of the Cascade Mountains;
- B. Counties west of the Cascade Mountains;
- C. Cities under 15,000 people;
- D. Cities over 15,000 people;
- E. Park and Recreation Districts, Metropolitan Service Districts or Port Districts;
- F. Oregon Parks and Recreation Department;
- G. People with Disabilities; and
- H. Three members of the Public-at-Large, with at least one member who represents the ethnic diversity of the state's population;
- I. Two members that represent either a veterans' organization or a governmental agency Responsible for the administration of law relating to veterans.

The ORPD director shall appoint the chair from the committee membership, considering the recommendations of the committee.

The committee will recommend funding for grants whose award amounts total to the amount of funds that may be available. The committee may also rank several alternates in priority order that may be funded if any of the recommended grants are not awarded.

In addition to project applications considered by the committee, the ORPD director may recommend eligible projects to the commission for grant funding. The ORPD director may establish minimum and maximum grant award amounts each funding cycle.

The ORPD director may establish funding priorities or other criteria for each funding cycle.

### 3.3 SCORING CRITERIA

#### **A. Needs and Planning (0-25 points)**

To what extent does the project meet the public and organization's needs? How is the memorial unique in the community? Does it recognize veterans or a group of veterans who would otherwise go unrecognized? How does it differ from other veteran memorials in your community?

#### **B. Partnerships and Public Support (0-20 points)**

To what extent does the project involve partnerships with other agencies or groups? Is funding from other agencies or groups guaranteed? To what extent is there public support for the project through partnerships, agency support and public participation in the formulation of the project through public meetings, workshops or other methods to gather citizen input or involvement for the proposed project?

#### **D. Timeliness (0-5 points)**

What is the timeline for completion of the project? Is there a threat of losing the available match? Can the project be completed within 2-year period? Is the project ready to go if grant request is approved? What needs to be completed in order to start the project?

#### **E. Source of Funding (0-5 points)**

To what extent are matching funds available and what is the source? Are funds budgeted for project? What is the commitment for the project from the local community through donations, agency support, partnerships, etc.?

#### **F. Long Term Commitment to Maintenance (0-5 points)**

Once a memorial is built or rehabilitated, the project sponsor should put a priority on maintaining the facility at a level that will ensure that it does not slip into needing major rehabilitation. The applicant should carefully explain how they plan to continue operation and maintenance after the project is complete.

#### **G. Committee Member Evaluation (0-20 points)**

Committee membership is representative of state geographic regions, agencies, and communities. This criterion allows for members to weigh a variety of other facts in the scoring process.

## **SECTION 4 - GENERAL COST PRINCIPLES**

### **4.1 RELATIONSHIP OF COSTS TO PROJECT PERIOD**

To be eligible for matching assistance, costs must be incurred within the project period except for pre-agreement planning costs. The project period is the span of time stipulated on the Agreement during which all work to be accomplished under the terms of the agreement must be completed. The State will only reimburse costs incurred during the project period.

A. Development costs are first incurred at the start of the actual physical work on the project site (such as the clearing of ground, the beginning of construction, or the delivery of materials to the site), and continue through the period that work is being done.

B. Development costs that are incurred prior to the approval of a project not eligible.

### **4.2 DONATIONS**

Donations of cash, labor, equipment rental or materials from outside your agency may be used as a portion of your organization's matching share if identified in the project application. The use of donations must be related and be an integral and necessary part of the project proposal and occurring during the project period.

#### **A. Valuation of Volunteer Services**

Professional and technical personnel, consultants, and other skilled and unskilled labor may furnish volunteer services. Each hour of volunteered service may be counted as matching share if the service is an integral and necessary part of an approved project. Records of in-kind contributions of personnel shall include time sheets containing the signatures of the person whose time is contributed and the supervisor verifying that the record is accurate. The method of valuation and charges for volunteer services, material, and equipment must be documented, reviewed and approved by OPRD.

#### **B. Rates for Volunteer Services**

Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the State. In cases where the kinds of skills required are not found in other activities of the project sponsor, rates used should be consistent with those paid for similar work in the labor market in which the project sponsor competes for the kind of services involved. The time of a person donating services will be valued at the rate paid as a general laborer unless the person is professionally skilled in the work being performed on the project (i.e. plumber doing work on pipes, mason doing work on brick building). When this is the case, the wage rate this individual is normally paid for performing this service may be charged to the project. A general laborer's wages may be charged in the amount of that which the project sponsor or local government agencies in the immediate area pay their employees for performing similar duties. The Oregon Bureau of Labor and Industries (BOLI) publish prevailing wage rates. For more

information check out their website at [www.oregon.gov/boli](http://www.oregon.gov/boli). The rates for labor should not include payroll additives or overhead costs.

**C. Volunteers Employed by Other Organizations**

When an employer other than the project sponsor furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (exclusive of fringe benefits and overhead cost) provided these services are in the same skill for which the employee is normally paid.

**D. Valuation of Materials**

Prices assessed to donated materials included in the matching share should be reasonable and should not exceed current market prices at the time they are charged to the project. Records of in-kind contributions of material shall indicate the fair market value by listing the comparable prices and vendors.

**E. Valuation of Donated Equipment**

The hourly rate for donated equipment used on a project shall not exceed its fair-rental value. Hourly rates in the annual edition of Rental Compilation or Rental Rate Guide or similar publications, which provide the national or regional average rates for construction equipment, may be used. Such publications are usually available from contractor associations. Records of in-kind contributions of equipment shall include schedules showing the hours and dates of use and the signature of the operator of the equipment.

**F. Documentation**

The basis for determining the charges for donated personal services, material, and equipment must be documented and must be approved by OPRD prior to reimbursement.

**G. Oregon Bureau of Labor and Industries**

The Bureau of Labor and Industries Department for the State of Oregon, publishes the state prevailing wage rates twice a year, and periodically updates them to reflect revisions to labor agreements or other changes. BOLI also publishes a comparison of the state and federal prevailing wage rates twice a year. When the federal government updates its rates, BOLI publishes amendments to reflect those changes. These publications are provided free of charge, and can also be found on BOLI's web site at [www.oregon.gov/boli](http://www.oregon.gov/boli).

**4.3 FORCE ACCOUNT**

Force account refers to the use of project sponsor's staff, equipment, and/or materials. All or part of the Project sponsor's share may be provided through force account. Documentation must be verifiable from project sponsor's record, and must be reasonable and necessary for property and efficient completion of the project.

#### **4.4 ALLOWABLE COSTS**

The rates, practices, rules, and policies of the project sponsor, as consistently applied, shall generally determine the amount of costs of each item charged to a project. In instances where the sponsor has no such basis, that of the State shall apply.

The amount of each item of cost that may be matched shall not exceed the sponsor's actual cash outlay for that item, or the fair market value of the item, whichever is less.

#### **4.5 INELIGIBLE COSTS**

The regular operating expenses of either the applicant or the governmental entity receiving the memorial, such as rent, building upkeep, utilities, and all fixed costs associated with the daily operation of a business, agency, or group are not eligible.

Overtime and expenses for equipment or materials used outside the scope of the project are not eligible.

Costs or expenses incurred prior to a Grant Agreement except planning work done prior to project authorization are not eligible.

## **SECTION 5 - PROJECT APPROVAL AND INSPECTIONS**

### **5.1 AGREEMENTS**

The Agreement is a contract between OPRD and the project sponsor, which authorizes the project to begin on, or after the date signed by both the OPRD assistant director and the project sponsor. The Agreement describes the contractual relationship and responsibilities of the parties to the project.

No project may begin without a fully signed Agreement from OPRD. All project costs must be incurred during the project period, as identified in the Agreement.

Agreements will expire two years after authorization. All projects shall be completed and billed within 60 days of project completion. Projects may be inspected prior to final grant payment. Partial payments up to 90 percent of the grant amount may be billed during the project for work completed. The final 10 percent will be reimbursed after the project has been successfully completed and accepted by OPRD.

### **5.2 AMENDMENTS TO PROJECT AGREEMENTS**

Amendments may be made to the project Agreement to delete work items that may decrease grant funds. Amendments that increase the grant amount will generally not be allowed. Project amendments for time extensions may be approved. All requests for amendments must be submitted in writing to the Oregon Parks and Recreation Department no later than 30 days prior to the expiration of the agreement. Amendment requests will be reviewed on a case-by-case basis. Requests for amendments will be reviewed on a case-by case basis and will be made for a six-month period only.

### **5.3 INSPECTIONS**

OPRD staff may make on-site inspections during the project work. Final inspections may be made to assure that the project has been completed successfully.

### **5.4 DISBURSEMENT OF FUNDS**

All grant funds shall be disbursed to project sponsors on a reimbursable basis after submission of billings on approved schedules specified in grant agreements.

Under certain conditions such as reduction or increase of these funds an emergency procedure for awarding or canceling grants may be initiated at the discretion of the OPRD director.

In implementing the emergency procedure, the OPRD director shall consider the availability of funds; the scope and need of project available for funding; and the urgency and statewide importance of prospective projects. The OPRD director may propose projects to the commission for funding, and the commission may waive other requirements of these rules for the purpose of obligating funds in a timely manner.

Project sponsors shall maintain records adequate for audit purposes for a period of not less than five years after project completion and shall reimburse ORPD for any costs questioned in audit findings.

**5.5 RECOVERY OF GRANT FUNDS**

Project sponsors that fail to complete approved projects to ORPD's satisfaction shall return all unexpended grant funds.

**5.5 PUBLICITY**

When a Veterans' and War Memorials grant project is finished, we encourage project sponsors to publicize the project and ORPD's participation. This includes:

- Press release, media alert, or some sort of press announcement;
- Project dedication or ribbon cutting ceremony; and
- Mention in sponsor newsletters or on sponsors' website, if applicable.

OPRD's Public Services Department is available to help with publicity.

## SECTION 6 - HOW TO BILL FOR REIMBURSEMENT

**NOTE:** Reporting and Billing may switch to the online grant system during this grant cycle. You will be informed and given orientation if that does occur.

### 6.1 BILLINGS AND GENERAL COST PRINCIPLES

In any program where reimbursement is requested for a portion of the project costs, adequate documentation and records are essential. There should be definite supporting evidence for each item of cost claimed -- estimates are not sufficient. The state can and may audit any of OPRD's grant files as well as the grant applicant's files. It is extremely important that reimbursement requests clearly define the work, their costs, and are supported by relevant documentation. The documentation must be included with the reimbursement request.

**IMPORTANT:** Project costs initiated or completed prior to project authorization (via a grant agreement) cannot be reimbursed.

#### A. Partial Billings

A partial billing may be submitted at any time after a significant portion of work has been completed on the project along with supporting documentation. Submit a letter of transmittal that includes a status report of the work completed, Reimbursement Request Form, and supporting documentation. The state will reimburse up to 90% of the grant amount and the remaining 10% when the project has been completed.

#### B. Quarterly Reports

You must submit interim reports as agreed to in the signed Agreement. This status report is simple statement of the percentage of work completed to date and a schedule for remaining work on the project. Forms will be prior to the first report deadline.

#### C. Final Billings

Submit a report and reimbursement form with a description of completed project, , documentation to support costs claimed, and pictures of the completed project. Final reimbursement requests must be submitted to OPRD within 30 days of project completion.

## **6.2 HOW TO FILL OUT BILLING FORM**

A separate account should be established for each approved project in such a manner that all project costs can be tracked according to the categories on the agency billing form.

### **A. Salaries and Wages**

Show any salaries or wages incurred during quarter and total project costs to date. For audit purposes you must retain payroll records. Include under salaries and wages, labor costs for the use of any equipment, except for donated labor, that should be included in donations.

### **B. Contract Payments**

Show costs incurred by contracts. For audit purposes, payments made by your agency should be supported by a statement or invoice from the contractor or the project architect or engineer. You should also retain documentation of the bidding procedure and a copy of the final contract.

### **C. Equipment, Materials and Supplies**

Equipment rental costs for owned equipment should be supported by your agency's schedule of hourly rates. Rented equipment payments made by your agency must be supported by a statement or invoice showing costs and the time period equipment was rented.

### **D. Program Administration, Design and Engineering**

Costs for program administration, design and engineering, plans, land use and building permits from another agency, shall not exceed 20% of the total project costs. All costs must be supported by documentation.

### **E. Value of Donations**

The value and use of donations will be reviewed by OPRD.

Supporting documentation should be in groups to match categories on the Reimbursement Request Form. This will allow OPRD staff to audit your costs more efficiently.

## SECTION 7 - GLOSSARY

1. "Agreement" – means the formal contract between OPRD and the project sponsor describing the terms and conditions associated with any granting of funds. Also called "Grant Agreement."
2. "Commission" – means the Oregon Parks and Recreation Commission.
3. "Committee" - means the Veterans' and War Memorial Grant Review Committee described in OAR 736-017-0010.
4. "Department" - means the Oregon Parks and Recreation Department (OPRD).
5. "Construction" – means the creation of a new memorial on public property.
6. "Director" – means the Director of the Oregon Parks and Recreation Department
7. "Eligible Project" – means a construction or restoration undertaking which satisfies the requirement of the Veterans' and War Memorial Grant Program
8. "Government Entity" – means a body of government, whether district, local, state, or federal, that owns or leases the property on which the project is to reside.
9. "Grant" – means an award from the Veterans' and War Memorial Grant Program.
10. "Grant Application" – means the form and its format as developed by the OPRD that an applicant uses to request a grant.
11. "Match" – means project sponsor's budgeted funds, donated funds, value of equipment, materials, labor, planning, or any combination thereof.
12. "Maintenance" – means the continuation or preservation of a memorial. It includes the routine maintenance of or around a memorial such as landscaping, power washing, general cleaning, dusting, or removal of trash.
13. "Memorial" – means a monument or place designated to commemorate or preserve the memory of wars involving the United States of America or to honor veterans of the Armed Forces of the United States of America.
14. "Nonprofit Veterans' Organization" – means a group that:
  - a. Is a nonprofit group that represents veterans of the Armed Forces of the United States, or is established for the purpose of supporting or recognizing such veterans;
  - b. Has an established membership, that includes officers, and bylaws; and
  - c. Is physically located in Oregon or has a chapter that is physically located in Oregon.

15. "Notice to Proceed" - Notice provided to the project sponsor in form of a letter from the Oregon Parks and Recreation Department along with signed Agreements authorizing work on the project to begin.
16. "OPRD" - means the Oregon Parks and Recreation Department.
17. "Planning" – means the research, design, engineering, environmental, and site survey of any Memorial construction or restoration project.
18. "Project Completion" – means satisfaction of all requirements of a grant agreement as determined after review or inspection by OPRD.
19. "Project Authorization" – means the Agreement that authorizes the project as signed by the Director and the project sponsor.
20. "Project Period" – means that period of time between the receipt of the Notice to Proceed and expiration date on the Agreement.
21. "Project Sponsor" – means the recipient of the grant funds and the responsible party for implementation of the project.
22. "Public Property" – means public lands, premises and buildings, including but not limited to any building used in connection with the transaction of public business or any lands, premises or buildings owned or leased by the federal government, this state or any political subdivision therein.
23. "Restoration" – means the improvement, rehabilitation, repair, or reconstruction of an existing memorial. It does not include routine maintenance.
24. "Veterans' and War Memorial Grant Instruction Manual" – means a manual prepared by the OPRD containing state policies, procedures, instructions and grant criteria to assist applicants and project sponsors wishing to participate in the Veterans and War Memorial Grant Program.

## **SECTION 8 – APPENDIX**

- 8.1 Oregon Administrative Rules – Veterans and War Memorial Grants
- 8.2 Documentation Checklist for Reimbursement
- 8.3 Civil Rights Requirements

## **8.2 OREGON ADMINISTRATIVE RULES – VETERANS AND WAR MEMORIALS GRANT PROGRAM**

### **PARKS AND RECREATION DEPARTMENT**

#### **DIVISION 17**

#### **VETERANS AND WAR MEMORIAL GRANTS**

##### **736-017-0000**

##### **Purpose**

The purpose of this division is to establish the procedures and criteria that the Oregon Parks and Recreation Department (OPRD) will use in recommending Veterans and War Memorial Grants for funding to the commission pursuant to ORS 390.180(1)(d).

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

##### **736-017-0005**

##### **Definitions**

As used in this division, unless the context requires otherwise, the following definitions apply:

- (1) "Agreement" means the formal contract between OPRD and the Project Sponsor describing the terms and conditions associated with any granting of funds. Also called "Grant Agreement."
- (2) "Commission" means the Oregon Parks and Recreation Commission.
- (3) "Committee" means the Veterans and War Memorial Grant Review Committee described in OAR 736-017-0010.
- (4) "Department" means the Oregon Parks and Recreation Department (OPRD).
- (5) "Construction" means the creation of a new memorial on public property.
- (6) "Director" means the director of the Oregon Parks and Recreation Department.
- (7) "Eligible Project" means a construction or restoration undertaking which satisfies the requirements of the Veterans and War Memorial Grant Program.
- (8) "Governmental Entity" means a body of government, whether district, local or regional that owns or leases the property on which the project is to reside.
- (9) "Grant" means an award from the Veterans and War Memorial Grant Program.
- (10) "Grant Application" means the form and its format as developed by the OPRD that an applicant uses to request a grant.
- (11) "Match" means project sponsor's budgeted funds, donated funds, value of equipment, materials, labor, planning, or any combination thereof.
- (12) "Maintenance" means the continuation or preservation of a memorial. It includes the routine maintenance of or around a memorial such as landscaping, power washing, general cleaning, dusting, or removal of trash.

(13) "Memorial" means a monument or place designed to commemorate or preserve the memory of wars involving the United States of America or to honor veterans of the Armed Forces of the United States of America.

(14) "Nonprofit Veterans' Organization" means a group that:

(a) Is a nonprofit group that represents veterans of the Armed Forces of the United States, or is established for the purpose of supporting or recognizing such veterans;

(b) Has an established membership, that includes officers, and bylaws; and

(c) Is physically located in Oregon or has a chapter that is physically located in Oregon.

(d) Is also called a "Veterans' Nonprofit Organization".

(e) Is recognized as an existing non-profit status by the Internal Revenue Service.

(15) "OPRD" means the Oregon Parks and Recreation Department.

(16) "Planning" means the research, design, engineering, environmental, and site survey of any Memorial construction or restoration project.

(17) "Project Completion" means satisfaction of all requirements of a grant agreement as determined after review or inspection by OPRD.

(18) "Project Authorization" means the Agreement that authorizes the project as signed by the director and the Project Sponsor.

(19) "Project Sponsor" means the recipient of the grant funds and the responsible party for implementation of the project.

(20) "Public Property" means public lands, premises and buildings, including but not limited to any building used in connection with the transaction of public business or any lands, premises or buildings owned or leased by a local or regional government.

(21) "Restoration" means the improvement, rehabilitation, repair, or reconstruction of an existing memorial. It does not include routine maintenance.

(22) "Veterans and War Memorial Grant Instruction Manual" means a manual prepared by the OPRD containing state policies, procedures, instructions and grant criteria to assist applicants and Project Sponsors wishing to participate in the Veterans and War Memorial Grant Program.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12

## **736-017-0010**

### **Veterans and War Memorial Grant Review Committee**

(1) The Veterans and War Memorial Grant Review Committee shall be composed of 12 members. The committee shall include:

(a) The Local Government Grant Advisory Committee described in OAR 736-006-0145; and

(b) Two people appointed by the director to four-year terms that represent either a veterans' organization or a governmental agency responsible for the administration of law relating to veterans.

(2) The director shall appoint the chair from the committee membership, considering the recommendations of the committee.

(3) The committee shall meet upon the call of the director.

(4) The Veterans and War Memorial Grant Review Committee shall follow grant application review procedures as provided in this division.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12

### **736-017-0015**

#### **Director Authority**

(1) In addition to those considered by the committee, the director may recommend eligible projects to the commission for grant funding. The director may recommend grants for construction and restoration.

(2) The director may recommend funding eligible projects either in whole or in part.

(3) The director may establish minimum or maximum grant award amounts each funding cycle.

(4) The director may establish funding priorities or other criteria for each funding cycle.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

### **736-017-0020**

#### **Eligibility**

(1) The department may consider a grant application from any local or regional government that meets the requirements of this section.

(2) Site. To be eligible for a grant, a memorial must be placed on public property owned or controlled by a local or regional government.

(3) The project sponsor must agree in writing to:

(a) Having the memorial sited and maintained for not less than 20 years from completion of the project.

(b) An applicant must provide in their grant application:

(A) General description of the intended construction or restoration project;

(B) Documentation that demonstrates cooperation with a non-profit veterans' organization assisting in the construction or restoration of a memorial;

(C) Location of project with site maps;

(D) Conceptual design drawings, engineering plans, or both.

(E) Description of project time period including proposed beginning and completion dates;

(F) Roles and responsibilities of the project sponsor and veterans' organization including post-project completion responsibilities;

(G) Description of financing plan for eligible projects, including sources of funds and match;

(H) Summary of proposed budget for the eligible project;

(l) Allowance by the state for any audits.

(4) Matching Requirements. The Veterans and War Memorial Grant program provides, subject to the availability of funds, for up to 80 percent funding assistance with a minimum of 10 percent cash match. The project sponsor shall provide a minimum 10 percent cash match. The project sponsor may provide the remaining match by planning work done prior to project authorization or planning, construction, or restoration work performed following project authorization.

(5) Ineligible costs for grant:

(a) Overhead — The regular operating expenses of either the applicant or the governmental entity receiving the memorial such as rent, building upkeep, utilities, and all fixed costs associated with the daily operations of a business, agency or group;

(b) Overtime;

(c) Expenses for equipment or materials used outside the scope of this project;

(d) Costs or expenses incurred prior to a Grant Agreement except planning work done prior to project authorization under section (4) above.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12

#### **736-017-0025**

##### **Application Process**

(1) When the commission has Veterans and War Memorial Grant Program funds to award, the director will announce through a variety of media the availability of, application procedures for, deadlines and other information for applying for a grant, including whether the director has established funding priorities for that funding cycle.

(2) Applicants must submit a grant application to the department. Applicants may use the "*Veterans and War Memorial Grant Instruction Manual*" for guidance in preparing and submitting a grant application to the department.

(3) A grant application that contains multiple work items must be structured so that the commission may award partial funding to a specific work item proposed in the grant application.

[ED. NOTE: Forms referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

#### **736-017-0030**

##### **Evaluation of Applications**

(1) The department will review eligible applications that the department receives by the announced deadline for completeness. The department will provide all complete, eligible applications to the committee.

(2) The committee will rank applications based on the following criteria:

(a) Whether the application meets the director's funding priorities for that funding cycle;

(b) Whether the application has demonstrated the need for the project;

(c) Whether the applicant has demonstrated that adequate budget and financial controls are in place to properly administer the grant; and

(d) Any other criteria determined by the director prior to the announcement of the availability of grant funding, and which are contained in that announcement.

(3) The committee recommends funding grants up to the amount of funds that may be available in the program that biennium. The committee may also rank several alternates in priority order that may be funded if any of the recommended grants are not awarded.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

### **736-017-0035**

#### **Award of Grants**

(1) Grants will be subject to binding grant agreements between the OPRD and the Project Sponsor. The grant agreement will specify the terms and conditions of the grant, generally including:

(a) The total project costs, the match to be provided by the Project Sponsor, and the amount of the grant;

(b) A statement of the work to be accomplished;

(c) When the grant-assisted project may begin and a schedule for accomplishing work, reporting on progress, delivering products, and project completion.

(2) If grant funds remain or become unobligated, the department may reallocate such funds to other department grant programs.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12

### **736-017-0040**

#### **Disbursement of Grant Funds**

(1) All grant funds shall be disbursed to project sponsors on a reimbursable basis after submission of billings on approved schedules specified in grant agreements. Project sponsor shall supply information substantiating billings if requested by the department.

(2) Under certain conditions such as reduction or increase of these funds an emergency procedure for awarding or canceling grants may be initiated at the discretion of the director.

(3) In implementing the emergency procedure, the director shall consider the availability of funds; the scope and need of projects available for funding; and the urgency and statewide importance of prospective projects. The director may propose projects to the commission for funding under this section and the commission may waive other requirements of these rules for the purpose of obligating funds in a timely manner.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

### **736-017-0050**

#### **Recovery of Grant Funds**

(1) Project sponsors that fail to complete approved projects to the department's satisfaction shall return all unexpended grant funds.

(2) Project sponsors shall maintain records adequate for audit purposes for a period of not less than five years after project completion and shall reimburse the department for any costs questioned in audit findings.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

## 8.2 EXAMPLE DOCUMENTATION REQUIRED FOR REIMBURSEMENT

Please submit the required documentation for partial and final reimbursement requests.

- Project ledger sheet or other detailed listing of expenditures.
- Affidavit of publication supplied by the newspaper if and when you advertise for bids.
- Minutes of any meetings at which action is taken on bids received. Should be dated and signed by responsible official.
- Contractor invoices (or final progress payment, if countersigned by contractor acknowledging payment of all prior charges, and if the cost of each major work item is shown).
- All other invoices. Not monthly statements.
- Employee time records
- Equipment rental time records.
- Detailed schedule showing how you computed owned-equipment rental rates. For donated equipment time, you may use hourly rates published in rental compilation or rental rate guide, or other publications, which provide national or regional average rates.
- Detailed schedule showing how you computed rates for payroll additives (fringe benefits)



### **8.3 CIVIL RIGHTS REQUIREMENTS**

#### **A. Americans with Disabilities Act (ADA) of 1990**

The ADA, a major civil rights law prohibiting discrimination on the basis of disability, established design requirements for the construction or alteration of facilities. It covers facilities in the private sector (places of public accommodation and commercial facilities) and the public sector (state and local government facilities). Under the ADA, the US Access Board is responsible for accessibility guidelines covering newly built and altered facilities.

Go to <http://www.access-board.gov/ADA-ABA/index.htm> for more information.

#### **B. Executive Order 11246, Equal Employment Opportunity and Title VI of the Civil Rights Act of 1964 (P.L. 88-352, 42 U.S.C. Sects. 2000d to 2000d-4)**

Title VI prohibits discrimination based on race, color or national origin in program participation and employment, where (1) the primary purpose of the grant is to provide employment, or (2) discriminatory employment practices will unequal treatment of person, who are or should be benefiting from the grant. The provisions of Title VI of the Civil Rights Act of 1964 and Executive Order 11246 implementing the Act must be followed.

