

**AGRICULTURAL CONSERVATION ASSISTANCE PROGRAM (ACAP) STATEMENTS OF POLICY
FOR THE WARREN COUNTY CONSERVATION DISTRICT**

2/17/2026

PROGRAM IMPLEMENTATION POLICIES & STANDARDS

(Special recognition to McKean County Conservation District as a major contributor to this Policy Template)

The program implementation of the Agricultural Conservation Assistance Program (ACAP) will follow the policies and guidance outlined in the delegation agreement between the Commonwealth of Pennsylvania through the State Conservation Commission (Commission) and the District. These policies set forth are in conjunction with or in addition to the ACAP Guidelines. Warren County Conservation District (WCCD) has the ability to adjust this document to fit the needs of Warren County.

1. Criteria for Equal Access:

All Warren County eligible participants shall have equal access to the funding provided through the Warren County Agricultural Conservation Assistance program. Decisions for funding applications will be made on the basis of maximizing the reduction of pollution to county streams in a cost-effective manner. No discrimination will be made concerning race, religion, gender, economic status or political standing of citizens affected by the improvements achieved through this program. Submitted project proposals will be judged solely by a published set of criteria approved at a public meeting of the WCCD Board of Directors (BOD). The WCCD will be bound by the policies established by the State Conservation Commission for the administration of this program statewide.

Reasonable efforts shall be made to provide program information, including any application deadlines, in local newspapers, social media, radio, direct mailings and/or various other agency publications.

2. Pre-Application Site Visit:

The Conservation District will meet with potential program participants on site to discuss the potential project before an application is submitted for funding. The purpose of a pre-application meeting is to work jointly with the program participant to ensure that the application they submit is in the best interest of both entities. The pre-application meeting allows the district to provide input on the potential project at an early stage before the program participant has invested a large amount of time and resources in developing an application.

3. Application Process:

- a. All applications for program funding must be received on the "Agricultural Conservation Assistance Program Application". The form must be signed by the program participants. Applications will be taken on an ongoing basis but will be ranked, regularly throughout the year. The applications received will be ranked by the ACAP Quality Assurance Board (ACAP QAB) and approved by the Conservation District Board. The District has the right to extend deadline dates at their discretion.
- b. The conservation district may retain unfunded ACAP applications on file for any allotted timeframes set by the ACAP QAB for future allocations (example: two (2)

years). The applying entity may update or cancel the application at any time. Project participants may also choose to revise existing submitted applications.

- c. The conservation district reserves the right to deny an application due to active compliance and/or enforcement actions, or a court order issued by or on behalf of the Commission or cooperating agency for violations of Act 38 of 2005, the Clean Streams Law or other program administered by the Commission or any other criteria established by the Commission.
- d. Conservation district staff will review applications for administrative completeness and to ensure they comply with established program policies and guidance. The location of the project, description of the project, including BMPs, total cost of the project, the amount and other sources of funding available for the project, relevance of the project to the development, improvement or implementation of the applicant's manure or nutrient management plan, conservation plan or ag erosion and sediment control plan are required as part of the grant application.
- e. Project participant represents and agrees that he/she is the sole owner of the real property on which the project is to be performed, or has secured a sufficient property interest, including any easements or rights-of-ways, necessary to grant access for the completion and maintenance of the project. A "Control of Land" agreement may be required for leased or rented parcels.
- f. District staff will work with program participants to revise the scope of their applications that do not meet program policies. The district may make minor changes to the application and have the applicant show concurrence by initialing and dating the change. In cases where significant changes are needed to the application work plan, the district should work with the program participant to create a new application that represents an acceptable project. Examples of "significant changes" may include: changes in project scope, recommended design changes, considerations for engineering and permitting costs, etc.
- g. Projects funded by ACAP funds in which the estimated cost of the total project (materials, equipment and labor), exceeds prevailing wage limits (currently \$25,000) are subject to provisions of Pennsylvania's Prevailing Wage Act.
- h. Applications district staff deem complete and potentially acceptable to the program should be forwarded to the local ACAP QAB for review and prioritization. The ACAP QAB will review and prioritize applications based on established written criteria and make funding recommendations to the conservation district board.
- i. District Staff and the ACAP QAB have the option to defer valid, unfunded project applications until additional funding is available. The deferred applications will have funding priority over new applications.
- j. There will be biannual application deadlines of June 30th and December 31st. This allows staff to also consider federal funding available to supplement project costs.

- k. The ACAP QAB operates in any capacity set forth by the District Board of Directors (BOD). All applications for funding must be acted on by the conservation district board at a sunshined meeting. All program participants should be notified in writing of the funding decisions of the conservation district board.

4. Project Ranking:

Ranking question priority shall be given to the following criteria:

1. Project Meets the goals of and WIP or County Action Plan
2. If applicable to the ag operation, the applicant has a plan (Con Plan, Ag E&S, MMP, or NMP). Development of such plans shall be included in the application if not yet developed prior to the application.
3. The project implements BMP's included in the plan. Priority given to bmp's that reduce or control N, P, and/or sediment.
4. Ag operations with ACA's shall implement BMPs necessary to abate storm water runoff, loss of sediment, nutrients, and other pollutants from the ACA.
5. Proximity to surface waters, public drinking sources or karst geology with underground drainage systems or open sinkholes.
6. The project must meet the design and construction standards established by the commission.
7. Proper maintenance of previous BMPs funded by the program.
8. A continuation or enhancement of a previously funded project.
9. Any other criteria considered by the conservation district, as applicable, and approved by the Commission

5. Contracting:

- a. When an application has been accepted and approved by the conservation district board, the conservation district will enter into a contract agreement with the successful program participant. The contract, when signed by both parties, is a legally binding document between the applicant and the conservation district that describes in detail the responsibilities of both parties. No funding transfers can take place with program participants, and no project work can begin, without a signed contract. The contract states the terms and conditions for the project. All contracts must be made using the "Agriculture Conservation Assistance Program Grantee-District Agreement" form that has been approved by the Commission.
- b. By offering the premises for implementation of this project, project participant agrees to allow access, design preparation and implementation of the project, subject to available funds, for the duration of construction and for the time period identified in the contract.
- c. The project participant agrees not to destroy, alter or modify the BMPs, except to perform needed repairs, for the period covered by the contract, nor to undertake any action on land under the project participants control which tends to defeat the purposes of this contract. The project participant agrees to maintain BMPs for the established lifespan in compliance with the operation and maintenance plan. The project participant shall be responsible for all normal, routine maintenance and

normal, routine repair of the site and project according to the operation and maintenance plan.

- d. Project participant agrees to refund all or part of the program funds paid to them, as determined by the conservation district, if before the expiration of the term of this contract, the project participant (a) destroys, alters or modifies the BMPs installed, or (b) voluntarily relinquishes control or title to the land on which the BMPs have been established, and the new landowner and/or operator of the land does not agree to maintain the BMPs for the remainder of the term of this contract. If the new landowner agrees to assume Landowner's obligations and to maintain the BMPs for the remainder of the term of this Agreement, then a new contract shall be executed by the new landowner/program participant.
- e. This contract shall be binding on the parties, their heirs, legal representatives, successors, and assigns.
- f. Projects will be ranked by the ACAP QAB as outlined in Appendix A of this policy.

6. Project Work:

The following is a list of general pre-project work requirements:

PA One Call must be notified at various stages of the project, including the design phase and also prior to construction. One Call assigns a serial number to each call they receive. These serial numbers must be recorded and kept in the project file.

Many projects will require some type of environmental permit. Program participants are encouraged to work with the district to determine what environmental permits, if any, may be required. Any required permits must be obtained by the grant recipient before advances can be given or work can begin. Under no circumstance can any project work begin until all required permits are in hand.

Some projects may require and Erosion and Sediment Control (E&S) plan. The district will help determine if an E&S plan is necessary.

A. Pre-Construction Meeting:

A pre-construction meeting is required prior to the beginning of a project. This will allow the District to meet in person with the program participants and any contractors or sub-contractors to discuss each contract item or element of the approved plan to avoid any misunderstanding about how the plan is to be implemented and how payment will be made.

- a. ANY DESIGN CHANGES AFTER THE PRECONSTRUCTION MEETING THAT GO BEYOND THE SCOPE OF WORK IN THE ORIGINAL CONTRACT, WILL BE THE FARMER'S FINANCIAL RESPONSIBILITY. FOR EXAMPLE, ADDITIONAL ENGINEERING COSTS AND ANY ADDITIONAL MATERIAL/LABOR COSTS.

B. Notification of Project Work:

Program participants MUST notify the district a minimum of five (5) days before beginning work on a project. The District must also be notified before beginning a new phase of the project. The District may withhold payments and cancellation of the contract if a program participant fails to comply with notification requirements.

C. Performing Project Work:

Program participants must follow the bidding procedures for contractors and materials as outlined in Appendix B of this policy.

Work must be performed in accordance with the accepted application, work plan and/or design unless both parties agree to project changes in writing. The District or its designee is responsible for oversight of any contractors or subcontractors working on the project. Work must be performed within the contracted scope, budget and timeframe.

If an increase in costs or extension of time is required, the district must be contacted as soon as possible. At the district's discretion based on existing policies and funding availability, contracts may be amended for cost overruns up to an amount agreed upon by the district board, or to extend the timeframe for completion. Keep in mind that if a contract is between \$20,000 and \$25,000 (barely under the prevailing wage threshold for contracted work), an amendment may increase the total value of the project so that prevailing wage would apply to contractor costs.

Any contractors or subcontractors may be asked to sign a statement certifying that the installed components meet or exceed the Natural Resource Conservation Service (NRCS) standards and specifications. All contractors or subcontractors are responsible to protect work from environmental conditions such as temperature extremes, weather events, wind, surface water and ground water.

7. Certification and Final Payment: (Certification, Payment Schedules, and Cost Share Amounts)

- a. Cost Share Amounts
- b. Farmstead Improvements/BMP design – implementation (i.e. manure storages, roof runoff structures, heavy use areas, etc.) Funded at 80% of total project cost (minus EQIP).
 - i. Farm Access Road Program (Farm lane improvements, excluding stream crossings) Funded at 100% of total project cost, \$60,000 available per fiscal year, first come-first served basis.
 - ii. Cover Crop Pilot Program – Funded at 100% of total project cost, \$10,000 available per fiscal year. Applications will be taken on a rolling basis year round, first come first served. Planting dates and rates will follow the NRCS tech guide. The maximum contract amount per farmer will be capped at \$2,500. If a farmer has a specific cover crop or mix they prefer, they must provide the following to the District as part of their application:
 - 1. Specie(s) to be planted
 - 2. Recommended seeding rate (per the seed vendor)

3. Planting method and timing
 4. Number of acres to be planted and the location
 5. Total estimated cost of the seed
- iii. Nutrient Management Plan Program – Funded at 100 %, \$10,000 available per fiscal year, first come-first served basis. NMPs will only be funded for those who have serious intentions to complete an ACAP/EQIP project and have a valid ACAP application as well. The final decision will be at the discretion of the Conservation District Board.
- c. Upon the full execution of any project contract in this agreement, the district agrees to provide an advance payment to the project participant of 50% of the awarded contract amount to be applied towards payment of eligible expenses incurred in the performance of the project. The project participant agrees that these advanced funds will be utilized solely for eligible expenses as contained in the attached project application and work plan. The project participant shall supply the district with receipts, weigh slips, and/or other appropriate supporting information to document proper expenditure of advanced payments by the project participants prior to receiving additional payments under this agreement. The District shall withhold 30% of the total contracted amount until the satisfactory completion of the project. The district may process subsequent payments to the project participant on an actual cash expended basis of up to 20% on eligible project expenses.
 - d. Final Payment shall be made upon satisfactory completion of the project for actual services performed consistent with the project application, the work plan and satisfaction of the District.
 - e. If a project's BMP(s) require review and certification by a registered professional engineer under the applicable ACAP QABs or regulations of this Commonwealth, the BMP shall be certified by a registered professional engineer. Those BMPs required to meet the Natural Resource Conservation Service (NRCS) standards and specifications shall be certified by a technical service provider, staff from the conservation district with the appropriate job approval authority, the USDA-NRCS, or any other qualified person who has appropriate training and expertise and is approved by the Commission.
 - f. Payment may be withheld on account of defective work not remedied, liens filed, or damage by the Contractors to others.
 - g. All claims submitted by the program participant pursuant to this agreement shall be submitted to the District in accordance with the Schedule of Payments and the terms and conditions contained in the approved project agreement. The claims shall be itemized and show that the utilization of funds are in accordance with the approved project application and work plan. Claims shall include receipts, and/or other appropriate supporting information to document actual expenditures on the project. Payments will be addressed to the program participant and any contractors or subcontractors associated with the implementation of the project.

FARM ACCESS ROAD PROGRAM

(Previous ACAP Policies apply)

Purpose: To reduce sediment and erosion from farm access roads and improve stream quality. While critical to the farm's operation, these are often overlooked as a source of pollution and are not as high of a priority for landowners to spend valuable financial resources on as they are often used seasonally or a few times a year. Projects shall follow principals of the DGLVR program as outlined in the referenced Technical Bulletins.

Eligibility: The access road must be currently showing signs of erosion and sedimentation. There must be potential for the sedimentation to enter a nearby stream. The project must meet the minimum ACAP eligibility requirements. The BMPs must be listed in the farm's Ag E&S or NRCS Conservation Plan. The eligible Ag Operation will be required to complete an application for funds. Projects will be ranked by the ACAP QAB as outlined in Appendix A of this policy, along with a supplemental ranking sheet outlined in appendix C of this policy, that will be ranked by an ESM certified staff and reviewed by ACAP QAB, then brought to the district board for review and vote.

Financial: Funds are limited, only \$60,000 will be set aside per fiscal year for farm lane improvement projects only. The maximum contract amount per farmer will be capped at \$25,000. Approved Farm Access Road projects shall be eligible for 100% cost share. The eligible Ag Operation will be required to complete an application for funds. The Ag Operation Owner must agree to pay the contractor 100% of the cost of the project. The District will reimburse the Ag Operation Owner for the cost of the Farm Access Road project within 45 days after the completion of the project and copies of receipts for the project are received by the District Staff. Prevailing Wage does apply to projects over \$25,000.

Project Planning and Design: The ESM certified Conservation District Staff will assist the landowner with the planning and development of any design package necessary for completion of the project. District Staff will also work closely with contractor to implement the BMPs necessary to stabilize the Farm Access Road. At this time, stream crossings are not eligible for this funding. This program funding is not intended for access roads in forested land, such as logging roads or oil and gas roads.

The following is a list of ESM certified BMPS:

- o Headwalls and Endwalls
- o Stacked Stone Headwalls
- o Crosspipe Installation
- o Shallow Pipe Installation
- o French Mattress
- o Underdrains
- o High-Water Bypass
- o Surface Drainage Practices
- o Crown and Cross-Slope
- o Grade Breaks
- o Broad-Based Dips

- o Conveyor Belt Diversion
- o Surface Maintenance
- o Raising the road Profile
- o "Through-the-Bank" Pipe

Project Completion: Projects must be completed as soon as possible, within one year from the date of signed contract

RIPARIAN BUFFER PROGRAM (Previous ACAP Policies apply)

Purpose: To protect water quality by filtering sediment and nutrients, stabilize stream banks to reduce erosion, provide wildlife habitat, and mitigate flood damage. Buffers act as filters for pollutants, removing up to 80% of excess nutrients, pesticides, and animal waste from agricultural and urban runoff. A riparian buffer is a vegetated area of trees, shrubs, and grasses adjacent to water bodies that acts as a natural, protective transition zone. Where streams and buffers occur in a pasture, additional measures, such as fence are needed to exclude livestock from the area.

Eligibility: The project must meet the minimum ACAP eligibility requirements. The BMPs must be listed in the farm's Ag E&S or NRCS Conservation Plan. The eligible Ag Operation will be required to complete an application for funds. Projects will be ranked by the ACAP QAB as outlined in Appendix A of this policy, that will be ranked by a district staff member and reviewed by ACAP QAB, then brought to the district board for review and vote.

Financial: PACD Mini Grant funds through WCCD must also be used in collaboration with the ACAP funds. Mini Grant funds will cover costs for the planting of the trees. ACAP funds will cover streambank fencing and/or a stabilized approach for minimal water access at 100% cost share. ACAP will reimburse eligible costs for an alternate water source and/or a stabilized stream crossing at 80% cost share. The eligible Ag Operation will be required to complete two applications for funds: the PACD Mini Grant for tree planting and ACAP for fence and supporting practices. The Ag Operation Owner must agree to pay the contractor 100% of the cost of the ACAP project. The WCCD will reimburse the Ag Operation Owner for the cost of the ACAP project within 45 days after the completion of the project and copies of receipts for the project are received by the District Staff. The PACD Mini Grant will be managed separately by the WCCD. Prevailing Wage does apply to projects over \$25,000.

Project Planning and Design: Eligible Ag Operations will work with USDA, DCNR and the WCCD for the planning, development, and design of the project including: a tree planting plan and fence layout and specifications. Minimum buffer width must be 35 feet.

Project Completion: Projects must be completed as soon as possible, within one year from the date of signed contract.

PROCEDURES FOR ACAP QAB FORMATION & CONDUCT

1. ACAP QAB Formation:

A committee may be appointed by the conservation district board to advise the program and identify local priorities and opportunities to complement other programs. The ACAP QAB in Warren County will be comprised of at least four members as follows: One non-voting chairman and three voting members as appointed by the Board. The non-voting chairman only gets a vote in instances where there is a tie. The three other local representatives are encouraged to be knowledgeable of agricultural operations and conservation.

2. Meeting Schedule and Procedures:

The ACAP QAB may meet on a monthly or an as needed basis. Specific dates and time will be determined by the members. Additional meetings may be held or meetings may be cancelled at the discretion of the ACAP QAB. All recommendations of the ACAP QAB must be presented to the District Board for final approval.

3. Conflict of Interest:

If an ACAP Project application involves an applicant that is a district director, ACAP QAB member or District staff member or an immediate family member or a business with which he/she is associated, that individual may not participate in the evaluation, ranking or any deliberation for approval or disapproval of the application or approval of a reimbursement payment of grant funds. This individual will exclude themselves from voting.

APPENDIX A: ACAP RANKING

**Warren County Conservation District
Agricultural Conservation Assistance Program
Priority Ranking Worksheet**

Scoring Date: _____ Technician: _____

Applicant Name: _____ Application Score: _____

State Required Ranking Criteria:

1. Does this project meet the goals of the County WIP or County Action Plan?
- Yes (30 points)
 - No (0 points) _____ **(30) points**

2. If applicable, which of the following plans does this operation have?

Conservation Plan (10 points)

OR

Agricultural Erosion and Sediment Control Plan (10 points)

 NRCS 590 Plan (10 points)

OR

Nutrient Management Plan (10 points)

OR

Manure Management Plan (10 points)

 None (0 points)

Application is for Plan Development & BMP Implementation (10 points)

_____ **(20) points**

3. Does the application contain BMPs associated with one of the above checked plans and reduce Nitrogen, Phosphorous, or Sediment?

Yes, the BMPs are associated with a plan checked above (15 points)

No, the BMPs are not associated with a plan checked above (0 points)

BMPs listed reduce N, P, or Sediment (10 points)

BMPs do not reduce N, P, or Sediment (0 points)

(25) points

4. Do the Animal Concentrated Area's on this operation have BMP's implemented or will BMP's be implemented that abate storm water runoff, loss of sediment, nutrients and other pollutants?
- Yes (10 points)
 - No (0 points)
 - N/A (0 points)
- _____ (10) points

5. Proximity to surface waters, public water sources, Karst geology with underground drainage or sinkholes.
- Within 100 feet (5 points)
 - Within 200 feet (4 points)
 - Within 300 feet (3 points)
 - Within 400 feet (2 points)
 - Within 500 feet (1 point)
- _____ (5) points

6. Does the applicant indicate that the BMPs will be installed to design and construction standards approved by the commission?
- Yes (15 points)
 - No (0 points)
- _____ (15) points

Total State Required Ranking Criteria Points _____ (105) points

Local Ranking Criteria:

1. Is this project located on a stream listed on DEP's 303(d) list as degraded by agriculture?
- Yes (0 points)
 - No (10 points)
- _____ (10) points
2. Stream classification listed on PA Fish & Boat Commission's Trout Water Classifications.
- Class A Wild Trout (10 points)
 - Wild Trout (5 points)
 - Stocked Trout (2 points)
 - None of the above (0 points)
- _____ (10) points

3. Stream classification in Chapter 93 Water Quality Standards.

- Exceptional Value (10 points)
- High Quality (5 points)
- None of the above (0 points)

_____ (10) points

4. What Local Priority Best Management Practices will be implemented as part of this project? (check all that apply)

- Nutrient Management (5 points)
- Rotational Grazing (5 points)
- Heavy Use Area Protection (5 points)
- Stream Corridor Practices (5 points)
- Access Road (5 points)
- Diversion Drainage (5 points)
- Animal Concentration Area Practices (10 points)
- Silage Leachate (5 points)
- Cover Crops (5 points)
- Riparian Buffer: 35' (2 points), 50' (5 points), >100' (10 points)

_____ (60) points

5. Proximity of practice proposed to the stream?

- Within 50 feet (10 points)
- Within 100 feet (7 points)
- Within 200 feet (5 points)
- Within 300 feet (3 points)
- Within 400 feet (1 points)
- More than 400 feet (0 point)

_____ (10) points

6. Will the project limit livestock access to the stream?

- Yes (10 points)
- No (0 points)

_____ (10) points

7. Does the application contain BMP's associated with one of the above checked plans and reduce Nitrogen, Phosphorus, or Sediment?

- Yes, the BMP's are associated with a plan checked above (15 points)
- No, the BMP's are not associated with a plan checked above (0 points)
- BMP's listed reduce Nitrogen, Phosphorous, or Sediment (10 points)
- BMP's listed do not reduce Nitrogen, Phosphorus, or Sediment (0 points)

_____ (25) points

8. Are past BMP's being maintained according to their intended use and within the practices lifespan?

- BMP's used as intended and maintained (10 points)
- First project (5 points)
- No (0 points)

_____ (10) points

9. Is applicant's main source of income derived from this operation?

- Yes (10 points)
- No (0 points)

_____ (10) points

Total Local Ranking Criteria Points

_____ (155) points

APPENDIX B: BIDDING PROCEDURES

ACAP is currently funded in part with federal ARPA funds. Federal ARPA funds require bidding procedures. Below is the approved bidding requirements as was approved by the Department of General Services waiver process.

Procurement Method	Expense Amount	Requirements
Micro-purchase (No quotes required)	Less than \$10,000	<ul style="list-style-type: none"> • Consider price to be reasonable • Distribute equitably among suppliers to the extent practical
Small Purchase Procedures (Relatively simple and informal)	\$10,000 - \$249,999	<ul style="list-style-type: none"> • obtain/document price or rate quotations from a reasonable number of qualified sources • written or documented quotes required to be kept in the contract file
Sealed Bids	\$250,000 or more	<ul style="list-style-type: none"> • Bids must be publicly advertised using standard bidding requirements • Bid must allow for a minimum of 15 days for response time • Bids must be solicited from an adequate number of qualified sources • Sealed bids must be opened publicly • Contract award must be made to the lowest responsible bidder • Contract must be for a firm, fixed price

(The most stringent bidding procedures must be followed. If County bidding procedures are more stringent than those above, the County bidding procedures must be followed)

SCC allows the awardee to separate big contracted BMPs into tasks to give the option of a faster construction process while allowing a more flexible bidding/quote process. Every project will vary, WCCD will gladly work with every farmer to talk about pros and cons of when and how to separate tasks within their project.

EXAMPLE BIDDING PROCEDURES

- Micro-purchase - Projects less than \$10,000, districts must consider price to be reasonable and distribute equitably among suppliers to the extent practical.
- Small Purchase - Projects between \$10,000-\$249,000 shall obtain at least three written quotes and kept on record.
- Sealed Bids - Projects with an estimated expenditure of \$250,000 or more

shall be competitively bid and publicized.

- A. Definitions: The following words and terms, when used in this document, have the following meanings, unless the context clearly indicates otherwise:
- Lowest Bidder/Quote - A bidder/quote who, in a competitive bidding/quoting situation, submits a bid/quote which, as finally determined by WCCD, is the best bid/quote available in terms of price, product, and/or service quality, adherence to specifications, timeliness of delivery, serviceability and maintenance and other factors that WCCD may establish.
 - Responsible Bidder/Quote - A bidder/quote is considered responsible either through previous experience in business dealings with the WCCD or through an investigation of the credit, reliability, and performance of the bidder/quote.
 - Responsive Bidder/Quote - A bidder/quote who correctly and fully responds to the bidding/quoting requirements.
- B. Invitation to bid/quote. When it is determined that a project is to be solicited through competitive bidding, an invitation to bid shall be publicly advertised in the local paper. Quote invitations will be emailed to a list of interested contactors. The invitation shall include:
- (1) A basic description of the work.
 - (2) The quantity of work.
 - (3) The method by which specifications and bid/quote documents may be obtained.
 - (4) The date, time and place of the bid/quote opening.
 - (5) Any other specific requirements.
- C. Publication requirements. The district shall publish the invitation in the local paper to bid at minimum one time not later than 30 days prior to the scheduled bid opening. Copies of bid/quote package will be distributed by hard copy or email, to those interested in submitting a bid/quote and have attended the mandatory bid/quote site showing.
- D. Bid/Quote procedure. All bids and quote shall be firmly sealed in an envelope and labeled so as to indicate the specific project for which the bid/quote is submitted and the scheduled date and time of the opening. Bids will only be accepted by mail or in person. Quotes will be accepted by mail, fax, email or in person. Bids/Quote shall be opened at the appointed time by the District ACAP Committee. All bid/quote openings shall be open to the public. Any bids/quotes received after the opening has commenced shall be returned to the contractor unopened. Upon completion of the bid/quote opening, the District Manager/Program Manager, consultant and landowner (if applicable) will analyze the bid for conformance with the specifications and recommend to the District Board the lowest responsible and responsive bid/quote.
- E. Bid/Quote award. The District Board shall review the recommendation of the District Committee, District Manager/Program Manager, consultant and landowner (if applicable) and may award a contract to the lowest responsible and responsive bid/quote. All such

awards shall be made in a public meeting by the affirmative vote of the majority of the District Board. The District Board shall at all times reserve the right to reject any and all bids/quotes received.

- F. Bonds: Bid/quotes submitted under these procedures shall be accompanied by a bid bond (see exhibit A) in an amount equal to 10% of the contract price, guaranteeing the work to be completed in accordance with the contract. A performance bond in an amount equal to 110% of the contract price, guaranteeing the work to be completed in accordance with the contract. The performance bond will be due 15 days after the award.
- G. Certificates of Insurance: The bid/quote to whom the contract is awarded shall take out and maintain during the life of the contract, adequate Workman's Compensation Insurance for all employees employed on the project and, in case any work is sublet, the contractor shall require the subcontractor to provide Workmen's Compensation Insurance for the latter's employees unless such employees are covered by the protection afforded by the contractor.

The successful bidder shall also take out and maintain for the life of the contract any Public Liability and Property Damage Insurance as shall protect the owner, the contractor and any subcontractor performing the work covered by the contract from claims for damages for personal injuries, including wrongful death, as well as claims for property damages which may arise from operations under the contract, whether such operation be by himself or by any subcontractor or anyone directly or indirectly employed by either of them and name Warren County Conservation District as an additional insured. Coverage limits minimum \$1,000,000.

The form of the Insurance and the Surety thereon shall be satisfactory to the District. The amount of the Insurance shall not be less than that specified in the contract documents.

A copy of the Certificate of Insurance shall be furnished to the District by the contractor.

- H. Change orders: Requests for a change order of the project shall be done in writing and approved by the District Board before the change is undertaken. The District may alter, add, or subtract portions of the work without invalidating the original contract as long as the contract sum is adjusted accordingly. Extra compensation can be earned if the extra work was unforeseen as a possibility in the original contract and the extra work was performed in compliance with the contract. Change orders shall be limited to no more than 20% of the original contract amount, at the discretion of the District and negotiation with the contractor.

APPENDIX C: SUPPLEMENTAL FARM ACCESS ROAD RATING WORKSHEET

Warren County Quality Assurance Board Priority Rating Worksheet

ACAP Access Road Program

Land Owner/Operator _____

ROAD NAME _____ STREAM AFFECTED _____

1. "Modified" Worksite Assessment:

- | | | | | |
|--|---|--|----------------------|------------|
| a. Road Drainage to Stream: | None-0
Severe-15 | Slight-5 | Moderate-10 | _____ (15) |
| b. Wet Site Conditions: | Dry-0
Flow in Ditches-7 | Saturated Ditches-3
Saturated Base-10 | Roadside Springs-5 | _____ (10) |
| c. Road Surface Condition | | | | _____ (15) |
| i. D&G EVALUATION: | Hard Gravel-0
Mixed stone/dirt/dust-10 | Mixed Stone-5
Severe Dust-15 | Soft Stone-7 | |
| d. Road Slope: | <5%-0 | 5-10%-5 | >10%-10 | _____ (10) |
| e. Road Shape (cross-slope/crown): | Good-0 | Fair- 3 | Poor-5 | _____ (5) |
| f. Slope to Stream: | <10%-0 | 10-30%-3 | >30%-5 | _____ (5) |
| g. Distance to Stream: | >100'-0 | 50'-100'-3 | <50'/crossing-5 | _____ (5) |
| h. Outlet to Stream: | None-0 | Near Stream-3 | Directly to Stream-5 | _____ (5) |
| i. Outlet Stability (consider all outlets, pipes, ditches, etc.): | Stable-0 | Moderate-3 | Unstable-5 | _____ (5) |
| j. Bank/Ditch Stability: | Stable-0 | Moderate-5 | Unstable-10 | _____ (10) |
| k. Bank Height: | <3 feet- 3 | 3 – 10 feet -7 | >10 feet -10 | _____ (10) |

