

Boardwalk Preservation Fund Frequently Asked Questions (FAQs)



Disclaimer

FAQs are written to accurately and consistently reflect all published policies and application materials. In the event that a FAQ below does not completely comport with the Request for Proposals, Application, or Application Materials, the Request for Proposals, Application, and Application Materials govern any decision. Please read all published guidance and requirements carefully.

Eligibility

Specific Eligibility Questions

1. **Would a Project to replace boardwalk trails within a park be allowable?**
2. **Is a pier that goes into the ocean as opposed to along the ocean eligible?**
3. **Please confirm that inshore municipalities (Raritan Bay, Barnegat Bay, Arthur Kill, etc.) would also be eligible for this funding. The RFP mentions coastal communities, I want to confirm non-oceanfront towns are eligible as well.**
4. **Are lakes, rivers, bays, and bodies of water with recreation areas and boardwalks considered "shores"? Specific examples:**
 - **Stockton Lake, Manasquan – this lake is salt/brackish water and located 3,000 ft/ 0.56 mi from the beachfront, boardwalk area along the lake in serious need of repair**
 - **Lake Carasaljo, Lakewood – man-made lake in the center of town, includes boardwalks in certain sections of the path that surrounds the lake**
 - **The Toms River, Ocean Gate – the boardwalk runs along the river and features several bathing beach areas, playgrounds, bathroom facilities, and concession stands**
 - **Grassy Sound Channel (Intracoastal Waterway), Middle Township – existing Large Fishing Pier is being replaced**

We will not be determining eligibility through the FAQs. All submitters should make the case for how their projects fit the guidelines established in the criteria. For additional information, please visit the New Jersey Department of Environmental Protection, Coastal Management Program website. [NJDEP-Coastal Management Program](#)



5. Are special improvement districts eligible?

The target applicants for this funding are Municipalities and Counties in New Jersey. New Jersey Senate Bill 3989, lays out the guidelines for the Boardwalk Preservation Fund and states: “This bill establishes a “Boardwalk Preservation Fund” (fund) in the Department of Community Affairs (DCA) for the purpose of providing matching grants to counties and municipalities in amounts equal to reasonable and necessary county and municipal expenditures or contributions concerning boardwalk construction, maintenance, reconstruction and repair projects”.

6. If you are a private owner of a boardwalk, is there any way for you to gain access to these funds for improvements that although would benefit our portion of the boardwalk, would ultimately benefit the public good?

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7. Would the states 3 promenades be eligible? (Not made of wood boards)

All New Jersey coastal counties and municipalities with existing boardwalks that are seeking funding for boardwalk construction, repair, and maintenance are eligible to apply. An eligible applicant could be any of the following:

- Coastal Municipality
- Coastal County
- Coastal Municipal/County Partnerships or Consortia

We encourage all prospective applicants to apply and make the case for how they fit into these criteria.

8. Is the 2016 NJ Coastal Municipalities list from the NJ Coastal Management Program an appropriate reference of the eligible municipalities?

All municipalities making a case to determine eligibility as a coastal community would find that map compelling.

General Eligibility

9. A) Would projects including beach access points be eligible under this grant? The access points are in need of ADA improvements for easier access and there is a boardwalk in other municipal areas, but do not have a tangible boardwalk at the access points themselves.

B) If the municipality already has a boardwalk but would like to expand the boardwalk walking space in a different location, would this be considered eligible? This would essentially create two separate boardwalk spaces.

New Boardwalks and ADA improvements for non-boardwalk facilities are not an eligible activity. For a boardwalk project to be an eligible use of Boardwalk Preservation grant funds, it must meet at least one of the following criteria:

- Boardwalk Construction that adds new boardwalk components
- Boardwalk Maintenance
- Boardwalk Reconstruction
- Repair of ancillary or appurtenant structures

10. Would a boardwalk reconstruction project be eligible if a Municipality has already accepted bids and awarded the project? The project was bid, and contract documents were prepared in accordance with New Jersey Local Public Contract Law. The contract requires compliance with prevailing wage rates. The Borough has not disbursed any payment toward construction yet. Construction is anticipated to start in the beginning of October 2023, and we anticipate first payment to the contractor, either at the end of October or the beginning of November 2023.

This funding targets new projects and not projects that are already underway and awarded.

11. If a Municipality applies for one application with two different projects at different boardwalk locations, would an application be able to be partially awarded if the reviewers liked one project more than another, would it be fully denied, or could I do two applications?

A single application for multiple projects is allowable. Feel free to prioritize your projects. Should the program be oversubscribed, DCA may cap awards to a reasonable threshold ensuring equitable distribution of funds. DRM reserves the right to withdraw funding for any project, that at any point demonstrates the inability to meet the grant deadlines.

12. Are only projects on municipal/county/state properties eligible? i.e. would new construction of a public boardwalk on a commercial or residential waterfront redevelopment site be eligible?

All New Jersey coastal counties and municipalities with existing boardwalks that are seeking funding for boardwalk construction, repair, and maintenance are eligible to apply.

13. We are working with a municipal client that has a boardwalk project to replace temporary bathroom structures with permanent, modular, ADA-compliant bathrooms at various locations along the boardwalk. The guidelines do not make it clear that a project of this nature would be eligible, but we wanted to check first. The guidelines seem to focus more on the boardwalk itself, rather than ancillary structures such as bathrooms, even though they are essential to the beach and boardwalk operability. Can you give some clarity as to whether or not this project would be considered?

For a boardwalk project to be an eligible use of Boardwalk Preservation Grant funds, it must meet at least ONE of the following criteria:

- Boardwalk Construction that adds new boardwalk components
- Boardwalk Maintenance
- Boardwalk Reconstruction
- Repair of ancillary or appurtenant structures which are defined in the guidelines as structures directly on or adjacent to the boardwalk that provide necessary amenities such as public restrooms, water fountains and ticket booths or commercial facilities.

Allowable Costs

14. Is Administration of the grant an allowable cost?

All grant awards are considered a direct cost for the purposes of US Treasury Reporting. All municipalities are eligible to apply an approved indirect cost rate.

15. Is beach replenishment eligible?

In general beach replenishment is not eligible. If beach replenishment is integral to the boardwalk repair or maintenance, it may be considered.

16. Are engineering costs eligible?

Yes.

17. Can funding be used as a pass through by developing a municipal grant process for businesses affected?

Yes, one of the examples of eligible projects in the criteria is “Provide grant funds to businesses that need to complete upgrades to align with a proposed boardwalk construction.

18. Does this funding cover Right of Way and Environmental Permit requirements?

Yes.

19. Can a private entity be a joint-applicant with the partnering municipal (coastal) entity as the lead applicant? Can a private business apply solely- whereas the boardwalk is privately owned but publicly accessible?

No, the target applicants for this funding are Municipalities and Counties in New Jersey. New Jersey Senate Bill 3989, lays out the guidelines for the Boardwalk Preservation Fund and states: “This bill establishes a “Boardwalk Preservation Fund” (fund) in the Department of Community Affairs (DCA) for the purpose of providing matching grants to counties and municipalities in amounts equal to reasonable and necessary county and municipal expenditures or contributions concerning boardwalk construction, maintenance, reconstruction and repair projects”.

20. Is there any additional information or guidance regarding “Boardwalk Plan(s)”? Can funding be used for the development of a Boardwalk plan?

The funding request can include the development of a boardwalk plan. However, grants will not be awarded exclusively for planning.

21. Would in house labor costs (DPW) for boardwalk work be eligible for reimbursement? (Forced Labor Reimbursement)

There is no prohibition against agreements for forced labor.

Project Match

22. For Boardwalks that are included in a state designated UEZ, can the UEZ district use allocated UEZ funds as the local match if required and will DRM coordinate with UEZA?

At this time DRM has not coordinated with UEZA. The Grant Guidelines state “Local Match may be covered using federal or local funds, or state funds from non-COVID funded programs.” If the funds fit within those criteria, they can be used as the Local Match.

23. Please confirm other grant awards (FEMA, Green Acres, etc.) can be counted towards the local match.

The Grant Guidelines state “Local Match may be covered using federal or local funds, or state funds from non-COVID funded programs.” If the funds fit within those criteria, they can be used as the Local Match.

Procedural Questions

24. Would DCA need to approve bid packages prior to public advertising?

To be determined. Elements of DRM’s oversight of Boardwalk Preservation Funds will be incorporated in the grant agreements which are still a work in progress.

25. Is there any consideration in regard to streamlining the CAFRA or other Permits?

DEP has the exclusive oversight on all CAFRA Permits. However, interdepartmental coordination will be established to facilitate permitting.

26. Is the applicant required to pass and include in the application a resolution authorizing the submission of the application?

It is not required as part of the application submission. However, a resolution to accept the grant award which also identifies the source of the match if applicable, will be a condition of the final agreement.

Project Timeline

27. Could the deadlines for spending funds be extended?

Deadlines cannot be extended. Timelines for obligating and expending funds have been determined by ARP guidelines from US Treasury, which sets clear deadlines. Funds must be obligated by December 31, 2024 and expended by December 31, 2026.

Budget

28. Are there any limitations on budget categories?

There are no limits for budget categories that can be included in a proposed budget for your project, but projects may be partially awarded or scoping may be required.

Definitions

29. What exactly does “obligated” mean? Is that when the municipality needs to award the construction contract for the planned work?

DRM is required to follow the definitions from United States Treasury. In this case Treasury has explicitly defaulted to the Uniform Guidance definition of “obligated” and both definitions are listed below.

From Final Rule: “The December 31, 2024 deadline by which eligible costs must be incurred is established by statute. Treasury is finalizing its interpretation of “incurred” to be equivalent to the definition of “obligation,” based on the definition used for purposes of the Uniform Guidance.”

Uniform Guidance Definition (2 CFR 200.1): “Financial Obligation: when referencing a recipient’s or subrecipient’s use of funds under a Federal award, means orders placed for property and services, contracts and sub-awards made, and similar transactions that require payment.”

30. In the RFP, the definition of the boardwalk concludes with the phrase, “...and that may contain or provide access to commercial facilities.” Does this require that the commercial facilities be located directly on the boardwalk, or only that the boardwalk be traversed in order to access those commercial facilities?

Repair of ancillary or appurtenant structures are an eligible use of these funds. The guidelines define ancillary or appurtenant structures as “structures directly on or adjacent to the boardwalk that provide necessary amenities such as public restrooms, water fountains, and ticket booths or commercial facilities.” We encourage municipalities/counties to make a case to show how the facilities being included fit into that definition.