

STATE OF NEVADA
Division of State Parks
Recreational Trails Program Project Agreement

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MAY 20 2011

State Parks

FHWA RECREATION TRAILS PROGRAM, CFDA 20.219																	
Project Sponsor: City of Las Vegas	Project Number: 2011-04																
Project Name: Tenaya Way Trailhead																	
Period Covered by Agreement: From: Date of Notice to Proceed To: 12/31/2013																	
Scope of Work: Proposed improvements include pathway connection to trail, a restroom, shade structure, benches, bike rack, info kiosk and all related civil site improvements such as water, sewer and electrical appurtenances. Standards applied to this project: ADA																	
Total Project Cost: \$ 588,000	Federal Grant Share: \$ <u>100,000</u> <u>17%</u> Matching Share: \$ <u>488,000</u> <u>83%</u>																
The following are hereby incorporated into this agreement: <input checked="" type="checkbox"/> General Provisions (attached) <input checked="" type="checkbox"/> Grant application																	
<p>This Agreement and its integrated attachment(s) constitute the entire agreement of the parties and as such are intended to be the complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto.</p> <p>The project sponsor agrees to submit quarterly progress reports and requests for reimbursement. Reports must be submitted to the Nevada Division of State Parks on the forms provided by the Division on the dates listed below, in accordance with Nevada's FY 2010 Recreational Trails Program Manual.</p> <p>Quarters and due dates:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">1st quarter</td> <td style="width: 30%;">January 1 through March 31</td> <td style="width: 20%;">Report due:</td> <td style="width: 30%;">April 10</td> </tr> <tr> <td>2nd quarter</td> <td>April 1 through June 30</td> <td>Report due:</td> <td>July 10</td> </tr> <tr> <td>3rd quarter</td> <td>July 1 through September 30</td> <td>Report due:</td> <td>October 10</td> </tr> <tr> <td>4th quarter</td> <td>October 1 through December 31</td> <td>Report due:</td> <td>January 10</td> </tr> </table>		1 st quarter	January 1 through March 31	Report due:	April 10	2 nd quarter	April 1 through June 30	Report due:	July 10	3 rd quarter	July 1 through September 30	Report due:	October 10	4 th quarter	October 1 through December 31	Report due:	January 10
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The grant recipient shall:

1. Keep detailed records on the particular project.
2. Fully support reimbursement requests with complete documentation of funds spent and match, such as invoices paid, timesheets, wage rates, volunteer documentation and copies of cancelled checks.
3. Forward copies of the documentation to the Division of State Parks with each quarterly reimbursement request for inclusion in the project's permanent file.
4. Provide for accounting procedures necessary to assure proper disbursement and accounting for moneys paid.
5. Base the accounting procedures on generally accepted accounting standards and meet the following minimum requirements unless the Division of State Parks agrees to specific exceptions.
 - a) Establishment of separate accounts and supporting documentation. Each project account should be identified by the number assigned to the project by the Division of State Parks.
 - b) Identification of all receipts in sufficient detail to show the dates and sources of such receipts. Receipts and/or invoices should be labeled whether they apply to the grant share or matching share.
 - c) Itemization of all supporting records of project expenditures in sufficient detail to show the exact nature of expenditures.
 - d) When payment is by check, the canceled check should be properly identified and filed. Receipts and/or invoices must support all cash disbursements.

Incomplete requests may be returned and will need to be resubmitted in the following billing quarter.

Non-Federal entities that expend \$500,000.00 or more in a year in total Federal Awards must comply with *OMB Circular No. A-133*.

Land owned by the grantee, or in the case of a nonprofit grantee or governmental entity, which is acquired with RTP funds, shall have a deed restriction upon said property as an outdoor recreational site open, accessible and maintained for the use and benefit of the general public for ninety-nine (99) years. Land under ownership of the grantee or controlled such as by lease, upon which RTP funding for trail access development or maintenance is being used, shall be dedicated as an outdoor recreation trail open, accessible and maintained for the use and benefit of the general public for a minimum of twenty-five (25) years after the project completion date as set forth in the Project Agreement. A lease must not be revocable at will and must contain a clause which enables the grantee to dedicate by deeded easement, the land for the twenty-five (25) year period. All deed dedications must be recorded in the public property records by the grantee, or in the case of a nonprofit grantee, by the land owner.

In the case of a Bureau of Land Management Recreation and Public Purposes (BLM R&PP) lease and eventual patent, the agreement in itself satisfies both the twenty-five (25) year and ninety-nine (99) year dedication requirements for trail access development and maintenance for the use and benefit of the general public. Therefore, deed restrictions would not be required upon the project site property.

The grantee must have and prove sufficient control and tenure of the project site that a conversion of use will not occur without appropriate mitigation to the satisfaction of the Division of State Parks and FHWA.

The State of Nevada hereby promises, in consideration of the promises made by the Project Sponsor herein, to take the necessary steps and action and to attempt to enter into an agreement with the Federal Highway Administration to obtain Federal Money for that portion of the project referred to as Federal Assistance, to accept such funds from the United States and to tender to the Project Sponsor that portion of the obligation which is required as the Federal Grant.

The Project Sponsor hereby promises, in consideration of the promises made by the State of Nevada herein, to execute the project described above in accordance with the terms of this agreement and as described in the Nevada Recreational Trails Program Grants Manual.

In witness whereof, the parties hereto have executed this agreement as of the date below:

STATE OF NEVADA

PROJECT SPONSOR

By:

By:


Signature


Signature of Representative

J. Steve Weaver

Oscar B. Goodman, Mayor

Typed Name

Typed Name

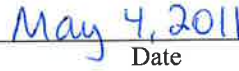
Deputy Administrator

City of Las Vegas City Council

Title

Name of Board/Commission/Agency



Date


Date

Reimbursement checks should be made payable to:

Name of Agency/Individual: City of Las Vegas
Address: 400 Stewart Avenue
City, State, Zip: Las Vegas, NV. 89101
Tax Identification #: 88-6000198

Approved as to form


John S. Ridilla Date
Deputy City Attorney

Attest: By 
BEVERLY K. BRIDGES, MMC, City Clerk