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Conservation  
Commission

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# Florida Boating Improvement Program Guidelines

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## **SECTION I – INTRODUCTION**

### **1.1 Purpose**

The Florida Fish and Wildlife Conservation Commission (Commission) pursuant to Sections 206.606 and 327.47, F.S., is charged with providing funding through competitive grants for projects designed to serve the needs of boaters and boating-related activities on coastal and/or inland waters within the State. General provisions, requirements, and information stated herein, together with attachments, and applicable laws and rules, incorporated herein by reference, constitute the program guidelines of the Florida Boating Improvement Program (FBIP).

### **1.2 Florida Boating Improvement Program (FBIP) – Tier I**

FBIP – Tier I is established in accordance with ss. 206.606(1)(b)3., F.S., to fund local projects for recreational channel marking and other uniform waterway markers, public boat ramps, lifts, and hoists, marine railways, and other public launching facilities, derelict vessel removal, and other local boating-related activities through a competitive grants program. This section further provides that priority consideration be given as follows:

- Unmet needs in counties with populations of 100,000 or less.
- Unmet needs in coastal counties with a high level of boating-related activities from individuals residing in other counties.

FBIP – Tier I is divided into four project type categories: Recreational Waterway Markers, Recreational Boating Access, Derelict Vessel Removal, and Other Boating-related Projects.

### **1.3 Florida Boating Improvement Program (FBIP) – Tier II**

FBIP – Tier II is established in accordance with section 327.47, F.S., to fund projects through a competitive grant program for the construction and maintenance of publicly owned boat ramps, piers and docks, boater education and economic development initiatives that promote boating in the state. In addition, FBIP – Tier II includes a competitive grants program for public launching facilities established in accordance with section 328.72(15), F.S.

FBIP – Tier II is divided into four project type categories: Boat Ramps, Piers, and Docks; Public Launching Facilities; Boater Education; and Economic Development Initiatives.

## SECTION II – DEFINITIONS

The following definitions are provided for further explanation of terms stated herein and shall have the meanings indicated which are applicable to both the singular and plural thereof:

**ACCESS ROAD:** Roadway to provide motor vehicle access to a boat ramp or other public launching facility. Does not include a public thoroughfare or through street.

**AGREEMENT:** Written document under which the Recipient and Commission mutually agree to carry out respective responsibilities for a fixed period, unless amended by mutual consent.

**AGREEMENT PERIOD:** Number of days or the dates stated in the Agreement to complete the Project.

**APPLICANT:** Eligible participant that submits an Application for Program Funds to the Commission during an announced Application Submission Period.

**APPLICATION:** A formal request for Program funds by an Applicant on the form approved by the Commission and with required documentation.

**APPLICATION SUBMISSION PERIOD:** The formally announced period of time provided by the Commission for the submission of Applications by eligible participants for Program Funds.

**BOARDING DOCKS:** A fixed, floating, or adjustable structure extending parallel to the launch ramp and designed to permit mooring of a watercraft in such a way as to facilitate boarding or exiting the craft.

**BOAT RAMP:** A graded and surfaced slope consisting of one or more launching lanes constructed of concrete, timber, or asphalt, which is extending from the shoreline into the body of water and partially above and below the water surface. It is designed to accommodate launching or retrieving a boat from or to a trailer.

**COMMISSION:** Florida Fish and Wildlife Conservation Commission.

**DOCKS (PIERS):** A fixed or floating structure, including access walkways, terminal platforms, catwalks, mooring pilings, lifts, davits, and other associated water-dependent structures used for mooring and accessing vessels.

**MARINA:** Licensed commercial facility which provides secured public moorings or dry storage for vessels on a leased basis.

**PROGRAM ADMINISTRATOR:** The Commission's staff member designated by the Director, Division of Law Enforcement, to manage the Florida Boating Improvement Program.

**PROGRAM FUNDS:** Funds appropriated for the Florida Boating Improvement Program as specified in Sections 206.606 and 370.0603, Florida Statutes.

**PROJECT:** Component(s) designed to provide additional or enhanced boating access that meet criteria.

**PROJECT COMPLETION CERTIFICATION:** Form completed by the Recipient certifying that the Project is completed in accordance with the Agreement.

**PUBLIC LAUNCHING FACILITY:** A boat ramp, lift, hoist, marine railway or similar facility for launching and retrieving vessels from the water; includes associated amenities like boarding docks and boat trailer parking.

**RECIPIENT:** The Applicant that has been awarded Program funds and party responsible for completing the project and the operation and maintenance of the site.

**RECREATIONAL CHANNEL MARKING:** Labor and materials to provide and install any device external to a vessel intended to assist a mariner to determine position or safe course, warn of dangers or obstructions to navigation, or to alert the mariner of various regulatory matters.

**RURAL AREA OF CRITICAL ECONOMIC CONCERN:** A region composed of rural communities adversely affected by extraordinary economic events, meet the criteria stipulated in Section 288.0656, Florida Statutes, and designated as established by Executive Order.

## **SECTION III – ELIGIBILITY**

### **3.1 Eligible Participants for Tier I**

Eligible participants for Tier I shall include county governments and municipalities of the State of Florida. Municipalities in the counties that meet criteria stipulated for priority consideration in Tier I shall also be given priority consideration.

Counties must submit an annual detailed accounting report of vessel registration revenues to the Fish and Wildlife Conservation Commission as required in Section 328.72(15), Florida Statutes, to be eligible for priority consideration in Tier I.

### **3.2 Eligible Participants for Tier II**

Eligible participants for Tier II shall include county governments, municipalities, and other governmental entities of the State of Florida.

## **SECTION IV – FUNDING**

### **4.1 Source of Funds**

FBIP – Tier I projects are funded pursuant to ss. 206.606(1)(b)1., F.S., from a portion of the funds collected from fuel sales tax that is transferred to the State Game Trust Fund.

FBIP – Tier II projects are funded pursuant to section 206.606(1)(d), F.S., from a portion of the moneys attributable to the sale of motor and diesel fuel at marinas transferred to the Marine Resources Conservation Trust Fund in the Fish and Wildlife Conservation Commission.

FBIP – Tier II public launching facility grants are funded from a portion of vessel registration fees transferred to the Marine Resources Conservation Trust Fund in the Fish and Wildlife Conservation Commission pursuant to section 328.72(15), F.S.

The Commission reserves the right to use Federal funds through the Sport Fish Restoration Act in order to make best use of available resources.

#### **4.2 Eligible Uses of Tier I Funds**

Only those funds necessary for the planning, design, engineering, permitting, development, new construction, expansion or rehabilitation of projects statewide on coastal and inland waters that enhance recreational boating for motorized vessels through projects that include:

Recreational channel marking and other uniform waterway markers:

- Costs associated with the installation, repair, or replacement of signs or buoys marking an FWC permitted boating restricted zone.
- Costs associated with the installation, repair, or replacement of permitted signs or buoys marking a channel to/from a recreational boating access facility.
- Costs associated with the installation, repair, or replacement of permitted signs or buoys which provide information to recreational boaters (other than aids to navigation).

Public boat ramps, lifts, hoists, marine railways, and other public launching facilities:

- Costs associated with the design, engineering, and permitting, for the construction, repair, or enhancement of a public launching facility and associated amenities for recreational boaters. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.
- Costs associated with the permitted construction, repair, or enhancement of a public launching facility and associated amenities for recreational boaters. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.
- Permits are required prior to award of funding for construction projects.

Derelict vessel removal:

- Costs for the removal and disposal of derelict vessels as defined in section 823.11, Florida Statutes. A sworn law enforcement officer must determine a vessel meets the definition in statute and this determination must be verified by the Commission in the

Florida Fish and Wildlife Conservation Commission's Statewide At-Risk and Derelict Vessel Database to be eligible for removal.

- Only vessels that are located on the public waters of the state may be removed with grant funds.

Other local boating-related activities:

- Costs associated with non-construction projects that increase or enhance boating access for recreational boaters including, but not limited to, research, studies, or planning to determine the need for additional boating access or improvements.
- Costs associated with projects that improve boater safety, boater education, or boater understanding of waterway regulations.
- Costs associated with construction projects (excluding boat ramps, lifts, hoists, marine railways, piers, docks, or other public launching facilities) that increase or enhance boating access for recreational boaters.

#### **4.3 Eligible Uses of Tier II Funds**

Only those funds necessary for the planning, design, engineering, permitting, development, new construction, expansion or rehabilitation of projects statewide on coastal and/or inland waters that enhance boating access for motorized vessels through projects that include:

Publicly owned boat ramps, piers and docks:

- Costs associated with the design, engineering, and permitting, for the construction, repair, or enhancement of a publicly owned boat ramp and associated amenities. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.
- Costs associated with the design, engineering, and permitting, for the construction, repair, or enhancement of a publicly-owned marina, mooring field, dry storage facility and associated amenities. Eligible amenities include utilities hook-ups, restrooms, access roads, and educational kiosks.
- Costs associated with the permitted construction, repair, or enhancement of a publicly owned boat ramp and associated amenities. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.
- Costs associated with the permitted construction, repair, or enhancement of a publicly-owned marina, mooring field, dry storage facility and associated amenities. Eligible amenities include utilities hook-ups, restrooms, access roads, and educational kiosks.

Public launching facilities:

- Costs associated with the design, engineering, and permitting, for the construction, repair, or enhancement of a public launching facility and associated amenities. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.

- Costs associated with the permitted construction, repair, or enhancement of a public launching facility and associated amenities. Eligible amenities include boarding docks, staging areas, restrooms, trailer parking, access roads, and educational kiosks.

Boater education:

- Costs associated with projects that will increase public knowledge of boating issues through brochures, pamphlets, books, boaters guides, educational programs, or displays.

Economic development initiatives that promote boating in the state:

- Costs associated with the design, engineering, permitting, or permitted construction to build, repair, or enhance publicly-owned boating access facilities used exclusively or primarily for commercial activities.
- Costs associated with the design, engineering, permitting, or permitted construction to build, repair, or enhance publicly-owned mooring facilities that provide public access to retail and commercial establishments.
- Costs associated with research, studies, planning, programs, or other projects that promote boating.

#### **4.4 Ineligible Uses of Program Funds**

Program Funds for both Tier-I and Tier-II will not be awarded for projects that do not directly relate to the enhancement of boating or boating access within the state. Costs listed below are **not** eligible for reimbursement under this Program:

- Costs for the construction or repair of any facilities not directly related to boating access (such as park benches, gazebos, trails, fishing piers, picnic areas, general parking for picnic areas, restrooms and walkways for picnic areas, etc.)
- Costs for the construction or repair of any boating access facilities not open to the general public on a first come, first served basis with no qualifying requirements such as club membership or stock ownership or equity interest.
- Costs associated with preparation of grant application(s). This includes overhead, payroll, salaries or accounting costs.
- Costs related to the acquisition of real property.
- Costs for any legal fees.
- Costs associated with ordinary operation, or routine maintenance of the proposed project. This includes costs to provide power, water or sewer or any other utilities or services to the facility for the stipulated length of the 20-year Agreement.
- Costs expended for any type or form of security activities, watchmen, fee collection, maintenance or other personnel costs.



- Costs associated with the acquisition or use of any type of equipment such as park equipment, vehicles, lawn care, dredge, computers, projectors, or other capital equipment used for operation and maintenance of the existing or completed project.
- Costs associated or directly related to a component of a project that would create or increase a boating safety hazard.
- Costs for any type of general business, marketing or promotional plans.

#### 4.5 Cost Share

Applicants must agree to provide a share of the total project cost. The applicant's cost share may be in the form of in-kind services or cash expenditures.

In-kind services include:

- The cost of administration/contract management, project management, labor, materials, and equipment provided through in-house resources of the Applicant.
- In-kind project administration may not be more than 5% of the total project cost and in-kind project management may not be more than 10% of the total project cost.

Cash expenditures may be in the form of the following:

- Services paid for by the Applicant for master plan or other engineering and/or consultant services.
- Construction expenditures paid for by the Applicant.
- Other expenditures paid by the Applicant directly related to the grant-funded project and not listed as ineligible costs. **Cash expenditures for items listed as ineligible uses of program funds in Section 4.4 may not be used as the Applicant's cost share.**

Applicants are encouraged to seek cash funds from other sources including state or local grants to help leverage the maximum amount of grant funds available. However, Applicants can use the county-retained portion of vessel registration fees for recreational channel markers, derelict vessel removal, and public launching facility projects only.

Applications for projects that are located within a current Rural Area of Critical Economic Concern, as established by Executive Order, will be given additional consideration by automatically being assigned the maximum points for cost share in the Evaluation Criteria (Attachment I).

#### 4.6 Advanced Funds

**The Commission will not approve a request for any advance in Program Funds.** The Recipient must have the financial capability to process invoices and make timely payments

to contractors, vendors, etc. pending receipt of Program funds for reimbursement of project expenses.

**4.7 Pre-Award Costs**

Costs for surveys, environmental reviews, working drawings, construction plans and specifications, engineering, design, or permitting required to begin a project are allowable as pre-award costs or pre-award cost share, **only** if the application clearly identifies the costs as occurring prior to the application being submitted, and a detailed explanation is provided as to why the costs were necessary prior to the application being submitted.

**4.8 Phased Projects**

Applications for large projects may be submitted in phases, over several years, to maximize funding; however, funding for an initial phase does not guarantee funding for subsequent phases.

**4.9 Appropriation**

The Commission’s performance and obligation to award program grants is contingent upon an annual appropriation by the Florida Legislature.

**4.10 Distribution of Funds**

Pursuant to Legislative appropriation, each fiscal year, funds from each source will be distributed equally between project type categories as shown in the table below:

	<b>Funding Source:</b>		
	State Game Trust Fund – Fuel Tax Funds	Marine Resource Conservation Trust Fund – Marina Fuel Tax Funds	Marine Resource Conservation Trust Fund – Vessel Registration Fee
Recreational Waterway Marking	25% of appropriation		
Recreational Boating Access	25% of appropriation		
Derelict Vessel Removal	25% of appropriation		
Other Boating-related Projects	25% of appropriation		
Boat Ramps, Piers and Docks		50% of appropriation	
Public Launching Facilities			100% of appropriation
Boater Education		25% of appropriation	
Economic Development Initiatives		25% of appropriation	

After ranking and awarding projects in each project type category, any remaining funds in each project type category will be reallocated equally among other project types within the same funding source.

The Commission will make every effort to maximize funding through possible redistribution within project type categories of unexpended funds, use of additional funding sources, and advising Applicants on methods to submit large projects in phases to maximize possible funding.

## SECTION V- APPLICATION PROCESS

### 5.1 Submission Period

The Commission will announce the application submission period in the “Florida Administrative Weekly” before February 1 of each year. Applications must be submitted within 60 days after the announcement date or by the deadline in the announcement, whichever is later. The application submission period will also be announced on the Web at <http://MyFWC.com>. The Commission will also notify eligible participants who have contacted the Commission. The Commission may announce additional application submission periods if funds become available after the initial submission period. Applications submitted after the submission period deadline will be returned to the applicant.

### 5.2 Submission Address

Applicants must deliver applications on or before the last day of the announced submission period(s), no later than the close of business to the following address:

Florida Fish and Wildlife Conservation Commission  
Division of Law Enforcement  
Boating and Waterways Section  
620 South Meridian Street, Room 235  
Tallahassee, Florida 32399-1600.

### 5.3 Application Form and Instructions

Applicants must submit applications on the FBIP Application Forms (FWC/FBIP-A through FWC/FBIP-E) incorporated herein by reference. The FBIP Application Forms and Instructions may be obtained from the Commission’s Web site, <http://MyFWC.com/boating/boating-grant-programs/fbip/>.

Instructions will include how to complete the application and the correct format for submission. The Applicant shall submit a hard (paper) copy, **as well as an electronic version**. The correct number of copies, as indicated on the Application Form and Instructions, **must** be submitted or the Application will be considered incomplete.

For an application to be considered complete, the application form must contain all requested information, be signed by the authorized individual, and include **all required** attachments.

#### **5.4 Cover Letter**

A cover letter must accompany the original application(s), addressed to the Program Administrator, requesting consideration of the project(s), identifying the priority of multiple projects, and any other pertinent information.

#### **5.5 Authorization to Apply**

Applications must include documentation authorizing the Project Manager to apply for and administer the grant on behalf of the applicant. Acceptable documentation includes, but is not limited to, adopted resolutions by the Governing Body, ordinances, charters, by-laws, and adopted rules or policies. Approved motions, or consent agenda items, will not be accepted.

#### **5.6 Checklist (Attachments)**

An Application Submission Checklist is included as part of the Application and Instructions (Attachment II) to assist the Applicant with submission of all required documentation and attachments.

#### **5.7 Application Acceptance**

Upon closing of the application submission period, Commission staff will assign a Grant Application Number and outline the review process in an acceptance letter back to each Applicant. Grantees will use this Grant Number for all future correspondence regarding that Application and/or Project.

#### **5.8 Incomplete Applications**

Applications will be reviewed for completeness and compliance to the program guidelines and all applicable statutes and rules. The applicant will be notified if any portion of the application is incomplete or considered to be in noncompliance with program guidelines. Applicants will be given 30 days from the date of the notification to provide the necessary information or documentation. Failure to provide the requested information or documentation within this time period will result in the application not being considered for funding.

#### **5.9 Resubmissions**

If an application is not awarded funding for a given fiscal year, applicants must reapply by submitting a new grant application during a future submission period. The Commission will not retain applications for reconsideration.

If an application is awarded funding, but the applicant declines the award, the applicant must reapply during a future submission period.

### **5.10 Evaluation Criteria**

An eligible Application will be evaluated according to the Evaluation Criteria, incorporated herein as Attachment I, for each project type category. The maximum score for each factor and element is indicated in parenthesis ( ). An Evaluation Committee will assign a total point score for each Application.

### **5.11 Evaluation Committee**

Applications will be reviewed and scored by Evaluation Committees comprised of the FBIP Program Administrator and no more than six (6) evaluators, appointed by the Director of the Division of Law Enforcement. Each evaluator will review and assign a score to each application based on the Evaluation Criteria found in Attachment I. The final score for each application will be the average of the individual evaluator's scores. The FBIP Program Administrator will serve as chair of the Committee, but will not assign a score to the applications.

### **5.12 Minimum Score**

An application must receive a minimum of 65 percent of the total points available through the qualitative evaluation and the technical evaluation to be eligible for funding. The minimum score required for qualification for each tier is listed below:

Tier I = 65 points minimum

Tier II = 65 points minimum

Bonus points will be awarded based on priority consideration established in s. 206.606 and 328.72, Florida Statutes. If applicable, bonus points will be added to the score for the qualitative evaluation and the technical evaluation to determine an applicant's final score.

### **5.13 Grant Awards**

Complete Applications that meet the minimum required score for each Tier will be ranked on a list by project type category in descending order according to total assigned points. Grants will be awarded to the higher ranking Applications in each project type category until all funds have been awarded.

## **SECTION VI- AGREEMENT**

### **6.1 Grant Agreement**

Upon approval of a project for funding, the Recipient and the Commission shall enter into a Grant Agreement. This Grant Agreement will describe the responsibilities of both parties, terms and conditions particular to each project, and incorporate applicable statutes, rules,

and policies. Unless otherwise specified herein or in the Agreement, a project may not commence until the Grant Agreement is fully executed by all parties.

If it is necessary that the project begin before the Agreement is executed, the Recipient must submit a request in writing that includes a detailed justification explaining why it was necessary. If approved, the Commission will include a provision in the Agreement authorizing pre-agreement costs. Costs for any portion of a project initiated or completed prior to the execution of the Agreement, **will not** be reimbursed unless specifically requested by the Recipient and approved by the Commission. Pre-agreement costs for construction activities, including installation of uniform waterway markers, will be approved only to correct or prevent a recognized public safety issue. Pre-agreement costs for derelict vessel removal will be approved only when the vessel is deemed an imminent threat to public safety by the Commission's Division of Law Enforcement. No other pre-agreement costs will be approved, unless approved as pre-award costs by the Evaluation Committee.

## **6.2 Term of Agreement**

The Agreement, unless modified by mutual consent of both parties, shall bind the parties for a period of 20 years or as stipulated in the Agreement.

## **6.3 Execution of Agreement**

Upon receipt of the Agreement from the Commission, the Recipient must sign the Agreement and return it to the Commission **within 90 days**. Failure to execute the Agreement within the 90-day period will render the grant null and void, unless the Recipient requests an extension and provides a detailed justification.

## **6.4 Agreement Funding**

The Agreement will specify if the project will be funded by State of Florida program funds or federal funds administered by the Commission, and all applicable requirements.

# **SECTION VII - COMPLIANCE REQUIREMENTS**

- 7.1** Projects for construction must be fully permitted by all permitting agencies before award of funding for construction. Applicants must provide a copy of all construction permits to the Commission by June 30 following the application period. Construction projects that will not have all required permits before this date may be awarded funding for planning, design, engineering and permitting costs only.
- 7.2** The project must comply with all local, state, and federal regulations, including the Manatee Protection Plan, if applicable.
- 7.3** Failure to complete the project and make final payment request to the Commission within the stipulated period will result in project termination and possible loss of Program funds.

- 7.4 The Recipient shall inform the Commission staff of any changes or time delays incurred with the project, and provide at least 60 days notice prior to the termination date or the Phase I due date, whichever is earlier, if delays require an amendment to the Agreement.
- 7.5 The Recipient must agree to provide, for the period of the Agreement, any and all costs for ordinary and routine operations and maintenance of the facilities that were funded in whole or in part through this Program, including equipment or service, and supplies costs.
- 7.6 The Recipient must agree to comply with all local and state laws related to procurement for any labor, equipment, materials, facilities, construction and other services related to the project funded.
- 7.7 The Commission reserves the right to review and approve any and all fees proposed for grant project sites, funded in whole or in part by this Program, for the term of the Agreement to ensure that excess collection does not occur and that funds collected are not reallocated or diverted to any non-boating access related purpose.
- 7.8 The Recipient shall ensure, to the maximum extent possible, that facilities or programs funded, in whole or in part by Program funds, are made available to the general public without regard to race, creed, color, national origin, age, sex, or disability.
- 7.9 Public information produced with assistance from this Program shall not be copyrighted and shall be provided free of cost, except for the cost of reproduction, to the public.
- 7.10 Work shall begin or project initiated within 90 days of execution of the Agreement, unless delay is of no fault of the Recipient, or the Agreement shall be cancelled.
- 7.11 The Recipient shall make every effort to avoid cost overruns on a project. If the total cost of the project exceeds the grant amount and match, the Recipient shall assume liability for any additional cost.
- 7.12 The Recipient, at its expense, shall purchase, erect and maintain a permanent sign, not less than three (3) feet by four (4) feet in size, displaying the Commission's official logo for launching projects, or shall attach a permanent plaque for marine projects, or use some other manner of acknowledgement for non-construction projects, approved by the Commission, identifying the Florida Boating Improvement Program as a funding source for the Project.
- 7.13 Land owned by the Recipient that is developed with funds from this Program shall be dedicated for a minimum of twenty (20) years as a site for the use and benefit of the public. The dedication shall be recorded in public property records by the Recipient. Land under control other than by ownership by the Recipient (i.e. lease, management agreement, cooperative agreement, inter-local agreement or other similar instrument) and developed with funds from this Program shall be managed by the Recipient for a minimum period of twenty (20) years from the completion date of the Project.

- 7.14** The Recipient shall forward one copy of any bid package to the Commission's Program Administrator for review prior to soliciting for quotations or commencing any work.
- 7.15** A Grant Agreement will be terminated and Program Funds returned to the Commission for non-compliance with any of the terms of the Agreement, the rule, or these guidelines, unless the non-compliance is rectified by the Recipient.
- 7.16** A Grant Recipient receiving federal funds shall agree and certify that neither it, nor its principals, is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency; and, that the Grant Recipient shall not knowingly enter into any lower tier contract, or other covered transaction, with a person who is similarly debarred or suspended from participating in this covered transaction, unless authorized in writing to the Commission by the federal agency issuing the grant award.
- 7.17** A Grant Recipient receiving federal funds shall certify that no Federal appropriated funds have been paid or will be paid, on or after December 22, 1989, by or on behalf of the Grant Recipient, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding, renewal, amending or modifying of any Federal contract, grant, or cooperative agreement. If any non-Federal funds are used for lobbying activities as described above in connection with the Grant Award, the Grant Recipient shall submit Standard Form-LLL, "Disclosure Form to Report Lobbying", and shall file quarterly updates of any material changes. The Grant Recipient shall require the language of this certification to be included in all subcontracts, and all subcontractors shall certify and disclose accordingly.
- 7.18** Pursuant to the Lobbying Disclosure Act of 1995, the Grant Recipient agrees to refrain from entering into any subcontracts under this Grant Award with any organization described in Section 501(c)(4) of the Internal Revenue Code of 1986, unless such organization warrants that it does not, and will not, engage in lobbying activities prohibited by the Act as a special condition of the subcontract.
- 7.19** Contingency fees are prohibited. Applicants must agree that they have not, or will not, pay or agree to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the applicant any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award of a grant from this Program.
- 7.20** A Grant Recipient shall enroll in and use the U.S. Department of Homeland Security's E-Verify Employment Eligibility Verification System (<http://www.uscis.gov/portal/site/uscis>) to verify the employment eligibility of all new employees hired by the recipient during the term of the grant agreement. Additionally the grant recipient, in any subcontracts for the performance of work or services pursuant to the grant's scope of work, shall include the requirement that the subcontractor use the E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.



**7.21** The Commission recommends grant recipients comply with the States Organization for Boating Access (SOBA) Design Handbook For Recreational Boating & Fishing Facilities when designing or building boating access facilities. A copy of the Design Handbook may be ordered from the SOBA Web site at <http://sobaus.org>.

**Evaluation Criteria for Grant Applications for Recreational Channel Marking**

**Part A: Qualitative Evaluation**

	<u>Points</u>
1. Project corrects or prevents a navigation problem	<u>0 – 10</u>
2. Project promotes boating safety or boater understanding of waterway regulations	<u>0 – 10</u>
3. Project marks a new or previously unmarked boating restricted zone, or replaces markers that were posted over five years prior to application	<u>0 – 10</u>
4. Project will enhance or improve boating or boating access and provides a benefit to boaters	<u>0 – 10</u>
5. Project provides for a documented need	<u>0 – 10</u>
6. Project has clearly defined scope of work including goals, approach, tasks, and deliverables	<u>0 – 10</u>
7. Project is cost efficient and provides high value	<u>0 – 10</u>
Total possible points =	70

**Part B: Technical Evaluation**

	<u>Points</u>
1. Total project cost (grant request plus matching funds) is ...	
a. Less than or equal to \$200,000	<u>10</u>
b. Greater than \$200,000 and less than or equal to \$400,000	<u>5</u>
c. Greater than \$400,000	<u>0</u>
Total possible points =	10

2. Cost Share (Cash plus non-cash)	
a. Applicant’s share is equal to or greater than 50% of total project cost	<u>10</u>
b. Applicant’s share is at least 25% but less than 50% of total project cost.	<u>5</u>
c. Applicant’s share is less than 25% of total project cost.	<u>0</u>
Total possible points =	10

3. Application preparation	
a. Complete application with all necessary attachments submitted by due date	<u>5</u>
a. Budget is complete and accurate and matches a cost estimate provided in the form of a formal bid, written quote from a proposed vendor, or an engineer’s cost estimate.	<u>5</u>
Total possible points =	10

**Part C: Bonus Points**

Five bonus points will be awarded to Projects located in a county with a population of 100,000 or less and/or Projects located in a coastal county with a high level of boating-related activities from individuals residing in other counties.

**Part D: Tie-Breaker System**

If two or more Applications receive the same score as a result of the above scoring process, the following tie-breaker system will be used in the order listed to decide the priority ranking:

1. The Application submitted is for a project located in a county having a population of 100,000 or less, or a coastal county with a high level of boating related activities from individuals residing in other counties.
2. The Applicant having received the lowest amount of program funds during the previous three fiscal years receives the higher priority.
3. Applications submitted by counties, or municipalities within counties, with the highest number of registered vessels for the year prior to the grant period.

**Evaluation Criteria for Grant Applications for Boating Access Facilities**

**Part A: Qualitative Evaluation**

	<u>Points</u>
1. Project will increase boating access through additional launch lanes, additional parking, or additional tie-ups/moorings	<u>0 – 10</u>
2. Project site provides access to significant boating opportunities (ie. access to fresh water and salt water, access to a chain of lakes, new public access to a water body)	<u>0 – 10</u>
3. Project site provides adequate parking and amenities such as restrooms, boarding docks, staging areas, utilities hook ups, and educational kiosks	<u>0 – 10</u>
4. Project will enhance or improve boating or boating access and provides a benefit to boaters	<u>0 – 10</u>
5. Project provides for a documented need	<u>0 – 10</u>
6. Project has clearly defined scope of work including goals, approach, tasks, and deliverables	<u>0 – 10</u>
7. Project is cost efficient and provides high value	<u>0 – 10</u>
Total possible points =	70

**Part B: Technical Evaluation**

	<u>Points</u>
1. Total project cost (grant request plus matching funds) is ...	
a. Less than or equal to \$200,000	<u>10</u>
b. Greater than \$200,000 and less than or equal to \$400,000	<u>5</u>
c. Greater than \$400,000	<u>0</u>
Total possible points =	10
2. Cost Share (Cash plus non-cash)	
a. Applicant’s share is equal to or greater than 50% of total project cost	<u>10</u>
b. Applicant’s share is at least 25% but less than 50% of total project cost.	<u>5</u>
c. Applicant’s share is less than 25% of total project cost.	<u>0</u>
Total possible points =	10
3. Application preparation	
a. Complete application with all necessary attachments submitted by due date	<u>5</u>
b. Budget is complete and accurate and matches a cost estimate provided in the form of a formal bid, written quote from a proposed vendor, or an engineer’s cost estimate.	<u>5</u>
Total possible points =	10

**Part C: Bonus Points**

1. For Tier I Public Launching Facilities only, five bonus points will be awarded to Projects located in a county with a population of 100,000 or less and/or Projects located in a coastal

county with a high level of boating-related activities from individuals residing in other counties.

2. For Tier II Public Launching Facilities only, five bonus points will be awarded to Projects located in a county with 35,000 or more registered vessels.

#### **Part D: Tie-Breaker System**

If two or more Applications receive the same score as a result of the above scoring process, the following tie-breaker system will be used in the order listed to decide the priority ranking:

1. The Application submitted is for a project located in a county having a population of 100,000 or less, or a coastal county with a high level of boating related activities from individuals residing in other counties.
2. The Applicant having received the lowest amount of program funds during the previous three fiscal years receives the higher priority.
3. Applications submitted by counties, or municipalities within counties, with the highest number of registered vessels for the year prior to the grant period.

**Evaluation Criteria for Grant Applications for Derelict Vessel Removal**

**Part A: Qualitative Evaluation**

	<u>Points</u>
1. Project will improve recreational boating access by removing derelict vessels that pose a threat to navigation	<u>0 – 10</u>
2. A reasonable attempt been made to identify vessel owners and to have the owners remove their vessels	<u>0 – 10</u>
3. Project provides for derelict vessels to be used in the construction of permitted artificial reef sites or recycled as scrap metal	<u>0 – 10</u>
4. Project will enhance or improve boating or boating access and provides a benefit to boaters	<u>0 – 10</u>
5. Project provides for a documented need	<u>0 – 10</u>
6. Project has clearly defined scope of work including goals, approach, tasks, and deliverables	<u>0 – 10</u>
7. Project is cost efficient and provides high value	<u>0 – 10</u>
Total possible points =	70

**Part B: Technical Evaluation**

	<u>Points</u>
1. Total project cost (grant request plus matching funds) is ...	
a. Less than or equal to \$200,000	<u>10</u>
b. Greater than \$200,000 and less than or equal to \$400,000	<u>5</u>
c. Greater than \$400,000	<u>0</u>
Total possible points =	10
2. Cost Share (Cash plus non-cash)	
a. Applicant’s share is equal to or greater than 50% of total project cost	<u>10</u>
b. Applicant’s share is at least 25% but less than 50% of total project cost.	<u>5</u>
c. Applicant’s share is less than 25% of total project cost.	<u>0</u>
Total possible points =	10
3. Application preparation	
a. Complete application with all necessary attachments submitted by due date	<u>5</u>
b. Budget is complete and accurate and matches a cost estimate provided in the form of a formal bid, written quote from a proposed vendor, or an engineer’s cost estimate.	<u>5</u>
Total possible points =	10

**Part C: Bonus Points**

Five bonus points will be awarded to Projects located in a county with a population of 100,000 or less and/or Projects located in a coastal county with a high level of boating-related activities from individuals residing in other counties.

**Part D: Tie-Breaker System**

If two or more Applications receive the same score as a result of the above scoring process, the following tie-breaker system will be used in the order listed to decide the priority ranking:

1. The Application submitted is for a project located in a county having a population of 100,000 or less, or a coastal county with a high level of boating related activities from individuals residing in other counties.
2. The Applicant having received the lowest amount of program funds during the previous three fiscal years receives the higher priority.
3. Applications submitted by counties, or municipalities within counties, with the highest number of registered vessels for the year prior to the grant period.

**Evaluation Criteria for Grant Applications for Boater Education**

**Part A: Qualitative Evaluation**

	<u>Points</u>
1. Project will increase public knowledge of boating issues or boater understanding of waterway regulations	<u>0 – 10</u>
2. Project is aimed at an appropriate target audience using an appropriate delivery method	<u>0 – 10</u>
3. Project uses innovative or creative techniques or creates a pilot project which may be used statewide	<u>0 – 10</u>
4. Project will enhance or improve boating or boating access and provides a benefit to boaters	<u>0 – 10</u>
5. Project provides for a documented need	<u>0 – 10</u>
6. Project has clearly defined scope of work including goals, approach, tasks, and deliverables	<u>0 – 10</u>
7. Project is cost efficient and provides high value	<u>0 – 10</u>
Total possible points =	70

**Part B: Technical Evaluation**

	<u>Points</u>
1. Total project cost (grant request plus matching funds) is ...	
a. Less than or equal to \$200,000	<u>10</u>
b. Greater than \$200,000 and less than or equal to \$400,000	<u>5</u>
c. Greater than \$400,000	<u>0</u>
Total possible points =	10
2. Cost Share (Cash plus non-cash)	
a. Applicant’s share is equal to or greater than 50% of total project cost	<u>10</u>
b. Applicant’s share is at least 25% but less than 50% of total project cost.	<u>5</u>
c. Applicant’s share is less than 25% of total project cost.	<u>0</u>
Total possible points =	10
3. Application preparation	
a. Complete application with all necessary attachments submitted by due date	<u>5</u>
b. Budget is complete and accurate and matches a cost estimate provided in the form of a formal bid, written quote from a proposed vendor, or an engineer’s cost estimate.	<u>5</u>
Total possible points =	10



### **Tie-Breaker System**

If two or more Applications receive the same score as a result of the above scoring process, the following tie-breaker system will be used in the order listed to decide the priority ranking:

1. The Applicant having received the lowest amount of program funds during the previous three fiscal years receives the highest priority.
2. The application submitted is for a project located within a Rural Area of Critical Economic Concern as defined in the Policies and Guidelines.
3. Applications submitted by counties, or municipalities within counties, with the highest number of registered vessels for the year prior to the grant period.

**Evaluation Criteria for Grant Applications for Economic Development Initiatives and Other Local Boating-Related Activities**

**Part A: Qualitative Evaluation**

	Points
1. Project increases boating access, improves boater safety, boater education or boater understanding of waterway regulations	0 – 10
2. Project provides economic benefits and promotes boating	0 – 10
3. Project use innovative or creative techniques to increase boating access or enhance recreational boating	0 – 10
4. Project will enhance or improve boating or boating access and provides a benefit to boaters	0 – 10
5. Project provides for a documented need	0 – 10
6. Project has clearly defined scope of work including goals, approach, tasks, and deliverables	0 – 10
7. Project is cost efficient and provides high value	0 – 10
Total possible points =	70

**Part B: Technical Evaluation**

	Points
1. Total project cost (grant request plus matching funds) is ...	
a. Less than or equal to \$200,000	10
b. Greater than \$200,000 and less than or equal to \$400,000	5
c. Greater than \$400,000	0
Total possible points =	10
2. Cost Share (Cash plus non-cash)	
a. Applicant’s share is equal to or greater than 50% of total project cost	10
b. Applicant’s share is at least 25% but less than 50% of total project cost.	5
c. Applicant’s share is less than 25% of total project cost.	0
Total possible points =	10
3. Application preparation	
a. Complete application with all necessary attachments submitted by due date	5
b. Budget is complete and accurate and matches a cost estimate provided in the form of a formal bid, written quote from a proposed vendor, or an engineer’s cost estimate.	5
Total possible points =	10

**Part C: Bonus Points**

1. For Tier I Other Local Boating-Related Activities only, five bonus points will be awarded to Projects located in a county with a population of 100,000 or less and/or Projects located in a coastal county with a high level of boating-related activities from individuals residing in other counties.
2. For Tier II Economic Development Initiatives only, five bonus points will be awarded to Projects located in a Rural Area of Critical Economic Concern as designated by a Governor's executive order.

**Part D: Tie-Breaker System**

If two or more Applications receive the same score as a result of the above scoring process, the following tie-breaker system will be used in the order listed to decide the priority ranking:

1. The Application submitted is for a project located in a county having a population of 100,000 or less, or a coastal county with a high level of boating related activities from individuals residing in other counties.
2. The Applicant having received the lowest amount of program funds during the previous three fiscal years receives the higher priority.
3. Applications submitted by counties, or municipalities within counties, with the highest number of registered vessels for the year prior to the grant period.