**Section 3050.80 Program Compliance Requirements**

a) Any property acquired through assistance from the Illinois OLT grant program must be open to the public for outdoor natural resource related recreation purposes unless the Department determines that public accessibility would be detrimental to the real property or any associated natural resources. Land acquired with funding assistance from the OLT program shall be operated, managed and maintained for the purposes identified in the grant application in perpetuity unless otherwise approved by the Department. No real property acquired with grant funds may be sold, leased, exchanged, or otherwise encumbered, unless it is used to qualify for a federal program, or, subject to Department approval, is transferred to the federal government, the State, or a unit of local government for a compelling public purpose. Approval for property conversion may be granted by the Department if the project sponsor substitutes replacement property of equal fair market value, natural resource value and comparable outdoor recreation usefulness, quality and location.

b) An appraisal must be provided by the sponsoring agency and submitted to the Department for review to establish the property's fair market value. The appraisal must be completed to Department specifications.

c) The local project sponsor is required to enter into an agreement with the Department for an amount agreed upon as necessary to complete the approved project, specifying the related grant reimbursement amount and program compliance regulations.

d) Upon project completion, the project sponsor must submit a project billing request (expenditure statement) listing/verifying all funds expended on the project for which grant reimbursement is sought, as well as required billing documentation, as follows:

1) proof of good faith negotiations or fair market value offer to land seller;

2) copy of property deed and title insurance policy showing ownership transferred to the local project sponsor; and

3) copies of canceled checks showing proof of payment to seller.

e) Financial records on approved projects must be maintained and retained by the project sponsor for possible State audit for a period of five years after final reimbursement payment is made by the Department.

f) The sponsoring agency must permanently post an OLT grant acknowledgment sign at the project site. The necessary sign will be provided by the Department or specifications for its construction will be furnished to the local project sponsor, if requested.

g) Projects assisted with OLT grant funds shall be implemented in accordance with all applicable federal, State and local laws, ordinances and regulations relating to public agency expenditure of funds for public works projects.

h) A final acceptance of the completed project must be made by a representative or agent of the Department prior to final payment of grant reimbursement to the project sponsor. Acceptance by the Department will be subject to completion of all action required of the local sponsor as indicated in this Part.

i) The sponsoring agency shall convey to the Department at no charge a conservation easement on the lands acquired with OLT assistance.

j) The sponsoring agency must comply with and abide by the following operation and maintenance provisions:

1) All lands assisted with OLT funds shall be continuously operated and maintained by the sponsoring agency in a safe and attractive manner at no cost to the Department and be operated and utilized in such a manner as to maximize the intended benefits to and for the public.

2) The Department shall have access to OLT-assisted lands at all times for inspection purposes to ensure the project sponsor's continued compliance with this Part.

3) The sponsoring agency may enter into a contract or agreement with responsible concessionaires to operate and/or construct facilities desired by the public and the sponsoring agency that are important for enjoyable and convenient natural resource based recreation. Any and all concession revenue in excess of the costs of operation and maintenance of the OLT lands and/or facilities shall be used for the improvement of those lands or facilities or similar nearby public facilities. All licenses entered into by the sponsoring agency with third persons relating to accommodations or concessions to be provided for or at the OLT facility for benefit of the public shall be submitted to the Department for its approval prior to the license being entered into or granted by the sponsoring agency.

4) The project sponsor shall receive approval from the Department prior to initiating any development on OLT assisted lands. Approval will be limited to those facilities that are necessary for enjoyable and convenient natural resource related recreation.

k) Conflict of Interests

1) No official or employee of the local political subdivision who is authorized in his official capacity to negotiate, make, accept, or approve or to take part in decisions regarding a contract or subcontract in connection with an approved OLT grant project shall have any financial or other personal interest in any such contract or subcontract.

2) No person performing services for the local political subdivision in connection with an approved OLT grant project shall have a financial or other personal interest, other than his employment or retention by that local political subdivision, in any contract or subcontract in connection with an approved OLT grant project. No officer or employee of such person retained by the local political subdivision shall have any financial or other personal interest in any real property acquired under an approved OLT grant project unless that interest is openly disclosed upon the public records of the local political subdivision and that officer, employee or person has not participated in the acquisition for, or on behalf of, the local political subdivision.

l) The project sponsor shall certify that it provides a drug free workplace and related employee assistance as defined and required by the Drug Free Workplace Act [30 ILCS 105/16].

m) Pursuant to 775 ILCS 5/2-105(A)(4), the project sponsor shall certify that it has a written sexual harassment policy that includes, at a minimum, the following information:

1) the illegality of sexual harassment;

2) the definition of sexual harassment under State law;

3) a description of sexual harassment utilizing examples;

4) the contractor's internal complaint process, including penalties;

5) the legal recourse, investigation and complaint process available through the Illinois Department of Human Rights and the Human Rights Commission and directions on how to contact both; and

6) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act [775 ILCS 5/6-101]. A copy of the policy shall be provided to the Department of Human Rights upon request.

n) Program Violations and Project Termination

1) The State will unilaterally rescind project agreements at any time prior to the commencement of the project in the event that State funds are not appropriated for the grant program. After project commencement, agreements may be rescinded, modified or amended only by mutual agreement with the local political subdivision. A project shall be deemed to be commenced when the local political subdivision makes any expenditure or incurs any obligation with respect to the project.

2) Failure by the local sponsoring agency to comply with any of the program terms listed in this Section shall be cause for the suspension of all grant assistance obligations, unless, in the judgement of the Department, the failure was due to no fault of the local sponsoring agency (e.g., statutory changes, acts of God).