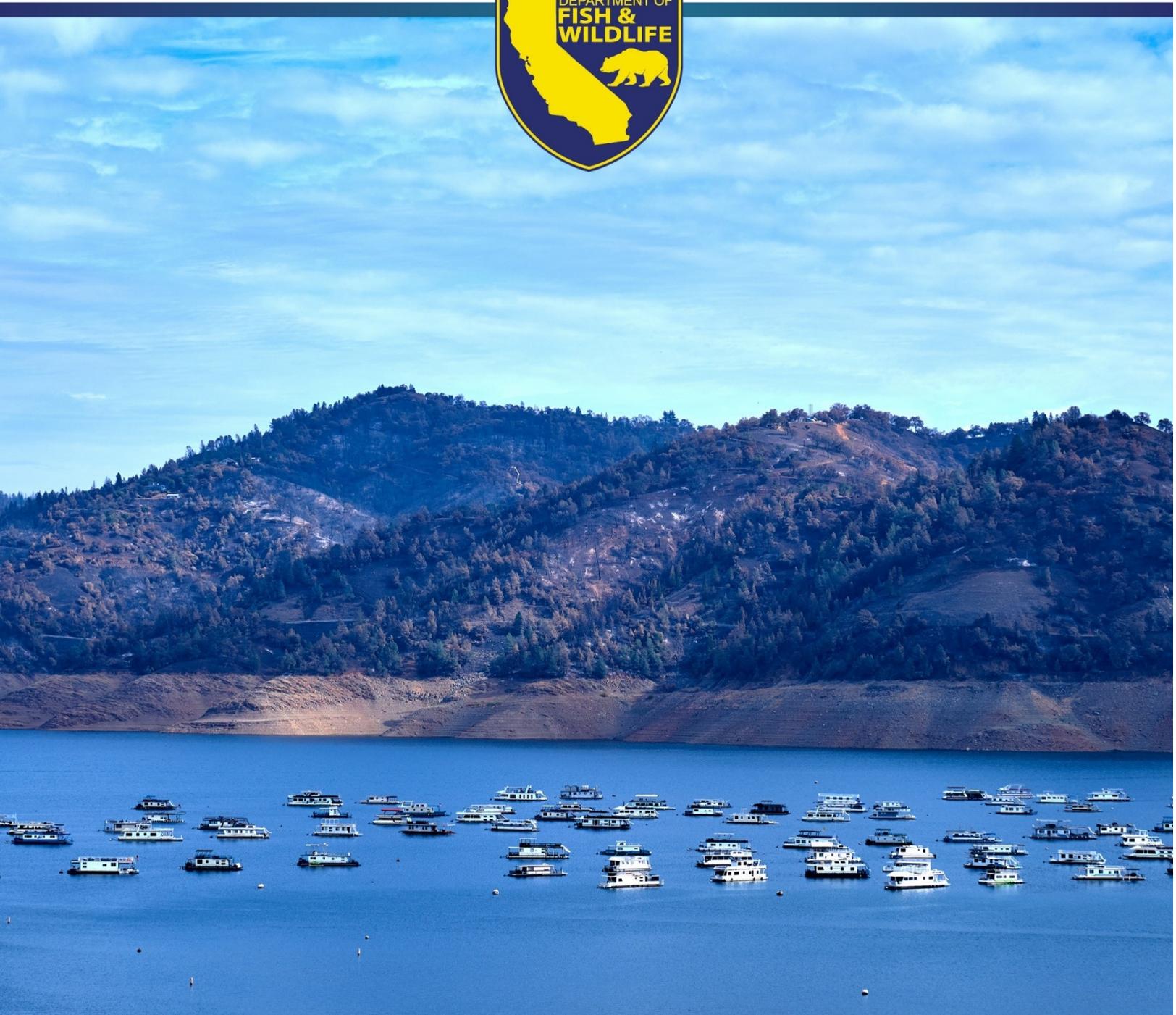


BOATING ACCESS GRANT PROGRAM

2023-2024 PROPOSAL SOLICITATION NOTICE



Overview

The California Department of Fish and Wildlife (CDFW) is pleased to announce funding opportunities under the 2023/2024 Boating Access Grant Program (Boating Access). This Proposal Solicitation Notice is for projects that ensure public access to state waters. The Boating Access program provides funding for a broad range of access facilities and associated amenities that benefit recreational boaters.

Funding for Fiscal Year 2023/2024

Total funding available under this solicitation is approximately \$8.6 million.

Application Deadline

The complete application and all supporting documentation must be submitted via [CDFW's WebGrants System](#) by 4:00 PM, Pacific Daylight Time, November 3, 2023.

Solicitation Workshop

CDFW will hold a Public Solicitation Workshop on October 4, 2023, at 10:30 am, to provide an overview of the Boating Access Program, including eligible activities, program requirements, and granting process. Workshop attendance is not a requirement for submitting a proposal. The workshop proceedings may be recorded and made available online.

Table of Contents

Overview	1
Funding for Fiscal Year 2023/2024	2
Application Deadline	2
Solicitation Workshop.....	2
1 Introduction	4
1.1 Background.....	4
1.2 Timeline	4
2 Program Overview	4
2.1 Eligible Grant Applicants	4
2.2 Eligible Activities for Funding	5
2.3 Budget	5
2.3.1.1 Cost Sharing or Match.....	5
2.3.1.2 Indirect Costs.....	6
2.4 Labor Code Requirements: Prevailing Wage	7
2.5 Buy American Provision.....	7
2.6 Environmental Compliance and Permitting	7
2.7 Licensed Professional Engineers or Geologists	7
2.8 Confidentiality	7
3 Proposal Submission and Selection	8
3.1 Proposal Submittal Process	8
3.2 Proposal Review	8
4. Project Approval and Grant Agreement	10
4.1 Responsibility of the Grantee	10
APPENDIX A – STATE AUDITING REQUIREMENTS	12

1 Introduction

1.1 Background

The Sport Fish Restoration Act (SFRA) created the [Sport Fish Restoration Grant Program](#), administered by the U.S. Fish and Wildlife Service. The program provides funds to state fish and wildlife agencies for fishery projects, boating access, and aquatic education. The funding for this grant program comes through revenue from manufacturers' excise taxes on sport fishing equipment, import duties on fishing tackle and pleasure boats, and a portion of gasoline fuel tax attributable to small engines and motorboats.

The Boating Access sub-program of the Sport Fish Restoration Grant program provides federal funds for facilities that create or add to public access for recreational boating and improvements to waterways that increase access to recreational boating opportunities.

CDFW also coordinates closely with the California [State Parks, Division of Boating and Waterways](#) (DBW) who provides state funding for similar boating access projects. In co-funded projects, eligible DBW funding may be used to meet cost share requirements of CDFW's Boating Access Grant Program.

1.2 Timeline

Proposal Solicitation Schedule

Activity	Dates (Dates subject to change)
Release Proposal Solicitation Notice	September 18, 2023
Solicitation Workshop	October 4, 2023
Proposals due by 4:00 p.m. , Pacific Time	November 3, 2023
Proposal Evaluation	November 2023 to January 2024
Award Announcement	Spring/Summer 2024
Execute Grant Agreements	Summer 2024
Complete all grant funded project work and submit deliverables/final invoice	April 1, 2028

2 Program Overview

2.1 Eligible Grant Applicants

Eligible applicants include state and local government agencies, public entities, Tribes, and nonprofit organizations.

2.2 Eligible Activities for Funding

Project activities eligible for Boating Access grant funds include:

- Planning, permitting, and design for Boating Access Facilities.
- Construction of Boating Access Facilities.
- Amenities for Boaters, including compliance with Americans with Disabilities Act (ADA), at Boating Access Facilities:
 - This may include restrooms, wash-down stations, fish cleaning stations for boaters, ramps, courtesy or loading docks, maneuvering areas, parking areas, walkways, beaching areas for boats, picnic tables, garbage facilities for boaters, shade structures, lighting, signage, etc.
 - Launching and landing facilities for paddle craft and non-motorized boats.
 - Outreach to boaters about available boating access and amenities.
 - Aquatic Invasive Species Information and Education – including inspection (not enforcement) AS LONG AS THE PURPOSE IS TO KEEP BOATERS BOATING.
 - In some instances, vegetation management – If it's all about keeping boaters accessing the water.
 - Pump out facilities for vessels that have on-board sanitary holding tanks.
 - Fueling docks for boaters.
 - Potable water supplies for boaters.
 - Dinghy docks.
 - Operation and Maintenance of boating access facilities.
- Administration and Coordination of boating access programs (personnel, travel, training, planning, etc.)

2.3 Budget

Budget tasks should be consistent with the work plan tasks and sufficiently detailed to describe project costs. Applicants must demonstrate reasonableness of costs under the circumstances of the proposal, including subcontractor costs, materials, and equipment.

2.3.1.1 Cost Sharing or Match

Grantees may be reimbursed up to 75 percent of project costs through CDFW's Boating Access Grant Program. At least 25 percent of the project costs must come from a non-Federal source. Proposals that include cost share contributions, whether in the form of cash or in-kind services, should clearly specify both the source and dollar amount of the cost share. If a proposal

receives funding, the claimed cost share cannot serve as matching funds elsewhere. Cost share may be monetary contributions or non-monetary resources (in-kind contributions) provided by the applicant or their partners involved in project implementation. In-kind contributions must directly benefit the project to qualify as cost share. To remain eligible, cost share must be used during the grant's term.

2.3.1.2 Indirect Costs

Indirect costs (administrative overhead) are those that cannot be directly assigned to a particular grant activity but are necessary to the operation of the organization and the performance of the grant project. Indirect costs include operating and maintaining facilities, accounting services, and administrative salaries.

In accordance with the Federal Uniform Grant Guidance 2023 ([2 CFR part 200](#)) applicants have two options for requesting indirect costs:

2. Use their federal Negotiated Indirect Cost Rate Agreement (NICRA). Federal approval documentation must be included with the proposal as a supplemental document.

OR

3. Use a de minimis rate of ten percent (10%) of the Subrecipient's Modified Total Direct Costs (MTDC). The MTDC base cannot include any distorting costs such as equipment, rent, capital expenditures, or any sub-awards, contracts, or consultants beyond the first \$25,000. Simple documentation electing to use the de minimis rate must be included with the proposal as a supplemental document.

Where the applicant does not have a federally approved rate, any indirect costs incurred over 10% are not eligible for reimbursement but can be used as cost share. MTDC includes all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward. MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000 as stated in [2 CFR section 200.68](#). Workers' compensation insurance is an allowable fringe benefit as stated in [2 CFR section 200.431](#).

Subcontractors are subject to the same federal requirements as the applicants. See Federal Uniform Grant Guidance at [2 CFR Part 200](#).

2.4 Labor Code Requirements: Prevailing Wage

The grant terms and conditions for projects that are selected for funding will require that grantees comply with the California Labor Code for their projects. Projects funded in whole or in part with CDFW grant funds may be public works projects under the Labor Code (see section 1720 et seq.). Fish and Game Code section 1501.5 excludes some CDFW-funded projects from being public works projects under the Labor Code. Labor Code compliance may require the payment of prevailing wage. Grantees are responsible for Labor Code compliance, and CDFW cannot provide advice about Labor Code compliance. Before submitting applications, applicants should seek legal counsel regarding Labor Code compliance for their projects and budget accordingly. More information is available at the [Department of Industrial Relations](#).

2.5 Buy American Provision

As required by Section 70914 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58), on or after May 14, 2022, none of the funds under a federal award that are part of a Federal financial assistance program for infrastructure may be obligated for a project unless all the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. All Boating Access projects are to comply with the Buy American Provision. For more information, visit the Department's Buy America site at www.doi.gov/grants/BuyAmerica and the Office of Management and Budget's site at www.whitehouse.gov/omb/management/made-in-america/.

2.6 Environmental Compliance and Permitting

Projects must comply with all applicable state, tribal, and federal environmental laws and regulations including, the National Environmental Policy Act (NEPA). NEPA permitting and the associated costs may be included in awarded grants. Applicants are responsible for obtaining all permits necessary to complete project work.

2.7 Licensed Professional Engineers or Geologists

Some projects may require a licensed professional engineer or licensed professional geologist to comply with the requirements of the Business and Professions Code, section 6700 et seq. (Professional Engineers Act) and section 7800 et seq., (Geologists and Geophysicists Act). If a project requires the services of licensed professionals, these individuals and their affiliations should be identified in the application.

2.8 Confidentiality

Once the applicant has submitted a proposal to CDFW, any privacy rights as well as other confidentiality protections afforded by law with respect to the application package will be waived. Submitted proposals are public records under the California Government Code sections 6250-6276.48.

3 Proposal Submission and Selection

Proposals are subject to Public Records Act requests and may be made publicly available upon such requests.

3.1 Proposal Submittal Process

The proposal process will be conducted through [CDFW's WebGrants](#) portal. CDFW will provide proposal forms and instructions on [CDFW's Boating Access](#) Webpage. Applicants must provide all information requested in the required formats.

The proposal application in WebGrants consists of multiple forms. WebGrants includes dropdown menus, text boxes, multiple-choice selections, tables, and attachment upload links. Once submitted, applicants cannot alter their proposal or submit additional information without first contacting the WebGrants Help Desk. Applicants are encouraged to allow sufficient time to submit proposals to avoid last minute errors and omissions.

To access the proposal, applicants must register an account in WebGrants. The WebGrants Help Desk is staffed Monday–Friday (9:00AM–4:00PM). Questions regarding the CDFW WebGrants website should be directed to the CDFW WebGrants Help Desk e-mail at CDFWebgrants@wildlife.ca.gov.

Online submission of the proposal must be received before 4:00 PM, PDT on November 3, 2023.

3.2 Proposal Review

Proposal received by the deadline will be evaluated using a multi-step process, described below.

3.2.1. Administrative Review

Each proposal will receive an administrative review, which will evaluate the eligibility and completeness of the proposal. First, CDFW evaluates each proposal for compliance with the eligibility criteria in Sections 2.1 to 2.3, as outlined in Table 1. Proposals deemed eligible will then be evaluated for completeness. All information requested must be provided and in the required formats. Proposals that are determined to be ineligible will not be considered for funding.

Table 1: Overview of Administrative Review Criteria

Criteria	Determination
Applicant is an Eligible Entity (Section 2.1)	Yes/No
Project fits the Eligible Project Types (Section 2.2)	Yes/No
Project has a complete Budget (section 2.3)	Yes/No
Application is complete	Yes/No

3.2.2. Technical Review

CDFW technical reviewers will evaluate all eligible and complete proposals. Technical reviewers will consider criteria including overall approach and expected outcomes, readiness (including schedule and environmental compliance/permitting), and budget.

Table 2. Overview of Technical Review Criteria

<p>1. Project Approach and Outcomes Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance of the expected project outcomes. Extent to which those outcomes will be sustainable over the long-term.</p>
<p>2. Schedule and Deliverables Extent to which the schedule demonstrates reasonable sequence and timing of project tasks, milestones, and deliverables. Anticipated duration of the project and alignment with the funding term.</p>
<p>3. Budget Extent to which the proposed budget is appropriate for the work proposed and sufficiently detailed to describe project costs.</p>
<p>4. Environmental Compliance (if applicable) Whether all applicable environmental review and permitting requirements have been appropriately identified and accounted for in the budget and project schedule, allowing adequate funding and time to complete the project tasks.</p>

3.2.3. Engineering-Geological Review

CDFW engineering staff will conduct Engineering-Geological review of planning and implementation projects as appropriate. CDFW engineering staff will review Conceptual to 30% Design Plans, Intermediate (65%) Design

Plans, and/or Final (90%) Design Plans, as well as the Basis of Design Report. Engineering staff may evaluate project feasibility, budget, schedule, and overall project implementation strategies.

3.2.4. Selection Panel

CDFW may convene a Selection Panel to review the evaluations from the Technical Review and Engineering-Geological Review processes.

4. Project Approval and Grant Agreement

Development of grant agreements will begin following announcement of awards. Successful applicants will work with an assigned CDFW Grant Manager to develop the grant agreement. The applicant must agree to the General Grant Provisions which will be provided at the time of the application. Awarded applicants must complete, sign, and return these additional forms:

1. [Payee Data Record form \(STD. 204\)](#);
2. 501(c)(3) Certification (for non-profit organizations);
3. [Drug-Free Workplace Certification \(STD. 21\)](#);
4. A current (non-expired) federal Negotiated Indirect Cost Rate Agreement (NICRA) if not using the de minimis rate.
5. [Federal Funding Accountability and Transparency Act 2006 Contractor Certification \(DFW 868\)](#). Any project receiving federal funds as part of the grant award is required to complete this form.
6. [Subrecipient Risk Assessment \(DFW 870\)](#). The California Department of Fish and Wildlife (CDFW) is required by the Office of Management and Budget Guidance Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (§ 200.331 (b)) to evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring.
7. An authorizing resolution from your governing body that confirms its approval of the projects and grant monies (if applicable).

4.1 Responsibility of the Grantee

The grantee must be responsive during grant agreement development and will be responsible for carrying out the work agreed to and for managing finances, including but not limited to invoicing, payments to subcontractors, accounting and financial auditing, and other project management duties including reporting requirements. Grantee must support all eligible costs with appropriate documentation. See Appendix A for additional state auditing requirements.

Grantees shall comply with all applicable federal, state, and local laws, rules, regulations, and/or ordinances. As may be necessary, the grantee shall be

responsible for obtaining the services of appropriately licensed professionals to complete project design plans.

4.2 Invoicing and Payments

CDFW will structure all grant agreements, except for acquisition grants, to provide for payment in arrears of work being performed. CDFW will not disburse funds until there is an executed grant agreement between CDFW and the grantee. Payments will be made on a reimbursement basis (i.e., the grantee pays for services, products or supplies, submits an invoice that must be approved by the CDFW Grant Manager, and is then reimbursed by CDFW). Funds for construction will not be disbursed until all the required environmental compliance, permitting, and design documents have been received and accepted by CDFW. Grantee must support all expense claims for reimbursement with appropriate documentation including indirect costs. State auditing requirements are described in Appendix A.

4.3 Reporting

Grantees shall submit progress reports as outlined in the executed grant agreement to the CDFW grant manager for the duration of the grant. CDFW may also require annual reports and task-specific reports as project deliverables.

4.4 Performance and Retention and Payments

CDFW may retain from the grantee's reimbursements for each period for which payment is made, an amount equal to 10 percent of the invoiced amount, pending satisfactory completion of the task or grant. CDFW may modify retention withholding in the following circumstances:

When the grantee or subcontractor is a public entity contracting for construction of any public work of improvement, CDFW may retain from the grantee's earnings, for each period for which payment is made, an amount equal to five percent of such earnings, pending satisfactory completion of the task or grant (Public Contract Code §7201 [b][1]).

4.5 Standard Conditions

Successful applicants must agree to the appropriate terms and conditions for their entity type. General Grant Provisions include information regarding audits, amendments, liability insurance, and rights in data. All awarded entities must agree to the [CDFW General Grant Provisions](#) for Public or Non-public entities. Awarded applicants from the University of California and California State University must agree to [University Terms & Conditions - Exhibit "C" for University of California and California State University Agreements \(UTC-220 Exhibit C\)](#).

APPENDIX A – STATE AUDITING REQUIREMENTS

The list below details the documents or records that State Auditors may need to review in the event of a grant agreement being audited. Grant recipients should ensure that such records are maintained for each State funded project. For additional details including specific audit tasks performed during a bond audit, see the California Department of Finance Bond Accountability and Audits Guide and the Bond Audit Bulletins (http://www.dof.ca.gov/Programs/OSAE/Prior_Bond_Audits/).

State Audit Document Requirements

Internal Controls:

1. Organization chart (e.g. Grant recipient's overall organization chart and organization chart for the State funded project).
2. Written internal procedures and flowcharts for the following:
 - a. Receipts and deposits
 - b. Disbursements
 - c. State reimbursement requests
 - d. State funding expenditure tracking
 - e. Guidelines, policies, and procedures on State funded project
3. Audit reports of the Grant recipient's internal control structure and financial statements within the last two years.
4. Prior audit reports on State funded projects.

State Funding:

1. Original grant agreement, any amendment(s) and budget modification documents.
2. A list of all bond-funded grants, loans or subventions received from the State.
3. A list of all other funding sources for each project.

Agreements:

1. All subcontractor and consultant contracts and related documents, if applicable.
2. Agreements between the grant recipient, member agencies, and project partners as related to the State funded project.

Invoices:

1. Invoices from vendors and subcontractors for expenditures submitted to the State for payments under the grant agreement.
2. Documentation linking subcontractor invoices to State reimbursement requests and related grant agreement budget line items.
3. Reimbursement requests submitted to the State for the grant agreement.

Cash Documents:

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips or bank statements showing deposit of the payments received from the State.
3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, or agents under the grant agreement.

Accounting Records:

1. Ledgers showing receipts and cash disbursement entries for State funding.
2. Ledgers showing receipts and cash disbursement entries of other funding sources.
3. Bridging documents that tie the general ledger to reimbursement requests submitted to the State for the grant agreement.

Administration Costs:

1. Supporting documents showing the calculation of administration costs.

Personnel:

1. List of all contractors and grant recipient staff that worked on the State funded project.
2. Payroll records including timesheets for contractor staff and the grant recipient's staff,

Project Files:

1. All supporting documentation maintained in the files.
2. All grant agreement related correspondence.