

# Waterways Boating Infrastructure Grant Program Requirements

## Grant Project Requirements:

- A sign identifying the use of Federal Aid funds for the development of the facility is required. For harbor/marina projects, a sign is the responsibility of the Grantee to purchase. Information for these signs is part of the Department of Natural Resources (DNR) standard guidelines and will be provided.
- The Grantee shall use the funds provided by the DNR in the Waterways grant agreement (3<sup>rd</sup> Party agreement) solely for the purpose and completion of the project work within three (3) years from the date of the grant agreement.
- The grant agreement and funding shall not be effective or available for use until the Michigan Legislature appropriates the State funds for the facilities and the State Administrative Board approves their release. The DNR will notify the Grantee when they are authorized to begin the project.
- Communities have six months from the date the grant agreement was received by the Grantee to sign the grant agreement, pass a resolution (sample resolution provided), and return this information to the DNR.
- There shall be no deviation from the approved project documents without written approval.
- The DNR shall review and approve change orders prior to initiating the work element in question.
- All facilities shall comply with the barrier free design requirements.
- Plans and specifications developed for the facilities shall be prepared by a consulting firm duly licensed to perform the specified professional services within the State of Michigan.
- DNR shall review and approve professional services agreements.
- An executed professional services agreement is needed before bidding and awarding of a project.
- For preliminary engineering studies, the DNR shall review and approve preliminary engineering studies/reports before the Grantee seeks any reimbursement. Grantees should allow a minimum of two months for the DNR to review any submittal.
- For construction projects, the DNR shall review and approve project contracts, bidding documents, specifications, and final engineering plans before the project is bid out. Grantees should allow a minimum of two months for the DNR to review any submittal.
- Copies of approved permits are required.
- All grant funds shall be released as reimbursement.
- The Grantee shall fully expend their match funds before any request for grant reimbursement.
- There shall be no reimbursement for an incomplete project.
- After the DNR reviews and approves reimbursement request documentation, State funds will be released to the grantee.
- Any work performed prior to any grant agreement execution is not reimbursable.
- The Grantee shall retain all accounts, documents, and records for the facilities for not less than three (3) years following completion of construction.
- Failure to follow requirements may jeopardize the project's grant funding and any future Waterways grant funding.

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## Facility Operation Requirements:

- The facility shall be reserved by the grantee exclusively for the use or rental, on a daily basis, of recreational watercraft, unless otherwise approved in writing by the Department of Natural Resources (DNR).
- Revenues from Waterways sponsored facilities are to be expended only for those operations, maintenance, and improvements of such facilities. Communities may not utilize those funds for other purposes (road improvements, public safety buildings, etc.) even if there are peripheral connections to the boating facilities. Enterprise funds may be used by the Grantee as long as historic revenues can be identified back to the facility for future capital improvements.
- Annual financial reports may be requested by the DNR.
- Traffic logs are the responsibility of the Grantee and may be requested at any time.
- Commercial use is defined as meaning any activity that involves, directly or indirectly, the buying or selling of goods or services, or the exchange or attempt or offer to exchange goods or services for money, barter, or for anything of value. This would include, but not necessarily only involve charter fishing, nonprofit lighthouse tours, bareboat charters, launching/retrieving services, salvage services. The Grantee has the right to refuse commercial use, and any commercial use must be approved by the Grantee and the DNR.
- Rates may take into consideration residency based on in-State vehicular registration, but fees should not differentiate between age, in state residency, or type of use.
- For harbor facilities, exclusive participation in the State harbor reservation system is required in perpetuity.
- Any sale or lease of property or operations of the facility must be approved by the DNR.
- Any issue of noncompliance may require the DNR to take action with regards to requirements of the agreement.
- Facility improvements are held in perpetuity. Perpetuity is defined as life of facilities. Life of facilities is defined as a minimum of 20 years from latest grant award. Grantee may request release from grant obligations after 20 years from date of last executed grant agreement.
- DNR shall provide inspection of the facilities, upon request.
- The DNR approves all transient mooring, seasonal mooring, and launching fees. The Grantee can request a variance from DNR approved fees through the Department.
- The Grantee owns or has administration (authority to build, operate, and maintain) over the lands where the project is proposed.
- Grants are for 100% transient boating facilities. All seasonal or partial seasonal slip use must be approved by the DNR and is subject to periodic review.
- Provide, upon the Department's request, one seasonal boat slip.
- Facilities shall be open to the public at all times during normal operations on equal and reasonable terms.
- Failure to follow requirements may jeopardize the project's grant funding and any future Waterways grant funding.