



**2024-2025  
NEW MEXICO DEPARTMENT OF GAME AND  
FISH OFF-HIGHWAY VEHICLE PROGRAM  
LAW ENFORCEMENT OVERTIME GRANT  
INSTRUCTIONS**

New Mexico Department of Game and Fish

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Albuquerque, New Mexico 87120

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**CONTENTS**

**PURPOSE AND NEED ..... 3**

**STATUTORY AUTHORITY FOR OHV GRANT PROGRAM ..... 4**

**PROPOSAL SUBMITTAL REQUIREMENTS ..... 5**

**DEFINITIONS ..... 6**

**OHV LAW ENFORCEMENT GRANT APPLICATION ELEMENTS ..... 8**

**REQUESTS FOR PAYMENT..... 9**

**REIMBURSEMENT REQUEST FORMAT EXAMPLE ..... 10**

**ELIGIBLE COSTS VS. NON-ELIGIBLE COSTS ..... 11**

**LINK TO NM DFA SUBSTITUTE W-9 FORM .....12**

## **PURPOSE AND NEED**

The New Mexico Off-Highway Vehicle (OHV) Program, under the direction of The New Mexico Department of Game and Fish (hereinafter referred to as “Department”), is accepting proposals for grants to be distributed from the Off-Highway Vehicle Trail Safety Fund (hereinafter referred to as “Fund”). Successful funding of grant proposals will result in agreements for OHV-specific law enforcement/education patrols in furtherance of the provisions of the NM OHV Program as outlined in section 66-3-1001 NMSA. Respondents to this request must use the appropriate Grant Application Form issued by the Department. The Grant Application Form is available on the Department’s website, <https://www.wildlife.state.nm.us/ohv/ohv-grant-information/>, or by contacting OHV Law Enforcement Coordinator, Officer Tyler Twichell at 505-629-6940 or via email at [tyler.twichell@dgf.nm.gov](mailto:tyler.twichell@dgf.nm.gov).

The OHV Grant Program provides funding to federal, state, local, and tribal government law enforcement agencies to conduct OHV-specific enforcement patrols on public land for the purpose of advancing the provisions of the OHV Act. Grants will be for law enforcement patrols related to OHVs and OHV safety. OHVs include off-highway motorcycles, all-terrain vehicles, recreational off-highway vehicles, snowmobiles, and specialty off-highway vehicles. The program encourages efforts that maximize statewide and regional/geographic benefits. The program operates on a reimbursement basis. Please see the definition section of this Grant Application for detailed descriptions of the reimbursement process.

The program intends to award funds and enter into agreement with more than one eligible applying entity. Awarded entities may be subject to interim evaluations and review during the agreement period. Awarded entities shall coordinate with the OHV Law Enforcement Coordinator and give updates on the operations on a quarterly basis via email or phone correspondence. Funding for the OHV Grant Program comes from the Trail Safety Fund, with revenue from OHV registration fees collected in the State of New Mexico and is contingent upon budgetary approval made by the New Mexico State Legislature.

## **STATUTORY AUTHORITY FOR OHV GRANT PROGRAM**

66-3-1018. Department; powers and duties.

### B. The Department:

(8) shall accept and evaluate all applications for grants from the fund for implementation of the provisions of the Off-Highway Motor Vehicle Act.

**Applicant Financial Status:** Entities must be eligible to receive payment from the State of New Mexico Department of Finance and Administration (DFA), through transfer payments or state purchase orders. A New Mexico-specific Form W-9 must be completed if required by DFA (see page 17 for example – request form by email).

**Applicant Legal Status:** Federal agencies, state, local, and tribal governments, and other political subdivisions of the state and non-profit organizations as designated by the Internal Revenue Service are eligible to apply for and receive grants. Private sector or for-profit entities are not eligible to apply for and receive grants.

**Applicant Proof of Eligibility:** Proof of the organization's non-profit status must be submitted with the Proposal/Application Form. Provide (1) one copy of the non-profit status letter issued by the Internal Revenue Service (IRS). In the event an organization is awarded funding but is either not in compliance with the requirement that it has received a tax-exempt designation from the Internal Revenue Service, or it becomes non-compliant after an award is made, the organization shall immediately meet compliance, or it shall return all awarded funds upon written request from the Department. A proposal will not be considered if the awarded funds will result in a private benefit that violates the rules, regulations, statutes, or Constitution of the State of New Mexico.

**Proposal Funding:** Funding for OHV grants comes from the Trail Safety Fund administered by the New Mexico Department of Game and Fish under budgetary authority granted by the New Mexico State Legislature. The maximum grant amount that can be requested by any sole applicant per proposal and application is \$15,000 dollars. The actual amount awarded per proposal may be less. Not all proposals will be funded. Several factors determine the amount awarded to any proposal. Factors include but are not limited to available funding, number of applicants, leverage, and the evaluation score of the proposal submitted. Awarded funds may have a match requirement based on the project proposal. See the definitions for "Match" and "Leverage" outlined in this application.

**Agreement Effective and Termination Dates:** The intent of the Department in managing the OHV Grant Program is to have all agreements effective July 1, 2024, and terminate June 13, 2025, or sooner. Commitments and eligible expenses for each awarded proposal must occur after the signed effective date and prior to the termination of the agreement in order to be eligible for reimbursement.

## **PROPOSAL SUBMITTAL REQUIREMENTS**

To apply for the OHV Overtime Grant, please read, complete, and submit the 2024-2025 Law Enforcement Overtime Grant Application form packet along with the required information defined below. The form is available for download on the Department website, <https://www.wildlife.state.nm.us/ohv/ohv-grant-information/>, or by contacting the OHV LE Coordinator Officer Tyler Twichell at 505-629-6940, or via email at [tyler.twichell@dgf.nm.gov](mailto:tyler.twichell@dgf.nm.gov).

**Due Date:** All 2024-2025 grant applications will only be accepted by email at [tyler.twichell@dgf.nm.gov](mailto:tyler.twichell@dgf.nm.gov) on or before Friday, **April 5, 2024 at 5:00 PM**.

**Submittal package Requirements:** Each proposal submittal application must include:

- Completed OHV Overtime Grant application form - All parties to a consortium or partnership making the application must sign. Digital signatures will be accepted.
- Description of operation plan, including issues to be addressed, anticipated number of operations planned, general locations of planned operations, operation hours, and number of officers needed.
- Description of the scheduled safety training, promotion, or outreach to include the anticipated schedule of classes, synopsis of the promotion activities, and synopsis of outreach activities and plans to implement (if applicable).
- Include a budget for each operation and financial capability to cover the cost prior to quarterly reimbursement.
- Maps and plans of the patrol area
- Completed W9 form
- Submit completed Proposal Application email marked: 2024-2025 OHV LAW ENFORCEMENT OVERTIME GRANT APPLICATION

### **Email to:**

New Mexico Department of Game and Fish OHV LE Coordinator Officer Tyler Twichell [tyler.twichell@dgf.nm.gov](mailto:tyler.twichell@dgf.nm.gov) by email by **April 5, 2024 at 5:00 PM**.

Please retain proof of delivery for verification that the deadline has been met.

**Unacceptable proposals:** Applications received after the deadline will be rejected. Proposal packages missing the required documents will be rejected.

## **DEFINITIONS**

**The following definitions are only for the purpose of this request for proposal.**

**Consortium:** A complementing effort between two or more entities, all of whom are considered eligible as defined under the "Eligibility" section of this request for proposal; within a geographic area/region, industry, or theme agreeing to cooperatively advertise, market, or promote OHV safety programs and enforcement.

**Department:** New Mexico Department of Game and Fish

**Applying Entities DPS OHV Act Training Mandate:** The applying agency must take DPS OHV Act training or assign specific personnel to attend DPS OHV Act training prior to the start of OHV overtime patrols. DPS OHV Act training can be obtained through the New Mexico Department of Game and Fish OHV Program's Law Enforcement Coordinator, Tyler Twichell at (505) 629-6940 or by email at [tyler.twichell@dgf.nm.gov](mailto:tyler.twichell@dgf.nm.gov)

**Eligible Costs:** Please refer to the list at the end of this request for proposal for a complete listing of eligible and non-eligible costs. Please contact the Department of Game and Fish OHV Program if clarification is needed.

**Entity:** Federal, state, local, and tribal government agencies located in New Mexico.

**Fully-executed Agreement:** One which has been signed by the New Mexico Department of Game and Fish, and the agreement is fully in effect and binding to the terms and conditions indicated within.

**Funding Request:** The amount of eligible costs to be considered for grant award.

**Leverage:** The amount of funds and in-kind patrols for this project that will be used to leverage OHV Grants against competing applications.

**Operation "Op" Plan:** A plan that identifies the mission, goals, and objectives of the patrols. The plan also specifies an implementation plan, timelines, and desired outcomes on how the patrol will advance the provisions of the OHV Act. Examples of "op" plans are to "address problem OHV use areas" and, "incorporate DWI style blitz operations to reduce illegal OHV pavement use."

**OHV:** An Off-Highway Vehicle, defined by the Off-Highway Motor Vehicle Act (Section 66-3-1001.1 NMSA 1978), as an Off-Highway Motorcycle (Dirt Bike), All Terrain Vehicle (ATV), Recreational Off-Highway Vehicle (ROV), or Snowmobile.

**Partnership** A formal cooperative agreement between entities including, but not limited to, local government, civic and private entities that will assist in achieving the mission, goals, and objectives of the applying entity. Partners may contribute to the entity financially, in kind, or through other means as defined. A list of partners is required in the Grant Application Form. Please refer to the definition of a "Consortium" to describe those partners.

**Reimbursement-based Grant:** An award of money in which the awarded grant applicant may expend funds on eligible items as defined in the original Grant Application Form, and as defined in the agreement, and for which the expended funds must be paid prior to requesting reimbursement from the State. Requests are due on a quarterly basis. See the “request for payment” section for instructions.

## **OHV OVERTIME GRANT APPLICATION ELEMENTS**

### **OHV Overtime Grant Application Form (See example application for format)**

- Complete the OHV Overtime Grant Application form in its entirety.
- All parties must sign and date the Application form.
- The 2024-2025 OHV Overtime Grant Application form must be used for responding applicants.

### **Patrol Operation Plan**

Provide a clear description of the scheduled patrols to include an anticipated number of operations, anticipated dates for each operation, general location(s), op hours, and officers needed. Citations are strongly encouraged to be issued to violators during operations.

Provide a clear description of the scheduled safety training, promotion, or outreach to include the anticipated schedule of classes, synopsis of the promotion activities, and synopsis of outreach activities and plans to implement.

Please see the provided example as a reference of what should be included in a Patrol Operation Plan.

### **Patrol Budget/Financial Capability**

Provide in the operation description patrol cost per op and the total amount requested by the grant.

Remember, grant amounts awarded are reimbursements for eligible expenses paid in full. An applicant must have the financial capability to absorb the entire cost of implementing the patrol. The patrols must be paid in full, and then reimbursement can be requested up to the awarded amount. A request for payment submitted in any quarter must provide itemized documentation indicating the expense has been paid including employee activity sheets.

### **Maps and Site Plans**

Provide at least one map of the patrol area. This is a mandatory requirement.

The application should include a map that shows roads, trails, OHV riding areas, management area boundaries, and other significant natural and developed features within the patrol area. The patrol areas shall be areas with a high violation rate or areas requiring more attention based on public needs.

### **Program Acknowledgment**

The Department and the New Mexico OHV Program must be acknowledged on all projects including but not limited to all print and television advertising or new releases, brochures, signage, billboards, and websites funded in whole or in part by the grant.

The Department requires review and approval on all products produced using grants from the Trail Safety Fund.



## **REQUESTS FOR PAYMENT**

After proposals are awarded and agreements are fully executed, invoices for payments are due on a quarterly basis. Requests for quarterly reimbursements shall be submitted on or before invoice due date of the respective quarter.

Requests not submitted on or before the established deadline may be declined or delayed.

Each invoice must include the following:

- Proof of work performed (activity report required)
  - Activity report forms will be provided by the OHV LE Coordinator to use as proof of work performed if awarded the grant.
  - The activity report form include the number of hours worked in total, names of personnel, total number of contacts, and total number of citations issued for OHV violations per operation
- Complete request for reimbursement: Letter on agency letterhead requesting reimbursement for monies already spent for OHV law enforcement overtime patrols

The letter should include the requested reimbursement amount, date of request, and must have an original or digital signature. (See page 10 for example)

### **Quarterly Due Dates**

For the purpose of the OHV Law Enforcement Grant Program, quarters, and respective due dates are as follows:

Quarters	Invoice Due By:
1st Quarter: July – September	October 15th
2nd Quarter: October – December	January 15th
3rd Quarter: January – March	April 15th
4th Quarter: April – June	June 13th

## **REIMBURSEMENT REQUEST FORMAT EXAMPLE**

*Please provide the following reimbursement request on your Department's official letterhead each time you submit OHV activity reports, overtime time sheets, and reports associated with the operation. This form is required by the New Mexico Department of Finance for all grant reimbursements.*

(Cut and paste)

New Mexico Dept. of Game and Fish  
OHV LE Coordinator Tyler Twichell  
7816 Alamo Road NW  
Albuquerque, NM 87120  
Re: OHV Grant award (2024-2025-#)

Officer Twichell,

Per the grant agreement guidelines, I am submitting to you the law enforcement activity report sheet along with the Time and Attendance-Employee Time Card Reports and seeking reimbursement totaling (\$) for patrols on (Dates).

Sincerely

(Your Name or Digital Signature)

(Agency)

(Address)

## **ELIGIBLE COSTS VS. NON-ELIGIBLE COSTS**

### **Eligible for Funding and Reimbursement:**

- Federal, state, local, and tribal law enforcement agencies.
- Only scheduled OHV enforcement-specific overtime patrols.
- Only certified law enforcement officers.
- Certified officer OHV patrol hours.
- OHV blitz or swarm enforcement type patrol strategies.
- Hosting OHV Safety Education courses, promotion of safe OHV use, or other public outreach, which promotes educating the public on OHV laws and/or safe operation.

### **Not Eligible for Funding**

- Scheduled hunt patrols.
- Briefing/debriefing time exceeding 1 hour combined for planned operations.
- Patrols utilizing OHVs as a mode of transportation for regular duties or special events that are not OHV enforcement-specific.
- Attending OHV safety training or any operator courses, excluding OHV instructor courses to become certified to teach safety education classes.
- Court appearance time for cases arising from operations.
- Projects that displace fish and wildlife species or reduce habitat.
- Trail projects on routes not approved by the appropriate land management agency or private landowner.
- Fulfillment costs - envelopes and supplies.
- Communication - telephone expenses.
- Administration - salaries, per diem (travel expenses, mileage, gasoline, meals, or lodging), over-run, entertainment, supplies, taxes, and other categories not explicitly allowed in eligible costs.
- Items for sale - Promotional items produced for sale such as video/CDs/DVDs, brochures, t-shirts, posters, calendars, etc.
- Trail construction or improvements that exclude OHV use.
- Anything contrary to state or federal law.

## Link to NM DFA SUBSTITUTE W-9 FORM

<https://www.nmdfa.state.nm.us/wp-content/uploads/2021/08/NM-SUBSTITUTE-W9.pdf>