

**KANSAS DEPARTMENT OF WILDLIFE AND PARKS
RECREATIONAL TRAIL PROGRAM NRT2023
LOCAL PROJECT AGREEMENT**

PROJECT SPONSOR: City of Anthony PROJECT #: NRT2023-1
PROJECT NAME: Anthony Lake Trail
PROJECT PERIOD: Date of Last Execution, to September 30, 2026
PROJECT SCOPE: AS DETAILED IN PROJECT APPLICATION AND ATTACHED BUDGET
TOTAL APPROVED PROJECT COST: \$668,937.50
MAXIMUM REIMBURSEMENT TO PROJECT SPONSOR: \$535,150.00

The Kansas Department of Wildlife and Parks (KDWP) and the (Project Sponsor) mutually agree to perform this agreement in accordance with the Fixing America's Surface Transportation Act, Recreational Trails Program, and the following conditions:

1. The trail will be designed, constructed, and maintained to comply with Architectural Barriers Act of 1968 and Section 504, Rehabilitation Act of 1973 and 1978, and the Americans with Disabilities Act (ADA) of 1990.
2. The trail will be constructed and maintained in accordance with all applicable Federal, State, and local laws and regulations, **including but not limited to all provisions of 2 CFR 200 <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>, Federal Highway Form 1273 Required Contract Provisions Federal-Aid Construction Contracts (attached), and Kansas form DA-146 Contractual Provisions Attachment (attached).**
3. The trail project will be completed, maintained, and open to the public as specified in the project application.
4. The Project Sponsor will comply with Section 106 of the National Historic Preservation Act of 1966 as amended.
5. The Project Sponsor will comply with Executive Order 12432, "Minority Business Enterprise Development" in the purchase of materials and/or labor.
6. The Project Sponsor will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's list of Violating Facilities and agrees to comply with the Clean Air Act of 1970.
7. The Project Sponsor will retain and allow the department and the Federal Highway Administration

reasonable access to any books, documents, papers, or other records pertinent to the grant project for a period of ten (10) years of the Project Sponsor's agreement.

- 8. The Project Sponsor certifies it will comply with the Drug-Free Workplace Act of 1988.
- 9. The Project Sponsor certifies it is in compliance with Federal Lobbying Regulations, Section 1352, Title 31, U.S. Code.
- 10. The Project Sponsor will comply with Title VI and the Civil Rights Act of 1964 and regulations promulgated pursuant to the Civil rights Act of 1964.

11. The Project Sponsor certifies it will comply with the Buy America provisions of the Federal Highway Administration's 23 U.S.C. § 313.

12. The Project Sponsor certifies that it will comply with Build America, Buy America Act as required by Section 70914 of the Bipartisan Infrastructure Law.

- a) For project sponsors whose total project amount (including any phasing) is less than \$500,000.00, a waiver now exists.

<https://www.federalregister.gov/documents/2023/08/16/2023-17602/waiver-of-buy-america-requirements-for-de-minimis-costs-and-small-grants> (also attached)

- b) **Please contact KDWP if you think your project fits these criteria.**

13. The Department may terminate this grant at any time if any of the above conditions are not met and cause the Project Sponsor to bring the trail to a point of recreational usefulness at the Project Sponsor's expense.

The KDWP promises, in consideration of the promises made by the Project Sponsor herein, to obligate and pay to the Project Sponsor a sum of money not to exceed **\$535,150.00**. The Project Sponsor promises to execute the project described in accordance with the terms of this agreement as described in the grant application.

By: _____

Linda Lanterman, KDWP

Date: _____

By: _____

Date: _____