

COMMONWEALTH OF PENNSYLVANIA  
Department of Conservation and Natural Resources

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

**Subject:** COSTARS Program

**Effective Date:** 12/12/2011

**Revised Date:** 1/9/2014

**Background:** Grantees of the Department of Conservation and Natural Resources' (DCNR) Community Conservation Partnerships Program (C2P2) are responsible for following competitive bidding requirements. For Municipal Grantees, those requirements are covered in their applicable municipal code and for Non-Profit Grantees they must utilize competitive bidding requirements. The C2P2 Competitive Bidding Procedures policy further clarifies what is required for development grant projects under the Community Conservation Partnerships Program. Grantees not familiar with the applicable bidding requirements are strongly advised to consult with their solicitor/attorney.

The passage of the Commonwealth Procurement Code, Act 57 of 1998, permits **Local Public Procurement Units (LPPUs)** to engage in cooperative purchasing with the Commonwealth. Eligible LPPUs may participate in those contracts for materials, supplies and services made available by the PA Department of General Services (DGS).

As related to the C2P2 program, entities eligible for COSTARS membership include any LPPU defined as: any political subdivision; any public authority; any tax-exempt, non-profit educational institution or organization; and to the extent provided by law, any other entity, including a council of government, that expends public funds for the procurement of materials, supplies and services.

**Policy:**

For development projects, Grantees may, but are not required to, purchase recreational equipment and materials through the COSTARS Program offered by DGS. Use of the program is limited to the **purchase of Materials and Supplies, only**. Please note that 100% of **ALL** project affiliated construction/labor services must be provided with In-House Staff, Volunteers and/or Donated Labor- (Non-Contract Labor).

## **COSTARS PROGRAM**

DGS awards a variety of contracts, including “**COSTARS-14 Recreational & Fitness Equipment**”. Any registered LPPU is eligible to purchase **Materials and Supplies** on this contract through the COSTARS Program without competitive bidding. This contract includes such items as, but is not limited to, gymnastic, athletic, recreation and playground equipment.

All installation services must comply with the DGS-COSTARS definition of Installation vs. Construction activities, as outlined in the “**COSTARS Advisory- Construction Activities Prohibited using the COSTARS-exclusive Contracts**”, dated September 16, 2011. It is strongly recommended that you have your Solicitor review all proposed ancillary services to insure compliance.

Please note that the most current “**COSTARS Advisory- COSTARS Contract Special Terms and Conditions, revised to limit or remove “installation”, when applicable as an Ancillary Service**”, dated April 23, 2012, outlines installation services and requirements.

**In addition, the following guidance has been provided by Department of General Services (DGS) regarding the utilization of the COSTARS Program:**

1. Procurements in which the total project cost, (including, but not limited to, all supplies, equipment and installation labor) **is less than the amount** established by statute for governmental entities and school districts for advertised competitive bidding or \$25,000, whichever is less, and require installation, **may be done** under the COSTARS contract, if such contract allows for installation. *Governmental entities and school districts are still required to comply with any applicable statutes including, but not limited to, requirements for performance or payment bonds.*
2. Procurements in which the total project cost (including, but not limited to, all supplies, equipment and installation labor) **is more than the amount** established by statute for governmental entities and school districts for advertised competitive bidding or \$25,000, whichever is less, and require installation, **may not be done** under the COSTARS contract.
3. Procurements for the purchase of the Materials and Supplies, Only, where any installation will be done by employees of the governmental entity or school district, may be done under COSTARS Contract, regardless of the total cost of the procurements.

### USE OF COSTARS PROGRAM

PROJECT ACTIVITY	TOTAL PROJECT COST <sup>1</sup>		
	Less than \$19,100	\$19,100 to \$24,999	\$25,000 or More
Purchase of materials & supplies with 100% of ALL project construction provided by In-House, Volunteer and/or Donated Labor	YES	YES	YES
Purchase of materials & supplies with any or all project construction provided by contracted labor	YES	<b>NO</b> , must bid out purchase of materials, supplies AND construction labor	<b>NO</b> , must bid out purchase of materials. supplies AND construction labor at prevailing wage rates

<sup>1</sup> *For projects funded with DCNR grants, TOTAL PROJECT COST is comprised of ALL ELIGIBLE CONSTRUCTION COSTS outlined in the DCNR approved scope of work including, but not limited to all materials, supplies, equipment and installation/construction labor. You are reminded that Professional Services Costs are NOT a part of Construction Costs.*

***Additionally, Construction Costs can be comprised of both CASH Costs & NON-CASH Match Values.***

**DCNR grantees may not break-out the approved scope of work into sub-phases as this would result in an evasion of the above referenced Bidding Limit Requirements.**

**Please note that if at a later date, it is determined that you utilized the COSTARS Contract-14 to purchase Materials and Supplies, as well as to secure paid Contractors to install/construct all or a portion of the project when, TOTAL Project Costs exceed the bidding limit of \$19,100, these costs will be INELIGIBLE for funding reimbursement.**

If you plan to utilize the COSTARS program, please visit the program website at [www.dqs.state.pa.us/costars](http://www.dqs.state.pa.us/costars) for the most accurate and up to date program guidelines. You are encouraged to contact COSTARS Program Staff at [GS-PACostars@pa.gov](mailto:GS-PACostars@pa.gov) or via telephone at 1(866)738-7827.

**This policy remains in effect until revised or rescinded.**