



# Maryland Bikeways Program

Procedures and Guidelines

The Maryland Department of Transportation

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## INTRODUCTION

This document provides guidance for interested applicants and project sponsors for the Maryland Department of Transportation (MDOT) Bikeways Program. It provides an overview of the grant process and project management procedures, including project reporting and financial management requirements. Adhering to these guidelines will help ensure a more seamless, efficient, and transparent grant process for MDOT and its Grantees.

Any project-specific needs not addressed in this document will be addressed on a case-by-case basis, in compliance with these guidelines, and relevant State and local requirements. For more information, contact the Maryland Bikeways Program staff at [MDBikeways@mdot.state.md.us](mailto:MDBikeways@mdot.state.md.us).

The Maryland Bikeways Program is a state-funded, competitive, reimbursable grant program administered by the Office of Planning and Capital Programming (OPCP) of the Secretary's Office at MDOT. The Bikeways Program offers State grant assistance to local jurisdictions and other key agencies to help expedite the development of bicycle infrastructure where transportation efficiencies, multimodal travel, economic development, and safety benefits are expected. It was created in 2012 to address key needs and gaps in existing state and federal programs, which were identified through stakeholder outreach, planning initiatives, and staff experience in coordinating a broad array of state and federal discretionary programs.

The program was designed to make targeted infrastructure interventions that would allow MDOT to better leverage existing (state and local) infrastructure and discretionary programs, and to help create a better pipeline of projects to address Departmental goals of supporting safe, efficient, multimodal travel.

*Email Support:* For questions regarding the Maryland Bikeway Program, email [MDBikeways@mdot.state.md.us](mailto:MDBikeways@mdot.state.md.us).

## GRANT PLANNING

### **1.1 Application and Project Timeline**

Projects are solicited on an annual basis as described below. The timing of the annual solicitation is designed to ensure coordinated review with other relevant programs.

- **January – March:** Workshops and outreach to potential applicants.
- **March – May:** Application period open (Deadline late May to early June).
- **June – July:** Internal review/clarification with applicants.
- **August:** Interagency review committee and final recommendations prepared for MDOT Secretary.
- **September:** Announcement of grant awards.
- **Months vary:** Post – Award Project Management
- **Project Close:** All Grantees are expected to complete the project within 24 months of award notice.

## ELIGIBILITY

### **2.1 Eligible Project Types**

The Bikeways Program supports design, construction and implementation of projects that improve the safety and connectivity of the State's bicycle transportation system. The following projects are eligible for support:

- Design and feasibility studies (including missing links in the statewide trail network and bicycle facilities along state and local roads);
- Construction of cycling facilities (including bike lanes, cycle tracks, and shared-use paths); and
- Minor Retrofits including low-cost enhancements of bicycle routes through striping, signage, storm drain upgrades, lighting, and provision of bike racks. Up to \$100,000 can be used for minor retrofit and 15% of grant award may support final design for the project.

(See sections 3.2 and 6.2 for additional details on eligible project costs)

Educational or marketing materials, incentive items and other materials (including film, posters, pamphlets, reports, etc.) to be published or reproduced are generally not reimbursable by the Bikeways Program, but may be considered as described in section 6.2.

### **2.2 Eligible Project Locations**

To be eligible for funding through the Bikeways program, a project must meet at least one of the following criteria:

- Located substantially within the Priority Funding Area (PFA),
- Located within 3 miles of a rail transit station or major bus transit hub,
- Provide or enhance bicycle access along any gap identified in the [Maryland Statewide Trails Plan "A Greener Way to Go"](#), and/or
- Identified by the local jurisdiction as a transportation priority in their most recent annual [priority letter](#) submitted to MDOT.

### **2.3 Eligible Applicants**

Eligible applicants include:

- Maryland local governments, alone or in partnership with other jurisdictions or private organizations
- Maryland State agencies
- Metropolitan Planning Organizations (MPOs)
- Public transit entities operating in Maryland
- Federal public lands agencies

## APPLYING FOR FUNDING

### **3.1 Completing and Submitting an Application**

Applicants can mail completed applications to the OPCP office at MDOT, submit them online on the Maryland Bikeways website:

<http://www.mdot.maryland.gov/newMDOT/Planning/Bike/Bikeways.html> or email them to

[MDBikeways@mdot.maryland.gov](mailto:MDBikeways@mdot.maryland.gov). Email submissions cannot exceed 8MB. If larger than 8MB, applicants should submit online or by mail. Applicants must submit all materials between March to late May (see website for specific application deadline). MDOT may, however, consider off-cycle applications at its discretion.

### *Bikeways Priority Projects*

Reduced funding match requirements are offered as an inducement to projects that address key State bicycle transportation priorities. A project qualifies as a "Bikeways Priority Project" if, in MDOT's judgment, it accomplishes one or more of the following:

- Enhances bicycle access within 3 miles of a rail transit station
- Provides or enhances bicycle access along a corridor identified as a Missing Link in the Statewide Trails Plan, "A Greener Way to Go"
- Enhances bicycle circulation within or access to a:
  - [Maryland Sustainable Community Area](#)
  - Designated [Maryland Main Street](#)
  - Census tract(s) at or below 60% of Area Median Income
  - Major institution (e.g. universities, major hospitals)
  - Central business districts (not an official designation, but evidenced by land uses)
  - Important tourist or heritage attraction, consistent with an adopted [Heritage Area](#) management plan.

### *Interactive Map Tool:*

MDOT has prepared a GIS-based [interactive map](#) to assist applicants in completing the Bikeways application. Applicants may use the map tool as a resource for this purpose, but are not required to do so. If an applicant observes a discrepancy or error in the information shown in the map, please note it on the application and report what the applicant believes is the correct response. Links to the map and detailed instructions for using it to answer particular questions are provided throughout the application.

### 3.2 Required Matching Contributions

<b>Bikeways Program Category Overview</b>			
<b>Project Category</b>	<b>Overview</b>	<b>Maximum Bikeways Funding (as percentage of total project costs)</b>	
		<b>Bikeways Priority Projects</b>	<b>All Other Projects</b>
<b>Minor Retrofit</b>	<p>Up to \$100,000 grant awards for low-cost bicycle treatments, such as bicycle route signing, pavement markings, parking, and drainage grate replacement to create safe, visible bicycle routes between many destinations, especially:</p> <ul style="list-style-type: none"> <li>- Access to transit and business districts,</li> <li>- Connections to trails, and</li> <li>- Wayfinding and safety enhancements</li> </ul> <p>Up to 15% of grant award may support final design for the project</p>	100%	50%
<b>Design</b>	<p>Feasibility assessment and design of proposed bikeways, including alternatives analysis, to develop safe, cost-effective concepts for bikeway connections that support a connected state bikeway system, such as:</p> <ul style="list-style-type: none"> <li>- Missing links in the statewide trail system and</li> <li>- Off-road connections where on-road bicycle facilities cannot provide an adequate alternative</li> </ul> <p>Design funding may not be used for general bicycle planning, but may be used to investigate the feasibility of bicycle improvements on specific routes serving specific objectives.</p>	80%	50%
<b>Construction</b>	<p>Construction of key bikeway projects with demonstrated local commitment and regional or statewide significance such as:</p> <ul style="list-style-type: none"> <li>- Missing links in the statewide trail system,</li> <li>- Links where on-road bicycle facilities cannot provide an adequate alternative, and</li> <li>- Links to business districts and priority investment areas.</li> </ul> <p>Bikeways funding requests in this category will exceed \$100,000.</p>	80%	50%

Matching funds are the funds provided by the Grantee or others to support a project funded in part by the Maryland Bikeways Program. Matching funds provided by the Grantee are encouraged for every Bikeways project. See section 6.4 for additional information on match requirements.

## AWARD ACCEPTANCE

### **4.1 Award Notification**

In September, MDOT will notify applicants of awarded Bikeways projects via email and mail. An e-mail may be sent to applicants shortly in advance of an official press release, with instruction to avoid further public notice until such announcement can be made. An official letter confirming the award will be sent shortly thereafter.

### **4.2 Award Acceptance**

MDOT assumes that awarded projects are accepted by the applicants unless written notice declining the awarded amount is received. MDOT and the project sponsor then commit to specific terms of the grant award by executing a Grant Agreement as described below.

### **4.3 Project Workplan**

A Project Workplan must be submitted to MDOT within 30 days after award notification using the provided template. (See appendix for template). The Workplan is a proposed schedule of the key milestones to complete the Bikeways project. The Workplan serves as a guide for both the grantor and the Grantee to anticipate and coordinate at key points throughout the project. The Project Workplan is also the basis for quarterly updates that the Grantee is required to submit to MDOT indicating whether the project is proceeding on schedule.

### **4.4 Grant Agreement**

A Project Grant Agreement is the legal document describing the scope and terms for reimbursement of funds awarded by the Bikeways program to Grantees outside of MDOT. MDOT Bikeways Program staff will provide a Grant Agreement for review and execution by the Grantee based on the schedule agreed to in the Project Workplan. Typically, the Grant Agreement will be reached after the Grantee has submitted the relevant detailed project information (such as signing and marking plans, scopes of work, and detailed cost estimates) to MDOT and addressed MDOT comments.

No reimbursable expenses may be incurred until the project Grant Agreement is executed by both the Grantee and grantor. Grantee expenditures on the project that appear in an approved budget as counting toward their project match, however, may be expended prior to final execution of a signed Grant Agreement.

In the event that Bikeways funds are awarded to support project-related expenses incurred by one of MDOT's Transportation Business Units (such as the State Highway Administration or Maryland Transit Administration), a fund transfer agreement will be established, rather than a Grant Agreement.

Modifications to project Grant Agreements must be requested by written request to MDOT Bikeways Program staff. Modifications affecting project termination dates, scope of work,

budget, and match contributions must be approved by MDOT, and reflected in a modified Project Grant Amendment, if necessary.

## BIKEWAYS PROJECT MANAGEMENT

### **5.1 Standards of Practice**

Project Grantees must comply with all applicable Federal, State and local laws. This includes all relevant regulations pertaining to procurement, stormwater management, signage, zoning, design guidelines and public notice.

Project Grantees are expected to provide appropriate opportunities for public review and comment on the Bikeways project, and ensure that any Environmental Justice issues are addressed.

### **5.2 Project Review**

The Grantee will provide project design plans and other supplemental project information as requested by MDOT for review. MDOT will provide advisory comments within 30 days.

MDOT's project review serves to:

- Ensure that the Grantee and MDOT have the shared expectations on the scope of the project before grant funds are expended, and
- Ensure that Bikeways funds are improving the safety and connectivity of Maryland's bicycle transportation system, consistent with relevant State and federal design guidelines and policies.

MDOT does not assume responsibility for ensuring compliance with relevant regulatory requirements (e.g. regarding signage, stormwater, etc.) but may provide advisory comments to help ensure such issues are addressed. MDOT retains the authority to deny grant funding to any project, or portion thereof, for which comments are not satisfactorily addressed.

MDOT strongly encourages that Bikeways Projects comply with State and Federal standards and guidelines for bicycle accommodation. MDOT recognizes, however, that the context and appropriate design for bicycle facilities on local roads may justify flexibility in certain circumstances. Bicycle-compatible design of trails, sidepaths and shared-use paths is required. This includes a recommended minimum width of 10 feet to accommodate two-way bicycle travel, as well as appropriately designed intersections (sight distance, warning signs, yield/stop control).

The owner of the Bikeway facility retains responsibility for approving final design, managing construction, including appropriate maintenance of traffic, and inspecting construction. The grant recipient agrees to defend and hold the state free from liability in case of claim or suit arising from the construction, operation, or maintenance of the Bikeways project.

### **5.3 Procurement**

State of Maryland agencies will follow the policies and procedures used for non-Federal procurements pursuant to the State Finance and Procurement Article (Code of Maryland Regulations (COMAR) Division II of Title 11).

Other Grantees will follow local procurement laws in order to procure any property, equipment, services or supplies associated with the development and implementation of the Project.

In the absence of any local procurement laws, Grantees shall comply with Division II of Maryland Procurement Law, found in Title 11 of the State Finance and Procurement Article.

A Grantee may use contractors and/or services previously procured in accordance with the relevant laws and policies referenced above on a Bikeways project. State and local agencies are bound by these procurement laws; therefore, MDOT will not review or oversee procurement for Bikeways projects by State or local agencies

### **5.4 Required Project Update Reporting**

For each awarded Bikeways project, a Project Workplan must be submitted outlining the intended schedule for the project as noted in Section 4.3. Subsequently, a Quarterly Update must be submitted to MDOT each quarter. (See appendix for template). The Quarterly Update Report describes progress on a Bikeways Project relative to the schedule anticipated in the Workplan.

In addition, Grantees are expected to notify MDOT Bikeways staff when significant changes or obstacles are encountered on a Bikeways project that may impact the project schedule, cost or scope.

MDOT may withhold reimbursement until reporting requirements are met.

### **5.5 Project Close-Out**

A Final Report is to be completed and submitted to MDOT within the project period noted in the Project Grant Agreement and Workplan. (See appendix for template). An electronic copy of all final design plans, photographs and documentation of activities funded by the grant must be provided to MDOT. The final Reimbursement Claim may not be processed until final reporting requirements are met.

### **5.6 Project Maintenance**

*For Construction and Minor Retrofit Projects:*

An entity responsible for operations and maintenance of the project facility and equipment for the duration of their useful life must be identified prior to executing the Project Agreement.

Project facilities and equipment funded by the Bikeways Program are expected to be adequately maintained for the duration of their useful life, and not less than five years. In

the event that project facilities and equipment are not adequately maintained for at least five years, the Grantee shall refund the Bikeways expenditures, at the request of MDOT.

*For Design Projects:*

If maintenance and operating responsibilities have not been assigned prior to the Bikeways project, the Grantee is responsible for coordinating with partner agencies and entities through the design process in order to identify how those responsibilities will be assigned.

Bikeways projects funded for final design are expected to include in their scope the identification of any and all entities that will be responsible for ownership, maintenance and management of the constructed project.

## PROJECT REIMBURSEMENTS

### **6.1 Reimbursement Claims**

Grantees may request reimbursement for eligible expenses (see Section 6.2) no more than once per month. Request for reimbursement must be submitted to MDOT using the Bikeways Reimbursement Claim form. Supporting documentation (see Section 6.5) must be attached to the reimbursement request.

Reimbursement claims may be submitted to:

Bikeways Program Administration  
Office of Planning and Capital Programming  
Maryland Department of Transportation  
7201 Corporate Center Drive  
PO Box 548  
Hanover, MD 21076

Submission of the final Reimbursement Claim will signal completion of the project and result in MDOT's closing the project account. Final Reimbursement Claims may not be paid until Final Report requirements are met. Any remaining funds will revert to the Bikeways Program.

### **6.2 Reimbursable Expenses**

Reimbursable expenses must be:

- necessary and reasonable for, and allocable to, an approved project;
- incurred within the project period specified in the Project Agreement;
- adequately documented; and
- authorized and not prohibited under any Federal, State and local laws or regulations.

Signs, Pavement Markings, and Trail/Pathway Construction

- Purchase, fabrication and installation of regulatory, warning and guide signs, supports and field reference markers are generally allowable expenses.

- Installation of pavement markings, including paint and thermoplastic lines, bicycle stencils, and sharrows are generally allowable expenses.
- Replacement of drainage grates that are not bicycle-friendly with grates that will not pose a hazard to bicyclists is an allowable expense, only on established bicycle routes and located where bicyclists are likely to encounter the grates.
- Expenses associated with the removal and replacement of existing signs and pavement markings to provide for improved bicycle accommodation will be considered eligible for project support.
- Roadway paving will generally not be reimbursed; however, limited repaving or patching of the portion of a roadway dedicated to bicycle use may be eligible if the surface condition is very poor. The use of Bikeways funds for repaving must be approved by MDOT Bikeways Program staff on a case by case basis and prior approval is strongly recommended. Repaving expenses may be counted as matching funds.

#### Other Capital Equipment

- Capital equipment eligible for reimbursement includes tangible, non-expendable items, such as bicycle racks, benches, and bicycle repair stations;
- Purchases of new and/or replacement capital equipment are limited to 10% of reimbursable project costs unless specifically authorized in the Grant Agreement; and
- Material/equipment acquisition should be completed far enough in advance to allow the receipt and use of it within 24 months of the grant award notification.

#### Salary and Benefits

- Regular Positions, including salaries and benefits pro-rated based on employee time spent working on a Bikeways project, are not eligible for reimbursement; however they may be counted toward matching funds.
- Overtime hours are ineligible for reimbursement.

#### Contractual/Consultant Services

- Consultants may be used to perform special work which cannot be performed, or performed as efficiently or effectively, by the Grantee;
- Such work to be done must be described in a scope of work/services statement, which includes the basis for payment for work done (i.e., fee for service, person-days of effort, hours X charge rates, etc.); and
- Contractual and consultant services must be procured in accordance with applicable procurement law.

#### Travel

- Costs to attend meetings of demonstrable value to the project are reimbursable.
- Travel greater than 50 miles or \$50 per person in any day must be approved in writing by MDOT prior to incurring expenses;
- Out-of-state travel must be approved in writing in advance of the trip. A pre-approval request should be submitted, along with a complete agenda of proposed activities with their relevance to the project; and

- Travel costs must comply with the Project Agency's regulations, provided they are at least as stringent as the State Travel Regulations. In the absence of Project Agency regulations, reimbursement for travel costs must comply with [State Travel Regulations](#) and cannot exceed the [Meal and Trip Reimbursement Limits](#) set by the Maryland DBM.

#### Materials

Educational or marketing materials, incentive items and other materials (including film, posters, pamphlets, reports, etc.) to be published or reproduced are generally not reimbursable by the Bikeways Program. Some materials may, however, be considered for support on a case-by-case basis. For materials to be considered for reimbursement, they must be:

- Specifically included in the Grant Agreement;
- Directly related to the project activities;
- Be limited to the lesser of 10 percent of the Bikeways project award or \$10,000 per project; and
- Reviewed and approved by MDOT prior to purchase, publication or reproduction.

#### Indirect Costs

MDOT will not reimburse any Grantee for indirect costs without prior approval and documentation of an indirect cost rate. MDOT may require the Grantee to supply supporting documentation and/or certifications showing the basis of the indirect cost rate. To maximize the funds available for direct project activities, indirect cost recovery is limited to 10% with an approved rate. Indirect costs over and above the 10% limit may be used to meet matching funds requirements.

Requests for MDOT support of indirect costs should also include documentation to the effect that such costs:

- Are to be incurred for a common or joint purpose;
- Are not readily assignable to the cost centers without effort disproportionate to the results achieved; and
- Apply to costs originating in the Grantee as well as other departments supplying goods, services, and facilities.

### 6.3 Ineligible Expenses

The following items are **not eligible** for reimbursement with Bikeways Program funds:

- Salaries and benefits of full-time staff;
- Purchase of land or land easements;
- General roadway and sidewalk construction, except when necessitated, and/or directly impacted by, development of an adjacent bicycle facility;
- Employee training;
- Paid media requests, marketing and other educational materials except as specified above; and
- General operating expenses incurred as part of the general operation of the government or entity.

## 6.4 Matching funds

Matching funds are the funds provided by the Grantee or others to support a project funded in part by the Maryland Bikeways Program. Matching funds provided by the Grantee are encouraged for every Bikeways project.

MDOT will recognize funding secured from other state and federal agencies as part of project match for Bikeways projects. Other sources, however, may preclude the inclusion of state funding (including Bikeways) as part of any request for their program funding. MDOT actively coordinates with other appropriate funding agencies, but project applicants who support projects from multiple sources are responsible for ensuring that each program's requirements are being met.

The percentage of total project costs that is required as matching funds varies depending on the project type, location and stage of project development. Matching fund requirements are detailed in the Bikeways Program Application instructions and listed in Section 3.2.

The Bikeways funding match is computed on the basis of total project costs. The match contributions may include both cash and in-kind contributions by the funded agency as well as third party contributions.

- Cash match is the percentage of the direct out-of-pocket cost of the project activity or item provided funded agency, including cash contributions from third parties.
- In-kind match is the value of goods or services provided in support of the activity or item, but not directly part of the cost of the project activity, provided by the funded agency, including contributions from third parties.
- An itemized list of matching fund expenditures is required as part of the submission of the final reimbursement claim.

Matching funds may include funds previously expended, in support of the specific project requested. Eligible expenses should be incurred no more than 24 months prior to the application submission deadline and should not extend beyond the projected date of project completion.

Following are some representative examples of cost items which are eligible to match funds furnished by MDOT:

<u>Item(s) funded by MDOT</u>	<u>Eligible Match</u>
Sign purchase or fabrication	Installation and maintenance of traffic by agency staff
Contractual design services	Contract management by agency staff, design review by agency staff
Trail Construction	Improvements to adjacent intersections to facilitate bicycle connections to the trail

Documentation of matching funds expended will be required upon submission of a final reimbursement claim.

## 6.5 Supporting Documentation

Reimbursement Claims are to be supported and accompanied by copies of invoices or other suitable documentation, as follows:

- Contractual Services: Copies of consultant/contractor invoices, detailing service costs billed, which includes individual dates, hours, activities, etc. indicating the Grantee's payment of the invoice.
- Salaries and benefits paid for staff time to support a project shall be documented by (Regular staff time is not eligible for reimbursement, but may be counted toward the project match.):
  - Providing employee name, title, hourly rate, date(s) work was performed, hours worked, and a description of the activities/tasks performed on the project during the period covered by the Reimbursement Claim.
  - Certifying salary and benefit rates for staff whose time is counted toward the project match. This information shall be submitted on official letterhead with the Reimbursement Claim. Re-certification will not be required with subsequent Reimbursement Claims unless changes to the salary or benefit rate occur.
- Materials and Equipment: Copies of vendor invoices or receipts itemizing costs billed.
- Travel: Copies of expense reports and/or copies of receipts, tickets, etc.
- Other Direct Costs: Copies of vendor invoices or receipts itemizing costs billed

## ADDITIONAL PROGRAM POLICIES

### 7.1 Retention and Access of Records

All files, including deliverables, invoices, and reimbursement claims must be compiled and maintained in a separately-identified file for the project for three years from date the final reimbursement claim is submitted to MDOT.

If there is an action resulting from an audit or other action started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues, or the end of the three-year period, whichever is later.

MDOT has the right of access to any books, documents, papers, or other records in order to perform audits and examinations or make excerpts and transcripts, with two (2) days notice, and the right of access shall last as long as the records are retained.

### 7.2 Audits

MDOT reserves the right to request audits of any agencies with a demonstrated non-compliance or other financial management deficiencies.

### 7.3 Project Achievement Policy

The Project Achievement Policy has been developed to ensure that Grantees meet the expectations for execution of awarded projects in a timely manner and to ensure compliance with State accountability measures.

Bikeways projects are to be completed, reimbursed and closed within 24 months of notification of grant award. In the event that a Grant Agreement cannot be executed within 12 months of award, MDOT reserves the right for early termination of an award. If other barriers preclude progress on a project, Grantees are expected to update MDOT accordingly as part of their quarterly reports, and to submit written justification and request for extending the grant period where necessary. MDOT will provide e-mail notification to the project applicant 30 days prior to the award expiration date, during which the Grantee may submit a written request for extension. A Grantee request for extension should include full explanation for delays experienced, demonstration that such delays were unforeseen and beyond the control of the Grantee, and a realistic revised timeline for completion of the project. MDOT may suspend the grant pending decision on extension of the award period, and will respond to the documented requests within 60 days. In the event that an extension is not granted, all unexpended funds will be returned to MDOT for re-allocation, and the Grantee may re-apply for Bikeways Program funding in the next regular solicitation round.

## APPENDICES

All forms in the appendices can be downloaded on the Maryland Bikeways website at <http://www.mdot.maryland.gov/newMDOT/Planning/Bike/Bikeways.html>

- A. [Bikeways Application Form](#)
- B. [Workplan and Quarterly Update Form](#)
- C. [Final Report Form](#)