

COMMONWEALTH OF PENNSYLVANIA
Department of Conservation and Natural Resources

Bureau of Recreation and Conservation (BRC)
Administrative Policy/Grant Guidelines

SUBJECT: Acquisition Project Management Process Policy

EFFECTIVE DATE: 12/9/2009

REVISED: 11/29/11; 7/1/2014

BACKGROUND: DCNR follows a standard process for managing acquisition grant projects. The policy below details this standard process.

POLICY:

A. Summary of Standard Grant Project Administrative Steps:

- Grant award letter from Department.
- Call from the Bureau Project Manager to Grantee's Project Coordinator to verify grant application information prior to preparation of grant agreement.
- Bureau preparation and execution of grant agreement (simultaneous with other steps).
- Part 1 letter from Bureau Project Manager.
- One-on-one meeting or conference call with Bureau Project Manager if requested by Bureau or grantee.
- Grantee's Project Coordinator to respond to items listed in Part 1 letter.
- Part 2 letter prepared by Bureau Project Manager addressing items received and will give approval to proceed as long as everything is satisfactory.
- Purchase of property/easement (settlement).
- Submittal to the Bureau Project Manager the required documents (listed in Part 1 and Part 2 letters) and request for final grant payment.
- Bureau Project Manager reviews documentation and approves authorization of final grant payment.

Note: If a Waiver of Retroactivity was received or the project is in advanced stages with DCNR knowledge for the project, then normally the Part 1 letter and Part 2 letter will be combined.

Grant Award Letter:

Purpose: The purpose of the grant award letter is to officially notify the C2P2 grant Applicant they have been awarded a C2P2 Grant and give a brief introduction to the grant process.

Part 1 Letter (Notice to Proceed):

Time Frame: Normally completed 4-5 weeks following grant award announcement.

Purpose: The purpose of the Part 1 letter is to introduce the Bureau's Project Manager, provide a packet of information and procedures titled "Grant Administration and Acquisition Process", establish or waive, the One on One Meeting/Conference Call, list items to be provided or addressed and provide appropriate payment request forms.

- 1) Explain which method is selected for the grantee: 1) A one-on-one meeting or 2) Conference call or 3) Waived due to grantee's prior experience in the C2P2 Grant Program.
- 2) Provide "DCNR" non-conversion language for deeds and easements.
- 3) List of items to be addressed or submitted to the Bureau to continue the grant process.
 - a) Second appraisal. Ordered by and prepared for the grantee by a different state certified General Real Estate Appraiser. (The second appraisal may be waived at the Bureau's discretion if the awarded grant is a small percentage of the total appraised value of the acquisition or easement or in limited other cases.) Upon receipt of the second appraisal the land value estimate for the project will be determined based on an evaluation of the two appraisals by the Bureau Project Manager.
 - b) Survey or subdivision plat that shows the property boundary bearings and distances (metes and bounds) for all the property or easement acquired under the grant project, showing all easements and rights-of-ways of record and includes a calculation of acreage. This is an on the ground survey that is performed by a PA Registered Land Surveyor to include their seal.
 - c) Copy of draft or executed agreement of sale if it was not submitted with the grant application for review and comment.
 - d) Copy of draft deed
 - e) Copy of draft easement, if applicable.
 - f) Phase I Environmental Assessment report, if required. Past use of the property or comments in the appraisal report or application may necessitate a Phase I Environmental Assessment.
 - g) Title Search and Title Insurance: Appraisals need to clearly indicate the spectrum of interests/rights appraised. The inclusion or exclusion of rights appraised including but not limited to surface, mineral (coal and hard mineral), oil and gas, wind, timber, etc. needs to be clearly disclosed. A title search and title insurance will be required prior to project completion and closeout. Grantees are strongly encouraged to complete this prior to the appraisal being ordered and conducted.
 - h) Miscellaneous items such as future disposition or use of existing buildings and/or future plans for any agricultural activity on the property or easement. May also address who will ultimately hold title to the land if someone other than grantee.
- 4) Provide the Grantee with the appropriate payment request forms.
 - a) Provide the Grantee with an Advanced Payment Request Form (for a non-profit) or a Partial Payment Request Form (for a municipality) to request 50% of the grant amount.

- b) Project coordinator should fill out, sign and return payment form to the attention of the Bureau's Fiscal Unit.
- c) Grantee should also be advised of the payment procedure specific to the grant (i.e. Land & Water Conservation Fund) and any interest income requirements for the specific grant funding sources per their grant agreement.

One on One Meeting/Conference Call:

Time Frame: Meeting or Conference Call held 3-4 weeks after Part 1 Letters are mailed.

Purpose: The purpose of the One on One Meeting/Conference Call is to meet with the Grantee to discuss any questions regarding the "Grant Administration and Acquisition Process" attachment with the Part 1 Letter, to review the project in more detail so the Project Manager has a complete understanding of the project and to review the specific details pertinent to the grant funding source.

1. Bureau Project Manager shall schedule either a meeting or conference call with new Grantees as the situation warrants.
2. Bureau Project Manager and Grantee shall discuss the specific project, questions on "Grant Administration and Acquisition Process" and items peculiar to the specific grant funding source.

The Bureau Project Manager can waive the one-on-one meeting/conference call if the Grantee is experienced with the C2P2 Grant Program and the Bureau Project Manager understands the project.

Written Approval to Proceed:

Upon review of draft documents the Bureau Project Manager will give written approval to proceed with the transaction. Also, the Grantee shall not proceed with the execution of any agreement of sale, easement or deed without an executed Grant Agreement and Part 2 Letter (Approval to Proceed with Closing). The review of the documents and approval to proceed helps ensure that no restrictive covenants or conditions that conflict with the grant are included in the document and that the appropriate "DCNR" non-conversion language is included in the deed or easement.

Unless the Grantee has received a written Waiver of Retroactivity to include prior review and approval of conservation easement, the Grantee will not receive approval to proceed with the purchase of land or easement until they have performed the following:

- The Grantee attended a meeting or conference call if requested by the Bureau.
- The Grantee received a fully executed grant agreement from the Bureau.
- The Grantee responded to all items requested in the Part 1 letter.
- The Grantee received approval of draft easement, draft deed or draft agreement of sale, as applicable.

Note: To emphasize, all proposed easement agreements and agreements of sale must be reviewed and approved by the Bureau before proceeding with the execution of the agreement.

Part 2 Letter (Approval to Proceed with Closing):

Time Frame: Letter mailed within 3 weeks of approval of deed or easement and receipt of items requested in Part 1 Letter.

Purpose: The purpose of the Part 2 letter is to confirm the receipt of the items requested in the Part 1 Letter, authorize the Grantee to proceed with acquisition of the property or easement, confirm number of acres and purchase price of the property/easement to be acquired, explain limitations on the grant money, list items required to successfully close out the project and provide the appropriate Payment Request Form(s).

- 1) Payment Request Forms
 - a) When settlement has been scheduled a Partial Grant Payment up to 90% of the eligible grant amount may be requested by the Grantee and the Partial Payment Request Form is attached to the Part 2 Letter.
 - Mail Partial Payment Form notifying the Bureau of the actual settlement day or proposed timeframe for settlement.
 - 10% of the grant amount is withheld in the event of an under run and to ensure all items requested in the Part 1 and Part 2 letters have been submitted.
 - b) If a settlement will occur shortly after the Grantee receives the approval to proceed, provide the Grantee with a Final Payment Request Form.
- 2) List of items required to successfully closeout the project.
 - a) Copy of recorded deed or easement containing DCNR non-conversion language.
 - b) Settlement statement.
 - c) Remaining items from Part 1 and Part 2 Letters.
 - d) Final Payment Request Form signed by Project Coordinator.

Settlement and Bureau Review of Settlement Documents and Final Payment Request:

Time Frame: Review documents and Final Payment Request within 3 weeks of receipt.

Purpose: The purpose of the review is to ensure all information regarding the settlement and final payment are submitted by the Grantee. The review of the settlement documents and items required in the Part 1 & 2 Letters for completeness allows the Bureau Project Manager to sign the final payment request form and close out the project.

- 1) Review Settlement Documents and Outstanding Items from Part 1& 2 Letters.
 - a) Copy of recorded deed or easement containing DCNR non-conversion language. Note: If the deed does not contain the DCNR non-conversion language, the Grantee must submit a draft copy of a Corrective Deed for review and approval before recording and then forward a recorded copy of a Corrective Deed.

- b) Settlement statement (if one was used for the transaction).
 - c) Remaining items from Part 1 and Part 2 Letters.
 - d) Final Payment Request Form.
- 2) Authorize Final Payment.
- a) If the Bureau Project Manager has all items required, they will complete and sign the Final Payment Request Form and forward to the Fiscal Unit for Processing.
 - b) Bureau Project Manager will organize file according to the Grant Project File Folders – Filing Procedures and note final payment in Racers.
 - c) Once the final payment is mailed, the project is closed and project in Racers is marked closed.

Acquisition information and Payment Forms may be obtained at the following link:
<http://www.dcnr.state.pa.us/brc/elibrary/forms/acquisitionforms/index.htm>

This policy remains in effect until revised or rescinded.