

RECREATIONAL TRAILS PROGRAM ROLES AND RESPONSIBILITIES

The following roles and responsibilities are outlined for the Recreational Trails Program (RTP) in New York State. The Recreational Trails Program is a Federal assistance program of the US Department of Transportation, Federal Highway Administration (FHWA), administered in New York State by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). There is a Programmatic Agreement for the Recreational Trails Program in New York State amongst the FHWA New York Division, OPRHP, and New York State Department of Transportation (NYSDOT).

In addition to the table below, the procedures for the RTP in New York State are outlined in the *NYS RTP Guide* available on OPRHP's [website](#)¹. Summary of these procedures follows. Please contact NYSDOTGrants@parks.ny.gov if you have any questions.

NYSDOT Regions and Main Office (MO):

- Typical RTP projects, located outside of the Federal-aid highway right-of-way, are *not* subject to NYSDOT's *Local Projects Manual* (LPM), formerly known as the *Procedures for Locally Administered Federal-Aid Projects Manual* (PLAFAP).
- NYSDOT Main Office Project Management Bureau (PMB) staff will assist in listing RTP projects as a group on the Statewide Transportation Improvement Program (STIP). The necessary information will be provided by NYSDOT Main Office Policy and Planning Division staff.
- NYSDOT Regional Real Estate offices will review and facilitate the signature of the Right-of-Way (ROW) Clearance Certificate by the Regional Real Estate Officers for RTP projects. Project information will be provided by NYSDOT Main Office ROW staff.

OPRHP Main Office:

- OPRHP RTP Administrator will send letter requests for phase authorizations to NYSDOT Main Office Local Programs Bureau.
- OPRHP RTP Administrator will send letter requests to FHWA RTP Administrator when any action is required of FHWA (e.g., NEPA concurrence, or any project specific or programmatic action).

Metropolitan Planning Organizations (MPOs):

- MPOs will be provided notice of RTP project solicitations and announcements of awards each year by OPRHP RTP Administrator and NYSDOT Regional Planning and Main Office Project Management Bureau staff.

Project Sponsors:

- Project sponsors will send all project documents to OPRHP Regional Grants Administrators (RGAs) and communicate with OPRHP RGAs regarding all project approvals and changes.

| ACTIVITY | RESPONSIBILITY | PRE-REQUISITE ACTIVITY | COMMENTS |
|---|------------------------------|---|--|
| 1. OPRHP recommends RTP grant awards based on a competitive application process and the RTP Federal Fiscal Year (FFY) apportionment | OPRHP Regions, OPRHP MO | Project Eligibility Review | See NYS RTP Guide and OPRHP website ² for more information about RTP applications |
| 2. OPRHP Albany Office assembles list of projects and provides list to NYSDOT MO Local Programs | OPRHP MO, OPRHP RGA, Sponsor | Assemble all necessary information for STIP | Ensure that information is accurate and complete (e.g. project description) |

¹ <https://parks.ny.gov/grants/recreational-trails/default.aspx>

² <https://parks.ny.gov/grants/>

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|--|--|---|---|
| 3. Add RTP Group Project to STIP (maintained by NYSDOT) | NYSDOT MO Local Programs Bureau, NYSDOT MO Statewide Planning Bureau, Metropolitan Planning Organizations (MPOs) | Notification of grant award from OPRHP | NYSDOT MO Statewide Planning Bureau coordinates with MPOs. |
| 4. Request Federal Authorization for Preliminary Design (PRELDES) and ROW Incidental (ROWINC) Phases | OPRHP MO, NYSDOT PMB, FHWA | Adequate funds on STIP | Refer to 6-digit PIN |
| 5. Prepare New York State Master Contract for Grants (MCG) | OPRHP MO, OPRHP RGA, Sponsor | Project on STIP, Grants Gateway Opportunity created | Contract start date is the date of initial federal authorization |
| 6. FHWA authorizes Preliminary Design and ROW Incidental Phases | FHWA, NYSDOT MO Local Programs Bureau | OPRHP MO Request for Authorization | Project expenses are not eligible for reimbursement until FHWA has authorized the appropriate phase |
| 7. Execute New York State Master Contract for Grants (MCG) | Sponsor, OPRHP MO, OPRHP RGA | Conditions of Award for Contract through Grants Gateway | “Grantee Contract Signatory” in Grants Gateway is the same title listed on Authorizing Resolution |
| 8. MCG to New York State Attorney General’s Office (NYSOAG) and New York State Office of the State Comptroller (NYSOSC) for approval | OPRHP MO, NYSOAG, NYSOSC | Federal Authorization, MCG signed by OPRHP and Sponsor, State budget appropriations available | |
| 9. Sponsor notified work can begin on Preliminary Design and ROW Incidental Phases | OPRHP RGA, OPRHP MO | Federal Authorization, MCG executed | Sponsors proceed before fully-executed MCG <i>at their own risk</i> , expenses cannot be reimbursed until MCG is fully executed |
| 10. Select Consultant for Design or Design/Construction Inspection (CI) (if needed) | Sponsor | Executed MCG needed before Consultant Contract executed | OPRHP RGA approves consultant selection |
| 11. Perform Preliminary Environmental Analyses for SEQRA and NEPA Determinations | Sponsor | Authorization of federal funds | Check to see if federal phase authorization has been granted before performing work |
| 12. Prepare Draft RTP Design Report | Sponsor | | |

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|---|---|--|--|
| 13. Design Criteria Approval (including approval of non-standard design features and design guidance) | OPRHP RGA and MO, Sponsor (Off the National Highway System (NHS)), FHWA (*on NHS) | Data necessary to determine Design Criteria, Justification in Design Report and Recommendation from Professional Engineer | Determine appropriate design guidance and specifications based on project type, Only a Professional Engineer may recommend non-standard/non-conforming design feature approval |
| 14. Prepare Title Abstracts, appraisals and Acquisition Maps (if needed) | Sponsor | | Only if ROW Acquisition required |
| 15. Complete SEQRA Process | Sponsor, OPRHP Environmental Analysts | SEQRA Classification determined and necessary documentation completed | For Municipalities, Sponsor is Lead Agency. For Not-for-profits, OPRHP is Lead Agency |
| 16. NEPA Determination and Concurrence | OPRHP Environmental Analysts, FHWA Concurrence | Necessary investigation and documentation completed, review by OPRHP Environmental Specialist | As necessary, submit Design Report to FHWA for NEPA concurrence |
| 17. Design Report Reviewed by OPRHP for completeness | OPRHP RGA, OPRHP MO | Submission of Design Report to RGA | RTP Admin provides assistance to RGA |
| 18. Prepare Final Design Report | Sponsor | All draft review comments resolved | OPRHP to submit any outstanding documentation to FHWA for NEPA determination. |
| 19. Design Approval including ROW Plan Approval | OPRHP RGA, OPRHP MO, Sponsor | SEQRA and NEPA determinations made, non-standard/non-conforming features approved, Final Design Report prepared, Recommendation from Professional Engineer | A Licensed Architect or Landscape Architect may make recommendation instead of a Professional Engineer based on project type |
| 20. Request Federal Authorization for Detailed Design (DETLDES) and ROW Acquisition Phase (ROWACQ) | NYS DOT MO PMB, OPRHP MO, FHWA | SEQRA and NEPA determinations, Design Approval, ROW Plan Approved, Adequate funds on STIP, Updated Form-ROW-353c | When requesting ROWACQ authorization, Form-ROW-353c needs to be submitted by OPRHP to NYSDOT. Refer to 6-digit PIN |
| 21. FHWA authorizes Detailed Design and ROW Acquisition Phases | FHWA | Request for Authorization | Detailed Design also referred to as Final Design |
| 22. Sponsor notified work can begin on Detailed Design and ROW Acquisition Phases | OPRHP RGA | Federal authorization of funds, MCG executed | Federal Authorization must precede reimbursable activities |
| 23. Prepare and complete right of way or appraisal maps (if needed) | Sponsor | ROW Acquisition Authorization | |
| 24. Make offers to affected property owners and secure title to ROW (if needed) | Sponsor | ROW Acquisition Authorization | |

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| ACTIVITY | RESPONSIBILITY | PRE-REQUISITE ACTIVITY | COMMENTS |
|--|--|--|---|
| 25. Prepare Construction Contract Documents including final plans, specifications and estimate | Sponsor | Design Approval, Federal Authorization for Detailed Design | |
| 26. Acquire necessary permits | Sponsor | Necessary permits identified | |
| 27. Determine/Approve Project EEO Goals and DBE Goal (if applicable) | NYSDOT Civil Rights Office, FHWA Civil Rights Office | Engineer's Estimate and list of contract work items | RTP projects will have 0% DBE Goals, but 49 CFR 26 still applies |
| 28. Approve Exceptions to Competitive Bid Contracts | OPRHP RGA | | |
| 29. Prepare Right of Way Clearance Certificate | Sponsor | ROW Acquisition approval, if needed | A ROW Clearance Certificate is required for all RTP construction projects |
| 30. Approve Right of Way Clearance Certificate | NYSDOT Regional ROW Officer | Documentation submitted to OPRHP | OPRHP MO to submit Design Report with ROW information to NYSDOT MO ROW staff for distribution to RREO for signature |
| 31. Approve Final Plans, Specs and Construction Contract Documents | OPRHP RGA | Design Approval, ROW Clearance, Final Plans, Specs and Construction Contract Documents submitted to OPRHP RGA | |
| 32. Select Consultant for construction inspection (CI), if CI services are not being provided by Design Consultant: Conduct Negotiations and Execute Consultant Contract | Sponsor | Executed MCG needed before Consultant Contract executed | OPRHP RGA approves consultant selection |
| 33. Request Federal Authorization for Construction Phase | OPRHP MO, NYSDOT MO, FHWA | NEPA determination, Design Approval, Adequate funds on STIP for phase and year, approval of construction contract docs and ROW Certificate | OPRHP MO submits letter to NYSDOT referencing NEPA and ROW approval dates, Refer to 6-digit PIN, cc: FHWA |
| 34. FHWA authorizes Construction Phase including Construction Inspection | FHWA | OPRHP MO Request for Authorization | OPRHP MO receives daily Federal Modifications and Agreements |
| 35. Sponsor notified work can begin on Construction Phase including Inspection ("Approval to Advertise") | OPRHP RGA | Federal Obligation of funds, MCG executed | Federal Authorization must precede reimbursable activities |

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| ACTIVITY | RESPONSIBILITY | PRE-REQUISITE ACTIVITY | COMMENTS |
|---|---------------------------------|---|--|
| 36. Advertise for Bids | Sponsor | Federal Authorization for Construction Phase and notification from OPRHP RGA | Federal Authorization must precede advertisement, OPRHP RGA must approve bid documents |
| 37. Conduct Bid Opening | Sponsor | Project Advertisement Authorized | |
| 38. Analyze Bids and Recommend Award | Sponsor | Project Bid Opening | DBE Utilization Review, if goals applied |
| 39. Prepare Award Package | Sponsor | Analyze bids | |
| 40. Request Concurrence for Contract Award | Sponsor, OPRHP RGA | Documentation of bid analysis | OPRHP RGA must approve contract award. |
| 41. Concur with Contract Award Recommendation, Notify Sponsor | OPRHP RGA | Analysis of bids and recommendation to award | Review DBE Utilization/GFE, as needed |
| 42. Award Contract | Sponsor | OPRHP RGA concurrence, as needed | |
| 43. Contract Administration and Construction Inspection | Sponsor | | Bills must be submitted to OPRHP RGA every 6 months |
| 44. Materials Certification and Testing, Quantities Verification, On-Site Inspection | Sponsor | | Project Manager responsible for project oversight and maintaining project records |
| 45. Approve Contract Change Orders | Sponsor, OPRHP RGA | | Change Orders must be approved by OPRHP RGA |
| 46. Sponsor submits invoices to OPRHP RGA for reimbursement every 6 months | Sponsor, OPRHP RGA | Sponsor must register for electronic payment with NYSOSC, Sponsor reimbursed through Statewide Financial System (SFS) | Payment procedures included in Contract Bid Documents and MCG, Workforce Utilization reports submitted with reimbursement requests (if needed) |
| 47. OPRHP Main Office submits regular reimbursement requests to NYSDOT Main Office Accounting | OPRHP MO, NYSDOT MO Accounting | Sponsor has submitted payment documentation to OPRHP RGA. OPRHP RGA has approved and submitted payment. | NYSDOT MO Accounting submits bills to FMIS |
| 48. Final Report and Final Payment | Sponsor, OPRHP RGA | All project work completed, all documentation provided to OPRHP RGA | All final reporting must be completed before final payment |
| 49. Verify Completion, On-Site Inspection | OPRHP RGA | Sponsor notification to OPRHP RGA that all project work is complete | |
| 50. Single Audit/Consultant Audit (if needed) | Sponsor | Construction complete | |
| 51. Final Payment Reimbursement Request, Agreement Close-out | Sponsor, OPRHP MO, NYSOSC, FHWA | Project completed, final payment completed, close-out documentation submitted and accepted | Final determination will be made by OPRHP MO. |

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THROUGHOUT LIFE OF PROJECT

| ACTIVITY | RESPONSIBILITY | PRE-REQUISITE ACTIVITY | COMMENTS |
|---|--|---|--|
| A. Pay all project costs | Sponsor | MCG in effect, authorization of federal funds for the appropriate phase, Receipts for Payment | RTP is a reimbursement program |
| B. Prepare and submit Reimbursement Requests | Sponsor | | Reimbursement requests must be submitted every 6 months |
| C. Process Reimbursement Requests | OPRHP RGA, OPRHP MO, NYSDOT MO Accounting | | Sponsor must provide and maintain appropriate payment documentation. |
| D. Reimburse federal-aid eligible costs | OPRHP RGA, OPRHP MO | | Sponsor reimbursed through Statewide Financial System (SFS) |
| E. Respond to FHWA requests for information on inactive projects | OPRHP MO | | OPRHP MO will respond to quarterly requests for information on inactive projects from NYSDOT MO Accounting |
| F. Provide EEO/DBE participation reports to NYSDOT for all phases as needed | Sponsor | | Workforce Utilization Reports (AAP33LL) submitted monthly to RGA, AGA, then NYSDOT MO Local Programs |
| G. Project Oversight Documentation | Sponsor | | Maintain records for 6 years |

ACRONYMS

- ACQ - Right-of-way Acquisition
- CFR - Code of Federal Regulations
- CI - Construction Inspection
- DBE - Disadvantage Business Enterprise
- DETLDES - Detailed Design Phase or “Final Design” Phase
- EEO - Equal Employment Opportunity
- FFY - Federal Fiscal Year (October 1 – September 30)
- FHWA - Federal Highway Administration
- FMIS - Financial Management Information System

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| | | |
|---------|---|--|
| GFE | - | Good Faith Effort |
| MCG | - | Master Contract for Grants |
| MO | - | Main Office |
| MPO | - | Metropolitan Planning Organization |
| NEPA | - | National Environmental Policy Act |
| NHS | - | National Highway System |
| NYSDOT | - | New York State Department of Transportation |
| NYSOAG | - | New York State Office of the Attorney General |
| NYSOSC | - | New York State Office of the State Comptroller |
| OPRHP | - | New York State Office of Parks, Recreation and Historic Preservation |
| PE | - | Preliminary Engineering |
| PIN | - | Project Identification Number |
| PMB | - | Project Management Bureau |
| PRELDES | - | Preliminary Design Phase |
| RGA | - | Regional Grants Administrator |
| ROW | - | Right of Way |
| ROWACQ | - | Right of Way Acquisition Phase |
| ROWINC | - | Right of Way Incidental Phase |
| RREO | - | Regional Real Estate Officer |
| RTP | - | Recreational Trails Program |
| SEQRA | - | State Environmental Quality Review Act |
| SFS | - | State Financial System |
| SHS | - | State Highway System |
| STIP | - | Statewide Transportation Improvement Program |
| TIP | - | Transportation Improvement Program |