



Regional Economic Development Councils



2016 Available CFA Resources

Governor Andrew M. Cuomo

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Introduction

In 2011, Governor Andrew M. Cuomo created ten Regional Economic Development Councils (REDC) and the Consolidated Funding Application (CFA) to advance the administration's efforts to improve New York's business climate and expand economic growth.

The REDCs developed strategic plans with input from a broad spectrum of stakeholders taking into account the unique strengths and weaknesses of each region. The strategic plans serve as a 5-year road map, guiding each region's efforts to stimulate economic growth. Each region's strategic plan, implementation agenda and progress reports can be found online at www.regionalcouncils.ny.gov

For Round VI, Regional Councils will once again focus on the implementation of each region's strategic plan, and continue to identify and invest in significant economic development projects. The Governor has directed over \$750 million in State resources to be made available in 2016 to support the economic development priorities of the regions and spur job creation across the state, including \$245 million in competitive funds from Empire State Development.

In 2016, REDCs will advance projects and other actions identified for implementation and identify new strategies, as appropriate, to pursue. The Regional Councils are having a positive impact on economic development, helping to bring unemployment levels down through the creation and retention of thousands of jobs.

During Round VI, in addition to the strategies established in their regional strategic economic development plans, each REDC is asked to focus on the following priorities (additional details available in 2016 REDC Guidebook):

- Support the Downtown Revitalization Initiative Plan and identify projects.
- Implementing additional strategies in their strategic plan.
- Maintaining a pipeline of projects.
- Training the workforce for today and tomorrow.
- Measuring the performance and progress of the strategic plan and CFA projects.

In addition to the \$245 million available for the competitive aspect of the Regional Council process, over \$510 million will be available to applicants through the CFA from various State agencies to support economic development projects that align with REDC strategic plans. The agency resources will support projects in the areas of community development, direct assistance to businesses and other organizations, waterfront revitalization, energy, environmental improvements, sustainability, education and workforce development, and low-cost financing.

This year, there are over 30 programs available through 11 state agencies, including Empire State Development; NYS Canal Corporation; NYS Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; New York Power Authority; Office of Parks, Recreation and Historic Preservation; Department of State; Department of Environmental Conservation, and Council on the Arts. In an effort to provide the most appropriate state resources through this process, participating agencies will be able to review and potentially provide funding to a project that did not specifically apply to that program, if the materials submitted at time of application satisfy the requirements for that program and allow for fair review under the circumstances. In addition, all programs contained in this document will use regional distribution standards to ensure projects are funded throughout the state.

Please be advised that all CFA grants are subject to the New York State Executive Law Article 15-A which requires, where applicable, the establishment of 30% minority-and women-owned business enterprises ("M/WBE") contract goals.

This document outlines information about each agency's grant programs, including eligibility, scoring criteria, applicant requirements, and agency contact information.

2016 Available Resources

Direct Assistance to Business and Other Organizations: Up to \$262 million

- **Empire State Development**
 - Up to \$175 million for ESD Grant Funds
 - Up to \$70 million for Excelsior Jobs Program
 - Up to \$2.5 million Business Incubator and Innovation Hot Spot Support Program
 - Up to \$1 million for ESD Grants for Strategic Planning and Feasibility Studies
 - Up to \$13.5 million for Market New York

Community Development: Up to \$55 million

- **New York State Council on the Arts**
 - Up to \$5 million for Arts, Culture and Heritage Projects
- **Homes and Community Renewal**
 - Up to \$25 million for New York State Community Development Block Grant Program
 - Up to \$5 million for New York Main Street Program
- **Office of Parks, Recreation and Historic Preservation**
 - Up to \$20 million for Environmental Protection Fund Grants

Waterfront Revitalization: Up to \$20.5 million

- **Department of State**
 - Up to \$19.5 million for the Local Waterfront Revitalization Program
- **New York State Canal Corporation**
 - Up to \$1 million for the Canalway Grants Program

Energy: Up to \$60 million

- **New York State Energy Research and Development Authority**
 - Up to \$60 million for Energy Efficiency Programs
- **New York State Power Authority**
 - Up to 150MW for the ReCharge NY Program

Environmental Improvements: Up to \$40 million

- **Department of Environmental Conservation**
 - Up to \$2 million for NYS DEC/EFC Wastewater Infrastructure Engineering Planning Grant
 - Up to \$26 million for the Water Quality Improvement Projects (WQIP) Program
- **Environmental Facilities Corporation**
 - Up to \$10 million for the Green Innovation Grant Program

Sustainability Planning and Implementation: Up to \$15 million

- **Department of Environmental Conservation**
 - Up to \$11 million for the Climate Smart Communities Program
- **Department of State**
 - Up to \$4 million for Local Government Efficiency Grants

Education/Workforce Development: Up to \$5 million

- **Department of Labor**
 - Up to \$5 million for Workforce Development

Low Cost Financing: Up to \$300 million

- **Empire State Development**
 - Up to \$300 million for Industrial Development Bond (IDB) Cap

Direct Assistance to Businesses and Other Organizations

Empire State Development Grant Funds

Funding Available: Up to \$175 million

DESCRIPTION:

ESD has \$175 million of capital grant funding from the Regional Council Capital Fund available for the State's Regional Economic Development Council Initiative, which helps drive regional and local economic development across New York State in cooperation with ten Regional Economic Development Councils ("Regional Councils").

Capital grant funding is available for capital-based economic development projects intended to create or retain jobs; prevent, reduce or eliminate unemployment and underemployment; and/or increase business or economic activity in a community or Region.

Grant funding will be allocated among the ten regions, each represented by a Regional Council, based on each Regional Council's development and implementation of a five-year strategic plan that sets out a comprehensive vision for economic development and specific strategies to implement that vision. Funding will be allocated to projects, including priority projects identified by the Regional Councils, identified as significant, regionally supported and capable of stimulating economic investment.

In addition, special consideration shall be given to projects supporting Regional Economic Development Council Opportunity Agenda priorities, Global NY projects, Veterans' Related Projects, Downtown Revitalization Initiative projects, and projects identified in the NY Rising Community Reconstruction Program recovery plans.

Funding will be awarded by the New York State Urban Development Corporation (d/b/a Empire State Development) at its discretion.

ELIGIBLE TYPES OF APPLICANTS:

Eligible Applicants include but are not limited to: for-profit businesses, not-for-profit corporations*, business improvement districts, local development corporations, public benefit corporations (including industrial development agencies), economic development organizations, research and academic institutions, incubators, technology parks, municipalities, counties, regional planning councils, tourist attractions and community facilities.

* If awarded funding, prior to ESD Directors' approval and execution of a contract with ESD, a not-for-profit corporation must be registered and up-to-date with filings with the New York State Office of the Attorney General's Charities Bureau and the New York State Office of the State Comptroller's VendRep System and must be prequalified in the New York State Grants Gateway.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Applicants applying for ESD Grant Funds should clearly describe the scope and budget for the "project" for which funds are being requested. For example, an Applicant may be planning a larger project that would include multiple phases, such as in the case of a major infrastructure project or redevelopment of a specific geographic area. However, the "project" for which funds are being requested via the CFA might consist of only one phase of the larger project. In such situations, the request for ESD Grant funds should be specific to the phase, NOT the overall multi-phase project.

Assistance generally falls into three categories:

1. Business Investment:

Business investments are capital expenditures that facilitate an employer's ability to create new jobs in New York State or to retain jobs that are otherwise in jeopardy. Five-year job commitments will be required of all award recipients because it is by underwriting these job commitments that ESD is best able to forecast the economic benefits of providing assistance to any particular project. Applicants will therefore be required to commit to the number of jobs at risk (of relocation or loss) that will be retained by the proposed project, the number of net new full-time jobs that will be created by the project, and the average salaries of each. Failure to achieve or maintain these employment commitments will subject a funding recipient to potential recapture of assistance.

2. Infrastructure Investment:

Funds may be used to finance infrastructure investments in order to attract new businesses and expand existing businesses, thereby fostering further investment. Infrastructure investments are capital expenditures for infrastructure including transportation, parking garages, water and sewer, communication, and energy generation and distribution. Infrastructure Investment projects may also include planning or feasibility studies relating to a specific capital project or site.

Infrastructure investment projects that are able to provide job commitments will be viewed favorably. It is important, however, to note that (1) few infrastructure investment projects are anticipated to be able to provide job commitments and (2) if the employer will be an entity other than the Applicant, a third party guarantee of the Applicant's job commitment must be provided by the prospective employer and both the prospective employer and the third party guarantor must be found by ESD to be creditworthy.

3. Economic Growth Investment:

An Economic Growth Investment initiative fosters economic growth through cultural activity, higher education activity, regional revolving loan and grant programs, agribusiness initiatives, other local or regional initiatives, planning or feasibility studies relating to a specific capital project or site, improvements to facilities in highly distressed areas, commercial revitalization activities in central business districts or commercial strips, or other types of projects that may not have direct job creation goals. Economic Growth Investment projects that are able to provide direct job commitments will be viewed favorably.

FUNDS MAY BE USED FOR:

- Acquisition of land, buildings, machinery and/or equipment;
- Demolition and environmental remediation;
- New construction, renovation or leasehold improvements;
- Acquisition of furniture and fixtures;
- Soft costs of up to twenty-five percent (25%) of total project costs; and
- Planning and feasibility studies related to a specific capital project or site.

INELIGIBLE ACTIVITIES:

The following types of expenses may be included in budgets but shall not be eligible for reimbursement by grant funds:

- Developer fees;
- Training; and
- Residential development, although program funds may be used for the commercial component of a mixed-use project.

PRE-APPLICATION REQUIREMENTS:

Applicants must complete and submit a Consolidated Funding Application (CFA) for review by ESD and the Regional Council for the region in which the proposed project is located.

SUCCESSFUL APPLICANT REQUIREMENTS:

Because awards are offered as an incentive to undertake a project, the project should not begin, and expenses should not be incurred, before funding awards have been announced. Expenses incurred prior to submission of a CFA should not be included in CFA project budgets, nor should expenses that will be incurred after submission of a CFA but prior to an award announcement.

ESD generally seeks to provide no more than twenty percent (20%) of the financing for any particular project.

ESD requires that the Applicant contribute a minimum of ten percent (10%) of the total project cost in the form of equity contributed after the Applicant's acceptance of ESD's incentive proposal. Equity is defined as cash injected into the project by the Applicant or by investors and should be auditable through the Applicant's financial statements or accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project or grants from a government source.

The Applicant must always disclose whether it is pursuing or intends to pursue multiple ESD funding sources, including grants, loans and tax incentives.

SELECTION CRITERIA:

In addition to the criteria noted below, ESD shall have the discretion to consider additional factors in determining the relative merits of projects.

Vision and Regional Economic Development Strategies:

- The overall economic impact that the project identified in the application will have on a region, including, but not limited to, the number and impact of any direct or indirect jobs that will be created;
- The number of new jobs created and/or at-risk jobs that will be retained;
- The amount of capital investment and the level of increased economic activity from the proposed capital investment; and
- The likelihood that the project identified in the application would be located outside of New York State or would not occur in New York State but for the availability of state or local incentives.

Public/Stakeholders:

- Whether the project has demonstrated support from local government and private sector leaders in the locality and the region where the project will be located;
- Whether the project will have a significant regional impact or is likely to increase the subject community's economic and social viability and vitality; and
- The degree of economic distress in the area where the Applicant will locate the project identified in its application, including downtown revitalization and brownfield areas.

Implementation:

- The degree of project readiness and likelihood of completion, including, where applicable for real estate development projects, if there are identified tenants for a completed project; and
- The degree of the Applicant's financial viability and strength of financials/operating history/ESD credit score.

Leveraged Resources:

- The amount of private financing leveraged; and
- The amount of public financing leveraged.

Performance Measures:

- The estimated return on investment that the project identified in the application will provide to New York State;
- For downtown areas, whether or not the project concerns the preservation of the architectural character of a building or neighborhood;
- Whether, where applicable, there are identified tenants for a completed project;
- The degree to which the project supports the principals of smart growth, energy-efficiency (including but not limited to, the reduction of greenhouse gas and emissions and the Leadership in Energy and Environmental Design [LEED] green building rating system for the project identified in its application), and sustainable development; and
- The degree to which the project identified in the application supports New York State minority- and women-owned business enterprises.

Significant Statewide Programs:

- Proposed projects that are part of the following initiatives will be looked upon favorably:

Downtown Revitalization Initiative: Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

NY Rising Related Projects: The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

Opportunity Agenda Related Projects: Each Regional Council may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence as such in their application.

Global NY Projects: The Global NY initiative accomplishes two complementary economic growth objectives - attract international investment and jobs to Upstate New York and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants that link project proposals to the Global NY strategies identified by the Regional Council will be looked upon favorably.

Veterans Related Projects: New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014 the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants that link project proposals to the Veterans Initiative strategies identified by the Regional Councils will be looked upon favorably.

AWARD CRITERIA DETAILS:

- Notice of a funding award will be given in the form of an incentive proposal outlining the terms of the proposed assistance. The award is subject to approval of the ESD Directors and compliance with applicable laws and regulations. Project funding may only be used for expenses incurred after the date that notice of the funding award is given. Applicants are strongly encouraged to review and countersign ESD's incentive proposal prior to starting the project.
- All Applicants will be requested to certify and agree that any decrease in the scope of work described in the Applicant's final CFA submission including, but not limited to, total project costs, jobs retained, and jobs created, may result in ESD's reduction of the award, in ESD's sole discretion, in an amount proportionate to any such decrease.
- All Applicants will be requested to certify and agree that any expansion of the scope of work described in the Applicant's final CFA submission including, but not limited to, total project costs, jobs retained, and jobs created, will not result in the increase of the award by ESD.
- Please note that awarded grants are **not transferable** and reimbursement payments may only be made to the awardee.
- The essential terms for the disbursement of assistance are included in the incentive proposal. Although funding is offered prior to project commencement as an inducement to undertake the project, funds are disbursed in arrears, as reimbursement for eligible project expenditures.
- Grant funds will be subject to pro rata recapture if property is sold within 5 years of disbursement of funds.
- It is expected the project will proceed in the time frame set forth by the Applicant. If the implementation of a project fails to proceed as planned and is delayed for a significant period of time and there is, in the exclusive judgment of ESD, doubt as to its viability, ESD reserves the right to cancel its funding commitment to such project. If awarded, the Incentive Proposal expires two years from the date of acceptance by the Recipient. ESD reserves the right to require Recipient to provide any additional information and/or documentation ESD deems necessary and terminate the project at any point if the applicant fails to provide such documentation in a timely manner.
- For Business Investment projects, partial funding is disbursed upon project completion and interim job creation/retention milestones, with additional funding disbursed upon achievement of job creation/retention milestones. For Infrastructure Investment and Economic Growth Investment projects, funding typically is disbursed upon project completion.
- Projects generally are presented to the ESD Directors once all project expenditures have been undertaken and disbursement of ESD assistance is sought.
- All required public approvals must be in place prior to the start of construction and approval by the ESD Directors, including State Environmental Quality Review (SEQR) and consultation with the State Historic Preservation Office, if applicable. Physical work on an ESD-funded project may not be started prior to the completion of any necessary environmental, historic and/or smart growth review.
- For projects with job creation and/or retention, job numbers will be verified using the employer's NY-45 and NY-45 ATT and/or payroll reports prior to disbursement of funds and annually thereafter through the required reporting period.

- In accordance with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect To State Contracts, projects awarded funding shall be reviewed by ESD's Office of Contractor and Supplier Diversity, which will set business and participation goals for minorities and women. Such goals shall typically be included in the incentive proposal.

Please note that ESD's agency-wide MWBE utilization goal is 30%. Each project will be assigned an individual contract-specific goal, which may be higher or lower than 30%. Should an Applicant receive a funding award, the Applicant shall be required to use good faith efforts to achieve the prescribed MWBE goals assigned to this project. Applicants must maintain such records and take such actions necessary to demonstrate such compliance. Failure to achieve the specified MWBE goal may result in award reduction.

- In accordance with State law, after approval by the ESD Directors, a public hearing will be required if the project involves the acquisition, construction, reconstruction, rehabilitation, alteration or improvement of any property. ESD will schedule a public hearing in accordance with the *New York State Urban Development Corporation Act* ("UDC Act") and will take such further action as may be required by the UDC Act and other applicable law and regulations. The ESD Directors must reconsider the matter if any negative testimony is received at the public hearing. (Generally, this hearing occurs the month after the Directors' initial approval). Approval by the Public Authorities Control Board ("PACB"), New York State Comptroller ("OSC") and the New York State Attorney General ("AG") may then be required. Following approval by the ESD Directors and PACB, OSC and AG approval, if required, the documents for processing the grant award will be prepared by ESD. Notwithstanding the process outlined above, no project shall be funded if sufficient resources are not received by ESD for such project.
- A \$250 Application Fee, payable when funding is documented in an Incentive Proposal, and a one percent (1%) non-reimbursable commitment fee based on the grant amount awarded will be assessed to all awardees. The commitment fee will be due when the Applicant executes documents required for processing the award, after approval by the ESD Directors. The Applicant will be obligated to pay for out-of-pocket expenses incurred by ESD in connection with the project, including, but not limited to, expenses related to attorney fees, appraisals, surveys, title insurance, credit searches, filing fees, public hearing expenses and other requirements deemed appropriate by ESD.
- Funds originally awarded to projects that have since been cancelled or terminated will be repurposed for economic development projects by ESD at its discretion in consultation with the REDCs.
- Projects having a hotel as a principal function will be required to demonstrate compliance with Section 2879-b of Public Authorities Law regarding labor peace if funding is awarded. Public Authorities Law Section 2879-b prohibits public authorities from providing financing for any project that includes, as one of the principal functions, a hotel with more than fifteen employees unless a labor peace agreement ("LPA") is entered into with a labor organization representing hotel or convention center employees in the State, for a period of at least five years. An LPA is an agreement between the project developer (or its contractors) and a labor organization prohibiting the labor organization and its members from engaging in labor activities that disrupt the hotel's operations.

ADDITIONAL RESOURCES:

For more information, eligible Applicants should contact the local Empire State Development Regional Office. A complete list of the ESD Regional Offices can be found at <http://esd.ny.gov/RegionalOverviews.html>

Excelsior Jobs Program

Funding Available: Up to \$70 million

DESCRIPTION: The Excelsior Jobs Program, established in Chapter 59 of the Laws of 2010, provides job creation and investment incentives to firms in such targeted industries as biotechnology, pharmaceutical, high-tech, clean-technology, green technology, financial services, agriculture and manufacturing. Firms in these industries that create and maintain new jobs or make significant financial investment are eligible to apply for up to four tax credits. The Program encourages businesses to expand in and relocate to New York while maintaining strict accountability standards to guarantee that businesses deliver on job and investment commitments. Program costs are capped at \$500 million annually to maintain fiscal affordability and ensure that New Yorkers realize a positive return on their investment.

Firms in the Excelsior Jobs Program may qualify for four, fully refundable tax credits. Businesses claim the credits over a multi-year period. To earn any of the following credits, firms must first meet and maintain the established job and investment thresholds.

The Excelsior Jobs Tax Credit: A credit of 6.85 percent of wages per new job to cover a portion of the associated payroll cost.

The Excelsior Investment Tax Credit: Valued at two percent of qualified investments.

The Excelsior Research and Development Tax Credit: A credit of 50 percent of the Federal Research and Development credit up to three percent of eligible research expenditures in NYS.

The Excelsior Real Property Tax Credit: Available to firms locating in certain distressed areas and to firms in targeted industries that meet higher employment and investment thresholds (Regionally Significant Project).

ELIGIBLE TYPES OF APPLICANTS: For-profit business entities including corporations, limited liability companies, partnerships, sole proprietorships.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Manufacturing: the process of working raw materials into products suitable for use or which gives new shapes, new quality or new combinations to matter which has already gone through some artificial process by the use of machinery, tools, appliances, or other similar equipment.

"Manufacturing" does not include an operation that involves only the assembly of components, provided, however, the assembly of motor vehicles or other high value-added products shall be considered manufacturing.

Software Development: the creation of coded computer instructions and includes new media; the application of information technology to traditional communications outlets, particularly through interactive modes such as the Internet, including video games, web search portals, interactive web-based content, and interactive advertising.

Scientific Research And Development: conducting research and experimental development in the physical, engineering, and life sciences, including but not limited to agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary, and other allied subjects. For the purposes of this article, scientific research and development does not include medical or veterinary laboratory testing facilities.

Agriculture: agricultural production (establishments performing the complete farm or ranch operation, such as farm owner-operators, tenant farm operators, and sharecroppers) and agricultural support (establishments that perform one or more activities associated with farm operation, such as soil preparation, planting, harvesting, and management, on a contract or fee basis).

Back Office Operations: a business function that may include one or more of the following activities: customer service, information technology and data processing, human resources, accounting and related administrative functions.

Distribution Center: a large scale facility involving processing, repackaging and/or movement of finished or semi-finished goods to retail locations across a multi-state area.

Music Production: means the process of creating sound recordings of at least eight minutes, recorded in professional sound studios, intended for commercial release. Music Production does not include recording of live concerts, or recordings that are primarily spoken word or wildlife or nature sounds, or produced for instructional use or advertising or promotional purposes.

Entertainment Company: means a corporation, partnership, limited partnership, or other entity principally engaged in the production or post production of (I) motion pictures, which shall include feature-length films and television films, (II) instructional videos, (III) televised commercial advertisements, (IV) animated films or cartoons, (V) music videos, (VI) television programs, which shall include, but not be limited to, television series, television pilots, and single television episodes, or (VII) programs primarily intended for radio broadcast. Entertainment Company shall not include an entity (I) principally engaged in the live performance of events, including, but not limited to, theatrical productions, concerts, circuses, and sporting events, (II) principally engaged in the production of content intended primarily for industrial, corporate or institutional end-users, (III) principally engaged in the production of fundraising films or programs, or (IV) engaged in the production of content for which records are required under section 2257 of Title 18, United States Code, to be maintained with respect to any performer in such production.

SUCCESSFUL APPLICANT REQUIREMENTS: Because awards are offered as an incentive to undertake a project, the project should not begin, and expenses should not be incurred, before funding award notification. Expenses incurred prior to submission of a CFA should not be included in CFA project budgets.

Excelsior Jobs Program eligibility is based on the predominant activity of the proposed project. The Program is limited to projects making a substantial commitment to growth – either in employment or through investing significant capital in a New York facility.

The Job Growth Track comprises 75% of the Program and includes projects creating new jobs in New York.

Targeted Activity	Minimum Job Creation Threshold
Scientific R&D	5
Software Development	5
Agriculture	5
Manufacturing	10
Back Office	50
Distribution	75
Music Production	5
Entertainment Company	100

The Investment Track comprises 25% of the Program and includes projects with targeted activities that make significant new capital investments in a New York facility but cannot project the minimum job threshold. Applicants with manufacturing activities must retain at least 10 jobs; all other eligible activities must retain at least 25 jobs. Applicants admitted to the Program under the Investment Track must meet a benefit-cost threshold of at least \$10 of investment and new wages for every \$1 of tax credit.

INELIGIBLE ACTIVITIES: A not-for-profit business entity, a business entity whose primary function is the provision of services including personal services, business services, or the provision of utilities, a business entity engaged predominantly in the retail or entertainment industry, other than a business operating as an entertainment company as defined as defined above or a business entity engaged in music production, and a business entity engaged in the generation or distribution of electricity, the distribution of natural gas, or the production of steam associated with the generation of electricity are not eligible to participate in the program.

SELECTION CRITERIA: In addition to the criteria noted below, ESD shall have the discretion to consider additional factors in determining the relative merits of projects.

- The overall economic impact that the project identified in the application will have on a region, including, but not limited to, the number and impact of any direct or indirect jobs that will be created;
- The number of new jobs created and/or at-risk jobs that will be retained;
- The amount of capital investment and the level of increased economic activity from the proposed capital investment; and
- The likelihood that the project identified in the application would be located outside of New York State or would not occur in New York State but for the availability of state or local incentives.
- Special consideration shall be given to projects supporting Regional Economic Development Council Opportunity Agenda priorities and its Global NY strategies.

AWARD CRITERIA DETAILS: Notice of a funding award will be given in the form of an incentive proposal outlining the terms of the proposed assistance, establishing a schedule of job and investment requirements and tax credit benefits. The award is subject to compliance with applicable laws and regulations. Project funding may only be used for expenses incurred after the date that notice of the funding award from the Commissioner of the NYS Department of Economic Development. Applicants are strongly encouraged to review and countersign ESD's incentive proposal prior to starting the project.

Each participant must submit a performance report annually demonstrating that the applicable job and investment requirements are achieved. A participant may receive benefits under the program based on interim milestones up to the limits established in the formal agreement.

ADDITIONAL RESOURCES: Program Contact: 518/292-5240
<http://esd.ny.gov/BusinessPrograms/Excelsior.html>

New York State Business Incubator and Innovation Hot Spot Support Program

Funding Available: \$2.5 Million

DESCRIPTION

The New York State Business Incubator and Innovation Hot Spots Support Program were enacted initially as part of the 2013-14 State Budget and will provide significant continued financial support for business incubators in the state. This underscores the importance of business incubation and technology transfer to the Governor's overall economic development strategy.

Business incubation is the process of accelerating the development of entrepreneurial companies through a structured array of business support resources and services targeted to the needs of start-up companies. The business incubator is the entity responsible for organizing and managing these support services.

Empire State Development (ESD) is administering the competitive process for the designation of New York State Business Incubators and New York State Innovation Hot Spots. Applications will be received and reviewed through the Consolidated Funding Application (CFA) process by both the Regional Councils and ESD.

In this Round VI competition, ESD anticipates making ten NYS Business Incubator designations and five Innovation Hot Spot designations. ESD anticipates that one Innovation Hot Spot will be designated in each of the following economic development regions: Western NY, the Finger Lakes, the Southern Tier, Central NY, and the North Country.

Awardees will receive operating funds from ESD to expand and create services. Designation as an Innovation Hot Spot brings significant state income and sales tax benefits for the start-up companies within the Hot Spot, for a period of five years. These benefits include:

- Being subject only to fixed dollar minimum tax or able to deduct income attributable to operations as part of Hot Spot; and
- Receiving credit or refund for sales tax on related goods and services.

The goal of the program is to improve the quantity and quality of incubator services provided to young companies, thereby enabling these businesses to successfully transition from start-up phase to larger scale commercialization of their products and services. This was one of the strategies laid out by Governor Cuomo more effectively harness our innovation assets and better serve inventors and entrepreneurs. Importantly, this program will provide ESD with valuable information on the companies which are at the early stage of entry into the state's innovation pipeline. ESD will seek to connect these companies with other state programs, such as the NY Innovation Venture Capital Fund and state-funded research assets, to better serve the growth needs of young companies.

ELIGIBILITY

An entity wishing to be designated as a designated NYS Business Incubator must currently be providing a business incubation program which has been in existence for three or more years. Applicants must provide a strategic plan for their incubator and demonstrate that their services align with industry best practices. Applicants must demonstrate how this funding will enable and/or expand services they provide to their tenant clients and demonstrate a 2:1 match of state funds.

Any entity seeking designation as a New York State Innovation Hot Spot must meet the requirements of a NYS Business Incubator and must demonstrate a strong affiliation with one or more colleges, universities or independent research institutions by providing a Memorandum of Understanding (MOU) describing such affiliation. Applicants are strongly encouraged to demonstrate regional partnerships with incubators or organizations assisting entrepreneurs and early stage companies. Applicants should demonstrate a track record of transitioning academic research to the marketplace. Only applicants within the New York State economic development regions of Western New York, Southern Tier, Finger Lakes, Central New York, and North Country will be eligible for a New York Innovation Hot Spot Designation in this round.

FUNDING

Successful applicants will be awarded operating grants to expand the services and programs provided to start-up companies served by the incubator.

- Up to \$125,000 will be provided annually for five years to entities designated as a New York State Business Incubator. Ten awards are anticipated in this category for CFA Round VI funding.
- Up to \$250,000 will be provided annually for five years to entities designated as a New York State Innovation Hot Spot. Five awards are anticipated in this category for CFA Round VI funding.

SUCCESSFUL APPLICANT REQUIREMENTS

Entities seeking designation as a Business Incubator will be required to:

- Be located in New York State;
- Be a not-for-profit organization;
- Have operated an incubator or has provided documented business development services for the last three years;
- Have a demonstrated link to regional sources of innovation and expertise;
- Commit to financially and programmatically maintain the incubator for five years from date of designation;
- Commit to best practices of incubation;
- Provide a strategic plan that describes how it intends to positively impact the regional entrepreneurial environment;
- Detail the process it uses to accelerate the development and commercialization of its clients products and services;
- Expand scope of services or provide new services;
- Provide a two-to-one match of the grant funds it receives for the operation of the incubator; and
- Submit data as required by ESD on the operations and performance of the incubator including a list of business enterprises currently being served by the incubator.

SELECTION CRITERIA:

The CFA application will be scored by its respective Regional Council. In addition to review and evaluation by the Regional Councils, applications will be reviewed and scored by ESD. The programmatic goal of this solicitation is to have applicants (not-for-profits) focus on services related to one or more industry verticals instead of general business development services. These verticals

include but are not limited to (textiles, fashion, food, dairy, Industrial kitchens, consumables, maker spaces, bio, info, nano, energy and others). Those applicants applying to become a New York State Business Incubator are encouraged to partner with their respective Regional NYS Innovation Hot spot. This program is intended to expand, enhance, and improve existing programs and services offered by the entity.

Applications will be evaluated and judged using the following criteria:

- The additional resources which will be leveraged by state grant assistance
- The number of clients served
- Demonstrated success in graduating clients from the incubator
- Alignment with regional strategies, priorities, assets and opportunities
- Type and quality of services provide
- How well the services and programs offered by the incubator conforms to best practices
- Effectiveness in accelerating the growth of start-up companies.
- The financial and programmatic support of the institution or communities it serves
- Commitment and support of the business sector
- Demonstrated commitment to growing the entrepreneurial and innovation network

SCORING

Applications will be scored using the following methodology:

- 1). Alignment with Regional Strategy and Priorities (20 percent) scored by the Regional Economic Development Council (REDC)
- 2). Incubation Community Best Practices (10 percent)
 - How well do the services and programs offered by the incubator conform to best practices within the Incubator Community?
- 3). Incubation Effectiveness (15 percent)
 - What is the track record of the incubator in accelerating growth of start-ups?
 - Increased jobs, investment, and other metrics determining successful incubation and effectiveness.
 - Graduation rates and illustrative examples.
- 4). Expansion of Services (15 percent)
 - What new or expanded programs or services will be provided to start-up companies within the region as are result of the grant funding?
 - Does this application involve a partnership with other incubators or the Regional Innovation Hot Spot?
- 5). Financial Soundness and Sustainability (10 percent)
 - Does the applicant's operating budget demonstrate financial soundness and strength?
- 6). Regional Incubator Leadership Assistance (20 percent)
 - How does the applicant propose to assist in the growth of the region's entrepreneurial and innovation network?

7. Alignment to one or more Significant Statewide Programs (10 percent)

- **Downtown Revitalization Initiative**
Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.
- **Opportunity Agenda Related Projects**
Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.
- **Global NY Related Projects**
The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.
- **Veterans' Related Projects**
New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014, the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.
- **NY Rising Related Projects**
The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

ANNUAL PERFORMANCE MEASUREMENTS

Business Incubators will be required to provide an annual performance report documenting their success in assisting companies to transition from their start-up stage to commercialization of products and services. These reports will include a list of every business served by the incubator and the progress that has been made in growing these companies. These metrics as well as other documentation will be required to receive funds on a reimbursement basis from the state.

ESD Strategic Planning and Feasibility Studies

Funding Available: Up to \$1 million

DESCRIPTION: ESD's Urban and Community Development Program promotes economic development in the State of New York by encouraging economic and employment opportunities and stimulating development of communities and urban areas. Total program funding of up to \$1 million is available for working capital grants of up to \$100,000 each to support 1) strategic development plans for a city, county, or municipality or a significant part thereof and 2) feasibility studies for site(s) or facility(ies) assessment and planning. Projects should focus on economic development purposes, and preference shall be given to projects located in highly distressed communities. In addition, special consideration shall be given to projects supporting Regional Economic Development Council Opportunity Agenda priorities, Downtown Revitalization Initiative projects, and projects identified in the NY Rising Community Reconstruction Program recovery plans. Each grant requires a minimum of 50% of total project costs in matching funds, which should include at least 10% of total project costs in the form of cash equity contributed by the Applicant organization. Funding will be awarded by the New York State Urban Development Corporation (d/b/a Empire State Development) at its discretion.

ELIGIBLE TYPES OF APPLICANTS:

- Cities
- Counties
- Municipalities
- Business Improvement Districts
- Local Development Corporations
- Not-for-profit Economic Development Organizations*

* If awarded funding, prior to ESD Directors' approval and execution of a contract with ESD, a not-for-profit corporation must be registered and up-to-date with filings with the New York State Office of the Attorney General's Charities Bureau and the New York State Office of the State Comptroller's VendRep System and must be prequalified in the New York State Grants Gateway.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Assistance is available in the following two categories:

- Preparation and development of strategic development plans for a city, county or municipality or a significant part thereof; and
- Studies, surveys or reports, and feasibility studies and preliminary planning studies to assess a particular site or sites or facility or facilities for any economic development purpose other than residential, though mixed-use facilities with a residential component are allowed.

INELIGIBLE ACTIVITIES: For Site Assessment and Site Planning grants:

- Residential development, although program funds may be used for a study involving a mixed-use project.

PRE-APPLICATION REQUIREMENTS: Applicants must complete and submit a Consolidated Funding Application (CFA) for review by ESD and the Regional Council for the region in which the proposed project is located.

SUCCESSFUL APPLICANT REQUIREMENTS: Because awards are offered as an incentive to undertake a project, the project should not begin, and expenses should not be incurred, before funding awards have been announced. Expenses incurred prior to submission of a CFA should not

be included in CFA project budgets, nor should expenses that will be incurred after submission of a CFA but prior to an award announcement.

ESD requires that the Applicant contribute a minimum of ten percent (10%) of the total project cost in the form of equity contributed after the Applicant's acceptance of ESD's incentive proposal. Equity is defined as cash injected into the project by the Applicant or by investors, and should be auditable through the Applicant's financial statements or accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project or grants from a government source.

The Applicant must always disclose whether it is pursuing or intends to pursue multiple ESD funding sources, including grants, loans and tax incentives.

Projects should focus on economic development purposes, such as increasing viability of existing businesses, stimulating new enterprises, and analyzing potential development opportunities or obstacles to development.

Priority will be given to projects located in Highly Distressed Areas

In determining whether a project is in a highly distressed area, ESD considers whether the area is characterized by pervasive poverty, high unemployment, and general economic distress based on characteristics including but not limited to:

- a former Empire Zone (investment zone areas);
- a poverty rate of at least twenty percent, or if the area does not contain a census tract or tracts, a block numbering area, or a city, town, or village, a poverty rate of at least thirteen percent;
- an unemployment rate of at least 1.25 times the statewide unemployment rate;
- significant job loss from one employer or in a particular industry;
- the United States President declares the area a natural disaster area;
- closure or realignment of a defense or military base or facility;
- contraction or discontinuance of a State hospital or mental hygiene facility;
- population and employment decline, increase in unemployment and public assistance recipients, decline in real property values, decline in per capita income, abandoned property and deteriorated industrial, commercial, and residential properties, a decline in business establishments, obsolescence in plant capacity, loss of markets to foreign competition, the unavailability of expansion financing, poor access to markets, and other indicators of chronic and severe economic distress;
- potential to attract private investment that will employ unemployed or economically disadvantaged persons;
- substantial public and private commitments to a long-term economic revitalization program and the capacity to manage the program;
- a plan that states the area's needs, proposals for meeting such needs, the process for routine periodic evaluation of progress in implementing the plan and compilation of essential information for such evaluation;
- applicable land use laws or regulations allow the use of at least twenty-five percent of the area for commercial or industrial activity; and
- Twenty-five percent or more of the area is vacant, abandoned, or otherwise available for industrial or commercial development.

SELECTION CRITERIA: In addition to the criteria noted below, ESD shall have the discretion to consider additional factors in determining the relative merits of projects.

Vision and Regional Economic Development Strategies:

- The overall economic impact that the project identified in the application will have on a region;
- The project's ability to increase viability of existing businesses, stimulate new enterprises, and analyze potential development opportunities or obstacles to development;
- Whether the project will have a significant regional impact and/or is likely to increase the subject community's economic and social viability and vitality; and
- The degree of economic distress in the area where the applicant will locate the project identified in its application, including downtown revitalization and brownfield areas.

Public/Stakeholders:

- Whether the project has demonstrated support from local government and private sector leaders in the locality and the region where the project will be located; and
- The project's plans for promoting and sharing information, tools or processes related to and resulting from the planning or feasibility study.

Implementation:

- The clarity of the proposed work plan, including description of tasks undertaken by all involved entities and schedule for completion of each task.
- The degree of project readiness and likelihood of completion; and
- The degree to which the Applicant can provide actionable deliverables.

Leveraged Resources:

- The degree to which the project is leveraged with additional resources and funds, including a minimum of 50% of total project costs in matching funds, including at least 10% cash equity.
- The degree to which future funding sources are in place and the amount expected to be committed to implementing the recommendations from the plan or study.

Performance Measures:

- The Applicant's demonstrated organizational capacity and experience in completing strategic development plans, feasibility studies, site assessments, or similar plans or studies, or ability to acquire the expertise through a consultant or another entity;
- The estimated return on investment that the project identified in the application will provide to New York State;
- The project's consistency with existing local, county and regional plans such as a local or county master or comprehensive plan and the Regional Economic Development Council's Strategic Plan;
- For downtown areas, whether or not the project concerns the preservation of the architectural character of a building or neighborhood;
- Whether, where applicable, there are identified tenants or potential tenants for a prospective development project;
- The degree to which the project supports the principals of smart growth, energy-efficiency (including but not limited to, the reduction of greenhouse gas and emissions and the Leadership in Energy and Environmental Design [LEED] green building rating system for the project identified in its application), and sustainable development; and
- The degree to which the project identified in the application supports New York state minority and women business enterprises.

AWARD CRITERIA DETAILS:

- Notice of a funding award will be given in the form of an incentive proposal outlining the terms of the proposed assistance. The award is subject to approval of the ESD Directors and compliance with applicable laws and regulations. Project funding may only be used for expenses incurred after date that notice of the funding award is given. Applicants are strongly encouraged to review and countersign ESD's incentive proposal prior to starting the project.
- All Applicants will be requested to certify and agree that any decrease in the scope of work described in the Applicant's final CFA submission including, but not limited to, total project costs, jobs retained, and jobs created, may result in ESD's reduction of the award, in ESD's sole discretion, in an amount proportionate to any such decrease.
- All Applicants will be requested to certify and agree that any expansion of the scope of work described in the Applicant's final CFA submission including, but not limited to, total project costs, jobs retained, and jobs created, will not result in the increase of the award by ESD.
- Please note that awarded grants are **not transferable** and reimbursement payments may only be made to the awardee.
- The essential terms for the assistance are included in the incentive proposal. Although funding is offered prior to project commencement as an inducement to undertake the project, funds are disbursed in arrears, as reimbursement for eligible project expenditures.
- Projects generally are presented to the ESD Directors once all project expenditures have been undertaken and disbursement of ESD assistance is sought.
- It is expected the project will proceed in the time frame set forth by the Applicant. If the implementation of a project fails to proceed as planned and is delayed for a significant period of time and there is, in the exclusive judgment of ESD, doubt as to its viability, ESD reserves the right to cancel its funding commitment to such project. If awarded, the Incentive Proposal expires two years from the date of acceptance by the Recipient. ESD reserves the right to require Recipient to provide any additional information and/or documentation ESD deems necessary and terminate the project at any point if the applicant fails to provide such documentation in a timely manner.
- All required public approvals must be in place prior to the start of construction (should the project result in construction) and approval by the ESD Directors, including State Environmental Quality Review (SEQR) and consultation with the State Historic Preservation Office, if applicable.

- In accordance with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect To State Contracts by providing opportunities for MBE/WBE participation, projects awarded funding shall be reviewed by ESD's Office of Contractor and Supplier Diversity, which will set business and participation goals for minorities and women. Such goals shall typically be included in the incentive proposal.

Please note that ESD's agency-wide MWBE utilization goal is 30%. Each project will be assigned an individual contract-specific goal, which may be higher or lower than 30%. Should an Applicant receive a funding award, the Applicant shall be required to use good faith efforts to achieve the prescribed MWBE goals assigned to this project. Applicants must maintain such records and take such actions necessary to demonstrate such compliance.

- Following approval by the ESD Directors, the New York State Comptroller, and the New York State Attorney General, as required, the documents for disbursement of the grant award will be prepared by ESD. Notwithstanding the process outlined above, no project shall be funded if sufficient resources are not received by ESD for such project.
- If applicable, the Applicant will be obligated to pay for out-of-pocket expenses incurred by ESD in connection with the project, which may include, without limitation, expenses related to attorney fees, filing fees, and fees associated with other requirements deemed appropriate by ESD. There are no application fees.

ADDITIONAL RESOURCES: For more information, eligible Applicants should contact the local Empire State Development Regional Office. A complete list of the ESD Regional Offices can be found at <http://esd.ny.gov/RegionalOverviews.html>.

Market New York

Funding Available: Up to \$13.5 million

Description

Market New York is a grant program established to strengthen tourism and attract visitors to New York State by promoting destinations, attractions and special events. Funding is available for tourism marketing initiatives, capital/construction projects and the recruitment and/or execution of meetings, conferences, conventions, festivals, athletic competitions and consumer and industry trade shows. The Market New York program and each funded proposal will work to support the long term strategic plans for economic growth as put forth by the Regional Economic Development Councils (REDCs). For the 2016-2017 Fiscal Year, up to \$13.5 million will be available through *Market New York*.

Funding is available for eligible projects that will create an economic impact by increasing tourism throughout the state. Grant funding will be allocated among the ten REDC regions, based on each REDC's five-year strategic plan that sets out a comprehensive vision for economic development and specific strategies to implement that vision. REDC strategic plan information can be found at: <http://regionalcouncils.ny.gov/>.

There are three categories of funding available under *Market New York*, each with varying requirements. Up to **\$13.5 million** is available for the following project categories:

- 1) **Regional Tourism Marketing;**
- 2) **Tourism Capital;** and
- 3) **Tourism Special Events.**

Note: Applicants with projects that include both marketing and capital expenditures will need to clearly indicate that in their CFA application. Applicants applying for special events projects will need to specify if the project includes marketing and/or capital investments.

ELIGIBILITY REQUIREMENTS

Applicants must complete and submit a Consolidated Funding Application (CFA) which will be reviewed by Empire State Development (ESD) and the REDC for the primary region in which the project is located.

Entities that may apply for funding include not-for-profit corporations, municipalities, Tourism Promotional Agencies (TPAs), public benefit corporations and for-profit companies. Individuals are not eligible to apply for this grant. Businesses must be certified in New York State. Not-for-profit corporations are subject to New York State's Not-For-Profit Corporation Law, and must have proof of incorporation (or equivalent document) from the NYS Department of State or NYS Board of Regents, a charities registration number from the NYS Office of the Attorney General and proof of tax-exempt status under the IRS code.

Note to Not-For-Profit Organizations:

Not-for-profit organizations who are successful in receiving grants must meet the following requirements prior to ESD Directors' approval and execution of a Grant Disbursement Agreement or Loan Agreement: 1) be prequalified in New York State Grants Gateway; 2) be registered and up-to-date with filings with the New York State Office of the Attorney General's Charities Bureau; and 3) be registered and up-to-date with the New York State Office of the State Comptroller's VendRep System.

Participation by Minority Group Members and Women with Respect to State Contracts

In accordance with the requirements of Article 15-A of the New York State Executive Law: Participation by Minority Group Members and Women with Respect to State Contracts, projects awarded funding shall be reviewed by ESD's Office of Contractor and Supplier Diversity, which may set business and participation goals for minorities and women. Established goals for awarded projects will be designated in the Incentive Proposal.

Please note that ESD's agency-wide MWBE utilization goal is 30 percent (30%). Each project will be assigned an individual contract-specific goal, which may be **higher or lower** than 30 percent (30%). Should an applicant receive a funding award, the applicant shall be required to use good faith efforts to achieve the prescribed MWBE goals assigned to this project. Applicants must maintain records and take the necessary actions to demonstrate such compliance, which includes, but is not limited to updating compliance and utilization records in the New York State Contract System. Failure to comply with MWBE requirements may result in award reductions.

Significant Statewide Programs

Proposed projects that are part of the following initiatives will be looked upon favorably:

Downtown Revitalization Initiative

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses, i.e. creating dynamic neighborhoods where tomorrow's workforce will want to live, work and raise a family.

Opportunity Agenda Related Projects

Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in the region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

Global NY Related Projects

The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

Veterans' Related Projects

New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014, the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

NY Rising Related Projects

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

FUNDING CATEGORY INFORMATION

Regional Tourism Marketing

Applications will be accepted for projects that market New York State regional tourism destinations or attractions. Applicants must demonstrate how the tourism marketing project will promote and forward the tourism goals of the corresponding REDC's strategic plan.

The goal of proposed projects should be to increase visitation and demonstrate a positive economic impact especially by enhancing the visitors' experience and increasing their likelihood to advocate for New York State as a travel destination. Successful tourism marketing projects will complement the goals and strategies of I LOVE NY, namely to increase New York State the top destination choice for travelers, and particularly families looking to create meaning memories, and millennials/ double income couples without children. Achievement of these goals will be demonstrated by an increased interest in a NYS vacation, particularly by families and millennials/ double income couples without children; a broader awareness of all New York State has to offer; increases in room nights, visitor frequency and length of stay; higher level of engagement in social and digital channels, especially by family members and millennials/ double income couples without children; and greater visibility in relevant press (e.g. family magazines, outdoor publications, etc.). New York State will implement strategies to achieve these goals including television, digital, out-of-home and other advertising, activations at live events, international marketing, public relations efforts, social media engagement and others initiatives. More information is available at www.iloveny.com/MarketNY.

*Please note that it is strongly suggested that applicants include a **project plan** (previously called the marketing plan) outlining the specifics of the project, the budget and specifically how the grant funds and the grantee equity will be used as well as any other information that the applicant would like to share with the scoring teams. It is also strongly advised that applicants provide information that clearly and specifically addresses the Scoring Criteria listed later in these guidelines. The budget in the project plan should reflect the same total project costs indicated in the budget section of the CFA application.*

Eligible Expenses

Eligible costs that may be covered by a grant include direct costs incurred only for the development and delivery of a regionally-based tourism marketing project and must not include organizational costs that would have otherwise been incurred by the applicant (e.g. finance, office related and/ or operational costs).

In general, eligible tourism marketing costs include, but are not limited to, the following:

- purchase of recognized media advertising;
- production costs of print collateral and/or audio/visual;
- licensing/talent fees to ensure ownership of finished product;
- tourism center marketing costs (e.g. displays, updates, etc.);
- website design / updates;
- food products distributed as promotional giveaways (**not** including alcohol of any type);
- eligible travel costs approved by the Division of Tourism; and
- administrative costs* up to a maximum of 10 percent (10%) of the total project cost as approved by ESD. (*Administrative costs are defined as staff costs to execute the project/grant program only and must be demonstrated at the time that reimbursement is requested through payroll journals, cashed payroll checks and other sources deemed appropriate by ESD. These costs are not meant to include any general overhead costs of everyday business.)

Applicants must demonstrate how *Market New York* funding for these expenses will be used to support the desired outcome of their enhancement project, and how these expenses are expected to stimulate increased tourist visitation and spending to the corresponding region of New York State.

Ineligible Expenses

Ineligible expenses include, but are not limited to, the following:

- food and / or beverages for consumption, including alcoholic beverages;
- legal fees and / or membership fees;
- salaries, wages and / or staff time (outside of the 10% administrative cost);
- fringe benefits (such as health insurance, retirement benefits and other non-mandated benefits);
- expenses reimbursed from any other source or agency;
- capital expenditures (e.g. equipment, hardware, vehicles, computers, etc.);
- operational expenditures (e.g. rent, utilities, etc.); and
- other expenses deemed ineligible by ESD.

For these purposes, “capital expenditures” are defined as: funds spent to acquire/upgrade physical non-consumable fixed assets in order to maintain or increase the scope of operations. (e.g. property, renovations/upgrades, building construction, long term assets, etc.)

Required Match

ESD generally seeks to provide no more than seventy-five percent (75%) of the financing for Regional Tourism Marketing projects. An actual cash match of at least **25% of the total project cost** is required. In-kind matches and/or staff time are not eligible for the match requirement. Additionally, funds from any other state agency (including I LOVE NY Matching Funds and the ESD Fund) are ineligible to be used for the match. Match Example: A \$200,000 total project cost requires a \$50,000 minimum match, regardless of the amount of grant being requested, with no more than \$150,000 being requested as a grant.

Payment Process

The grantee will receive an Award Letter after the grants have been announced. After that time, the grantee will then receive an Incentive Proposal outlining the requirements of the grant program and what is expected of the grantee if they choose to accept the grant. The project will then be brought before the ESD Board of Directors for approval. If approval is received, the grantee will be required to enter into a contract (Grant Disbursement Agreement/GDA) with ESD, which will be sent to the grantee after Board approval. ESD will pay the grantee on a **reimbursement basis**, up to the total award amount. Reimbursement forms and requirements will be included in the GDA. No financial payment of the grant will be made upfront. **The grantee should be prepared to subsidize the project for a term of up to 6 months.** Please note that awarded grants are not transferable and reimbursement payments may only be made to the awardee.

Expenses incurred prior to the award of a CFA grant may not be included in CFA project budgets; additionally expenses incurred after submission of a CFA but **prior** to an award announcement are not eligible for reimbursement. The Regional Tourism Marketing contract and work period will run through December 2017 unless a reasonable explanation is provided to extend the marketing project timeline.

Fees

There are no fees associated with the Regional Tourism Marketing funding.

Reporting

Requirements for progress reports and requests for reimbursement will be outlined with successful awardees in the GDA, and may be submitted no more than monthly and. Reimbursements are eligible for request after the successful grantee has a signed/approved grant disbursement agreement (GDA). Please note all Grants Gateway accounts and MWBE requirements must be up to date in order for payments to be processed for non-profit organizations.

Regional Tourism Capital

Applications will be accepted for projects that include plans to expand, construct, restore or renovate New York State tourism destinations and attractions. Applicants must demonstrate how the tourism capital project will work to promote and forward the tourism goals of the corresponding REDC's strategic plan.

The goal of proposed projects should be to increase visitation and demonstrate a positive economic impact especially by enhancing the visitors' experience and increasing their likelihood to advocate for New York State as a travel destination. Successful tourism marketing projects will complement the goals and strategies of I LOVE NY, namely to increase New York State the top destination choice for travelers, and particularly families looking to create meaning memories, and millennials/ double income couples without children. Achievement of these goals will be demonstrated by an increased interest in a NYS vacation, particularly by families and millennials/ double income couples without children; a broader awareness of all New York State has to offer; increases in room nights, visitor frequency and length of stay; higher level of engagement in social and digital channels, especially by family members and millennials/ double income couples without children; and greater visibility in relevant press (e.g. family magazines, outdoor publications, etc.). New York State will implement strategies to achieve these goals including television, digital, out-of-home and other advertising, activations at live events, international marketing, public relations efforts, social media engagement and others initiatives. More information is available at www.iloveny.com/MarketNY.

Projects that include a hotel with more than 15 employees as a principal function, are required to demonstrate compliance with Section 2879-b of Public Authorities Law regarding labor peace.

*Please note that it is **strongly suggested that applicants include a project plan** outlining the specifics of the project, the budget and specifically how the grant funds and the grantee equity will be used and any other information that the applicant would like to share with the scoring teams. It is also strongly advised that applicants provide information that clearly and specifically addresses the Scoring Criteria listed later in these guidelines. Additionally, the budget in the project plan should reflect the same costs total project costs indicated in the budget section of the CFA application.*

Eligible Expenses

Eligible projects costs should be associated with the construction of a new tourism destination / attraction, or adding on to and / or restoring an existing tourism destination / attraction.

In general, eligible tourism capital costs include, but are not limited to, the following:

- acquisition or leasing of land, buildings, machinery and / or equipment;
- pre-development costs;
- remediation costs;
- acquisition of an existing business and/or assets; and
- new construction, renovation or leasehold improvements.

Applicants must demonstrate how *Market New York* funding for these expenses will be used to support the desired outcome of their enhancement project, and how these expenses are expected to stimulate increased tourist visitation and spending to the corresponding region of New York State.

Ineligible Expenses

Ineligible expenses include, but are not limited to, the following:

- developer fees;
- staff time and/or wages;
- recapitalization/refinancing;
- operational and/or selling expenditures;
- training; and
- residential development, although program funds may be used for the commercial component of a mixed-use project.

Note: Expenses incurred prior to submission of a CFA may not be included in CFA project budgets; anticipated expenses that might be incurred after submission of a CFA but prior to an award announcement will not be reimbursed.

Required Match

ESD generally seeks to provide no more than twenty percent (20%) of the financing for Tourism Capital projects. **An actual cash match of 80% of the Total Project Cost is required.** In-kind matches and/or staff time is not eligible for the match requirement. Funds from any other state agency (including, but not limited to I LOVE NY Matching Funds and the ESD Grant Fund) are ineligible to be used for the match. Match Example: A \$500,000 total project cost requires a \$400,000 minimum match, regardless of the grant amount being requested, with no more than \$100,000 being requested as a grant.

Payment Process

The grantee will receive an Award Letter after the grants have been announced. After that time, the grantee will receive an Incentive Proposal outlining the requirements of the grant program and what is expected of the grantee if they choose to accept the grant. The grantee will then alert their ESD project manager when their capital project is approximately one (1) month from completion. The project will then be brought before the ESD Board of Directors for approval. If approval is received, the project will be set up (by ESD) for a public hearing. The grantee will be invoiced for these associated fees. The project will then be presented for approval to the Public Authorities Control Board (PACB). If approved, the grantee will be required to enter into a contract (Grant Disbursement Agreement/GDA) with ESD, which will be sent to the grantee after Board approval. ESD will pay the grantee on a **reimbursement basis**, up to the total award amount, and disbursed in a lump sum upon project completion as evidenced by attainment of a certificate of occupancy and/or other documentation verifying project completion as ESD may require, and receipt of documentation verifying project expenditures. No financial payment of the grant will be made upfront.

Because awards are offered as an incentive to undertake a project, the project should not begin, and expenses should not be incurred, before funding awards have been announced. Expenses incurred prior to submission of a CFA may not be included in CFA project budgets nor should expenses be incurred after submission of a CFA but prior to an award announcement.

Fees

The Recipient will provide a \$250 Application Fee, due when this Incentive Proposal is returned and a 1% (of the awarded grant) commitment fee, due after ESD Directors' approval and at the time a Grant Disbursement Agreement is executed. In addition, the recipient will reimburse ESD for any direct expenses incurred in connection with this project, including costs related to holding a public hearing, attorney fees, appraisals, surveys, title insurance, credit searches, filing fees and other requirements deemed appropriate by ESD.

Reporting

A final report will be required with the final request for reimbursement. Requirements for such reports/requests will be outlined in the GDA with successful awardees. Reimbursements are eligible for request after the successful grantee has a signed and approved grant disbursement agreement (GDA). Please note all Grants Gateway accounts must be up to date in order for payments to be processed for non-profit organizations.

REGIONAL TOURISM SPECIAL EVENTS

New York State supports and encourages the successful recruitment of new major tourism events that derive a positive economic impact for the state. For that reason, applications will be accepted for the hosting, execution and / or promotion of special events to be held in New York State including: meetings, conventions, conferences, festivals, athletic competitions and consumer and industry trade shows. Applicants must demonstrate how the tourism special events project will work to promote and forward the tourism goals of the corresponding Regional Council's strategic plan. A portion of Special Events Funding, anticipated to be at least \$1 million, will be awarded for events that have not been held in New York State within the last three (3) years.

Business/Commercial meetings and events will be required to demonstrate in their project plan that the event increases visitation to a region or regions of New York State in order to be eligible for Market New York grant funding.

Eligible Expenses

Eligible costs included direct costs incurred only for the development and delivery of a regionally-based tourism special events project and must not include organizational costs that would have otherwise been incurred by the applicant (e.g. finance, office related and/or operational costs) incurred.

In general, eligible tourism special events costs include, but are not limited to, the following:

- Fees paid to artists, musicians, performers, celebrities, special guests and speakers;
- Moveable assets (not a permanent installation) that support programs and services (e.g. tables; bleachers/chairs; tents, awnings and canopies; temporary stages, sound, lighting and fencing; etc.);
- Fixed assets to accommodate tourism special events (installations that have life span of 1 year or more such as: staging, outdoor event space, audio visual equipment, etc.)
*Please note that projects that include fixed assets will have to adhere to the requirements for capital tourism projects outlined previously in these guidelines;
- Fees paid for audio and visual support and technical and stage crews;
- Improved accessibility services;
- Audience surveys, research or economic impact studies;
- Translation costs;
- Site expenses and services (e.g. convention center fees, security, shuttle buses, etc.);
- Event producer or other consultant costs; and
- Other costs deemed reasonable.

Applicants must demonstrate how *Market New York* funding for these expenses will be used to support the desired outcome of their enhancement project, and how these expenses are expected to stimulate increased tourist visitation and spending to the corresponding region of New York State.

Ineligible Expenses

Ineligible expenses include, but are not limited to, the following:

- Operational costs (e.g. overhead costs of day to day business, rent, utilities, etc.);
- Permanent staff salaries, benefits or commissions;
- Legal, audit or interest fees;
- Any costs incurred for events held outside New York State;
- Competition prizes, prize money and monies paid to participants; and
- Alcoholic beverages.

Required Match

The required match for tourism special events proposals will be determined by the types of elements included in the applicants project plan.

If a Tourism Special Events project plan includes **any tourism capital expenditures** of any sort, **a match of 80% of the Total Project Cost is required** and the applicant will be required to follow the Match, Fee, Reporting and Payment Process for Tourism Capital Funding outlined previously in these guidelines. Please see the Regional Capital Tourism section of these guidelines for further required information. Note that this instruction applies to Tourism Special Events proposals that include both capital and marketing elements.

If Tourism Special Events project plan includes ***only*** tourism marketing expenditures, **a match of at least 25% of the total project cost is required** and the applicant will be required to follow the Match, Fee, Reporting and Payment Process for Tourism Marketing Funding outlined previously in these guidelines. Please see the Regional Tourism Marketing section of these guidelines for further required information.

Tourism Special Events expenses incurred prior to the award of a CFA grant may not be included in CFA project budgets; anticipated expenses that might be incurred after submission of a CFA but prior to an award announcement will not be reimbursed.

The PAYMENT PROCESS and FEES will be dependent on the type of expenditures included in the program similar to the MATCH REQUIREMENTS.

For All Applicants:

- Awarded grants are not transferable.
- Any use of the I LOVE NY logo as part of the funded project must conform to ESD guidelines and be approved by ESD.
- In the event that I LOVE NY / NYS Division of Tourism would choose to record video footage related to the project or grantee for state tourism purposes, have a tourism promotion presence at public events related to the project or put on by the grantee, and/or distribute I LOVE NY marketing materials at sites controlled by the grantee, no further money would be exchanged for these purposes, including but not limited to rights and space fee(s).
- If the information on the application regarding a project match is determined to not show any demonstrated “match” for the program, the overall project may be deemed ineligible.
- Reimbursement payments may only be made to the awardee.
- Being awarded a grant does not imply automatic approval of elements in the submitted marketing plan if they do not comply with local/state/federal laws and/or regulations, including the requirements of the *Market New York* grant program itself.
- Projects that have been funded in three (3) consecutive rounds may be deemed ineligible; a question in the online CFA application will require that an applicant who has been funded for the same basic project (even updated phases of the same project) in three (3) consecutive rounds justify how the proposed project is different from the project awarded in previous rounds of funding.
- All grantees are fully responsible for being aware of any taxes required to be paid as a part of accepting an awarded grant. Empire State Development is not able to advise on your tax reporting status.
- All projects will require that a Project Performance Measure report (included in the Grant Disbursement Agreement-Exhibit B) a final report be completed before a final reimbursement will be made.

MARKET NEW YORK SELECTION CRITERIA (Applies to All Funding Categories)

ESD will establish an internal technical review committee that will score each eligible application (applications determined to be ineligible will not be scored). Applications will be scored upon the following criteria (ESD Score total of **80 points**) and combined with up to **20 points** to be scored by the REDC, for a **total possible score of 100 points**. A proportional distribution of Market New York awards among the state’s ten REDC regions awards will be taken into consideration with scoring:

Regional Focus and Support of Regional Economic Development Strategies [15 Points Total]

How does the theme and/or scope of this project support the REDC strategic plan for the affected region(s)? What is the project’s overall economic impact on a region(s)? How does the proposed project better position regional thematic related assets/activities? Particularly if the project relates to one attraction/destination, please provide evidence of how the project will economically benefit the region(s).

For applicants that are part of the NY Rising and/or Opportunity Agenda projects and/or are considered a Global NY and/or a Veteran Related Project: Does the proposal provide evidence that demonstrates how the project meets the qualifications of the Significant Statewide Program that has been identified?

Project Information/Project Plan [60 Points Total]

Does the proposal include a Project Plan? Does the proposal provide: a) evidence that the project will increase tourism to and within New York State, b) a timeline for individual project steps; c) a clear budget indicating specifically how the grant funds and the grantee equity will be spent; and d) performance measures to show economic impact? How well does the proposed project align with the goals and strategies of I LOVE NY, which include increasing the perception and consideration of New York State as a travel destination, increasing visitation and creating a positive economic impact? * Additional consideration will be given for: information demonstrating project partnerships, such as how the applicant will collaborate with regional partners on the project; and Tourism Special Events that are new events (i.e. have not been held in New York State in the past three (3) years).

Grant Match Requirement [5 pts Total]

Has the applicant provided information illustrating the necessary minimum cash match for total project costs – namely 25% for Region Tourism Marketing projects including Tourism Special Events projects with only marketing components, and 80% for Capital Tourism projects and Tourism Special Events projects with any capital component? Strong examples would include, but are not limited to: letters from partners confirming financial support/sponsorship, a letter from the grantee committing a specific amount of actual cash to the project, a letter from a bank showing a bank loan committed to the project, etc. In-kind and funding from other state sources are not eligible as matches. Does the applicant show additional funding for the proposal outside of the minimum required?

Note: ESD shall have the discretion to consider additional factors in determining the relative merits of projects.

MORE INFORMATION/ASSITANCE

For more information please contact the New York State Division of Tourism staff at RegionalTourism@esd.ny.gov and/or 518.292.5949.

Community Development

New York State Council on the Arts – Arts and Culture Initiatives

Funding Available: Up to \$5 million

DESCRIPTION:

Funding for arts and culture initiatives is available to eligible non-profit and local units of government applicants through the Regional Economic Development Program (REDC). The New York State Council on the Arts (NYSCA) welcomes applications in FY2017 for requests to REDC categories as described below. This Local Assistance support is provided under Article 3 of NYS Arts and Cultural Affairs Law for the planning, presentation and staffing of the performing, literary and visual arts that encourage broader participation and public interest in the cultural heritage of the state and promote economic development.

NYSCA's REDC Program makes grant awards in all ten of the state's regions. Priority will be given to applicants that have not received NYSCA REDC Program funding in previous years.

All NYSCA's REDC Program funding must be distinct from and in addition to applications for support already submitted to or currently funded by other NYSCA programs in FY 2017.

GOALS:

Funding opportunities are available through the REDC program for projects designed to enhance and transform the cultural and economic vitality of New York State communities.

Arts and culture activities enrich and strengthen community, civic and social life in New York State. Successful proposals will demonstrate significant economic and community development impact that positions arts, culture and heritage at the core of local development and revitalization efforts.

Through NYSCA's REDC program, arts and cultural projects focused on economic and community development will:

- Develop the arts, culture and heritage workforce
- Engage new audiences
- Revitalize neighborhoods
- Generate collaborative projects among non-profit organizations, for-profit entities, artists, and municipal and local government
- Drive and support tourism through events that serve as destinations for regional, national and international visitors
- Enhance resources for communities experiencing poverty, geographic isolation or other barriers to participation in or access to arts and cultural activities

The grant awards will assist communities and organizations to:

- Attract visitors to experience the cultural assets of the community
- Broaden and encourage greater public access to the arts and culture
- Create new jobs in the arts and culture sector that will increase capacity, impact and efficiency of the organization(s), their programs and operations
- Expand business opportunities by harnessing the power of the creative economy
- Develop new and catalytic initiatives to expand public participation in arts and culture
- Bring public, private, and non-profit sectors together as partners with community members and artists, to strategically enhance local economy and sense of place
- Map a wide range of local arts, culture and heritage assets to identify and locate resources in a neighborhood, town, city, or region to serve as a springboard for new cultural initiatives

ELIGIBLE APPLICANTS AND ACTIVITIES:

The New York State Council on the Arts awards grants to nonprofit organizations either incorporated in or registered to do business in New York State, Indian tribes in New York State, and units of local government in New York State. An organization must have its principal place of business located in New York serving the State's constituents.

Please click here to review the eligibility requirements for all NYSCA applicants:
http://www.arts.ny.gov/public/grants/who_is_eligible.htm

Organizations must be prequalified in Grants Gateway to be considered for funding. Prequalification must be completed by the CFA application deadline. Units of local government and Indian Tribes are exempt from the prequalification requirement.

Please click here to register for Grants Gateway and apply for prequalification:
<http://www.grantsreform.ny.gov/>

Applicants must meet the agency-wide and programmatic evaluative criteria: artistic/programmatic, managerial/fiscal and outreach/service to the public. Applicants must be arts or culture organizations. Please click here to review the evaluative criteria:
http://www.arts.ny.gov/public/grants/funding_criteria.htm

Please click here to review NYSCA funding restrictions:
http://www.arts.ny.gov/public/grants/nysca_does_not.htm

Applications made to the REDC Program **are exempt** from NYSCA's two grant requests limit per applicant per year.

Applicants **cannot** request funding for the same project through the FY2017 REDC Program and another FY2017 NYSCA grant program.

Applicants **may submit only one application** to the NYSCA REDC Program. Organizations **are not** restricted from applying to other NYS agencies' REDC Programs. Please review the resource guide materials for the other agencies thoroughly.

No applicant may apply through a fiscal sponsor.

Proposals involving regranting of funds **are not** eligible for support.

Capital requests for equipment, design, feasibility studies or construction **are not** eligible for support.

FY2017 CATEGORIES OF SUPPORT:

Eligible applicants may submit an application to only **one** the following three REDC categories:

1. Arts, Culture and Heritage New Initiatives – Planning
2. Arts, Culture and Heritage New Initiatives – Implementation
3. Workforce Investment

CATEGORY DESCRIPTIONS & REQUIREMENTS:

1) Arts, Culture and Heritage New Initiatives – Planning

Support is intended to lay a foundation for future implementation of policies, projects and programs. Initiatives developed through partnerships between non-profit, for-profit and government entities will be given priority. The lead applicant must be a nonprofit arts and cultural organization or local unit of government working with and providing evidence of collaboration with multiple stakeholders.

- In every case, planning requests MUST encompass a specific neighborhood, municipality, county, and region or designated cultural or business district. Planning requests that only benefits a single organization will not be considered.
- This category is open only to initiatives that are not part of a current NYSCA FY2017 request and not included in continuing multi-year funding.

For the FY17 grant cycle funds must be directed in the planning category in any ONE of the following three focus areas:

FOCUS 1

Arts and Cultural Mapping

Support for a comprehensive mapping of a community's artistic and cultural assets and resources, including artists, artisans, tradition bearers and other local cultural activity and culturally significant public spaces, facilities and organizations.

FOCUS 2

Arts and Cultural Master Plan

Support for a community arts and cultural master plan for new partnerships that cultivate, deepen, and support area arts and artists as the foundation for vital community, civic, social and overall quality of life that will in turn further spur economic development and tourism.

FOCUS 3

Arts and Cultural Branding or Marketing Plan

Arts Cultural Branding or Marketing Plan that elevates the profile and informs the general public about artists, artisans, tradition bearers and other centers of arts and cultural activity that will in turn further spur economic development and tourism.

Planning Initiatives Criteria:

- Planning awards will range from \$10,000 - \$49,500
- No match is required
- The Arts, Culture and Heritage New Initiatives – Planning category is offered as a single-year grant contract. The one year contract and work period is from January 2017 through December 2017
- Direct and indirect costs of lead staff's salary are not covered by this category
- Proposals involving regranting of funds **are not** eligible for support.

Required Supplemental Materials:

- 1-page Resume of key planning consultant(s)
- Current organizational chart of lead organization including names and titles of all staff and board members
- Marketing materials (including brochures, programs and social media) and any past planning documents representative of the applicant organization(s), including key partners. Limit to 5 materials and combine all materials into a single document
- Signed letters of agreement or intent between consultants and/or partners
- Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload.
 - NOTE: Applicants who already maintain an Organization Budget on NYSCA's website, may submit a PDF copy of that budget in lieu of completing this form. Budgets must have been updated in 2016.
 - [Click here to download the NYSCA Organization Budget Form](#)

Planning initiatives must cultivate and leverage local cultural assets, generating one or more of the following:

- Livability – quality of life
- New and increased revenue for local businesses
- Sustainable ongoing programming
- Job growth
- New opportunities for local and regional artists to create, market or make a living from their art

Planning requests must speak to:

- Planning document(s) that present assessments, recommendations, conclusions and/or results
- Research and development activity directed to reach intended goals, objectives and outcomes
- Feasibility for long term cultural programming and its impact on the community
- Evaluation plans with defined goals, success indicators and outcomes

2) Arts, Culture and Heritage New Initiatives – Implementation

Support is provided for the implementation of new programming initiatives designed to have tangible economic and community development impact in a community or region. Initiatives developed through partnerships among non-profit, for-profit and government entities will be given priority.

New York State is celebrating two landmark events of great historical significance. The NYSCA REDC Program is supporting arts and culture projects that are inspired by either of these two events and that broadly engage the general public. Additionally, past REDC Planning grant recipients may apply for implementation of planned projects.

- This category is open only to initiatives that are not part of a current NYSCA FY2017 request and not included in continuing multi-year funding.

For the FY17 grant cycle funds must be directed in the implementation category in any ONE of the following three focus areas:

FOCUS 1

Erie Canal Bicentennial Celebration

Funds can be requested for organizations producing, presenting or exhibiting arts and cultural activities as part of the ongoing Erie Canal Bicentennial Celebration 2017-2025 (ECB). This opportunity is State-wide. Historic and cultural links to the Erie Canal Corridor can be found from the Great Lakes, to the Mohawk River and Lake Champlain, to the Hudson River and New York Harbor, including a vast system of feeder canals and related communities throughout New York.

The Erie Canal launched the growth of New York State through an ambitious and innovative infrastructure project that spurred the rapid development of communities both upstate and downstate. It has had an enduring impact along all of New York's inland waterways and canal system.

Proposed activities might reflect any of NYSCA's programmatic disciplines, but may not replicate funding sought from those programs. Project support funding for the Erie Canal Bicentennial Celebration (ECB) is available to produce, present or exhibit arts and cultural activity, program, or event that celebrates and interprets the construction, historical development, traditions, communities and contemporary culture relating to and along the Erie Canal.

FY17 REDC-ECB also offers an exciting inter-agency collaboration between NYSCA and the NYS Canal Corporation. Applicants may apply to both NYSCA and the Canal Corporation for separate components of the same project, respective to each agency's guidelines. Expenses for the same activity cannot be included in proposals to both agencies.

Priority will be given to NYSCA REDC-ECB projects that:

- Celebrate historic and cultural milestones in the development of the Canal
- Demonstrate the relevance of the Canal to contemporary communities
- Identify activity that leads to a lasting Canal legacy for future generations
- Exhibit creative storytelling by youth (ages 10-18) using digital technology

For more information on FY17 NYS Canal Corporation CFA opportunities and the Erie Canal, refer to:

Canal CFA: <http://www.canals.ny.gov/community/grant.html>

Canal History: <http://www.canals.ny.gov/history/history.html>

FOCUS 2

Women's Suffrage Commemoration

Funds can be requested for organizations producing, presenting or exhibiting arts or cultural activities which celebrate the centennial of New York State signing women's suffrage into law, three years before the United States passed the 19th Amendment.

With the support of Governor Cuomo, and Lt. Governor Kathy Hochul, the New York State Women's Suffrage 100th Commemoration Commission took effect on April 1, 2016. The Commission seeks to "coordinate the commemoration of the 100th anniversary of women's suffrage." The tribute begins in 2017 for the centennial of New York State signing into law a woman's right to vote, and culminates in 2020 on the anniversary of the United States passing the 19th amendment to the U.S. Constitution.

The New York State Council on the Arts encourages applications from non-profit arts organizations producing, presenting, or exhibiting arts or cultural activities which celebrate this centennial. Funded activities might reflect any of NYSCA's programmatic disciplines, but may not replicate funding sought from those programs. This might include creation of new work, performances, festivals and exhibitions.

Women's Suffrage Background Link:

http://www.assembly.state.ny.us/member_files/084/20090313/

FOCUS 3

Past NYSCA REDC Planning Grant Recipients

Past Planning grant recipients that have successfully concluded their planning phase as outlined in the original planning grant are welcome to apply for implementation funds in support of these ready to implement projects or programs.

Implementation Initiatives Criteria:

- Implementation awards will range from \$10,000 - \$75,000
- Require a 50% cash match (In-Kind services **are not** permitted)
- The Arts, Culture and Heritage New Initiatives – Implementation category is offered as a single-year grant contract. The one year contract and work period is from January 2017 through December 2017
- Partnership applications are strongly encouraged
- Proposals involving regranting of funds **are not** eligible for support.

Required Supplemental Materials:

- 1-page Resume of key planning consultant(s) and/or staff
- Current organizational chart of lead organization including names and titles of all staff and board members
- Up to three representative work samples that showcase the artistic content of proposed initiative. Video work samples may be no longer than three minutes
- Comprehensive marketing plan
- Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload.

- NOTE: Applicants who already maintain an Organization Budget on NYSCA's website, may submit a PDF copy of that budget in lieu of completing this form. Budgets must have been updated in 2016.
- [Click here to download the NYSCA Organization Budget Form](#)

The following are not eligible for Implementation support:

- Permanent public art works
- Production support for broadcast/cablecast programming, film and media documentary
- Website design, equipment purchase or capital projects

Implementation initiatives must cultivate and leverage local cultural assets, generating one or more of the following:

- Livability – quality of life
- New and increased revenue for local businesses
- Sustainable ongoing programming
- Job growth, especially the area of artist compensation
- New opportunities for local and regional artists to create, market or make a living from their art

3) Workforce Investment

Workforce Investment support is designed to expand the capacity of New York State's arts and cultural organizations with operating budgets currently no more than \$750,000. Please note there is no limit on the organizational budget size for applications submitted in the Arts Career Development Fellowships for Underrepresented Communities focus area.

Grant awards will support one expanded staff position or one new staff position. Applicants must demonstrate the critical need for the employee and provide a substantial sustainability plan to ensure continued employment after the grant term ends.

- Only nonprofit arts and cultural organizations may apply in this category.
- The Workforce Investment category is offered as a single-year grant contract. Past Workforce Investment grant recipients whose contract period has ended by the request year (FY2017) may apply for one additional year of support for the same original position.
- Organizations who have already received two grant awards in this category are not eligible to apply.
- This category is open only to initiatives that are not part of a current NYSCA FY2017 request and not included in continuing multi-year funding.

For the FY17 grant cycle funds must be directed in the workforce Investment category in any ONE of the following four focus areas:

FOCUS 1

Administrative Positions

Support for the following administrative positions will be considered: Executive Director, Development Personnel, Marketing or Social Media Personnel, Community Outreach Personnel. Other administrative positions that meet the overall category criteria will be considered on case by case basis.

FOCUS 2

Artistic Positions

Support for the following administrative positions will be considered: Artistic Director or Associate (all arts disciplines), Curator, Arts Educator Personnel, Literary Personnel. Other artistic positions that meet the overall category criteria will be considered on case by case basis.

FOCUS 3

Arts Career Development Fellowships for Underrepresented Communities

Support is available to provide fellowship opportunities to individuals from communities that have been historically underrepresented in arts organizations because of educational and economic disadvantage and ethnic background. Recognizing the limited opportunities for underrepresented communities, these NYSCA Fellowships are intended to create avenues for artistic and administrative career advancement. Fellowships should provide mentoring, career advice, and experience, and build confidence for emerging professional artists and administrators. Fellows should participate fully in the life of the organization, including opportunities to perform, create, curate or produce art. NOTE: There is no limit on the organizational budget size for applications submitted in the Arts Career Development Fellowships for Underrepresented Communities focus area.

FOCUS 4

Resident Artist Positions

Support is available for Resident Artist positions that will employ an individual artist to carry out public engagement projects in their own art forms and regions that highlight one or more of the five REDC goals. Because NYSCA recognizes the power of artists to transform lives and make communities better places to live both culturally and economically; this area of workforce investment is intended to encourage the creation of permanent resident artist positions in a variety of institutional and civic settings. It further seeks to demonstrate the long term value of maintaining these resident artist positions within an organization. Examples of Resident Artist positions include, but are not limited to, city, town, county or regional Poet/Writer Laureates, Teaching Artists, Filmmakers, Composers, Visual Artists, Folklorists, Architects, Designers, and Choreographers.

Workforce Investment Criteria

- Workforce investment awards will range from \$25,000 - \$49,500
- The Workforce Investment category is offered as a single-year grant contract. The contract and work period is from January 2017 through December 2017.
- Require a 25% cash match (In-Kind services **are not** permitted)
- Cash match may only include a combination of additional salary, fringe benefits and employer paid payroll taxes.
- Grants received may only be allocated towards base salary.
- Support **may not** be requested for hiring costs, payroll taxes, fringe benefits, or overhead costs.
- Workforce Investment funds **may not** support contracted employees or seasonal staff.
- Workforce Investment grants will only support:
 - Wages to increase a current part-time staff employee's hours
 - Wages to hire a new full or part-time staff employee
- Proposals involving regrating of funds **are not** eligible for support.
- The applicant's overall operational budget **may not exceed** \$750,000 as determined by the audit or financial statement provided in the organization's Grants Gateway Document Vault at the time of application. Exception: There is no limit on the organizational budget size for applications submitted for the NYSCA Arts Career Development Fellowships for Underrepresented Communities focus area.

Required Supplemental Materials:

- 1 page Job announcement and detailed job description for the new position
OR for an expanded position, a 1-page resume of staff member being expanded to fulltime and job description of expanded role
- Current organizational chart including names and titles of all staff and board members. Please note with an asterisk the new or expanded position for which funding is being sought
- 1-2 page recruitment plan including key search personnel conducting the search and hire timeline
- Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload.
 - NOTE: Applicants who already maintain an Organization Budget on NYSCA's website, may submit a PDF copy of that budget in lieu of completing this form. Budgets must have been updated in 2016.
 - [Click here to download the NYSCA Organization Budget Form](#)

SIGNIFICANT STATEWIDE PROGRAMS**Proposed projects that are part of the following initiatives will be looked upon favorably:****Downtown Revitalization Initiative**

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

Opportunity Agenda Related Projects

Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

Global NY Related Projects

The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

Veterans' Related Projects

New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014, the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

NY Rising Related Projects

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

REGIONAL ECONOMIC DEVELOPMENT COUNCIL REVIEW AND EVALUATION:

The Regional Economic Development Councils' review and rating is conducted separate and apart from the NYSCA process. Review and rating by the Regional Economic Development Councils will be based on the degree to which an application advances strategies and goals of the Regional Economic Development Councils.

Please carefully review the regional development priorities when developing an application: <http://regionalcouncils.ny.gov/>.

CONTACT/ADDITIONAL PROGRAM INFORMATION:

Additional Resources: For more information, applicants should contact the New York State Council on the Arts, 300 Park Avenue South, 10th Floor, New York, NY 10010, call (212) 459-8800 or email special.projects@arts.ny.gov

Please visit *About NYSCA Grants* at <http://www.arts.ny.gov/public/grants/index.htm> for information on NYSCA's grant process, requirements and evaluative criteria.

Also, please click *Regional Priorities* at <http://regionalcouncils.ny.gov/> to view detailed information about the Regional Economic Development Councils.

REDC PROGRAM APPLICATION SCORING CRITERIA:

NYSCA's program staff and advisory panelists adhere to the following statutory requirements in the review, evaluation and scoring of all grant applications.

Service to the Public

As a public funder, NYSCA must ensure that its grants support a broad array of cultural activity that fully represents the diversity of the state and that the supported events are accessible to the broadest possible public in every region of the state. In addition, it must ensure that the organizations and events it supports comply with public safety and accessibility laws.

The following are considered elements of service to the public. Applicants will be evaluated based on their strength in these areas:

Promotion and Outreach: the organization demonstrates that it makes significant efforts to reach a broad and diverse audience through marketing and public relations efforts.

Audience Development: the organization offers thoughtful and well-designed educational and interpretive activities that help build audience appreciation and understanding of the organization and its work.

Audience/Visitor Participation: the organization's commitment to its programs and activities as demonstrated through attendance data (relevant to the population of the community served) as well as customer satisfaction surveys (if available and appropriate).

Safety & Accessibility: the activities and events for which support is being sought will take place in venues that are fully accessible to the public and comply with all safety and accessibility standards.

Diversity of Programming: programming reflects significant efforts to reach a broad array of artists and audiences.

Community Service: the organization brings value to its community through partnerships with local businesses and schools, free and low-cost events, and in other appropriate ways.

Artistic/Programmatic Excellence

NYSCA believes in artistic excellence without boundaries, and its evaluation process embraces the widest variety of cultural and artistic expression being offered to the public in a broad array of settings and contexts, including classrooms and community centers, parks, open spaces, and traditional venues.

NYSCA considers four dimensions of proposals when evaluating applications:

Idea: the concept or artistic impetus behind the artistic work or services proposed.

Practice: the effectiveness of the artistic work and the impact it has on those experiencing it, or in the case of services, the effectiveness of the services in practice and their impact on the community served.

Development: the contribution the artistic work makes to the development of the artists involved, the art form, and the arts generally, or for services, the contribution the services make to the development of a vibrant arts and cultural community in the state.

Context: the context in which the work or services are being presented and the appropriateness of the work or services in that context.

Managerial/Fiscal Competence

As a public funder, NYSCA must ensure that funded organizations are capable of carrying out their proposals and will be ethical and effective stewards of public funds.

NYSCA considers four dimensions of managerial competence when evaluating applicant organizations.

Mission: The organization's activities must relate directly to its written mission statement. A mission statement should (1) define the organization's purpose for being and core values, (2) determine its structure, functions and purpose, (3) be approved by the organization's board, and (4) be reviewed regularly and updated when appropriate.

Governance: The organization should have a governing board of directors or trustees, and that group should be diverse and appropriate to the mission of the organization. The board should provide administrative, financial, and ethical oversight for the organization by:

- Adopting enabling documents, including by-laws and a mission statement, both of which are reviewed at regular intervals;
- Selecting a chief executive and annually reviewing her/his performance;
- Reviewing and approving the annual budget and ensuring that proper financial controls are in place; Engaging in adequate fundraising for the organization by making a personal contribution to the organization and actively soliciting support on its behalf;
- Ensuring fiscal and programmatic integrity and maintaining accountability by upholding legal standards and ethical norms;
- Maintaining and enforcing a conflict of interest policy;
- Ensuring effective organizational planning by participating in an overall planning process and monitoring its implementation;
- Recruiting and orienting new board members and assessing board performance; Enhancing the organization's public standing and value; and
- Understanding, monitoring, and strengthening the organization's core programs and services.

Organizational Management: Organizational management will be assessed based on the extent to which the leaders of the organization comprehend their roles, advance the mission, and plan for the future. Responsible management hinges on the:

- Existence of a professional staff appropriate to the size and mission of the organization;
- Implementation of board policies by professional staff;
- Comprehension, review, and revision of policies by staff and with the board as needed;
- Preparation of a year-end statement of the organization's financial condition and Program activities;
- Offering of competitive compensation and health benefits to employees;
- Appropriate compensation of artists;
- Existence of personnel policies that include job descriptions and performance evaluations for board members, staff, and volunteers; and
- Development and implementation of a strategic plan incorporating input from the board, staff, community and other stakeholders.

Financial Management: The organization will be evaluated based on whether it provides adequate human and financial resources to enable the organization to work toward fulfilling its mission and managing those resources appropriately. Successful financial management includes:

- Raising adequate financial resources for operating costs, cash reserve, endowment, and short and long- term capital needs;
- Developing a balanced operating budget which includes contingencies, contains realistic projections of revenues and expenses, and is approved by the board;
- Reviewing revenues and expenses in relation to the budget at regular intervals and taking steps to raise funds or cut costs when necessary to balance the budget;
- Establishing a finance committee that meets regularly to review financial statements and that reports directly to the board;
- Engaging an independent financial auditor that reports directly to board;

- Engaging in cost-effective fundraising activities;
- Possessing written financial policies that govern investment of assets, internal control procedures, purchasing practices, reserve funds, compensation expense account reporting, and earned income;
- Monitoring internal financial processes, including handling of checks, petty cash, cash disbursements, and payroll management, in order to prevent errors and misuse of funds;
- Monitoring the use of restricted funds;
- Preparing reports comparing Adopted Budget to actual revenue and expenses and making them available to appropriate staff in a timely manner;
- Preparing a fund development plan that ensures a diversified funding base;
- Possessing financials demonstrating a diversified funding base;
- Noting and explaining variances of more than 10%; and
- Explaining operating deficits and having a deficit reduction plan for accumulated deficits.

Educational Impact: The nature and extent of the applicant's planned efforts to educate and orient the public about the proposed project or activities of an organization.

Geographic Location: The scarcity or availability of comparable services or activities in the geographic region in which proposed services or activities will take place.

Funding Availability: The nature and extent of the availability of other public and private funds to support comparable activities.

GRANT APPLICATION REVIEW PROCESS:

NYSCA uses a multi-step process involving program staff, peer review panels, a committee of NYSCA's Council members, and the full NYSCA Council, as described in more detail below. Complete information on NYSCA's grant process can be found at <http://www.arts.ny.gov/public/grants/index.htm>

Staff Review

NYSCA's program and administrative staff verify applicant eligibility and review application materials according to NYSCA's primary criteria and program- and category-specific guidelines. Staff may meet with representatives of the organization, visit facilities, and attend programs to become familiar with the organization and its work. Staff review may be supplemented by reports from field representatives who have expertise in a particular art form.

Peer Review Panels and the Rating System

In each program category, the peer panel convenes with program staff present. The panel is composed of seven to fifteen people and represents a diverse group of professionals from across the state. Each member has relevant and specific expertise. NYSCA accepts nominations for panelists from the general public. To nominate an individual for panel service consideration, visit the panelist nomination page. The panel discusses, evaluates and rates each request according to NYSCA's criteria.

The panel ratings form the basis for staff funding recommendations to the designated NYSCA Council Committee.

Rating System

Rating	Descriptor	Strengths/Weaknesses
9	Exceptional	Exceptionally strong (model and standard for field or discipline with essentially no weaknesses)
8	Outstanding	Extremely strong with negligible weaknesses
7	Excellent	Very strong with some minor weaknesses
6	Very Good	Strong with numerous minor weaknesses
5	Good	Strong but with at least one moderate weakness
4	Satisfactory	Some strengths but with some moderate weaknesses
3	Fair	Some strengths but with at least one major weakness
2	Marginal	A few strengths and a few major weaknesses
1	Poor	Very few strengths and numerous major weaknesses

Minor Weakness: An easily addressable weakness that does not substantially lessen impact.

Moderate Weakness: A weakness that lessens impact.

Major Weakness: A weakness that severely limits impact.

NYSCA COUNCIL COMMITTEES AND NYSCA COUNCIL:

There are two committees composed of NYSCA Council Members: (1) Multi-Arts and (2) Performing, Literary Arts and Visual Arts. Funding recommendations and panel ratings are presented to the designated Committee for review and discussion.

After review and discussion, the Committees make funding recommendations to the full NYSCA Council. All NYSCA Council Committee meetings and full NYSCA Council meetings are open to the public and are webcast. The Arts Council's meeting agenda is posted at www.arts.ny.gov in advance of all meetings and is available for review by the public.

The full NYSCA Council reviews the NYSCA Council Committees' funding recommendations and votes on the grant award recommendations. Upon NYSCA Council approval of a grant and subsequent grantee notification, Cultural Service Contracts are issued to organizations awarded funding.

Can an organization appeal an NYSCA funding decision?

An applicant may appeal NYSCA's funding decision. The appeals procedure is set forth in Part 6401 of the New York Codes, Rules and Regulations and may be reviewed at http://www.arts.ny.gov/public/grants/PART_6401_Appeals.pdf

Community Development Block Grant Program

Funding Available: Up to \$25 million

Description:

The Community Development Block Grant (CDBG) Program is a federally funded program authorized by Title I of the Housing and Community Development Act of 1974. The CDBG Program is administered by the Office of Community Renewal (OCR) under the direction of the Housing Trust Fund Corporation (HTFC).

NYS CDBG funds provide **small** communities and counties in New York State with a great opportunity to undertake activities that focus on community development needs such as creating or expanding job opportunities, providing safe affordable housing, and/or addressing local public infrastructure and public facilities issues. The primary statutory objective of the CDBG program is to develop viable communities by providing decent housing and a suitable living environment by expanding economic opportunities, principally for persons of low and moderate income. The state must ensure that no less than 70% of its CDBG funds are used for activities that benefit low- and moderate-income persons. A low- and moderate income person is defined as being a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low- and moderate-income persons requires at least 51% of the project beneficiaries to qualify as low- and moderate-income.

Eligible Activities / Program Benefit Requirements:

NYS CDBG applicants must address and resolve a specific community or economic development need within one of the following areas: (1) Public Infrastructure (2) Public Facilities (3) Community Planning (4) Microenterprise.

1) Public Infrastructure

The NYS CDBG Public Infrastructure program consists of two funding activities: drinking water/ clean water/stormwater and public works. Eligible projects for NYS CDBG Public Infrastructure may include the repair or replacement of existing systems, construction of new systems, or expansion of existing systems into areas previously unserved that are in compliance with the NYS Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and principally benefit low- and moderate-income persons. Under the Public Infrastructure category, the benefit to low- and moderate-income persons is most commonly achieved through an area benefit. For more information regarding National Objective Compliance, refer to the Application Guidance located on the HCR website: <http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/FundingOpportunities.htm>.

The drinking water/clean water/stormwater activity includes, but is not limited to, water source development, storage, and distribution; sanitary sewage collection and treatment; flood control and storm water drainage. The aforementioned types of projects may also include ancillary public works components such as sidewalks, streets, parking, open space, and publicly-owned utilities.

The Public Works activity consists of, but is not limited to, standalone public works components such as sidewalks, streets, parking, open space, and publicly-owned utilities. Public works activities should be creatively designed to leverage the availability of other Consolidated Funding Application (CFA) funding sources to the greatest extent possible.

Funding for residential water and sewer lateral connections is not available as part of the CFA. These types of applications may be available separately as part of HCR's Housing Funding Category, which may be announced later this year. For information on HCR's non-CFA funding opportunities see the HCR website at: <http://www.nyshcr.org/Funding/>.

2) Public Facilities

The NYS CDBG Public Facility program activities include, but are not limited to, structures to house or serve special-needs populations; senior services; child care centers; removal of architectural barriers for the disabled (installing lifts, automatic doors, ramps, etc.); and multi-purpose buildings housing several qualifying activities where benefits are provided principally to low- and moderate-income persons. Removal of architectural barriers is not eligible in new construction. Under the Public Facilities category, the benefit to low- and moderate-income persons is achieved most commonly through a presumed benefit, which is applicable for seniors, the severely disabled or abused children. National Objective compliance for public facilities can also be met through the Low/Mod Area (LMA) benefit. For more information regarding National Objective Compliance, refer to the Application Guidance located on the HCR website: <http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/FundingOpportunities.htm>.

NYS CDBG funds can be used for construction or renovation of facilities, but cannot be used to cover the day-to-day operational costs of an assisted facility, nor can funds be used for buildings that are primarily for the general conduct of government business (e.g. town halls). Any public facility funded with NYS CDBG funds must be maintained in the same capacity as funded for a period of five (5) years after the project is formally closed out by OCR. OCR reserves the right to monitor the use of such facilities during the five (5) year period to substantiate compliance.

3) Community Planning

The NYS CDBG Planning program consists of two activities: Community Needs Assessments and Preliminary Engineering Reports. Any planning proposal must address an activity which, if implemented, meets at least one of two national objectives under the CDBG program. That is, it must be shown that either 1) at least 51% of the persons who would benefit from implementation of the plan are low- and moderate- income persons, or 2) the plan addresses a slum or blighted area in the community.

The Community Needs Assessment activity must be used by eligible applicants to identify the assets of a community and determine potential concerns that it faces. The needs assessment analysis may focus on one or more of the following: 1) Public Infrastructure, 2) Public Facilities and/or 3) Economic Development.

Eligible planning activities for Public Infrastructure includes development of engineering reports for eligible applicants to develop preliminary engineering reports for a municipality's drinking water, clean water and/or stormwater needs. The goal of this infrastructure planning grant is to assist eligible applicants to initiate a planning process that will result in follow-up implementation plans that will address these critical infrastructure needs.

Eligible planning activities for Public Facilities includes, but is not limited to Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis, energy conservation plans, and building studies. Comprehensive Plans, Strategic Plans, and Master Plans are not being considered for funding under this round of the CFA.

Market studies and feasibility studies are eligible planning activities for determining economic development needs if performed on behalf of the grant recipient to determine the market for some type of facility or business. Market studies and feasibility studies performed on behalf of a particular business are **not** eligible planning activities. For example, studying the need for a new hotel downtown would be eligible for planning assistance but conducting a study of a specific proposed hotel project would not be eligible for planning assistance.

Successful applicants must propose a Community Needs Assessment or Preliminary Engineering Report activity designed to assist the municipality in seeking future funding opportunities from NYS CDBG or other State and Federal agencies that will result in a benefit to low-and moderate-income persons. Requests for assistance that are not designed to assist the municipality in implementing a specific future project may not be considered.

- NYS CDBG can fund up to 95% of the total project cost, not to exceed the maximum grant amount.
- NYS CDBG Planning funds may be used as match for other CFA funded planning activities when other funding agencies permit the use of CDBG funds as match.
- At least 5% of the total project cost must be provided as a cash match through other non-CDBG funding sources. In-kind services, force account and volunteer services cannot be considered as match.

4) Microenterprise

The NYS CDBG Economic Development program through the CFA includes Microenterprise activities. Eligible applicants must apply on behalf of the business seeking CDBG funds. Awards are made to the applicant community and not directly to businesses. Eligible uses of NYS CDBG funds include, but are not limited to: acquisition of real property; financing of machinery, furniture, fixtures and equipment; working capital; inventory; and employee training expenses. Funds awarded under the Microenterprise activity may be used for all other uses, with the exception of construction or other improvements where Davis Bacon and Related Acts apply.

Eligible non-entitlement units of local government must apply for microenterprise assistance which is defined as a commercial enterprise that has 5 or fewer employees, 1 or more of which is the principal and owns the enterprise at the time of application. The size of the microenterprise includes all part-time and full-time employees (head count, not full-time equivalents).

- A minimum of 50% of the CDBG award must be awarded to start-up businesses. A start up business is defined as an enterprise that has been in operation for fewer than six (6) months at the time of application for assistance.
- Individual grant amount to business: \$5,000 (minimum) to \$35,000 (maximum).
- Each microenterprise must either be owned by a low- to moderate-income person or the project must result in the creation of at least one full-time equivalent position to benefit a low- to moderate-income person
- At least 51% of all jobs created must be held by or made available to low- and moderate-income persons.
- NYS CDBG can fund up to 90% of a total project cost.
- Minimum of 10% owner equity contribution (cash equity only) to the project is required.

- Certified completion of a locally approved entrepreneurial assistance or small business training program is required. Cost of training may be a CDBG eligible expense; attendee may be reimbursed after completing the training.
- A Business owner cannot be included or reported as a created job unless fulfilling the LMCMC (low-to-moderate income owner) National Objective.

All Economic Development and Small Business Applications will be available through an Open Round process and completed through the CFA portal. The Open Round applications require the completion of a Pre-Submission Form. The Pre-Submission Form will be reviewed by The Office of Community Renewal and if accepted, the applicant will receive an invitation to apply and will have 60 days to complete a full application within the CFA portal.

The CDBG Economic Development and Small Business applications are not subject to the 2016 CFA deadline. These open round applications may be submitted at any time. Please note, an applicant must submit a standalone CDBG Economic Development or Small Business application. The application cannot request other CFA resources in the same project application. More information is available online, here:

<http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/FundingOpportunities.htm>.

For Economic Development projects, funds cannot be used to re-finance or pay off existing personal or business debt or fund speculative investment. Funds awarded under the NYS CDBG Small Business program may not be used for new construction activity. Construction, building or other improvements are not an eligible use of CDBG Microenterprise funds when Davis Bacon and Related Acts must be applied. Recurring expenses associated with repairing, operating or maintaining public facilities, improvements and services are also ineligible.

Activity Funding Limits:

<i>County, Town, City or Village:</i>	<i>Maximum</i>
Public Infrastructure*	\$750,000
Public Facilities	\$300,000
<i>Joint Applicants:</i>	
Public Infrastructure* (drinking water and/or clean water only)	\$900,000
<i>County, Town, City or Village</i>	
Microenterprise Program	\$200,000
<i>County, Town, City or Village</i>	
Planning	\$ 50,000

Exceptions to these limits may be made in cases where it is found that a project or projects may have a significant impact that may realize a potential for regional or statewide economic impact.

For Public Infrastructure, Public Facility and Microenterprise projects, Applicants may only apply for the amount of funding that can be fully expended and propose the type of activities that can be completed within the specified project completion period of twenty-four (24) months. All proposed accomplishments must be completed and accomplishments reported within the project completion period.

For planning projects, Applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified project completion period of fourteen (14) months.

*For certain “co-funded” Public Infrastructure projects, applicants may apply for an amount of funding not to exceed \$1,000,000. “Co-funded” projects are those projects that include other State and/or Federal sources including, but not limited to, USDA Rural Development and the NYS Environmental Facilities Corporation (EFC). In order to qualify for this higher funding threshold, the applicant must clearly demonstrate that other co-funded sources are firmly committed and in place at the time of application. Qualifying documentation includes:

- USDA - Preliminary Funding Estimate (PFE)
- NYS EFC - Letter of Eligibility and/or Hardship Determination or project is listed on the Intended Use Plan (IUP)
- Other Sources – Contact NYS OCR

All qualifying documentation must be submitted as an attachment to the funding application.

Program Delivery and Administration Costs

Applicants are not required to request NYS CDBG program delivery and administration funds. However, if desired, program delivery and administration funds may be requested at the time of application and must be included within the maximum request amount. Program delivery and administration funds are available on a reimbursement basis, and will therefore be reviewed for eligibility prior to disbursement of funds. Disbursement requests for program delivery and administration costs are not eligible for reimbursement until the approval of a Request for Release of Funds by HCR. Additionally, applicants are encouraged to identify alternate sources of funds for administrative and program delivery expenses. Additional funding commitments for administrative expenses and project delivery strengthen an application.

Public Facilities and Public Infrastructure

Applicants may request up to 18% of the CDBG award in program delivery, administration, and engineering costs combined. Of the 18%, administration must not exceed more than 5% of the total CDBG award.

Microenterprise

Applicants may request up to 25% of the CDBG award in program delivery, administration, and training combined. Of the 25%, administration must not exceed more than 5% of the total project cost.

Eligible Types of Applicants:

Eligible applicants are non-entitlement units of general local government (villages, cities, towns or counties), excluding metropolitan cities, urban counties and Indian Tribes that are designated entitlement communities. Non-entitlement areas are defined as cities, towns and villages with populations of less than 50,000, except those designated principal cities of Metropolitan Statistical Areas, and counties with populations of less than 200,000. The NYS CDBG program does not provide direct financial assistance to businesses. For a list of eligible communities, please visit: <http://www.nyshcr.org/Programs/NYS-CDBG/EligibleCommunities.htm>.

Applicants may submit multiple applications. The total amount requested by the applicant for Public Infrastructure cannot exceed \$750,000 with the exception of single projects that qualify under the higher threshold as described above. The total amount requested by the applicant for Public Facilities cannot exceed \$300,000. The total amount requested by the applicant for

Microenterprise cannot exceed \$200,000. The total amount requested by the applicant for Community Planning cannot exceed \$50,000. Please note that the NYS OCR may exceed these caps if a project or projects have significant and transformational impacts beyond the immediate public benefit.

Pre-Application Requirements:

Prior to submitting an application for funding, applicants must comply with citizen participation requirements pursuant to 24 CFR 570.486 and NYS Homes and Community Renewal's Citizen Participation Plan. These require applicants to follow a citizen participation plan providing for a minimum of one public hearing (one in each jurisdiction of a joint application) held **prior** to the submittal of an application and making the application available to the public for inspection at the municipal office(s). The public hearing is held to provide an opportunity for citizen feedback on the community and economic development needs of the applicant community and any proposed project(s). When issuing the notice and holding the public hearing, please note the following:

- The notice for the hearing must specifically mention the municipality's intent to apply for NYS CDBG funds and the current program year;
- The notice must identify all activities that the Applicant may be applying for during the current program year;
- Public hearings must be held by the legislative body of the eligible applicant, not by a subrecipient or other related organization;
- Public hearings must be held in a location accessible to persons with disabilities and/or provide reasonable accommodations to allow all interested parties to participate;
- The public hearing must be conducted prior to finalizing and submitting an application;
- The public notice as published must be included as an attachment to this CFA; and
- A copy of the application must be available for public inspection at the municipal office(s).

Upon award, continued compliance with Citizen Participation is required, which means that a recipient of NYS CDBG funds must issue a public hearing notice and hold a minimum of one additional public hearing during the implementation of the project to report project accomplishments. For planning related activities, the applicant should plan on providing public input opportunities throughout the planning process.

Successful Applicant Requirements:

The HCR application review process includes, but is not limited to, a determination of the project's compliance with a National Objective, feasibility, readiness, and project underwriting, where applicable. Therefore, applications must include the documents listed below as attachments to the CFA. This list is not an exhaustive list of all items required as part of the CFA; HCR also has several required forms that will need to be completed by successful applicants and depending on the specifics of the project, additional information and documentation may be required. For the full list of required documents, refer to: <http://www.nyshcr.org/Funding/>.

For Public Infrastructure and Public Facilities Applications

Survey Information:

- Survey Methodology.
- Sample Income Survey Instrument.
- Representative Sample of Income Surveys.
- Summary of Income Survey Data.

Evidence of National Objective Compliance

Purchase Agreements (site control)

Maps (as required)

Confidential Materials (Materials that identify a specific person, household or address. For example, surveys, applications, photographs and etc.)

Authorization for Joint Applications:

- A cooperation agreement and a resolution authorizing an Applicant to submit an application on behalf of a unit of local government.
- A cooperation agreement and a resolution authorizing a joint application and one of the units of local government as the primary applicant.

Project Budget-Related Documents:

- Financial commitment letter(s) from all other funding sources, including proposed terms or letters of application.
- Third party cost estimates.
- Engineering Report.

Compliance with Citizen Participation requirements:

- Copy of public hearing notice(s) with the Affidavit of Publication.

For Community Planning Applications

(Community Needs Assessments and Drinking Water and Clean Water Preliminary Engineering)

National Objective Compliance

- Evidence of CDBG National Objective Compliance at the time of plan implementation

Project Budget-Related Documents:

- Commitment letter from municipality for required 5% cash match

Compliance with Citizen Participation requirements:

- Copy of public hearing notice(s) with the Affidavit of Publication.

Authorization for Joint Applications:

- A cooperation agreement and a resolution authorizing an Applicant to submit an application on behalf of a unit of local government.
- A cooperation agreement and a resolution authorizing a joint application and one of the units of local government as the primary applicant.

Maps (as applicable)

Confidential Materials (Materials that identify a specific person, household or address. For example, surveys, applications, photographs and etc.)

For Microenterprise Program Applications

Program Information:

- Program Design Plan.
- Draft program Application and other applicable forms that are to be completed by each program beneficiary.
- List of Grant Committee members and experience. (Grant committee is a panel chosen by the applicant to review grant applications and to make recommendations and/or approval of grant award.)
- Letters of Support.
- Entrepreneurial training program syllabus

Project Budget-Related Documents:

- Commitment Letter(s) from all other funding sources, including proposed terms.
- Documentation for all third party costs (Applicants proposing Microenterprise projects that include soft costs such as classroom instruction, technical assistance to businesses, marketing, etc. must provide supporting cost documentation.)

Compliance with Citizen Participation requirements:

- Copy of public hearing notice(s) with the Affidavit of publication

General Requirements

Upon award, all CDBG recipients will be required to comply with all federal, state, and local regulations and statutes as outlined in the certifications required by Title I of the Housing and Community Development Act (HCDA) of 1974, as amended, including, but not limited to compliance with Title VI of the Civil Rights Act, the Fair Housing Act, and compliance with Section 3 of the HCDA. Recipients must ensure compliance with other statutory, regulatory and program requirements including, but not limited to Labor Standards, as applicable, annual reporting, conflict of interest, procurement, A-133 Audit, Civil Rights, and other requirements as outlined in the Office of Community Renewal Grant Administration Manual available at: <http://www.nyshcr.org/Programs/NYS-CDBG/GrantAdministration.htm>.

Applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified project completion period. All proposed accomplishments must be completed and reported within the project completion period. Applicants should not proceed with a project that cannot be completed within the specified timeframe or with the assumption that an extension of the project deadline will be considered. Grant recipients who are unable to satisfy the term of their grant agreement may be unable to secure further OCR funding until such time as the prior grants have been completed or the funds recaptured. Inability to meet the required timeframe may be viewed as an issue of project readiness and/or inadequate local capacity to carry out grant activities in a timely manner and may require significant additional actions on the part of the municipality to insure that any potential future grants will be completed within the term of the grant agreement.

In addition, all recipients must meet the Environmental Review and Request for Release of Funds requirements prior to submitting any requests for funds. **Costs incurred prior to the completion of the Environmental Review and approval of a Request for Release of Funds are only eligible to be reimbursed by CDBG if the activities are determined to be exempt.** Recipients incur costs prior to the Release of Funds at their own risk. **Please be advised that there may be a gap between submission of the application and the award of projects.** If projects contain activities that are imminent, the CFA may not be the appropriate avenue to pursue funding. Contact HCR for guidance on whether submission of a CFA is advised or if other funding is available to support the project.

Funding Priorities:

Priority will be provided to projects that demonstrate a clearly defined need, address specific community and economic development priorities, meet the objectives of the New York State Community Development Block Grant Program, demonstrate that they have satisfied all administrative and regulatory requirements to proceed immediately upon award, present a project budget that effectively leverages a variety of funding sources, projects identified in NY Rising Community Reconstruction Program plans and projects that are recognized as a priority project for the respective Regional Economic Development Council, including Opportunity Agenda initiatives.

Significant Statewide Programs:

Proposed projects that are part of the following initiatives will be looked upon favorably:

Downtown Revitalization Initiative

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

Opportunity Agenda Related Projects

Each Regional Economic Development Council (REDC) may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed communities as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

Global NY Related Projects

The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

Veterans' Related Projects

New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014, the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

NY Rising Related Projects

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>.

Ineligible Activities:

The State CDBG Program deems any activity that is not included in the Housing and Community Development Act of 1974, as amended, ineligible. Generally, CDBG funding cannot be used for projects that involve buildings used for the general conduct of government business, general government expenses, or political activities. In addition, any project that does not present satisfactory evidence of compliance with a national objective will be considered ineligible and will not be considered for funding.

Public Infrastructure and Public Facilities

Applications within the funding categories of Public Infrastructure and Public Facilities are rated and scored against the factors below. Applications are evaluated and ranked against applications within the same category.

Criteria – 100 Points

Total Vision and REDC Strategies – 20 points

- The degree that the proposed project aligns with the Regional Council's Strategic Plan.

Municipal Poverty Score – 10 Points

- Absolute number of persons in poverty (5 points)
Available Census data will be used to determine the absolute number of persons in poverty residing within the Applicant's unit of general local government. Applicants which are county governments are rated separately from all other Applicants. Individual need scores are obtained by dividing each Applicant's absolute number of persons in poverty by the greatest number of persons in poverty of any Applicant and multiplying by 5.
- Percent of persons in poverty (5 points)
Available Census data will be used to determine the percent of persons in poverty residing within the Applicant's unit of general local government. Individual need scores are obtained by dividing each Applicant's percentage of persons in poverty by the highest percentage of persons in poverty of any Applicant and multiplying by 5.

Project Assessment Points – 70 Points

- Applications within the funding categories will be assessed based on the extent to which they meet the category-specific assessment criteria identified below. Scoring will be based on a maximum of 60 points, with the most points being awarded to projects that have demonstrated exceptional compliance with the assessment criteria identified for each category. An application's project assessment score will be determined by averaging the assessment criteria points.

Public Infrastructure:

Need – 35 Points

The degree to which the applicant has demonstrated:

- serious public health, welfare or safety conditions, as attested by third party documentation (e.g. consent orders, engineering reports, test results);
- that NYS CDBG funds are necessary to undertake the project and the community is unable to secure sufficient funding or assistance through other methods or resources, including other public funding.

Impact – 20 Points

The degree to which the applicant has demonstrated:

- that the proposed project is affordable, viable, and sustainable over the long-term, is of appropriate capacity for the demand, and addresses the need;
- the impact of NYS CDBG funds on the reduction of the debt burden, connection fees, and annual water/sewer fees on LMI households;
- that the proposed project supports a "Smart Growth" development strategy in accordance with the New York State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010).

Financial Capacity – 10 points

The degree to which the applicant has demonstrated:

- that the project cost is financially feasible and includes the cost associated with regulatory compliance;

- that leveraged funds are available and committed including CDBG program income generated from previously funded HUD and NYS CDBG projects, and there are not gaps in funding;
- that the costs of program delivery and administration are reasonable and based on the actual work to be performed as described in the application;
- a financial and administrative plan for future maintenance and operations.

Public Facilities:

Need – 35 Points

The degree to which the applicant has demonstrated:

- a need and market for the project and the services to be provided.
- that NYS CDBG funds are necessary to undertake the project and the community is unable to secure sufficient funding or assistance through other methods or resources, including other public resources.

Impact – 20 Points

The degree to which the applicant has demonstrated that:

- the proposed project has long-term affordability, viability and sustainability, is appropriate in terms of capacity, and addresses the need;
- the project design includes components accommodating mobility, visual, and auditory handicaps where relevant.

Financial Capacity – 10 Points

The degree to which the applicant has demonstrated:

- that the project cost is financially feasible and includes the cost associated with regulatory compliance;
- that leveraged funds are available and committed including CDBG program income generated from previously funded HUD and NYS CDBG projects;
- that the costs of program delivery and administration are reasonable and based on the actual work to be performed as described in the application;
- a financial and administrative plan for future maintenance and operations.

Additional Project Assessment Criteria

In addition to evaluating applications in accordance with the project assessment criteria listed above for each of the funding categories, applicants will be evaluated on the following criteria:

Administrative Capacity – 5 Points

The degree to which the applicant has demonstrated:

- a clear understanding of the program requirements and measures to ensure compliance of the program requirements, including applicable Federal and State regulations, such as environmental, lead-based paint, labor standards, historic preservation, and procurement;
- that no impediments exist, or the degree to which all potential impediments, such as regulatory compliance, community support, site control (i.e. easements, acquisition etc.), and permits and clearances, have been addressed;
- project readiness and the ability to implement the program upon award;
- the ability to complete the proposed project/program within the 24-month term of the grant agreement.

Prior Performance

The applicant's prior CDBG performance is considered at the time of application which may include, but is not limited to:

- the successful completion of prior projects as proposed and per the grant agreement;
- the number of project extensions requested and the reasons for extensions;
- monitoring findings and concerns and the timeframe in which they were resolved;
- status of current grants (expenditure rate, suspension of funds, adherence to program schedules);
- the ability to resolve grant administration issues in a timely manner and to address the issues for all grants and Program Years.
- first time applicants and first time awardees are not negatively impacted by this

Generally, the criteria noted above shall apply when awarding funding for applications received through the Consolidated Funding Application. In addition to the criteria noted above, HCR shall have the discretion to consider additional factors when determining the relative merits of projects.

Planning Assistance

Applications within the planning and engineering funding categories are rated and scored against the factors below. Applications are evaluated and ranked against other planning applications. Applications with the highest scores are considered the most competitive and have a greater chance of being awarded.

Criteria-up to 100 Points

Total Vision and REDC Strategies – 20 Points

- The degree that the proposed project aligns with the Regional Council's Strategic Plan.

Demonstrated Need – 30 Points

- Demonstration of need for the Plan and for funding assistance
- Evidence that key stakeholders share the opinion that the subject of the Plan is critical to addressing identified needs and challenges

Public Benefit/Impact – 30 points

- The proposed process for identifying development challenges and needs
- The approach to which an applicant proposes to address community needs criteria (public infrastructure, public facility and economic development).
- Public support and participation

Implementation – 10 points

- Readiness to proceed upon award
- NYS CDBG performance history, if any
- Capacity to complete the planning process in a timely and effective manner
- Extent to which the needs identified are potential NYS CDBG eligible activities
- How well the proposed planning activity follows or reinforces local or regional plans

Leveraged Resources – 10 Points

- Creative leveraging and coordination with other CFA activities
- Reasonableness of activity costs and evidence of match requirement

Microenterprise

Applications within the funding category of Microenterprise are rated and scored using the criteria below. Applications are evaluated and ranked against all applications within the Microenterprise Program.

Criteria – up to 100 Points

Total Vision and REDC Strategies –20 points

- The degree that the proposed project aligns with the Regional Council's Strategic Plan.

Public Benefit/Impact – 20 Points

- The demonstrated need for the project.
- The overall employment and economic impact of the project.
- The extent to which the project will create permanent, full-time equivalent jobs for persons from low- to moderate-income families and/or assist low- and moderate-income business owners.
- Local support for the project.

Implementation – 22 Points

- The degree of project readiness and ability to implement upon award.
- The degree to which the project is financially and technically feasible within the 24-month term of the grant agreement.
- The administrative capacity of the applicant, and the degree to which the applicant has demonstrated a clear understanding of, and ability to meet, the program requirements.

Leveraged Resources – 20 Points

- The extent to which the project coincides with previous state or program investments.
- The availability and commitment of non-CDBG leverage.
- The CDBG-funded portion of the project.

Performance Measures – 18 Points

- The quality of the program design proposed.
- The quality of the entrepreneurial training program proposed.
- The project's alignment with green principles and sustainable development practices.

Award Criteria Details:

Eligible Area, City, County Population Limits or Population Target Types:

Projects must be located in non-entitlement areas such as cities, towns and villages throughout New York State, with populations of less than 50,000 and counties with populations of less than 200,000 (excluding metropolitan cities, urban counties, and Indian Tribes that are designated Entitlement communities) and must primarily benefit the population of the non-entitlement area.

Limitations:

The maximum awards are not intended to serve as a target figure for requests for assistance. The amount of CDBG assistance should be based on need, and CDBG funds should not be used to reduce the amount of non-federal financial support for the project.

Projects that commence prior to award are not reimbursable with NYS CDBG funds.

HTFC reserves the right to award all, a portion of, or none of a program's funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, the applicant's ability to advance the State's housing goals, and HTFC's assessment of cost reasonableness. HTFC reserves the right to award less than the requested amount, and further reserves the right to review an application requesting project funds as an application for funding under other programs, for which the project is eligible, and to change or disallow aspects of the applications received.

Long Range Goals:

Applications will be reviewed in the context of the long range goals established by New York State for the NYS CDBG program over the five-year period as outlined in the HUD-approved 2016-2020 Consolidated Plan. For the NYS CDBG Economic Development program, the goal is to assist 150 businesses with creating 3,500 jobs. For the NYS CDBG Public Infrastructure program, the goal is the completion of 100 public infrastructure projects serving 50,000 people. For the NYS CDBG Public Facilities program, the goal is the completion of public facilities projects serving 500 people.

Project Term Completion Dates:

Recipients of CDBG public infrastructure, public facility or microenterprise funding enter into a two-year (24 month) grant agreement in which all funds must be expended and all accomplishments met. Any funds remaining at the end of the two-year period are subject to de-obligation. Recipients are also obligated to report accomplishments and beneficiary information on an annual basis. This information must demonstrate the progress of the project and compliance with the national objective proposed in the application.

Recipients of CDBG Planning assistance enter into a 14-month grant agreement in which all funds must be expended and a final plan submitted to OCR. Any funds remaining at the end of the 14-month period are subject to de-obligation. Recipients are also obligated to report accomplishments and beneficiary information on an annual basis. This information must demonstrate the progress of the project and compliance with the national objective proposed in the application.

Matching Fund Requirements / Deadlines:

For the Microenterprise Program, up to 90% of the total project cost can be funded with CDBG funds. The remaining 10% of the cost of the project will be required to be provided from owner equity. For Public Infrastructure and Public Facility projects, a match is not required; however bringing leveraged funds to a project may make the application more competitive. Planning requires a minimum 5% cash match in non-CDBG sources. In-kind services, force account labor, and volunteer services cannot be used as demonstration of match.

Additional Resources:

For more information, applicants should contact the Office of Community Renewal at New York State Homes and Community Renewal, 38-40 State St, Albany, New York 12207, call (518) 474-2057, email HCR_CFA@nyshcr.org or visit: <http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/>

New York Main Street Program

Funding Available: Up to \$5,000,000

Description:

The New York Main Street (NYMS) Program was created by the Housing Trust Fund Corporation (HTFC) in 2004 to provide resources to assist New York's communities with Main Street and downtown revitalization efforts. Article XXVI was added to NYS Private Housing Finance Law in 2009 to formally establish the New York Main Street Program in statute. The NYMS Program is administered by the Office of Community Renewal (OCR) under the direction of the Housing Trust Fund Corporation.

NYMS provides resources to invest in projects that provide economic development and housing opportunities in downtown, mixed-use commercial districts. A primary goal of the program is to stimulate reinvestment and leverage additional funds to establish and sustain downtown and neighborhood revitalization efforts.

Eligible Types of Applicants:

Eligible applicants for NYMS Program applications are Units of Local Government or organizations incorporated under the NYS Not-for-Profit Corporation Law that have been providing relevant service to the community for at least one year prior to application.

Eligible Target Area:

All NYMS activities must be located in an eligible target area. Applicants must clearly identify how the target area meets each of the three components of the statutory definition of an eligible target area. Applications that do not address each of the three statutory criteria, or do not provide clear source documentation will be deemed ineligible. Please note, based on the statutory criteria there are areas within NYS that are not eligible; therefore vague or unclear responses cannot be interpreted to present an eligible target area.

Article XXVI of the Private Housing Finance Law indicates that an eligible target area shall mean an area:

(i) that has experienced sustained physical deterioration, decay, neglect, or disinvestment;

(ii) has a number of substandard buildings or vacant residential or commercial units;

and (iii) in which more than fifty percent of the residents are persons whose incomes do not exceed ninety percent of the area median income for the county or metropolitan statistical area (MSA) in which the project is located, or which is designated by a state or federal agency to be eligible for a community or economic development program.

Applicants are encouraged to identify well-defined Main Street areas to maximize the impact that the funds will have on the community. The proposed activities must be carried out in a program target area of generally no more than three contiguous blocks which has experienced sustained physical deterioration, decay, neglect, or disinvestment, and has a number of substandard buildings or vacant residential or commercial units.

Applicants are required to include a Target Area Map to identify the location of the proposed target area.

Pre-Application Requirements:

Municipal Resolution

Each municipality in which the proposed program or project will function must approve a formal resolution supporting an application for the proposed NYMS program or project. The resolution must be passed prior to the application deadline and attached in the documents section of the application.

- The resolution must be on official stationery and should hold the official seal. Applicants within New York City must obtain the resolution from the Community Board with jurisdiction over the project target area.
- Draft or proposed resolutions are not acceptable.
- Support letters do not meet this requirement.
- The resolution must be for the current 2016 funding round and the specific NYMS project.
- If the municipality or Community Board provides only a summary letter without the full text of the resolution, a copy of the meeting minutes must be provided to document the vote and formal board resolution.

This requirement applies to all NYMS application types. Applications without a Municipal Resolution, as described above, will be deemed ineligible.

Eligible Activities:

1. Traditional NYMS Target Area Building Renovation Projects

Applicants may request between \$50,000 and \$500,000 for Target Area Building Renovation Activities. Requests must not exceed an amount that can be reasonably expended in the identified target area, within a 24-month term. Requests generally should not exceed the amount of documented property owner need in the target area.

- **Building Renovation:** Matching grants available for renovation of mixed-use buildings. Recipients of NYMS funds may award matching grants of up to \$50,000 per building, not to exceed 75% of the total project cost in a designated target area. Renovation projects that provide direct assistance to residential units may be awarded an additional \$25,000 per residential unit, up to a per-building maximum of \$100,000, not to exceed 75% of the total project cost.
- **Streetscape Enhancement:** Applicants may request up to \$15,000 in grant funds for streetscape enhancement activities, such as: planting trees, installing street furniture and trash cans, or other activities to enhance the NYMS target area.
 - Streetscape enhancement grant funds will only be awarded for activity ancillary to a traditional NYMS building renovation project and cannot be applied for on its own, or with a NYMS Downtown Anchor or Downtown Stabilization Project.
 - Streetscape enhancement activities must be reviewed for eligibility and approved by HTFC prior to commencement of construction or installation.
 - Streetscape activities must be completed within the proposed building renovation target area.
- **Administration:** Applicants may request up to 7.5% of the grant amount for salaries and other costs associated with the administration of the grant. The administrative funds must be requested at the time of application, and must be included within the maximum request amount.

- **Project Delivery:** Applicants may request funds to cover architectural and engineering work, required environmental testing and clearances, and filing fees. Project Delivery expenses must be included in the per-building activity funding limits, and may not exceed 18% of the NYMS renovation funds for a specific project. Project costs incurred for work on buildings that eventually prove infeasible and do not receive other investments will not be reimbursed with NYMS funds. Project Delivery funds must be requested at the time of application, and must be included within the maximum request amount.

Applicants are not required to request NYMS program funds for Administration or Project Delivery. Administration and Project Delivery funds are available on a reimbursement basis, and will therefore be reviewed for eligibility prior to disbursement of funds. Additionally, applicants are encouraged to identify alternate sources of funds for administrative and project delivery expenses. Additional funding commitments for administrative expenses and project delivery strengthen an application.

Example NYMS Target Area Building Renovation Application Request:

\$250,000	2016 NYMS Request Amount
\$210,000	Building Renovation Funds: to renovate five buildings
\$15,000	Streetscape Enhancement Funds: install bike racks and benches
\$10,000	Project Delivery: to hire environmental firm to complete five site specific reviews
\$15,000	Administration: staff time to administer grant

2. NYMS Downtown Anchor Project:

Applicants may request between \$100,000 and \$500,000 for a standalone, single site, “shovel ready” renovation project. The NYMS Downtown Anchor Project funds may not exceed 75% of the Total Project Cost.

NYMS Downtown Anchor Project funds are intended to help establish or expand cultural, residential or business anchors that are key to local downtown revitalization efforts through substantial interior and/or exterior building renovations.

Applicants for NYMS Downtown Anchor Project funds must:

- Document a compelling need for substantial public investment.
 - Document project readiness, as evidenced by funding commitments, developer site control, pre-development planning completed, and local approvals secured;
 - Provide cost estimates to substantiate the request amount;
 - Identify source(s) of available construction financing and matching funds;
 - Demonstrate the importance of the project for the neighborhood, community and region;
 - Provide a Business Plan and Market Analysis to demonstrate project viability.
- **Administration:** Applicants may request up to 5% of the grant amount for salaries and other costs associated with the administration of the Downtown Anchor Project grant. The administrative funds must be requested at the time of application, and must be included within the maximum request amount.
 - **Project Delivery:** Applicants may request funds to cover architectural and engineering work, required environmental testing and clearances, and filing fees. Project Delivery expenses must be included within the funding limits, and may not exceed 18% of the NYMS renovation funds. Project costs incurred for work on buildings that eventually prove infeasible and do not receive other investments will not be reimbursed with NYMS funds. Project Delivery funds must be requested at the time of application, and must be included within the maximum request amount.

Applicants are not required to request NYMS program funds for Administration or Project Delivery. Administration and Project Delivery funds are available on a reimbursement basis, and will therefore be reviewed for eligibility prior to disbursement of funds. Additionally, applicants are encouraged to identify alternate sources of funds for administrative and project delivery expenses. Additional funding commitments for administrative expenses and project delivery strengthen an application.

Example NYMS Downtown Anchor Project Application Request:

\$250,000	2016 NYMS Downtown Anchor Project Request Amount
\$227,500	Building Renovation Funds: to renovate one project
\$10,000	Project Delivery: to hire firm to complete environmental review
\$12,500	Administration: staff time to administer grant

3. NYMS Downtown Stabilization Program

Applicants may request \$50,000 to \$500,000 to implement a Downtown Stabilization Program. Funds are available to assist with environmental remediation and associated construction costs, as well as other innovative approaches to stabilizing and developing downtown, mixed-use buildings. NYMS Downtown Stabilization Program funds may not exceed 75% of the total project cost.

NYMS Building Stabilization Project funds are available for projects that meet the goals identified above, including, but not limited to asbestos management (surveys, abatement design plans, air monitoring, etc.), soil vapor intrusion testing and mitigation, building stabilization construction activities (e.g. roof stabilization in conjunction with asbestos remediation) or other projects that identify or mitigate risks associated with other hazardous materials or remove obstacles to future redevelopment. Applicants must demonstrate local program interest and commitments, and may propose assistance to a single property, or multiple properties.

Please contact the Office of Community Renewal at HCR_CFA@nyshcr.org to discuss project eligibility prior to submitting an application.

New York Main Street (NYMS) Program Ineligible Activities

Please note: Applicants are encouraged to focus their efforts on one project type. For this reason, NYMS Downtown Anchor Project funds may not be requested in addition to a NYMS Target Area Building Renovation Program. NYMS Downtown Anchor Project funds are intended for standalone, single site, “shovel ready” renovation projects.

Ineligible uses of NYMS funds include, but are not limited to: demolition; new construction; improvements to structures owned by religious or private membership organizations; improvements to municipally-owned buildings used for municipal purposes; the purchase of non-permanent fixtures, such as furnishings, appliances, electronics, and business equipment; general organizational operating expenses; capitalizing a revolving loan fund; site work or ancillary activities on a property, including septic systems and laterals, grading, parking lots, sidewalks, landscaping, fences, free standing signs, and general maintenance. Pre-development planning and associated expenses are ineligible uses of Target Area Building Renovation and Downtown Anchor Projects as these activities must result in a completed, occupied space.

Costs that are not adequately justified or that do not directly support the project are not eligible for reimbursement with NYMS funds. Contact the Office of Community Renewal prior to submitting an application to discuss project eligibility, and review the NYMS Program Guide for more detailed guidance on NYMS program rules: <http://www.nyshcr.org/Programs/NYMainStreet/>

NYMS Selection Criteria – up to 100 Points

Total Vision and REDC Strategies –20 points

The Regional Council rates the degree with which the proposed project aligns with the Regional Council's Strategic Plan.

Need - 10 points

Measures the severity of need for the proposed Main Street activities, based on the analysis of existing commercial and residential conditions in the target area. The needs described must correspond to the proposed activities and the extent to which the activity resolves or addresses the identified need. Applicants that empirically demonstrate substantial need for public investment in the proposed target area will receive maximum points.

- Residential need
Evaluates the severity of need for affordable housing or rehabilitation of the existing housing stock and vacant buildings in the proposed target area.
- Commercial need
Evaluates the extent of need for commercial investment in the proposed target area that the private sector alone has been unable to provide.

Impact - 25 Points

Measures the extent to which the project described in the application will have a positive public benefit and sustainable positive impact on the target area and surrounding community and neighborhoods.

- Residential impact - Evaluates the likelihood that investment of NYMS funds will preserve or improve housing units in the Main Street district. Projects or programs that propose meeting affordable housing needs in the target area through the creation of residential units on upper floors of mixed use buildings are strongly encouraged. Applications determined to have the greatest impact on increasing the availability of quality, affordable housing, when compared with all other applications, will receive the highest scores.
- Commercial impact - Evaluates the likelihood that investment of NYMS funds will improve the aesthetics of the Main Street commercial corridor, spur investment of private resources, and mobilize additional resources to sustain Main Street physical and commercial assets. Applications determined to have the greatest impact on business conditions, when compared with all other applications, will receive the highest scores.
- Program Support - Evaluates local support and linkages between the proposed project and local planning and development efforts. Rates the degree to which the proposal relies on building consensus and cooperation among groups and individuals who have a role in the revitalization process.
- Design - Applicants must outline a process for project design review in the NYMS Program application. The highest scores will be awarded to proposals in communities that have existing design standards and have identified the necessary resources to work with building owners to enhance the physical appearance of the commercial area by preserving historic buildings and developing sensitive design management systems.
- Business Strategy - Applications must demonstrate a viable strategy for retaining and assisting existing businesses, attracting new customers, potential investors and residents, and finding new commercial uses for traditional buildings in the district. Downtown Anchor Applications must present a viable strategy for establishing or expanding a cultural,

residential or business anchor that is key to local revitalization efforts. Priority consideration will be given to applicants that demonstrate a strong understanding of current economic conditions in the district, identify opportunities for market growth, and clearly demonstrate how the proposed project contributes to improving economic conditions. Projects that demonstrate capacity to grow the district's existing economic base, while meeting the challenges of commercial sprawl, will receive the highest scores.

Leveraging - 10 Points

Measures the extent to which the NYMS resources will result in additional investments committed to the local Main Street program and projects. Applicants will receive points for leveraging funds beyond the required matching funds. Applicants documenting high percentages of committed matching funds, specifically private funds, will receive the highest scores.

Implementation Capacity - 35 Points

Measures the extent to which the applicant has organized the proposed project and has assembled sufficient resources to complete the project, and achieve the goals and objectives of the program in a manner that is timely, effective and on-budget. Applications submitted by current awardees with open, on-going contracts may be negatively impacted if substantial expenditures or funding commitments have not been achieved. An applicant's past and current performance in other state programs and contracts will be considered in rating and ranking its application.

- Program Experience - Points for performance history are available to applicants who are administering an open NYMS contract where substantial expenditure or funding commitments have been achieved and sufficient progress has been made. Points are also available to applicants who have successfully and effectively completed previous NYMS contract obligations. Applicants who have not previously participated in the NYMS program but who have a successful record of achievement within the community where the proposed Main Street target area is located, and have assembled a team with experience in community development, housing rehabilitation, or commercial revitalization in mixed-use districts on a scale comparable to the proposed program or projects will be eligible for points as well.
- Implementation Capacity - Proposals that have identified specific projects, clearly substantiated the request amount, obtained local approvals, have demonstrated a clear understanding of NYMS administrative procedures and have necessary organizational structures in place to implement the proposed projects, without delay, will receive the most points.

Funding Priorities:

- Ready to go or "shovel ready" projects. Project readiness is best demonstrated by clear funding commitments for permanent and construction financing, documented site control, completed pre-development planning work, and local approvals.
- A proposed NYMS service area should include a mix of uses, such as residential, commercial, and civic buildings. Individual assisted buildings are not required to include both residential and civic or commercial spaces; however, applications should propose a comprehensive approach to strengthen both the commercial and residential sectors. Affordable housing in upper-floor spaces and on adjacent streets helps to strengthen the social and economic vitality of the business district. Incorporating residential units on the upper floors is strongly encouraged and those projects will receive priority consideration.
- For NYMS there is a preference for funding proposals where contiguous buildings will be assisted, maximizing the impact of the investment.

- Applicants able to successfully demonstrate broad local support and linkages between the proposed project and local planning and development efforts, and applicants documenting high percentages of committed matching and leveraged funds will receive the highest scores.

Significant Statewide Programs:

Proposed projects that are part of the following initiatives will be looked upon favorably.

- **Downtown Revitalization Initiative**

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

- **Opportunity Agenda Related Projects**

Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

- **Global NY Related Projects**

The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

- **Veterans' Related Projects**

New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014, the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

- **NY Rising Related Projects**

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

Award Criteria Details:

NYMS Downtown Anchor Projects must be standalone, "shovel ready" projects. NYMS Downtown Anchor Project funds may not be requested in conjunction with a regular NYMS Target Area Building Renovation program.

HTFC reserves the right not to issue an award or contract to any applicant if it has been determined that the applicant is not in compliance with existing state contracts and has not taken satisfactory steps to remedy such non-compliance. Projects that commence prior to contract execution and environmental review will not be eligible for reimbursement.

HTFC reserves the right to award all, a portion of, or none of a program's funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, the applicant's ability to advance the State's housing goals, and HTFC's assessment of cost reasonableness. HTFC reserves the right to award less than the requested amount, and further reserves the right to review an application requesting project funds as an application for funding under other programs for which the project is eligible, and to change or disallow aspects of the applications received.

Award of NYMS funds does not confirm eligibility of all activities included in an application proposal, and HTFC reserves the right to change or disallow aspects of the applications received and may make such changes an expressed condition of its commitment to provide funding to a project.

Limitations:

The list below identifies several program requirements, and limitations, but applicants are advised to review the NYMS Program Guide for additional detail related to activity eligibility and grant administration:

<http://www.nyshcr.org/Programs/NYMainStreet/NYMSProgramGuide.pdf>

Contract Term

NYMS awardees enter into a two-year grant agreement; all activities must be completed within this two-year term. NYMS projects must not commence prior to award, and grant agreement execution. Costs incurred prior to award and grant agreement execution will not be eligible for reimbursement.

Environmental Review

Prior to the commitment or expenditure of NYMS program funds, the environmental effects of each activity must be assessed in accordance with the State Environmental Quality Review Act (SEQRA). Environmental Compliance areas evaluated for each project include, but are not limited to Historic and Cultural Resources, Floodplains, Zoning, Site Contamination, Lead Based Paint, Asbestos Containing Materials, Radon and Wetlands. Please review the NYMS Program Environmental Compliance Handbook for additional information:

<http://www.nyshcr.org/Forms/EnvironmentalComplianceHandbook.pdf>

Funding Commitments

NYMS Downtown Anchor Projects must be ready to commence upon award, grant agreement execution and environmental review. HTFC will not execute a grant agreement with applicants unable to present evidence of site control and funding commitments sufficient to undertake the proposed project following award of NYMS Downtown Anchor funds.

Procurement & Bidding

NYMS renovation activities require a minimum of two bids to establish reasonableness of cost. Related professional services and consultant services will require a documented procurement process.

Matching Funds

Each of the NYMS activities require matching funds, and only funds directly invested in eligible project activities are eligible as the required match. In kind match is not eligible, and costs incurred prior to award and contract execution are not eligible.

Regulatory Term

The owner of a property improved with NYMS funds made available under this article must agree for a minimum of five years to: maintain the property in good operating order and condition; to make available and maintain the affordability of residential housing units to persons of low income by signing and filing a Property Maintenance Declaration with the County in which the building is located.

Project Term Completion Dates:

Recipients of NYMS funding enter into a two-year (24 month) grant agreement in which all funds must be expended and all proposed accomplishments met. Applicants should not submit applications if they do not expect to initiate the project within a reasonable time period after receiving an executed contract or will not be able to complete the project within the two-year term. Funds remaining at the end of the two-year period are subject to de-obligation and reallocation.

Matching Fund Requirements:

- New York Main Street Building Renovation Projects
The NYMS Program operates as a reimbursement program and the NYMS Program Guidelines require matching funds for each participating building project. NYMS funds may reimburse up to 75% of total, eligible project costs for general building renovations up to a maximum of \$50,000 per building, or up to \$100,000 for a building renovation project involving direct assistance to residential units.
- New York Main Street Downtown Anchor Projects
NYMS Downtown Anchor Project funds are available to reimburse up to 75% of a total, eligible project cost not to exceed \$500,000 in NYMS Downtown Anchor Project funds. The minimum NYMS Downtown Anchor request amount is \$100,000.
- New York Main Street Downtown Stabilization Program
NYMS Downtown Stabilization funds are available to reimburse up to 75% of a total, eligible project cost not to exceed \$500,000. The minimum NYMS Downtown Stabilization Program request is \$50,000.

Additional Resources:

For more information, applicants should contact the Office of Community Renewal at New York State Homes and Community Renewal, 38-40 State St, Albany, New York 12207, call (518) 474-2057, email HCR_CFA@nyshcr.org or visit: <http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/>

Office of Parks, Recreation & Historic Preservation (OPRHP) – Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)

Funding Available: Up to \$20 Million

DESCRIPTION:

Title 9 NYCRR (sections 439.1 – 443.4) implements the Environmental Protection Fund (EPF) Act of 1993 (Title 9 of Article 54 of the Environmental Conservation Law), which created OPRHP's program for Parks, Preservation and Heritage Grants.

EPF Parks, Preservation and Heritage grant funding is available for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas located within the physical boundaries of the State of New York. Grants can fund up to 50% of total project cost, up to 75% if the project is located in a high-poverty district. Grant awards are capped at \$500,000.

ELIGIBLE TYPES OF APPLICANTS:

- Municipalities
- State Agencies
- Public Benefit Corporations
- Public Authorities
- Not-for-profit Corporations that have tax-exempt status under the IRS code, are current with pertinent federal and state filings and are pre-qualified in the Grants Gateway (see <http://www.grantsreform.ny.gov/Grantees>).

The applicant must have an ownership interest in the project property:

- Where the applicant is not the property owner:
 - If the project is for planning only, the owner must grant the applicant any access necessary to complete the project.
 - If the project involves acquisition of the property, the application must include documentation of the owner's intent to sell, donate or transfer the property.
 - If the project involves improvement/development of the property, the owner must agree to sign the project agreement and any long term protection document.
- If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT AND LONG TERM PROTECTION

REQUIREMENTS: Funding under the EPF Parks, Preservation and Heritage Grants program is available for the activities and programs described below. An application may be evaluated in all categories for which it qualifies. Applicants should be alert to the requirements for each category for which they wish the application to be considered.

To ensure the public benefit from the investment of State funds, properties acquired or developed with grant funds will receive long term protections, either through parkland alienation law, conservation easements, or public access or preservation covenants recorded against the deeds.

- **Parks Program** - for the acquisition, development and planning of parks and recreational facilities to preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes and for structural assessments and/or

planning for such projects. Examples of eligible projects include: playgrounds, courts, rinks, community gardens, and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities.

- Public access covenants will be conveyed to the State for all park development projects undertaken by not-for-profit corporations.
 - Conservation easements will be conveyed to the State for parkland acquisition projects undertaken by not-for-profit corporations.
 - Parkland acquired or improved by a municipality must remain parkland in perpetuity. Information is available in the “Handbook on the Alienation and Conversion of Municipal Parkland,” available at <http://www.nysparks.com/publications/>.
- **Historic Preservation Program** - to acquire, improve, protect, preserve, rehabilitate or restore properties listed on the State or National Register of Historic Places and for structural assessments and/or planning for such projects. All work must conform to the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
 - Properties not currently listed, but scheduled for nomination review at the State Board for Historic Preservation meeting of either June 22, 2016, or September 22, 2016, are eligible to apply for funding. Questions about or proposals for listing on the State or National Register should be directed to the OPRHP National Register Unit at (518) 237-8643.
 - Preservation covenants or conservation easements will be conveyed to the State for all Historic Preservation grants.
 - Grant funds cannot be used for constructing contemporary additions on an historic property unless that work will provide universal access and/or eliminate code deficiencies for access/egress, such as an elevator or stair tower.
 - Multi-purpose additions to historic buildings and free-standing new construction on historic properties are not eligible for this grant program.
- **Heritage Area Program** - for projects to acquire, preserve, rehabilitate or restore lands, waters or structures identified in the approved management plans for Heritage Areas designated under section 35.03 of the Parks, Recreation and Historic Preservation Law, and for structural assessments or planning for such projects. The designated Heritage Areas with approved Management Plans are listed at <http://www.nysparks.com/grants/heritage-areas/default.aspx>, which also provides links to maps showing exact Heritage Area boundaries.
 - To ensure a public benefit from the investment of state funds, appropriate long-term protections in the form of public-access covenants, preservation covenants or conservation easements will be conveyed to the State for all Heritage Area grants.

ALLOWABLE COSTS:

All expenditures under these grants must be for goods and services procured in a manner so as to assure the prudent and economical use of public money in the best interests of the taxpayers of the State of New York, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud and corruption. Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc.

Eligible budget items include:

Pre-Development Planning and Design

- **Design Fees** and other **Professional Fees** are allowed for the preparation of construction documents and to satisfy other pre-construction requirements. **Pre-development** costs must be incurred during the project term or in the three years prior to the application deadline. In general, pre-development costs **should not exceed fifteen percent (15%) of the construction costs**.
- **Archeology** includes field work, report writing, curation of artifacts and interpretation. If your project includes any ground-disturbing activity (e.g., trenching, grading, demolition, new construction, etc.), it is very likely that an archeological survey will be required unless you can provide adequate documentation of prior ground disturbance. Your budget should take into account the need for an archeological survey. Contact your regional grants administrator (RGA) to determine the need and anticipated costs for archeology.
- **Project planning** is eligible for stand-alone funding in all three programs. This funding is intended for project-specific planning, such as designs and specifications for rehabilitation of an historic property or structural assessment of a dock for public fishing, not for comprehensive Open Space or Management Plans.

Construction

- Capital costs can include labor, materials and other necessary costs for permanent capital improvements to the property that are directly related to the recreational, conservation, historic preservation, and/or heritage development purposes of the grant program. The budget should be broken down by categories of expenditure, such as utilities/infrastructure, site preparation, landscaping, carpentry, etc.
- The budget may include purchase of permanent equipment necessary to achieve the project purposes (e.g., playground equipment, interpretive kiosks), but cannot include operational or maintenance equipment such as mowers or automotive equipment.
- The budget may include costs to undertake construction, such as rent/lease of heavy equipment, but cannot offset overhead and operating expenses, such as office rental.
- For historic preservation projects on sectarian properties, grant assistance can fund only costs necessary for historically accurate restoration to restore and preserve the historic integrity of the historic property, and only to the extent that those costs exceed the cost of basic rehabilitation.

Acquisition

- The application must identify each parcel proposed for acquisition, the type of interest to be acquired (fee simple, lease, easement, etc.) and method of acquisition (purchase, donation or transfer from another use), number of acres and estimated fair market value of the parcel(s) documented by a written estimate of value (windshield appraisal) by a qualified appraiser. Acquisition costs must be incurred during the project term or up to one year prior to the application deadline.
- Associated acquisition costs, such as the cost of **appraisals** (one appraisal is required for any parcel valued under \$300,000; two appraisals are required for any parcel valued at \$300,000 or more), **surveys, title search, legal fees, title insurance (required for this grant)** and, where a conservation easement is required, the cost of **title continuation and recordation** are eligible costs.

Administration

- **Construction Supervision** costs are those associated with the coordination, supervision and scheduling of work and may be provided by a qualified member of the applicant's staff, the design professional who prepared the construction documents, or a clerk of the works.

- **Grant Administration** costs include expenses associated with administering the grant after it is awarded, such as preparing the project agreement, affirmative action, MWBE, and payment request documentation. In general, these costs **should not exceed ten percent (10%) of the grant amount**. The cost of preparing this application is **NOT** eligible.
- **Procurement Costs** include costs for assuring competitive pricing, such as costs for distributing Requests for Proposals and for public advertising for bids, including the cost of advertising in specialty publications, such as minority newspapers and appropriate construction publications.
- **Audit:** An accounting of grant expenditures and revenues is required. Generally, this is accomplished by detailed auditing of every payment request. Depending upon the grant award and complexity, the State may require an Agreed Upon Procedure Review (AUPR) performed by a representative of the STATE or a Certified Public Accountant prior to the final reimbursement.
- **Project Sign:** All grant-funded projects, except for those funding planning only, must have a project sign noting the funding assistance. Signs are available for purchase through the State for approximately \$57.

INELIGIBLE COSTS: (Ineligible costs will be eliminated from the total project costs in the grant application)

- Work completed prior to award is not eligible for reimbursement or for match. There are two exceptions:
 - Professional services and materials purchased or donated, but not installed, up to three years prior to the application deadline may be applied toward the matching share.
 - Acquisition costs retroactive no more than one year prior to the application deadline are eligible costs.
- Comprehensive Open Space or Management Plans.
- Application Preparation.
- Contingencies, training, travel, OJT wages, working capital, marketing, taxes, interest, purchase of operational or maintenance equipment, salaries and wages, overhead or operating expenses, rent/lease are ineligible unless noted otherwise above.
- Fundraising events/expenses.
- Bond interest and associated fees. The interest associated with a Bond or Bond Anticipation Note (BAN) cannot be calculated into project cost, whether for reimbursement or local match.
- Lobbying expenses.
- Costs that are not adequately justified or that do not directly support the project.

MATCHING SHARE (APPLICANT SHARE) REQUIREMENTS

This grant program is administered on a reimbursement basis. Successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement. Applicants must plan their financial arrangements accordingly.

Successful applicants are reimbursed for up to 50 percent of their eligible expenditures. For projects located in impoverished areas (as defined by 10 percent or more of the population below the poverty level according to the most recent Census data), the reimbursement can be up to 75 percent of the eligible project cost. All applicants are expected to raise their share within one year of the award, or risk cancellation of the grant. Principal types of applicant share are:

- **Cash:** Includes grants other than this grant request (other Environmental Protection Fund grants cannot be used as match).
- **Force Account:** Applicant's payroll expenses itemized according to job title or job assignment on project. At the time of the reimbursement request, grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services:** The value of services provided by professional and technical personnel and consultants. Three-year retroactivity applies.
- **Supplies and Materials:** The current market value of items warehoused (not yet installed). Three-year retroactivity applies; use value current at time items were obtained.
- **Volunteer Labor:** Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at http://www.independentsector.org/volunteer_time. (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State).
- **Equipment Usage:** Valued according to its fair market rental cost in project location.
- **Real Property:** The value of all property acquired, donated or converted from other purposes. One year retroactivity applies to all three categories. For real property owned by the applicant and converted from other purposes, the value of such property may be included under the EPF budget, provided it has not been previously designated as parkland or otherwise used for purposes related to this project.

NEW THIS YEAR:

Applicants can use an online layered map at <http://www.nysparks.com/grants/consolidated-funding-app.aspx> to help answer application questions in the CFA, including questions concerning how to identify the appropriate Regional Economic Development Council, Census Tract and Poverty data, Latitude and Longitude, Congressional, Assembly and Senate Districts, save and print or upload a 1:24,000 scale topographic or planimetric map, etc. for the project location. The instruction document, [Using the Grants Map for CFA](#), outlines how to use the features of the layered map.

PRE-APPLICATION REQUIREMENTS:

The following documentation will be required with the application; applications lacking these attachments (or an acceptable explanation) will be deemed incomplete. Depending upon the particular circumstances of your project, other attachments may be required. Still other attachments, while not required, may be essential to support rating points. All documents should be current to this grant cycle. See the **ADDITIONAL RESOURCES** section at the end of this document, and the Attachment Checklist at <http://www.nysparks.com/grants/consolidated-funding-app.aspx>, for additional guidance on required documents as well as supporting documentation that is requested but not required.

For All Applicants:

- **State Environmental Quality Review Act (SEQR) compliance documentation:** Not-for-profits must fill out the Environmental Review Form (EMB Form for NFP Grants) available at <http://www.nysparks.com/grants/consolidated-funding-app.aspx>. Municipalities must document or describe where they are in the SEQR process.
- **Photos** showing the project area
- 1:24,000 scale **topographic or planimetric map** with the subject property circled
- **Schematic Site Plan**

For Not-for-Profit Applicants applying for a project under the Parks Program:

Except for projects on State lands, a resolution of municipal endorsement, passed by the governing body of the municipality in which the project is located, which stipulates the approval/endorsement of the application. See a sample of an acceptable resolution of municipal endorsement at <http://www.nysparks.com/grants/consolidated-funding-app.aspx>.

For Historic Preservation Applicants:

Documentation of State/National Register listing or scheduled nomination review.

For Heritage Area Applicants:

Written approval/endorsement of the project by the local heritage area management entity, if it is not the project sponsor, is required with the application. The letter should reference the appropriate Heritage Area management plan and relevant Heritage Area programs and goals. See a list of approved Heritage Areas at <http://www.nysparks.com/grants/heritage-areas/default.aspx>.

For Partner Groups of State Parks or Historic Sites:

Letter(s) of support from the **Regional Director** **AND** **Capital Facilities Manager**.

For Applications including Acquisition (purchase, donation or transfer from another use):

- **Evidence of the owner's intent** to sell, donate or transfer the property.
- A **written estimate of fair market value** (windshield appraisal/market valuation) for each parcel that will be acquired or used as match as part of the proposal.

For Applications where Parkland is being Alienated:

If the project is located in a public park facility, all or part of which is being sold, leased, exchanged, donated, disposed of or used for other than public park purposes, a copy of the **proposed or enacted legislation authorizing the alienation**.

SUCCESSFUL APPLICANT REQUIREMENTS:

Successful applicants are advised NOT to begin work until a project contract has been fully executed. Proceeding without advance OPRHP approval will jeopardize grant reimbursement. Certain conditions of award must be met to the satisfaction of OPRHP before a contract can be executed with the applicant/grantee. These will include:

- submission of a signed authorizing resolution that names the contact for the grant and authorizes that contact to enter into and execute a contract (and long-term protection document, if required) with the State
- registration in the Grants Gateway
- for not-for-profit grantees:
 - maintenance of pre-qualification status in the Grants Gateway
 - documentation of coverage or exemption for Workers' Compensation and Disability Insurance
 - being current with pertinent filings under Section 501 of the United States Internal Revenue Code and the following New York State Laws, as applicable: Article 7-A of the Executive Law; Section 8-1.4 of the Estates, Powers and Trusts Law; Section 1508 of the Not-for-Profit Corporation Law; or Section 215 of the Education Law
 - documentation of current Vendor Responsibility Questionnaire
- evidence of ownership interest, including:

- for development projects:
 - property deed and affidavit of title or opinion of municipal counsel
 - if the grantee does not own the property in fee, documentation of the ownership interest, such as a lease, management agreement, or memorandum of agreement
- for stand-alone planning grants where the grantee does not have any ownership interest in the property: the owner's written permission for the applicant to access the property as necessary to complete the project
- environmental and historic preservation reviews (including archeological review)
- documentation of all necessary approvals to undertake the project

Grant contracts will require that prior to commencement of project work, certain procedures must be followed and documentation provided to and approved by OPRHP including:

- For any project involving ground disturbance (trenching, grading, demolition, new construction, etc.), prior ground disturbance documentation or an archeological investigation will be required.*
- Acquisition projects require certification of clear title by the Office of the Attorney General. In order to facilitate that review, the following is required:
 - A detailed (self-contained) appraisal for each parcel to be acquired; two appraisal reports for any parcel valued at \$300,000 or more.* (Appraisal standards can be found at: <http://www.nysparks.com/grants/forms-resources.aspx>.)
 - Title insurance* (must cover the full market value of the parcel as determined by an appraisal and recommended by OPRHP Real Property review).
- Any permits required from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE) must be filed with the State before construction begins.
- OPRHP must accept/approve plans and specifications, bidding documents, competitive bidding, and solicitation of Minority and Women-owned Business Enterprises (MWBES), etc.

*These costs should be included in the project budget. The State can share in these expenses.

Project costs will be eligible for reimbursement only if grant work meets State standards and the expenditures are made in compliance with State requirements, including:

- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBES before commencing work and to document efforts involving MWBES during the project term.
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money.
- All reimbursements for historic preservation projects must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- At the discretion of the State, an Agreed Upon Procedure Review may be required by the State, performed by a representative of the State or a Certified Public Accountant.

Failure to comply with these requirements could jeopardize full reimbursement.

OPRHP staff will conduct periodic inspections, including a final inspection of the project, and may conduct post completion inspections as warranted to ensure the public benefit is maintained.

FUNDING PRIORITIES: Priority projects are those that clearly demonstrate and document:

- Impact – For park projects, the importance of the project to the community in terms of economic stimulus, impetus to community renewal, revenue generation, visual appeal, health and vitality of the community, and community involvement and support of the project. For historic preservation, the extent to which the project will contribute to preservation of a historically significant property. For Heritage Areas, the extent to which the project will contribute to the local Heritage Area. For all projects, the advancement of New York Rising, the Downtown Revitalization Initiative or the Opportunity Agendas of the Regional Economic Development Councils.
- Community support and consistency with state/region/community plans, including and especially the Statewide Comprehensive Outdoor Recreation Plan (SCORP).
- Sound administrative infrastructure/reasonableness of costs, including demonstration of project planning, administrative structures and a budget that reflects fiscal prudence and readiness to proceed.
- The Commissioner’s priorities for the grant program:
 - Projects that include “green” improvements that restore, improve and maintain park lands, historic properties and heritage area resources and infrastructure, and in so doing promote sustainability, increase energy conservation and/or efficiency, utilize renewable energy sources, and decrease long term maintenance and management costs.
 - Projects that include “climate protection” improvements incorporating cost-effective, resource-compatible principles that protect park lands, infrastructure, historic properties or heritage-area resources from climate change or storm-related impacts, creating a more resilient and sustainable function. Preference may be given to projects that utilize natural or soft buffering and protections over hardened solutions.
 - Projects that enhance the public’s access to parks and their environmental and recreational resources (including landscape and trail improvements to facilitate connections and special features or signage to improve programming and interpretation), create physical and functional connections among, or provide or enhance public access to, already-protected state and local lands, historic sites, greenways, trails and waterways to bring visitors back.
 - Projects that are undertaken by OPRHP Friends organizations or other partner groups in State Parks or Historic Sites that engender the above funding priorities.

SELECTION CRITERIA: Each application will be reviewed for eligibility and, if determined eligible, will be rated according to the Grant Selection Criteria. Applications will be evaluated to assess the degree to which they meet the elements of each criterion below. A successful grant proposal is not expected to meet all of these criteria. Within each region, applications are ranked according to project category, competing only against others in their region and category. The Grant Selection Criteria are:

I. Poverty Level (0-5) Points are predetermined, based on project location. See the Poverty Table at <http://nysparks.com/grants/consolidated-funding-app.aspx> (also determines eligibility for 75% funding).

II. Resource Impact (up to 25 points)

For Parks Projects:

A1. Community Impact (0-9) Points are based on the importance of the project to the community (physical or social) in terms of economic stimulus, impetus to community renewal, revenue generation, visual appeal (downtown anchor) or provide health and vitality to the community. If not funded, how would this impact the community?

A2. Local Commitment and Need (0-14) Points are based on community involvement in the concept of the project, as evidenced by documentation of public meetings, involvement of a recreation committee, friends group or community interest group, etc. Consider additional points if the project meets the needs for an aging population, encourages participation by youth and teens, responds to population and social changes in the community, and/or provides new access and/or ensures open and reasonable access to a property. Evidence of need can include documentation of: number of similar facilities in the service area; level of use of existing facility and anticipated level of use of proposed facility; condition of facilities; emergencies, mandates or development pressure.

A3. Advancement of New York Rising, the Downtown Revitalization Initiative, or the Opportunity Agendas of the Regional Economic Development Councils (0-2)

For Historic Preservation Projects:

B1. Level of Significance (0-9) Points are awarded based on the level and area(s) of significance recorded for the property in the State/National Register nomination (or in the National Historic Landmark documentation), and consideration of the significance of the specific feature(s) of the property to be addressed in the proposed project (e.g., a primary contributing resource versus a secondary contributing resource).

B2. Severity/Immediacy of Threat (0-14) Points are awarded based on the type (e.g., deterioration, damage, demolition, inappropriate development), extent (e.g., isolated, wide-spread, accelerated), severity, immediacy, and degree (e.g., recent, on-going, imminent) of threat to the property from negligence, development pressure, inappropriate treatment, etc.

B3. Advancement of New York Rising, the Downtown Revitalization Initiative, or the Opportunity Agendas of the Regional Economic Development Councils (0-2)

For Heritage Area Projects:

C1. Addresses current Heritage Area programs (0-9) Points are awarded based on how well the project fits into current programs/projects/plans of the Heritage Area, as documented by the applicant, the Heritage Area director, and other community sources. At minimum, the project should be consistent with the Heritage Area Management Plan; at maximum, the project would be essential to the success of the Heritage Area's highest priority programs.

C2. Addresses Heritage Area goals (0-14) At a minimum a Heritage Area project will address one of the Heritage Area goals (preservation/conservation, education/interpretation, recreation, and economic revitalization), but a typical Heritage Area project addresses two or more. Therefore, points should reflect both the number of goals met and how well they are met.

C3. Advancement of New York Rising, the Downtown Revitalization Initiative, or the Opportunity Agendas of the Regional Economic Development Councils (0-2)

For Acquisition Projects:

D1. Environmental and Recreational Contribution (0-9) Protection of watershed, aquifer, animal or plant species, significant natural communities, or other natural and cultural resources, wetlands, shorelines, unique areas biodiversity, wildlife habitats, forested wildlife, flood plains, corridors. Provide access to water or public fishing rights, trails or greenways, increased land for active recreation in existing or new parklands, buffer/protection to a listed historic resource, property that serves or benefits Heritage Area visitors and users, a recognized brownfield site for park development.

D2. Surrounding Area Contribution and Impact and Protection of Historic Resources (0-14) Consolidate public ownership by eliminating gaps in ownership between two or more parcels of public land, proximity to urban areas, providing a linkage between parks, trails or designated open space, economic stimulus or community renewal, local revenue generation, visual appeal (downtown anchor) or impetus to community health and vitality, diversity of population served. Significance of resource (national; state or local, contributing element in a district), preserves significant view shed, contributes to existing preservation efforts or established Heritage Area goals, heritage tourism, or economic development initiative, working landscape, scenic easement, contributes to the economic vitality of the area (i.e., façade easements), provides for the long term preservation of the resource, immediate threat of a listed property.

D3. Advancement of New York Rising, the Downtown Revitalization Initiative, or the Opportunity Agendas of the Regional Economic Development Councils (0-2)

III. Planning Initiatives (up to 10 points)

For Parks Projects:

A1. Statewide Index of Need (0-5): (points are predetermined by SCORP)

A2. Consistent with Plans (0-5): In determining whether the project relates or contributes to documented plans, examine documents cited and submitted, such as:

- NYS Open Space Conservation Plan as a priority project
- State or National Heritage Area Management Plans
- Local Waterfront Revitalization Program (LWRP)
- Recognized local Open Space Plan
- Community participation in the Certified Local Government Program (CLG)
- Other state or federal plans
- Local plans adopted or reaffirmed within the last 5 years
- Project implements a prior Planning grant

For Historic Preservation and Heritage Area Projects:

B1/C1. Community Support: In determining whether the project demonstrates community support, examine evidence submitted regarding community support and involvement, including efforts to publicize and/or engage the community in project planning, such as:

- letters of support, especially those from people directly impacted by the project
- official project endorsements/partnerships
- press releases/announcements/publicity
- plans for public outreach or fundraising campaign
- news articles

- records of public meetings (including project-specific meetings (such as press event), official government reviews (e.g., Community Board, Planning Board, etc.) and presentations to a group such as a neighborhood association or interest group

B2/C2. Consistent with Plans: In determining whether the project relates or contributes to documented plans, examine documents cited and submitted, such as:

- New York State Historic Preservation Plan
- Other state/federal/local plans, such as State or National Heritage Area Management Plans, LWRP, Preserve America designation, Path Through History, etc.
- Community comprehensive or master plans
- Local historic preservation ordinance/designations
- Community participation in the CLG program
- Project implements a prior Planning grant

For Acquisition Projects:

D1. Community Support: Demonstration of local participation in and commitment to the project, such as:

- Clear consensus by the local community showing a need to purchase and finance
- Evidence the project is supported by local elected officials and community groups, such as Land Trusts, environmental councils, preservation boards, friends groups, local activists
- Documentation of meetings and involvement (e.g., newspaper articles, meeting notes, letters of support)

D2. Consistent with Plans: In determining whether the project relates or contributes to documented plans, examine documents cited and submitted, such as:

- NYS Open Space Conservation Plan as a priority project
- New York State Historic Preservation Plan
- State or National Heritage Area Management Plans
- LWRP
- Recognized local Open Space Plan
- Community participation in the CLG program
- Other state/federal/local plans, such as Preserve America designation, Path Through History, etc.
- Local plans adopted or reaffirmed within the last 5 years
- Project implements a prior Planning grant

IV. Reasonableness of Cost (0-20) Project planning, administrative structures and budget demonstrate fiscal prudence and readiness to proceed. Is there a logical justification for all expenses? Does the budget narrative include an explanation for each budget line and clearly support the applicant's need for additional financial resources to achieve project outcomes? Does the budget include the required matching funds? Does the proposal describe how the grant recipient will monitor expenditures during the life of the project to ensure that the project stays on schedule and within budget?

A. Budget

- Budget in the application is complete, detailed, computed correctly and contains no extraneous or ineligible expenses.
- The budget is based on a cost estimate from a reliable source.
- Matching funds are on hand and/or application evidences a reasonable expectation that matching funds will be available as and when needed.

B. Readiness

- Necessary project planning and document preparation has been completed.
- Qualified project professionals, properly procured/hired, are on hand.
- Proposed project/work is appropriate and conforms to accepted professional standards.
- Application evidences viable strategy and resources for implementing/operating and maintaining the project in the future.

C. Feasibility

- Administrative structures are in place to handle grants.
- Applicant has proven experience in projects of similar scale and/or scope.
- Timeframe presented in application is reasonable to accomplish all aspects of the work and grant administration (including any necessary fundraising).

V. OPRHP Commissioner Priorities (0-10)

A. Green improvements – that restore, improve and maintain park lands, historic properties and heritage area resources and infrastructure, and in doing so promote sustainability, increase energy conservation and/or efficiency, install renewable energy sources, and decrease long term maintenance and management costs.

B. Climate Protection - incorporating cost-effective, park-compatible principles that protect park lands, infrastructure, historic properties or heritage-area resources from climate change or storm-related impacts creating a more resilient and sustainable function. Preference may be given to concepts that utilize natural or soft buffering and protections over hardened solutions.

C. Enhanced access, connections, resources – that enhance the public's access to parks and their environmental and recreational resources (including landscape and trail improvements to facilitate connections and special features or signage to improve programming and interpretation), create physical and functional connections among, or provide or enhance public access to, already-protected state and local lands, historic sites, greenways, trails and waterways to bring visitors back.

D. Partners to State Parks – Projects that are undertaken by OPRHP Friends organizations or other partner groups in State Parks or Historic Sites that engender the above funding priorities.

Letter(s) from the Regional Director and Capital Facilities Manager must be submitted with the application.

VI. Regional Economic Development Council Assessment (0-20)

VII. Statewide Assessment “Commissioner Points” (0-10)

A. Geographic Distribution. Consideration may be given to projects in areas that have or have not received funding in recent cycles or where funding is not commensurate with the population of the area. This will be based on the proximity to other funded sites and the diversity of projects being funded on a regional and local basis, as well as the service area of the developed or planned facilities.

B. Maximize Use and Accessibility. Consideration may be given to projects where funding will allow underutilized facilities to be accessed or to develop underutilized resources for public use. This will be based on the resources offered by the facility, the use of those resources and whether the proposed project will help the facility expand and enhance its public use.

C. Special Engineering, Environmental, Preservation Benefits. Consideration may be given to develop particularly significant resources and facilities or to develop innovative approaches to preserve valuable resources. This will be based on the type of resource being developed or rehabilitated; its rarity on a local, regional, statewide and national basis; the ability of an innovative technology to address an emergency or mitigate future problems; how well a technology can be “exported” for use on other properties and resources; and how/if the project will allow public access that would not otherwise be available.

D. Past Performance. Consideration may be given to how timely an applicant completed previous projects, including its reporting requirements; how successful it was in outreach, especially to minority- and woman-owned businesses; the ongoing upkeep and maintenance of the property; and its cooperation in allowing OPRHP to complete inspections and other follow-up activities.

TOTAL (0-100)

VIII. Project in a Hudson River Greenway Compact Community (5 percent bonus)

Award points if the proposed project is located in a Hudson River Valley Greenway **Compact** Community, and the application documents that the project is consistent with the Greenway criteria of natural and cultural resource protection, regional planning, economic development, heritage and environmental education, and/or public access to the Hudson River (for information, go to: http://www.hudsongreenway.ny.gov/Planning/Greenway_Compact.aspx or the Greenway map at http://www.hudsongreenway.ny.gov/Libraries/PDF_s/Greenway_Map_01-15-2014_1.sflb.ashx).

AWARD CRITERIA DETAILS

- ELIGIBLE AREA, CITY, COUNTY, POPULATION LIMITS OR POPULATION TARGET TYPES:
\$10 million of the \$20 million appropriation must be awarded to projects located in Inner City/Underserved areas. {Note: \$900,000 of the appropriated amount is directed to specific line items, leaving \$19,100,000 available for the competitive award program.}
- LIMITATIONS: While applicants may apply for more than one grant category funded under OPRHP’s EPF Program, no project will receive more than one grant award in any funding year. There is no statutory limit on the number of grants one property or one applicant may receive, but in the interest of equity and fairness and in consideration of

applicant capacity, applicants that have three or more open grants with OPRHP should not receive additional awards. There is an administrative cap of \$500,000 for 2016-2017 awards. Should project costs increase post award, the grant award will not be adjusted upward.

- **LONG RANGE GOALS:** Special consideration should be given to projects that are referenced in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) or included in other state and local planning initiatives.
- **PROJECT TERM COMPLETION DATES:** Once all conditions of award are met (see **SUCCESSFUL APPLICANT REQUIREMENTS** above) and a contract is executed, it is anticipated that acquisition and planning projects will be completed within one year and construction projects within two years; projects must be completed within five years from the date of the award of the grant. OPRHP will monitor the progress of project work and will recapture awarded funds if significant progress is not made.

ADDITIONAL RESOURCES:

Go to <http://www.nysparks.com/grants/consolidated-funding-app.aspx> to view forms and resources containing additional instructions concerning attachments to the application. For more information, contact the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) Regional Grants Administrator for your county (see list below).

Western New York Region

Noelle Kardos
 Beaver Island State Park
 2136 West Oakfield
 Grand Island, NY 14072
 (716) 773-5292, FAX (716) 773-4150
 COUNTIES: Allegany, Cattaraugus,
 Chautauqua, Erie and Niagara

Central New York Region

Jean Egenhofer
 Clark Reservation State Park
 6105 East Seneca Turnpike
 Jamesville, NY 13078-9516
 (315) 492-1756, FAX (315) 492-3277
 COUNTIES: Cayuga, Cortland, Madison,
 Onondaga and Oswego

Finger Lakes Region

Kathleen Mclsaac
 2221 Taughannock Park Road
 Trumansburg, NY 14886
 (607) 387-7041, FAX (607) 387-3390
 COUNTIES: Genesee, Livingston, Monroe,
 Ontario, Orleans, Seneca, Wayne, Wyoming
 and Yates

Mohawk Valley Region

Jean Egenhofer
 Clark Reservation State Park
 6105 East Seneca Turnpike
 Jamesville, NY 13078-9516
 (315) 492-1756, FAX (315) 492-3277
 COUNTIES: Fulton, Herkimer, Montgomery,
 Oneida, Otsego and Schoharie

Long Island Region

Traci Christian
 Belmont Lake State Park
 PO Box 247
 Babylon, NY 11702
 (631) 321-3543, FAX (631) 321-3721
 COUNTIES: Nassau and Suffolk

Southern Tier Region

Kathleen Mclsaac
 2221 Taughannock Park Road
 Trumansburg, NY 14886
 (607) 387-7041, FAX (607) 387-3390
 COUNTIES: Broome, Chemung, Chenango,
 Delaware, Schuyler, Steuben, Tioga and
 Tompkins

New York City Region

Merrill Hesch
 NYS OPRHP
 Adam Clayton Powell, Jr. State Office
 Building
 163 West 125th Street, 17th Floor

Mid-Hudson Region

Erin Drost
 NYS OPRHP
 Taconic Regional Office
 9 Old Post Road
 Staatsburg, NY 12580

New York, NY 10027
(212) 866-2599, FAX (212) 866-3186
COUNTIES: Bronx, Kings, New York, Queens
and Richmond

(845) 889-3866, FAX (845) 889-8321
COUNTIES: Dutchess, Orange, Putnam,
Rockland, Sullivan, Ulster and Westchester

Capital Region

Danielle Dwyer
Saratoga Spa State Park
19 Roosevelt Drive
Saratoga Springs, NY 12866-6214
(518) 584-2000, FAX (518) 584-5694
COUNTIES: Albany, Columbia, Greene,
Rensselaer, Saratoga, Schenectady, Warren
and Washington

North Country Region

Sunshine Jenkins
Keewaydin State Park
Alexandria Bay, NY 13607
(315) 482-2593, FAX (315) 482-9413
COUNTIES: Clinton, Essex, Franklin, Hamilton,
Jefferson, Lewis, and St. Lawrence

Attachments listed in the **PRE-APPLICATION REQUIREMENTS** section of the guidance document are required of every application as indicated. Following is additional guidance on required attachments. All documents should be current to this grant cycle.

State Environmental Quality Review Act Compliance (SEQR)

NOT-FOR-PROFIT CORPORATIONS: Complete the Environmental Review Form (EMB Form for NFP Grants) available online at <http://www.nysparks.com/grants/consolidated-funding-app.aspx>. Also include with your application clear drawings, maps, or plans of existing and proposed natural and man-made conditions on the site and the areas immediately adjacent to the site.

MUNICIPALITIES: The municipality will be SEQR lead agency if OPRHP is the only other agency involved, or will be responsible for initiating lead agency designation procedures if there are other involved agencies (e.g., the Department of Environmental Conservation (DEC) via a required permit). The lead agency is required to classify projects under SEQR as follows: If your project is Type II, it is not subject to SEQR. If this is the case, provide a statement as to the classification of your project and the reason. If any permits are required, list them in your statement.

If your project is subject to SEQR, consult SEQR regulations to determine if it is classified Unlisted or Type I. If it is Unlisted, submit a completed Short Environmental Assessment Form (EAF) (Parts I-III). If the project is classified Type I, submit a completed Full Environmental Assessment Form and either a negative declaration or a Final Environmental Impact Statement (FEIS) and SEQR Findings.

If the project's impacts have been previously reviewed under SEQR, supporting documentation must be submitted (e.g., FEIS and SEQR Findings Statement).

Photos

Provide images (scanned photographs or born-digital; photocopies are not acceptable substitutes) showing the overall project area and documenting existing conditions. Include photos of any structures more than 50 years old within, or immediately adjacent to, the project area. Provide views to these features from the project site, as well as views of the project site from them. Key all images to a schematic site plan (see below).

Schematic Site Plan

Provide a document that connects the narrative, photos, budget, and for a historic property the work detail, together pictorially.

For parks, a site plan that identifies the boundary of the park that is the subject of the application as well as how it relates to the surrounding areas (properties adjoining the site, roadways, water bodies, public access), what facilities are currently existing on proposed site (arrows or legend to indicate type -baseball fields, playgrounds, pavilions, parking areas, public access to the site, links to surrounding areas via trails, etc. and location of those facilities within the park), and what facilities are being proposed (type and location); these would then be linked to photos showing the subject area and surrounding areas, the narrative describing the work being contemplated, and the budget showing estimated costs.

With historic properties, two dimensional plans or elevations which identify the areas of the structure or site with the conditions as they currently exist that are the subject of the application (i.e., arrows to mortar joints, cracks, bricks); these would have a legend or some other way to link back to photos which show the areas of concern, the narrative and work detail which describe both existing conditions and the proposed work to correct issues, and the budget showing the estimated costs to accomplish the work.

Map

Submit a 1:24,000 scale USGS or DOT planimetric map with the subject property circled. An 8½" x 11" section, copy, or printout is acceptable, so long as it shows at least 1:24,000 scale and is clearly marked as to scale and source, including Quad Name and/or Code. Go to the NYS GIS Clearinghouse <http://gis.ny.gov/gisdata/quads/> for downloadable, printable maps or use the online, layered map at <http://nysparks.com/grants/consolidated-funding-app.aspx>.

Local, State and Federal Planning Documents

Provide clearly marked excerpts in support of the project narrative AND either a copy of the resolution adopting or reaffirming the local plan within the last five years OR if the project is not specifically identified in a formally adopted plan, provide written documentation clearly identifying community involvement (e.g., an official resolution by the governing body of the applicant, approving and/or endorsing the project and affirming public and community support for it, evidence of public participation, public outreach plan, press releases/announcements, public meetings, events, fundraising campaign plans). Provide copies of official project endorsements, partnerships and letters of support.

Stand-Alone Planning Grants

For planning budgets involving just the preparation of plans and specifications, provide at least two professional estimates for construction costs or submitted construction bids to justify the proposed consultant costs. For other planning projects (condition studies, etc.), submit justification for consultant costs.

Alienation Legislation

If parkland is being alienated (projects located in a public park facility, all or part of which is being sold, leased, exchanged, donated, disposed of or used for other than public park purposes), provide a copy of the proposed or enacted legislation authorizing the alienation.

SUPPORTING DOCUMENTATION:

Depending upon the particular circumstances of your project, other attachments may be required. Still other attachments, while not required, may be essential to support rating points. All documents should be current to this grant cycle. See below for a list of supporting documentation.

- Evidence of local historic preservation or landmark designation
- Clearly marked excerpts from federal, statewide, regional or local planning documents
- Written documentation clearly identifying community need and involvement, including resolution that local plan was adopted or reaffirmed within the last 5 years, if in a formally adopted plan
- Documentation from State agencies regarding remediated brownfields, protected species, habitats, etc.
- Documentation of pre-construction planning, procurement of services, consultant qualifications, etc.
- Ground disturbance documentation
- All official project endorsements, partnerships and letters of support
- For stand-alone planning projects, justification of budget estimate

Waterfront Revitalization

Department of State - Local Waterfront Revitalization Program

Funding Available: Up to \$19.5 million

Description:

The Department of State's Local Waterfront Revitalization Program provides 50:50 matching grants on a competitive basis to eligible villages, towns, cities, and counties (with the consent and on behalf of one or more villages, towns, cities) located along New York's coasts or designated inland waterways to revitalize communities and waterfronts through planning, design, and construction projects, with design and construction tied to prior planning (must have an approved Local Waterfront Revitalization Program or relevant component substantially completed). Construction projects also must be on public property, or where a permanent public interest, such as conservation easement, has been established. This is a reimbursement program.

Eligible Types of Applicants:

Eligible applicants are villages, towns, or cities, and counties (with the consent and on behalf of one or more towns, villages, or cities) which are located along New York's coasts or inland waterways designated pursuant to Executive Law, Article 42. A list of coastal water bodies and designated inland waterways is available at <http://www.dos.ny.gov/funding/>. Applicants may also partner with other organizations; however, only applications from eligible applicants will be evaluated for funding. If successful, all applicable procurement requirements must be met for such partnerships. Applications submitted by not-for-profit organizations (including, but not limited to, community-based organizations, neighborhood groups) and for-profit organizations are ineligible and will not be scored.

Eligible applicants working in partnership with neighboring municipalities to address regional land use, waterfront revitalization, community development, and resource and/or environmental issues or opportunities are encouraged to apply. Only the municipality identified as the applicant (one village, town, or city, or a county with the consent and on behalf of one or more villages, towns, cities) will be awarded a contract.

- For general planning needed to advance any of the eligible activities listed below, an applicant must be a village, town, city, or county with the consent and on behalf of one or more towns, villages, or cities located along New York's coast or a designated inland waterway.
- For project-specific planning, feasibility, design, and/or marketing needed to advance eligible activities, an applicant must be a village, town, city, or county with the consent and on behalf of one or more towns, villages, or cities, currently preparing a LWRP or component, or with an approved LWRP or component.
- For construction of projects needed to advance eligible activities, an applicant must be a village, town, city with an approved LWRP or the relevant LWRP component substantially completed, or a county with the consent and on behalf of one or more eligible town, village, or city with an approved LWRP or relevant LWRP component substantially completed.

Applicants that have been awarded Department grants in the past should have demonstrated responsible contracting with the Department to be eligible for an award from this procurement.

Amendments cannot be made to the original contracted scope of work, for example, applicants that receive funding for general planning or for project-specific planning, feasibility, design, and/or marketing projects may use this funding for these purposes only.

Eligible Activities / Program Benefit Requirements:

Local Waterfront Revitalization Program Grant Funding will be available for program planning, feasibility, design, or marketing of specific projects, and construction projects, to advance the preparation or implementation of strategies for community and waterfront revitalization through the following grant categories:

- Preparing or Implementing a Local Waterfront Revitalization Program (LWRP)
- Updating an LWRP to Mitigate Future Physical Climate Risks
- Redeveloping Hamlets, Downtowns and Urban Waterfronts
- Planning or Constructing Land and Water-based Trails
- Preparing or Implementing a Lakewide or Watershed Revitalization Plan
- Implementing a Community Resilience Strategy
- Celebrating the Bicentennial of the Erie Canal - Improving Public Waterfront Access for Canal Communities

Eligible Costs:

Costs must be adequately justified and directly support the project. Proposed total project costs must be essential to project completion. Grant funds may be used for the following costs:

- Personal Services – including direct salaries, wages, fringe benefits for activities related to project work by municipal employees, including grant administration and grant administration
- Non-Personal Services – including supplies and materials, travel, equipment, consultant/contractual services for direct project related costs, project management, limited grant administration, and other goods and services.

NOTE: Project management activities may include, but are not limited to, oversight and coordination of tasks needed to produce contracts deliverables, coordination of Project Advisory Committee activities, consultant procurement and oversight, public outreach and providing technical assistance. Project management may include providing local and/or regional capacity to advance revitalization goals.

NOTE: Grant administration activities may include, but are not limited to, preparation of reports, vouchers, contract related administration and compliance with grant record keeping and reporting requirements. Grant administration may not exceed 15% of the award amount or \$50,000, whichever is less.

NOTE: Land acquired within three years prior to the contract start date or within the executed contract term may be used only as local match for construction projects (i.e., not to exceed 50% of the total cost of the project).

Ineligible Costs:

The following costs are ineligible costs and will neither be reimbursed with grant funds nor accepted as the required local match:

- Indirect or overhead costs of the municipality, such as rent, telephone service, general administrative support, computers, office equipment, general office supplies, general operations costs, membership fees, subscription costs
- Salaries and other expenses of elected officials, whether incurred for purposes of project direction, execution, or legislation. However, volunteer services contributed by these officials to the project may be used as local match, provided that such services are outside the performance of their official duties
- Fund raising events/expenses
- Federal assistance
- Other Environmental Protection Fund awards

- Land acquisition (except as noted above)
- Taxes, insurance, fines, deficit funding
- Bond interest and associated fees
- Contingency costs
- Lobbying expenses
- Costs incurred prior to the contract start date
- Costs that are not adequately justified or that do not directly support the project

These costs will be eliminated from the total project costs in the grant application.

Pre-Application Requirements:

None. However, informational public workshops will be held (see below under additional resources).

Successful Applicant Requirements:

New York State Grants Gateway

Successful grant applicants will be required to register through the New York State Grants Gateway (<http://grantsreform.ny.gov>).

Standard Cost Reimbursement Contract

Each successful applicant must enter into a standard cost reimbursement contract with the Department of State which includes this Request for Applications, the successful applicant's proposal, an agreed upon work plan, any other attachments or exhibits, and the standard clauses required by the NYS Attorney General for all state contracts including Attachment A along with Article 15-A of the New York Executive Law. All necessary municipal resolutions and certifications must be received prior to entering into contracts. The contract will be: 1) subject to approval by the Attorney General and State Comptroller; 2) required to submit final products in both hard copy and electronic format; 3) subject to payment only upon proper documentation and compliance with reimbursement procedures; and all other contractual requirements. (A copy of a standard contract along with Attachment A and Article 15-A is available from the Department.)

To ensure that funds are awarded to applicants that are ready to move forward, the Department of State reserves the right to rescind an award if the state contract is not signed and returned within a reasonable amount of time. There will be no contract advance available to grantees. Expenses incurred prior to the start date of the state contract cannot be reimbursed.

Compliance with Procurement Requirements

All contracts by municipalities for service, labor, and construction involving not more than \$35,000 and purchase contracts involving not more than \$20,000 are subject to the requirements of General Municipal Law §104-b, which requires such contracts to comply with the procurement policies and procedures of the municipality involved. All such contracts shall be awarded after and in accordance with such municipal procedures, subject to the Minority or Women-Owned Business Enterprise (MWBE) requirements as set forth below and any additional requirements imposed by the State as set forth in Attachment C of the Master Contract.

The municipal attorney, chief legal officer or financial administrator of the municipality shall certify to the Department of State that applicable public bidding procedures of General Municipal Law §103 were followed for all service, labor, and construction contracts involving more than \$35,000 and all purchase contracts involving more than \$20,000. In the case of contracts by municipalities service, labor, and construction contracts involving not more than \$35,000 and purchase contracts involving not more than \$20,000, the municipal attorney, chief legal officer or financial administrator shall certify that the procedures of the municipality established pursuant to General Municipal Law §104-b were fully complied with, in addition to the MWBE requirements.

The municipal attorney, chief legal officer or financial administrator for the municipality shall certify to the Department of State that alternative proposals and/or quotations for professional services were secured by use of written requests for proposals through a publicly advertised process. This certification will verify that the procurement requirements were met and ensure the prudent and economical use of public funds for professional services of maximum quality at reasonable cost.

Record Retention and Audits

The successful applicant shall establish and maintain, in paper or electronic format, complete and accurate books, records documents, receipts, accounts, and other evidence directly pertinent to its performance under Master Contract with the Department of State. Payment requests may be subject to periodic reviews. The successful applicant will be required to agree to produce and retain for the balance of the term of the Master Contract, and for a period of six years from the later of the date (i) the Master Contract and (ii) the most recent renewal of the Master Contract, any and all Records necessary to substantiate upon audit, the proper deposit and expenditure of funds received under the Master Contract. Such records may include, but not be limited to, original books of entry (e.g., cash disbursements and cash receipts journal), and the following specific records (as applicable) to substantiate the types of expenditures noted (i) personal service expenditures: cancelled checks and the related bank statements, time and attendance records, payroll journals, cash and check disbursement records including copies of money orders and the like, vouchers and invoices, records of contract labor, any and all records listing payroll and the money value of non-cash advantages provided to employees, time cards, work schedules and logs, employee personal history folders, detailed and general ledgers, sales records, miscellaneous reports and returns (tax and otherwise), and cost allocation plans, if applicable, (ii) payroll taxes and fringe benefits: cancelled checks, copies of related bank statements, cash and check disbursement records including copies of money orders and the like, invoices for fringe benefit expenses, miscellaneous reports and returns (tax and otherwise), and cost allocation plans, if applicable, (iii) non-personal services expenditures: original invoices/receipts, cancelled checks and related bank statements, consultant agreements, leases, and cost allocation plans, if applicable, (iv) receipt and deposit of advance and reimbursements: itemized bank stamped deposit slips, and a copy of the related bank statements.

Minority or Women-Owned Business Enterprise Participation

Applicants will be required to comply with and certify that the requirements of Article 15-A of the New York State Executive Law. For purposes of this solicitation, the Department has established an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). For full details of requirements see Attachment A-1 Section M. Minority and Women Owned Business Participation.

Contract Period

Subject to the continued availability of funds in the budget, the contract period shall not exceed five years from the start of the project. No extensions are anticipated. The earliest start date of contracts is April 1, 2016. Upon request by the grant recipient, with a showing of good cause, the contract start date may be set to a date in the future not to exceed 12 months beyond the contract execution date. Special consideration for extensions due to extreme extenuating circumstances will only be granted on a case-by-case basis. To ensure timely completion, the Department encourages submission of an application for a discrete phase (e.g. planning, design, construction) of a project.

Satisfactory Progress

It is imperative that the grant recipient complete the project as set forth in the agreed upon work plan and individual monitoring plan. Failure to render proof of satisfactory progress or to complete the project to the satisfaction of the State may be deemed an abandonment of the project and may cause the suspension or termination of any obligation of the State. Satisfactory progress toward implementation includes, but is not limited to, executing contracts and submitting status reports and payment requests in a timely fashion, retaining consultants, written certification of compliance with procurement requirements, completing plans, designs, permit applications, reports, or other tasks identified in the work plan within the time allocated for their completion. The Department may recapture awarded funds if satisfactory progress is not being made on the implementation of a grant project. Applicants should not submit applications if they do not expect to initiate the project within a reasonable time period after receiving an executed contract and will not be able to complete the project within the time period cited in the application.

Other Grant Requirements for Construction Projects

Grant funded work must be done on public property or where there is a permanent public interest established, such as a conservation easement and must provide a direct benefit for the general public. Property where improvements are made must remain available to the public and provide direct public benefit for the intended useful life of the project. Property sold or transferred prior to the useful life may require that grant funds are returned to the Department.

Projects intended to be open to the public must be open to the general public and not limited to residents of the municipality receiving a grant. Signage to this effect must be provided at these sites. It is required that project design and construction be undertaken under the supervision of an architect and/or engineer licensed to practice in the State of New York. In addition, proper certification from a licensed architect or engineer, as appropriate to the task, will be required for the preparation of designs and specifications and for the submission of as-built plans upon completion of the project.

Prior to the start of construction, the successful applicant will be required to install a sign satisfactory to the Department identifying the Department's funding of the project. The project sign will need to remain in place for the useful life of the improvements undertaken.

In addition to responsibility for compliance with local regulations, the grant recipient is responsible for complying with applicable State and Federal regulations, including, but not limited to:

- State Environmental Quality Review Act
- State Freshwater and Tidal Wetlands Acts
- US Army Corps of Engineer permits
- Coastal Erosion Hazards Areas Act
- Floodplain Management criteria
- State and Federal laws and regulations for Historic Preservation
- Coastal Zone Management Act (federal)

Grantees will be expected to provide quarterly reports, request reimbursement using forms provided by the Department, and complete a final project summary report and measurable results form.

Funding Priorities:

Projects that revitalize communities and waterfronts and also advance the Downtown Revitalization Initiative, REDC Opportunity Agenda, Global NY, Veterans Initiative, or NY Rising.

Application Evaluation Criteria:

Applications will be reviewed according to the specific criteria presented below.

Minimum Criteria:

Eligible applicants are villages, towns, or cities, and counties with the consent and on behalf of one or more towns, villages, or cities which are located along New York's coasts or designated inland waterways. Failure to meet this criterion will result in immediate disqualification of the application, which will not be further evaluated.

Program Criteria:

Applications will be evaluated to assess the degree to which they meet the following program criteria:

- Vision (maximum of 4 points)
- Process (maximum of 8 points)
- Strategies (maximum of 28 points)
- Implementation (maximum of 20 points)
- Leveraging (maximum of 12 points)
- Performance Measures (maximum of 8 points)
- Evaluation of Budget and Cost (maximum of 20 points)
- Funding Priorities (maximum of 16 points)

Regional Economic Development Council Endorsement:

Additional points (up to 20 points) may be given to grant proposals that are determined to advance strategic plans developed by the Regional Economic Development Council for the area where the project is located.

Award Method:

A total score of 100 points is possible for any application, of which up to 80 percent will be derived from program criteria and up to 20 percent from Regional Economic Development Council (REDC) endorsement.

An unadjusted maximum score of 116 points is possible based on programmatic criteria and priority points. Averaged scores will be normalized to arrive at a programmatic score of up to 80 points. To this programmatic score, up to 20 points will be added based upon the REDC endorsement score. REDC points are based on regional economic priorities and are assigned by the REDCs

The Department of State will fund the highest scoring applications until the allocated funds are exhausted. Regional distribution of grant proposals, information from interagency discussion, applicant's performance under previously awarded EPF LWRP grants, and consistency with the Smart Growth Public Infrastructure Policy Act will be factors used in determining successful grant proposals. Approximately \$19.5 million is anticipated for awards for this procurement, with up to \$2 million for updates to existing LWRPs to mitigate future physical climate risks.

Eligible Area, City, County Population Limits or Population Target Types:

Approximately \$10,000,000 will be spent for projects which are in, or primarily serve, areas where demographic and other relevant data demonstrate that the areas are: densely-populated and have sustained physical deterioration, decay, neglect, or disinvestment, or where a substantial proportion of the residential population is of low income, or is otherwise disadvantaged and is underserved with respect to the existing recreational opportunities.

Matching Fund Requirements:

Local Match: State assistance awarded and paid shall not exceed 50% of the total eligible cost for the project. Match required is 100% of total grant award, based on total direct project costs. The total eligible cost of the project is the total of costs set forth in the grant application, less any federal assistance and other state assistance from the Environmental Protection Fund. In addition, the Environmental Protection Fund grants provided under this program may not be used as the local match for any federal grants without explicit permission from the Department. State assistance payments will be made to grant recipients based on actual expenditures for eligible costs up to the amount of the grant awarded.

Explicit demonstration of local match comprising 50% of the total project cost is required at the time of application. Failure to fully demonstrate this match (the amount, type and source) within the application may result in a reduced award amount or in the disqualification of the application.

Additional Resources:

The Request for Applications is available on the Department of State's website: <http://www.dos.ny.gov/funding>. Updates and/or modifications to the RFA, along with answers to written questions received, will be posted on the Department of State's website.

Pre-application workshops will be held at several locations around the State. The workshop schedule and further information are available at <http://regionalcouncils.ny.gov/>. All those who would like to have the application process explained or have process-related questions are encouraged to attend.

For general questions on this grant program, please contact Kenneth Smith, New York State Department of State, Office of Planning and Development, 99 Washington Avenue, Albany, Suite 1010, New York 12231, call (518) 474-6000, email: kenneth.smith@dos.ny.gov.

Canalway Grants Program **Funding Available: Up to \$1 million**

DESCRIPTION:

The “Canalway Grants Program” includes up to \$1.0 million in competitive grants available to eligible municipalities, and 501(c)(3) non-profit organizations along the New York State Canal System for canal related capital projects. The minimum grant request amount is \$25,000. The maximum grant request is \$150,000. Grant administration and pre-development costs shall not exceed 10% of the grant award amount.

FUNDING PRIORITIES:

Priority will be given to projects that are intended to further the goals and objectives of the NYS Canal Recreationway Plan and Regional Economic Development Councils Strategic Plans

Priority in this round of funding is being given to projects that recognize and support the bicentennial of the Erie Canal between 2017 and 2025 and result in noteworthy and sustainable recognition of the Canal System's significance, relevance, and heritage during and after the 2017-2025 bicentennial of Erie Canal construction.

The Canal Corporation's goal for the Erie Canal Bicentennial Celebration is to strengthen the Canal's identity by raising public awareness of the historical and current impact of the Canal, expand community engagement and participation in canal programs; and increase investment in the canal to generate economic and cultural benefits for all communities ensuring an enduring legacy. Information on the history of the canal can be found at: <http://www.canals.ny.gov/history/history.html>

NOTE: The New York State Council on the Arts (NYSCA) has established a grant program for cultural projects related to the Erie Canal Bicentennial. For more information on NYSCA grant criteria see: http://www.arts.ny.gov/public/guidelines/regional_economic_Dev/index.htm Bicentennial related projects that include an Arts and Heritage component seeking funding through the New York State Council on the Arts CFA will be given priority consideration.

Applicants are also encouraged to explore additional state agency funding sources for historic preservation, waterfront development, recreational access and tourism marketing projects and/or programs.

Projects proposed for Canal funding should preserve and rehabilitate canal infrastructure, enhance recreational opportunities for water-based and land-side users, promote tourism, economic development, and revitalization in the canal corridor and enhance the connections between the canal and the corresponding region. Funding can be used to expand public access, increase recreational use, improve services for motorized and non-motorized boaters, improve services for Canalway trail users, and stimulate private investment along the NYS Canal System. Canal CFA projects are expected to offer a greater appreciation and understanding of canal and community history, and to promote the protection of environmental and historic canal resources.

In additon, proposed projects that are part of the following state wide initiatives will be looked upon favorably:

Downtown Revitalization Initiative

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

Opportunity Agenda Related Projects

Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an “Opportunity Area.” Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

Global NY Related Projects

The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

Veterans’ Related Projects

New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014, the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran’s employment. This is part of a comprehensive approach to services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran’s Initiative strategies identified by the REDCs.

NY Rising Related Projects

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

ELIGIBLE TYPES OF APPLICANTS:

- Municipalities
- Not-for-profit Corporations

Not-for-profit corporations are subject to New York State's Not-For-Profit Corporation Law. In order to apply under this program, a not-for-profit corporation must have proof of incorporation (or equivalent document) from the NYS Department of State or NYS Board of Regents, a charities registration number from the NYS Office of the Attorney General, and proof of tax-exempt status under the IRS code.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Eligible canal capital projects include, but may not be limited to: constructing new buildings, vessels or structures; constructing additions or improvements that enlarge, expand, enhance or extend existing buildings, vessels or structures; new systems in existing buildings, vessels or structures (HVAC, plumbing, electrical, mechanical, propulsion); substantial renovations or preservation of existing buildings, vessels or structures, including reconfigurations (removal or construction of walls, ceilings and flooring, windows, window frames, hulls); site preparation and improvements associated with a project (excavation, demolition, roadways, sidewalks, exterior lighting, sprinkler systems, utility hook-ups); acquisition of furnishings, fixtures, machinery and equipment with a useful life in excess of five years; constructing or rehabilitating segments of Canalway Trail; constructing or rehabilitating docks or bulkeaheds for the purpose of public access to and from the Canal System; and/or hazardous waste clean-up associated with a project.

PRE-APPLICATION REQUIREMENTS:

Boundary Eligibility: Projects must be located along one of the four canals of the Canal System (Erie, Champlain, Oswego and Cayuga-Seneca), trail linkages or connections to existing Canalway Trail segments, or the historic canal alignment. See map and list of eligible communities at <http://www.canals.ny.gov/community/grant-muni.html>

Applicants must demonstrate a minimum of 50% matching funds. Eligible matching funds include federal, local, private and **other agency** state funding (Canal Corporation funds may not be used towards matching funds).

Eligible match also includes the value of in-kind services and donations. See Award Criteria for more details on eligible match.

The applicant is responsible for obtaining all required permits and approvals from federal, state, and local agencies, such as the U.S. Army Corps of Engineers, NYS Department of Environmental Conservation and NYS State Office of Parks, Recreation and Historic Preservation, and any others that may be required by the NYS Canal Corporation.

Please note that the New York State Canal Corporation is subject to the State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and must, to the extent possible, make funding decisions consistent with the provisions of that Act.

SUCCESSFUL APPLICANT REQUIREMENTS:

For projects proposed by a municipality, the municipality will be lead agency for purposes of the State Environmental Quality Review Act (SEQRA) or will be responsible for initiating lead agency designation procedures, if there are other involved agencies. For new projects initiated after receipt of the grant award letter, the Canal Corporation shall be an involved agency. The municipality shall meet the procedural and substantive requirements of SEQRA and all other state, federal or local law, rules, regulations, ordinances, codes and requirements. For non-profit organizations, the Canal Corporation will determine whether it will proceed as lead agency, initiate the lead agency designation process or refer lead agency to the local municipality. If the project is a Type I or Unlisted Action, the Environmental Assessment Form will be required prior to contract for award. If a Determination of Significance has been established, documentation will be required prior to contract for award.

Grant funds will be provided on a reimbursement basis **ONLY**. Receipts, invoices and other documentation must meet the requirements of the Canal Corporation and the Office of the State Comptroller. Reimbursement will only be provided for projects or portions of a project initiated ***after*** the date of the grant award letter from the Canal Corporation. Projects may be initiated prior to receipt of the award letter, and ***matching expense*** documentation will be accepted for expenses up to one year prior to the date of the award letter, but reimbursement will ***only*** be provided for portions of the project initiated ***after*** the date of the award letter. Reimbursement payments **will not** be issued prior to final contract execution.

The Canal Corporation reserves the right to reallocate funding and grant awards based upon available funds and grant requests.

INELIGIBLE ACTIVITIES:

- Use of grant funds for land acquisition is prohibited (however the costs of acquisition may be used as a local match)
- Grant funds cannot be used to cover operating expenses

SELECTION CRITERIA

Each project will be rated with the following evaluation criteria. Criteria #1, Regional Council Endorsement will carry 20% weight and an independent weighting committee will assign weights for criteria #2 through #10. Final ranking of project applications will be based on a weighted scoring.

Vision, Regional and Statewide Strategies

- *Is the project endorsed by the corresponding Regional Economic Development Council?*
- *Is the project consistent with the goals and objectives of the NYS Canal Recreationway Plan? Does it enhance an existing harbor, service port, lock project or the Canalway Trail, or improve public access to the Canal System and Canal related amenities?*
- *Does the project recognize and support the bicentennial of the Erie Canal between 2017 and 2025? Will the project result in a noteworthy and sustainable recognition of the Canal System's significance, relevance, and heritage during and after the 2017-2025 bicentennial of Erie Canal construction?*
- *Is the project consistent with regional or intermunicipal plans, including NYS Department of State "Local Waterfront Revitalization Program" (LWRP), Erie Canalway National Heritage Corridor Management Plan, or other regional and local plans?*
- *Does the project address 2016 statewide REDC Initiatives including Downtown Revitalization, NYRising, Global NY, Opportunity Agenda, and Veteran's Related Projects?*

Public/ Stakeholders:

- *Is widespread support from residents and other canal stakeholders demonstrated in the application?*

Financial Viability

- *Are the project costs reasonable and clearly defined both in the Budget sheet and in the supporting documents?*

Innovation/Effectiveness

- *Can the project increase canal visitation and/or participation in canal related activities?*
- *Does the project protect or enhance historic and/or natural resources of the Canal System?*

Implementation

- *Does the proposal reflect a reasonable and achievable timeframe for completion of the grant funded project including project milestones and identification of parties responsible for project oversight?*
- *Does the proposal define a reasonable and achievable strategy for the long term operation and maintenance of the project?*

AWARD CRITERIA DETAILS

A 50% match will be required on all grants and must be fully documented according to the requirements of the Canal Corporation and the Office of the State Comptroller.

Principal types of applicant share are:

- **Cash:** Includes grants other than this grant request.
- **Force Account** (Payroll of applicant): Itemize according to job title or job assignment (on project). At the time of the reimbursement request, grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services:** The value of services provided by professional and technical personnel and consultants. Three-year retroactivity applies.
- **Supplies and Materials:** The current market value of items warehoused (not yet installed). Three-year retroactivity applies; use value current at time items were obtained.
- **Volunteer Labor:** Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at http://www.independentsector.org/volunteer_time
- (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State).
- **Equipment Usage:** Compute the value according to its fair market rental value in project location.
- **Real Property:** The value of all property acquired, donated or converted from other purposes should be included in the project schedule. One year retroactivity applies to all three categories.

Canal Corporation assistance toward the costs of the project shall not exceed 50% of the approved project cost. The Canal Corporation shall not be responsible for any increases in the total project costs beyond the grant approval amount indicated in the award letter from the Canal Corporation. Qualifying match types include in-kind services, federal funding, other state funding, donated services or volunteer labor, force account (paid labor), supplies, materials and land acquisition (however, grant funds CANNOT be used for land acquisition.) Donated professional services should be valued at the prevailing hourly rate with overhead costs.

Maintenance and operation of facilities receiving grants will be the responsibility of the applicant. All successful applicants will be required to enter into a formal contract and agree to other legal documents with the Canal Corporation to ensure the long term protection of the property and also restrict changes in the use of the property. A preservation covenant or conservation easement must be conveyed for work involving historic resources.

The liability for projects constructed, owned and maintained by awardees on real property not under the jurisdiction of the Canal Corporation will remain with the grant awardees. Projects on Canal Corporation real property must be designed and constructed with Canal Corporation approval and in accordance with engineering and design standards of the Canal Corporation. Projects must provide for public safety and must not interfere with canal operations or navigation. Projects will be required to meet all applicable insurance requirements.

Projects on Canal Corporation real property may require the purchase, lease or permitting of the real property from the Canal Corporation, in accordance with all applicable laws and regulations and the Canal Corporation's "Canal Real Property Management Policy" and standard operating procedures.

Project plans must be reviewed and approved by the Canal Corporation before advertisement or contract letting. Every project must comply with all applicable local, state and federal laws, rules, regulations, requirements, ordinances and codes.

ADDITIONAL RESOURCES

For more information, eligible applicants should contact the New York State Canal Corporation, 200 Southern Boulevard, Albany, NY, 12209, or call 518-436-3055.

Energy

NYSERDA Energy Efficiency Programs

Funding Available: Up to \$60 million available

NYS Energy Research and Development Authority - Flexible Technical Assistance

DESCRIPTION:

Program provides eligible New York State commercial, industrial, and institutional end users with objective and customized engineering analysis to help make informed energy decisions.

ELIGIBLE TYPES OF APPLICANTS:

FlexTech is funded on a first-come, first served basis until funds are exhausted. Eligible Applicants are New York State electricity or gas distribution customers of a participating utility company, who pay into the System Benefits Charge (SBC). The SBC may be a line item on the customer's utility bills.

Eligible Applicants include, but are not limited to:

- Commercial Facilities
- Industrial Facilities
- Public and Private K-12 schools
- Colleges and Universities
- Healthcare Facilities
- Agricultural Facilities
- Municipalities (Local Government)
- State Agencies & Government
- Not-for-profit Corporations

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Customers who are in need of a service provider may choose from NYSERDA's FlexTech Consultant list comprised of firms under NYSERDA contract who have been competitively selected to provide technical services across the state. The current list of FlexTech Consultants is available on NYSERDA's website at

www.nyserderda.ny.gov/flextech. Alternatively, customers may select their own service provider.

Potential service providers include, but are not limited to: ESCOs, energy consultants, and engineering companies.

Eligible study categories include:

- Energy Feasibility Studies — Studies and customized recommendations for the energy consuming systems at your facility that align with your business goals.
- Master Planning — Ongoing identification of energy opportunities for your business. Services include energy, carbon and sustainability master planning, long-term energy management support, and RFP preparation.
- Industrial Process Efficiency — Studies focusing on increasing productivity while improving energy performance. The findings of these studies help your company define and reduce energy use per unit of production.
- Data Centers — Assess energy efficiency and reduce energy and carbon impacts in your data center support systems. Includes items such as system upgrades or replacement, server virtualization, and redundancy optimization.
- Combined Heat and Power — Study to investigate the feasibility of installing gas-fired combined heat and power at your site.
- Farm Energy Audits: Energy feasibility studies that provide farmers with cost effective, energy efficiency opportunities for their farm process.

PRE-APPLICATION REQUIREMENTS:

Customers must be contributing to the SBC. Work conducted prior to scope of work receipt is not eligible for cost-sharing.

SUCCESSFUL APPLICANT REQUIREMENTS:

Successful Applicants will work with NYSERDA staff, their NYSERDA FlexTech Consultant, or chosen service provider, to develop a detailed and site specific scope of work. This scope of work will then be reviewed and approved by NYSERDA. Please contact NYSERDA for scope of work requirements.

Upon NYSERDA approval of the scope of work, NYSERDA will issue a Purchase Order for the project. Applicants may begin study execution upon NYSERDA's receipt of the scope of work at their own risk. Cost-share funds are not committed until the application and scope of work are approved and a Purchase Order is issued.

The draft final report will then be developed and submitted to NYSERDA for review and comment. Please contact NYSERDA for final report requirements. Upon NYSERDA approval of the final report, final payment may be issued.

FUNDING PRIORITIES:

Eligible applications are accepted on a first-come, first served basis until funds are exhausted.

INELIGIBLE ACTIVITIES:

- New facilities or those that have undergone substantial renovations, which have not been occupied for more than one year are not eligible for funding.
- Whole building, new construction, new equipment commissioning and retro-commissioning is not eligible for funding under this program.
- Detailed engineering design is not eligible for funding under this program.
- Applications seeking funding for single, multifamily, or Publicly Assisted Housing are not eligible under this program, but may apply under NYSERDA's Residential Energy Affordability programs.
- Applications seeking funds to support the sale or distribution of energy are not eligible for funding under this program except as defined in NYSERDA's CHP requirements.
- Equipment purchases are not eligible for funding under this program, except for metering equipment, software costs, and other data collection hard costs. To be eligible for funding, the equipment must be a necessary component of the funded study.
- No service provider may apply for more than 25% of the funds available under this program.
- Power quality, power factor, and power conditioning studies are not eligible for funding under this program.
- Utility billing error analysis is not eligible for funding under this program.
- Organizations that generate, transmit, or distribute energy for sale are not eligible for funding under this component of the program.
- Applications for generation studies without a heat recovery component are not eligible for funding.
- Applications for studies proposing to evaluate generation systems utilizing fuel sources other than natural gas are not eligible for funding.
- Applications seeking assistance with evaluating CHP systems for which the potential generation capacity would be larger than 50 MW or mechanical equivalent in total prime mover capacity, including back up, are not eligible for funding.
- Applications seeking assistance with evaluating CHP systems for which less than 75% of the electricity generated would be used on-site are not eligible for funding.

SELECTION CRITERIA:

FlexTech provides funding on a first-come, first served basis until funds are exhausted.

AWARD CRITERIA DETAILS

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:** Customers must be contributing to the System Benefits Charge (SBC) on their electric utility bill in order to be eligible. Distribution customers of the six major New York State electric utilities (Central Hudson Gas & Electric Corporation, Consolidated Edison, New York State Electric & Gas Corporation, National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation) may contribute to the SBC.
- **LIMITATIONS:**
 - For most applications, NYSERDA will contribute fifty percent (50%) of the eligible study costs, up to the lesser of either \$500,000 or ten percent (10%) of the Applicant's annual energy costs, based on an approved Scope of Work.
 - Service providers and customers are limited to ten (10) open applications at any given time.
 - Unless otherwise negotiated, all work funded under this program must be completed within two (2) years of issuance of the Purchase Order.
 - Service provider travel costs are limited to 3% of the total project cost.
 - An independent third-party consultant is required for all projects.
- **LONG RANGE GOALS:** FlexTech's goal is to increase productivity and economic competitiveness of participating facilities by identifying and encouraging the implementation of cost-effective energy efficiency.
- **PROJECT TERM COMPLETION DATES:** Individual study schedules vary. Unless otherwise negotiated, all work funded under this program must be completed within two (2) years of issuance of the Purchase Order.
- **MATCHING FUND REQUIREMENTS / DEADLINES:** If the customer chooses to work with a NYSERDA FlexTech Consultant, NYSERDA's contribution, up to 50% of the total project cost, will be paid directly to the Consultant, provided the work is acceptable to the customer and NYSERDA. The customer will pay the remaining percentage of the total project cost of the Consultant fees directly to the Consultant under terms and conditions to be negotiated by the customer and the consultant.

If the customer chooses to work with an independent service provider, the customer will pay 100% of the total project cost directly to the independent service provider under terms and conditions to be negotiated by the Applicant and the independent service provider. NYSERDA will reimburse the customer, up to 50% of their contribution to the total eligible project cost, provided the work is acceptable to the customer and NYSERDA.

All projects must include cost-sharing in the form of matching cash support from the customer. In-kind contributions of any type are not allowed as matching funds.

FlexTech funding is available on a first-come, first-served basis until funds are exhausted.

ADDITIONAL RESOURCES:

FlexTech Main Page: www.nyserderda.ny.gov/flextech

FlexTech Cost-Shared studies – outline of process: <http://www.nyserderda.ny.gov/All-Programs/Programs/FlexTech-Program/FlexTech-Process>

Small Commercial Energy Efficiency Program: Energy Assessments

DESCRIPTION:

Small Commercial Energy Assessments offer eligible small business and not-for-profit customers free walk-through energy audits to identify potential energy efficiency improvements. Small Commercial Energy Assessments are available to eligible customers statewide. Facilities must have an average electric demand of 100 kW or less and have ten or fewer full-time equivalent employees at that site to be eligible for Small Commercial Energy Assessments.

ELIGIBLE TYPES OF APPLICANTS:

Eligible applicants include nonresidential customers with an average electric demand of 100 kW or less and ten or fewer full-time equivalent employees at that site including:

- Small Businesses
- Not-for-profit Corporations

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Small Commercial Energy Assessments evaluate standard energy efficiency measures within eligible facilities. These measures include, but are not limited to: lighting, lighting controls, heating, ventilation air conditioning (HVAC), temperature controls, commercial kitchen equipment, and building envelope improvements. Small Commercial Energy Assessments will evaluate standard energy efficiency measures for all fuel types including but not limited to: electric, gas, oil, and propane. After the energy assessment is complete, the Small Commercial Energy Assessment Contractor presents an energy assessment report that outlines recommended improvements, as well as energy and cost savings, to the customer. The goal of the report is to provide the customer with unbiased information to make informed energy decisions.

The Small Commercial Energy Efficiency Program also offers implementation assistance, including assistance accessing financial incentives and low-interest financing opportunities, to customers that seek to implement energy efficiency measures recommended on their energy assessments. Customers must have an energy assessment report prior to accessing implementation assistance.

SUCCESSFUL APPLICANT REQUIREMENTS:

Customers should calculate their average electric demand to ensure eligibility. To determine average electric demand, sum the demand (kW) indicated on your electric bill for each of the past 12 months and divide it by 12. Only facilities with an average electric demand of 100 kW or less are eligible to participate. NYSERDA's Small Commercial Energy Assessment Contractor can assist customers with calculating their average electric demand.

FUNDING PRIORITIES:

Eligible applications are accepted on a first-come, first served basis until funds are exhausted.

INELIGIBLE ACTIVITIES:

Energy efficiency measures beyond the measures outlined above may not be eligible.

SELECTION CRITERIA:

The Small Commercial Energy Efficiency Program provides funding on a first-come, first served basis until funds have been exhausted.

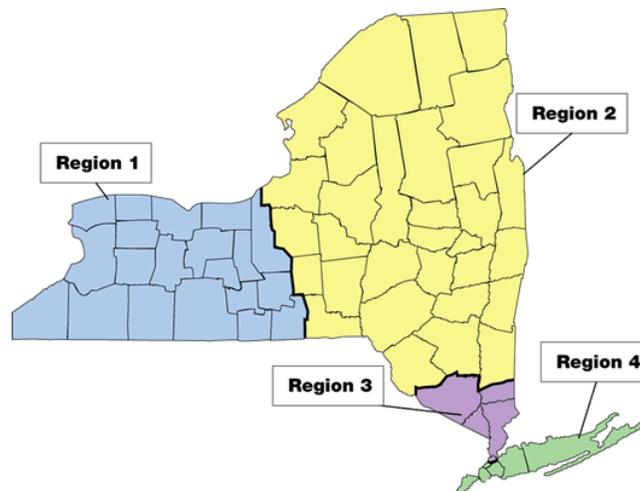
AWARD CRITERIA DETAILS

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:** Free energy assessments are available to small businesses and not-for-profits statewide on a first-come, first-served basis until funds are exhausted.
- **LIMITATIONS:**
 - Only facilities with an average electric demand of 100 kW or less that are used or operated by a small business or not-for-profit organization with ten or fewer full-time equivalent employees are eligible for Small Commercial Energy Assessments.
- **LONG RANGE GOALS:** The Small Commercial Energy Efficiency Program seeks to provide customers with unbiased, credible information to help them make informed energy decisions and to provide implementation assistance to help customers access available financial incentives and low-interest financing to make energy efficiency improvements to their buildings.
- **PROJECT TERM COMPLETION DATES:** Individual energy assessment times vary. Typical assessments are completed within 4-6 weeks from application.

ADDITIONAL RESOURCES:

Small Commercial Energy Assessments: www.nyserda.ny.gov/small-commercial-energy-assessment. Small Commercial Energy Assessment Contractors:

Region 1 - GDS Associates Contact: Vivian Thompson Phone: 800-437-4495 FAX: 866-611-3791 Email: vivian.thompson@gdsassociates.com	Region 2 - L&S Energy Services Contact: Michelle Wooddell Phone: 518-383-9405 x223 FAX: 518-383-9406 Email: MWooddell@LS-Energy.com
Region 3 - Daylight Savings Contact: Felicia Van Doran Phone: 845-291-1275 FAX: 845-291-1276 Email: fvandoran@daylightsavings.us	Region 4 - TRC Contact: Laura Giannini Phone: 518-688-3136 FAX: 518-348-1194 Email: LGiannini@trcsolutions.com



Region 1 Counties

Chautauqua, Cattaraugus, Erie, Niagara, Orleans, Genesee, Wyoming, Allegany, Monroe, Livingston, Steuben, Ontario, Yates, Wayne, Seneca, Schuyler, Chemung, Tompkins, Tioga, Cayuga

Region 2 Counties

Dutchess, Columbia, Greene, Rensselaer, Albany, Schoharie, Otsego, Washington, Saratoga, Schenectady, Montgomery, Fulton, Herkimer, Oneida, Madison, Onondaga, Oswego, Jefferson, Lewis, Hamilton, Warren, Essex, Clinton, Franklin, St. Lawrence, Cortland, Broome, Chenango, Delaware, Sullivan, Ulster

Region 3 Counties

Orange, Putnam, Rockland, Westchester, Bronx

Region 4 Counties

Kings, Queens, Richmond, New York, Nassau, Suffolk

ADDITIONAL RESOURCES:

Small Commercial Energy Assessment webpage: www.nyserda.ny.gov/small-commercial-energy-assessment.

NYS Energy Research and Development Authority – Commercial New Construction Program

DESCRIPTION:

The Commercial New Construction Program (CNC) provides technical and financial support to evaluate energy efficiency options and to promote the installation of energy-efficient electric equipment in new and substantially renovated commercial and industrial buildings.

ELIGIBLE TYPES OF APPLICANTS:

- State and local governments, businesses, not-for-profit and private institutions, public and private schools, colleges and universities, and health care facilities in New York State that are electricity or firm gas customers of a participating utility company, and that pay, or will pay, into the System Benefits Charge, are eligible for incentives.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

- Projects for which an architect or engineer is preparing and certifying construction documents, including:
 - New buildings or space within a new building
 - Substantial renovations to existing buildings where the space has been, or will be, vacant for at least 30 consecutive days; or where there is a change of use (e.g. warehouse to office)

PRE-APPLICATION REQUIREMENTS

- None

SUCCESSFUL APPLICANT REQUIREMENTS:

- Submit a Consolidated Funding Application (CFA).
- Working with NYSERDA, identify, analyze and document potential energy efficiency measures and incentives. Technical support services during this phase may require cost-sharing between NYSERDA and the applicant, with the applicant's prior approval.
- Purchase and install equipment after receiving an incentive offer from NYSERDA.*

* NYSERDA may elect to inspect projects prior to final approval. If requested by NYSERDA the applicant must also provide access to the site for post-occupancy measurement and verification.

FUNDING PRIORITIES:

- All applications to the CNC are given equal consideration; and
- To ensure eligibility to participate in all services available through the CNC and to maximize CNC benefits, NYSERDA recommends that applications be submitted in the early schematic design phase or sooner.

INELIGIBLE ACTIVITIES:

- Applicants may not obtain incentives for the same energy efficiency measures through other NYSERDA programs or from programs offered by their local utility;
- Ineligible projects include renovations and equipment upgrades at existing facilities where the facility will remain occupied during construction;
- Applicants who do not, or will not, pay into the System Benefits Charge through their local utility company are ineligible for participation in the program;
- Applicants may not obtain incentives for energy efficiency measures installed before an application is submitted and an CNC incentive offer is issued by NYSERDA; and
- Energy-efficiency measures must be cost effective.

SELECTION CRITERIA:

- The program is open enrollment, advertised as a Program Opportunity Notice (PON), and is offered on a first come, first served basis subject to funding availability as of the date of the program offer letter.
- Incomplete or unauthorized applications will be returned.

AWARD CRITERIA DETAILS:

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:**
State and local governments, businesses, not-for-profit and private institutions, public and private schools, colleges and universities, and health care facilities in New York State that are electricity customers of a participating utility company, and that pay, or will pay, into the System Benefits Charge, are eligible for incentives.
- **LIMITATIONS:** Each PON is offered with defined technical assistance and incentive rates and caps. Refer to the current PON for details.
- **LONG RANGE GOALS:** The CNCP offers technical and financial support to effect a permanent transformation in the way buildings are designed and constructed for energy efficiency in New York State with a focus on replicable, deep energy savings and zero net energy projects.
- **PROJECT TERM COMPLETION DATES:** Financial incentives are based upon the predicted performance of building energy efficiency improvements as compared to a designated baseline. NYSERDA will provide written pre-approval of custom measure and whole building design applications qualified for financial incentives. This pre-approval authorizes the applicant to proceed with the specification, purchase and installation of specific equipment and building features described in the approved application. NYSERDA will hold the necessary incentive funds for the applicant until the building is completed. The applicant will be asked to provide written certification that the equipment and building features have been installed. Upon NYSERDA review and approval of the completed installation and any technical reports, a check will be issued to the applicant. NYSERDA may elect to inspect any and all projects prior to final approval and the applicant must provide site access to NYSERDA staff or contractors after project completion for possible measurement and verification.
- **MATCHING FUND REQUIREMENTS / DEADLINES:** Technical assistance is offered on a cost-shared basis and will be invoiced after delivery of the technical assistance report approved by NYSERDA or upon cancellation of the technical assistance services. Payment of the applicant's portion of the cost share is due within 30 days of the invoice date.

ADDITIONAL RESOURCES:

More information is available at <http://www.nyserderda.ny.gov/new-construction>.
1-866-NYSERDA

NYS Energy Research and Development Authority - Commercial Implementation Assistance Program

DESCRIPTION:

Commercial Implementation Assistance Program

The Commercial Implementation Assistance Program (CIAP) offers resources to help offset the costs of implementing energy efficiency improvements in existing commercial facilities across New York State. Applicants must apply to their utility for incentives prior to apply to NYSERDA. Only those measures that are not eligible for utility incentives will be considered. Project types may be eligible assistance on a first-come, first-served basis until funds are exhausted.

Commercial and institutional facilities that pay the SBC charge on their utility bills are eligible. Applications will be accepted on a first-come, first-served basis through 5:00 pm EST on December 31, 2016, or until funds are exhausted.

ELIGIBLE TYPES OF APPLICANTS:

- Municipalities
- State Agencies
- Public Benefit Corporations
- Public Authorities
- Not-for-profit Corporations (ex. of full definition requirements)
(ex. of sample language requirement * Not-for-profit corporations are subject to New York State's Not-For-Profit Corporation Law. In order to apply under this program, a not-for-profit corporation must have proof of incorporation (or equivalent document) from the NYS Department of State or NYS Board of Regents, a charities registration number from the NYS Office of the Attorney General, and proof of tax-exempt status under the IRS code. Copies of these documents must be submitted with the application;
- For-profit Corporations
- Energy Service Companies (ESCOs)
- Facility owners
- Management companies
- Tenants with the authority to make improvements

Definitions:

- *Applicant* = the entity receiving the approved incentive amount upon project completion, and who will be responsible for delivering the energy savings. Applicants can include third parties such as Energy Service Companies (ESCOs), facility owners, management companies, and/or tenants with the authority to make improvements.
- *Facility* = the building or structure where the energy-efficient measures are being implemented.
- *Customer* = the owner/operator/tenant of the facility or space where the project will be implemented.
- *Project* = the plan for the implementation of eligible measures at a specified facility. The Project may include multiple energy efficiency measures.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Facilities can apply to NYSERDA's program for cost-shared, financial support of up to 50% to complete targeted energy efficiency projects. Targeted energy efficiency projects covered by NYSERDA's program include:

- Advanced clean energy or underutilized technologies
- Deep-energy savings projects
- Systems-based projects that expand the diversity of measures and depth of savings

Requirements for these projects include:

- A simple payback period that is between 4 and 14 years *excluding* NYSERDA incentives
- A minimum project cost of \$50,000

FUNDING PRIORITIES:

The program is offered as open enrollment, advertised as a Program Opportunity Notice (PON), and is offered on a first come, first served basis until funds are exhausted.

INELIGIBLE ACTIVITIES:

- 1) Projects with simple payback periods greater than 4 years and less than 14 years (excluding NYSERDA incentives) are ineligible. NYSERDA's incentives will be adjusted to ensure these payback thresholds are adhered to.
- 2) Applicants may not obtain incentives for the same energy efficiency measures through other NYSERDA programs or from programs offered by their local utility.
- 3) Ineligible projects include power quality, power factor improvements, and most fuel switching activities. Residential projects are also ineligible for participation in the program.
- 4) Projects that can receive an incentive from their utility or other NYSERDA programs are not eligible.

SELECTION CRITERIA:

The program is an open enrollment offering that is advertised as a Program Opportunity Notice (PON), and is offered on a first come, first served basis subject to funding availability.

AWARD CRITERIA DETAILS:

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:** Statewide – Facilities must pay into the System Benefits Charge (SBC).

LONG RANGE GOALS: To cost-effectively reduce energy consumption for commercial facilities in New York State.

- **PROJECT TERM COMPLETION DATES:** All measures must achieve savings for at least five years. See Successful Applicant Requirements for additional information.
- **MATCHING FUND REQUIREMENTS / DEADLINES:** The total incentive cannot exceed 50% of the project cost for most projects. Project cost may include equipment, labor, and engineering expenses.

ADDITIONAL RESOURCES:

<http://www.nyserda.ny.gov/All-Programs/Programs/Commercial-Implementation-Assistance-Program>

NYS Energy Research and Development Authority – Industrial and Process Efficiency Program

DESCRIPTION:

The New York State Energy Research and Development Authority (NYSERDA)'s Industrial and Process Efficiency (IPE) Program provide performance-based assistance to manufacturers and data centers implementing energy efficiency and process improvements.

IPE assists commercial and industrial manufacturers and data centers in identifying ways to improve energy efficiency through capital investments and process improvements by offering capital incentives and practical technical assistance while recognizing the importance of sustaining reliability and maximizing uptime. IPE's goal is to help manufacturers and data centers increase product output and improve data processing as efficiently as possible. IPE focuses on projects that improve manufacturing process productivity and data center efficiency. For example, projects that increase throughput, reduce scrap, improve productivity, and prioritize and optimize server loads all have an energy component. Manufacturing, industrial, and data center facilities are eligible for participation in this program and are engaged through effective marketing, which includes key account strategies to build ongoing relationships as the primary energy efficiency resource for customers.

ELIGIBLE TYPES OF APPLICANTS:

All of New York State manufacturing, industrial and data center facilities that pay into the System Benefits Charge (SBC).

- Manufacturing facilities, or support operations such as warehousing and distribution sites.
 - Example: Plastics and Packaging, Chemicals, Petrochemicals, Metals, Paper and Pulp, Transportation, Biotechnology, Pharmaceutical, Food and Beverage, Mining and Mineral Processing, General Manufacturing and Equipment Manufacturers.
- Data Centers located in various business sectors
 - Example: Manufacturing, Financial, Higher Education, Health Care, Commercial Real Estate, Service Provider, Co-location Facilities, Government, Legal, Insurance, and Telecom

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Applications will be accepted on a first-come, first-served basis, or until funds are exhausted.

Incentive Type	Utility	All Other Utility Territories	ConEd Territory
Process and Energy Efficiency	Electric	\$0.10/kWh	\$0.16/kWh
	Fossil Fuel	\$6/MMBtu	\$6/MMBtu
Operational & Maintenance (O&M)	Electric	\$0.04/kWh	\$0.04/kWh
	Fossil Fuel	\$3/MMBtu	\$3/MMBtu
Maximum Incentive	All Projects	50% Project Cost; \$2 million per company	
	Electric	\$1 million per project	
	Fossil Fuel	\$500,000 per project	

- NYSERDA's focus is on projects that improve manufacturing process productivity and data center efficiency.
 - For example, projects that increase throughput, reduce scrap, improve productivity, and prioritize and optimize server loads all have an energy component and may be eligible for a NYSERDA incentive.
- NYSERDA also provides incentives for improvements to support system efficiency (related to process) such as process cooling, heat recovery, pumping systems, compressed air, air flow management (hot isle/cold isle), and UPS system upgrades.
- O&M incentives are available for projects that deliver verifiable annual energy savings resulting from upgrades or initiatives to improve operations. Projects may involve: Compressed air system leak management, replacement of leaking steam traps, installation of cogged styles fan belts, burner tune-up, server power management, air flow controls optimization, or dynamic temperature monitoring and adjustment.

In order to be considered eligible, a facility must pay into the System Benefits Charge (SBC) on their electric bill through one of the following utility companies:

- Consolidated Edison Company of New York, Inc.
 - Central Hudson Gas & Electric Corporation
 - National Grid Generation d/b/a National Grid
 - New York State Electric & Gas Corporation
 - Orange and Rockland Utilities, Inc.
 - Rochester Gas and Electric Corporation
- Projects must qualify for an incentive of at least \$25,000.
 - A facility may receive an incentive for a specific energy efficiency measure either through NYSERDA or a utility company, but not both.

PRE-APPLICATION REQUIREMENTS:

- Current copy of the facility's utility bill with SBC notation
- Description of the energy efficiency project
- Facilities can apply to the program and receive incentives directly from NYSERDA or use a third party if desired

SUCCESSFUL APPLICANT REQUIREMENTS:

- Engineering Study: Incentives are based on a site/process specific engineering analysis. NYSERDA's Technical Reviewers are available to assist with the required engineering analysis at no cost to the facility.
- Measurement and Verification (M&V): NYSERDA may use metering and other M&V tools at the Applicant's facility. In addition to the installation incentives described above, any incremental M&V costs will be performed by NYSERDA's technical reviewer at no additional cost to the applicant.
- Project approval is in the form of a purchase order issued to the Applicant by NYSERDA. Generally, the purchase order is issued as soon as a reasonably accurate estimate of the energy savings is available. For straightforward projects, a purchase order is issued within a few weeks of application. For more complex projects, a site visit by NYSERDA staff and/or a NYSERDA technical reviewer may be required to develop a clear understanding of the project and to estimate energy savings. In either case, the goal is to approve projects as quickly as possible.

FUNDING PRIORITIES:

Applications will be accepted on a first-come, first-served basis until funds are exhausted.

SELECTION CRITERIA:

Applications will be accepted on a first-come, first-served basis until funds are exhausted.

AWARD CRITERIA DETAILS:

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:**
All of New York State manufacturing, industrial and data center facilities that pay into the System Benefits Charge (SBC).
- **LIMITATIONS:**
Minimum project: at least \$25,000 incentive
Multiple projects can be bundled together to reach the minimum
Project Incentive Cap: 50% of project cost
Facility Incentive Cap: \$2 million per company
 \$1 million per electric project
 \$500,000 per fossil fuel project
- **LONG RANGE GOALS:**
 - To cost effectively reduce utility consumption for eligible customers.
- **PROJECT TERM COMPLETION DATES:**
Project Process/Milestones:
 - Applicant submits application
 - Technical Reviewer is assigned to project
 - Technical Reviewer reviews energy savings of project
 - NYSERDA issues purchase order for estimated incentive
 - Facility installs project
 - Technical Reviewer verifies the installation and energy savings
 - NYSERDA awards incentive
- A facility may take up to 2 years to complete a project.
- **MATCHING FUND REQUIREMENTS / DEADLINES:**
The IPE project incentive cap is 50% of project cost.

ADDITIONAL RESOURCES:

Website: www.nyserda.ny.gov/ipe

New York Power Authority - ReCharge New York **Amount available: Up to 150 Megawatts (availability as of 4/1/16)**

Description:

ReCharge New York (RNY) is a statewide economic development power program designed to retain or create jobs through allocations of lower cost electricity to businesses and Not-for-Profit Corporations. The majority of the power remaining to be allocated will be for businesses that plan to expand operations in the state or are looking to relocate to New York State. The RNY power program is a valuable tool for promoting economic development within the state. Businesses and Not-for-Profit Corporations are eligible to apply. The program is not available to sports venues, retail businesses, gaming or entertainment related establishments, and places of overnight accommodations.

Allocations of ReCharge New York power will be awarded based on a competitive application process based on legislative criteria. Recommended allocation awards must be approved by the Economic Development Power Allocation Board and the New York Power Authority Board of Trustees. Allocations of RNY power (in kW) will be delivered after the execution of a contract. The contract could be a term of up to seven years and will specify employment commitments and other terms and conditions for retaining the RNY power allocation.

For more information, eligible applicants should call the ReCharge New York Hotline at 888-JOBSNYS (888-562-7697) or email Recharge.NewYork@nypa.gov.

Environmental Improvements

New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant Program - Overview

Funding Available: Up to \$2 million

DESCRIPTION

The New York State Department of Environmental Conservation (DEC), in conjunction with the New York State Environmental Facilities Corporation (EFC), will offer grants to municipalities to help pay for the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects. Up to \$2 million has been made available for this round of the Wastewater Infrastructure Engineering Planning Grant (EPG) program.

Grants of up to \$100,000¹ will be provided to municipalities with a Median Household Income (MHI) of \$65,000 or less to finance engineering and planning services for the production of an engineering report.

The ultimate goal of the EPG program is to advance water quality projects to construction for needy communities. Successful applicants can use the engineering report funded by the grant to seek financing through the CWSRF program or other funding entities to further pursue the identified solution.

ELIGIBLE TYPES OF APPLICANTS

- Municipalities as defined in the Key Definitions section of this document; and Median household income (MHI) of the municipality is equal to or less than \$65,000 according to the United States Census, 2013 American Community Survey. A summary of the United States Census, 2013 American Community Survey MHI data can be found on the EFC EPG website, www.efc.ny.gov/cwplanninggrants.
- Municipalities may only have two *active* EPG awards, they are not eligible to have three active awards.
 - An active EPG award means a project that has been awarded funding and awaiting an executed grant agreement or currently has an executed grant agreement with EFC.

ELIGIBLE ACTIVITIES

Funding can be used by municipalities for the preparation of an engineering report² and planning activities to determine the scope of water quality issues, evaluate alternatives, and propose a capital improvement project. In addition, the costs to conduct an environmental review for the recommended alternative in the report are eligible.

Priority will be given to municipalities proposing planning projects that are:

- required by an executed Order on Consent;
- required by a State Pollutant Discharge Elimination System (SPDES) permit;
- upgrading or replacing an existing wastewater system;
- constructing a wastewater treatment and/or collection system for an unsewered area; or
- identified in a Total Maximum Daily Load (TMDL) implementation plan.

¹ See the "Award Criteria, Limitations" section of this document for details of funding amounts.

² See the "Key Definitions" section of this document for specific information on the required contents of the engineering report.

The report must follow EFC's current Engineering Report Outline. The report must contain a comprehensive analysis of the following alternatives, as applicable:

- No-action alternative (required)
- Green infrastructure in combination with gray infrastructure or individually (required for projects involving stormwater, including stormwater inflow to sewer systems)
 - A justification must be provided if a green infrastructure component is not part of the recommended alternative
- Repair or replacement versus new construction
- Regional consolidation opportunities
- Centralized versus decentralized (required for new systems), or a combination thereof (small cluster or individual systems)

Any alternatives considered technically infeasible should be identified as such and the rationale briefly discussed.

Smart Growth alternative(s) must be considered and documented in the engineering report.

In accordance with the laws, rules and regulations governing the CWSRF, projects defined in the federal Clean Water Act, Section 212 as treatment works must be publicly-owned.

INELIGIBLE ACTIVITIES

- Projects that do not lead to the restoration or protection of a surface waterbody.
- Projects that do not address improvements to a publicly-owned treatment works.³
- Projects and scope listed on the 2016 CWSRF Intended Use Plan Annual Project Priority List.
- Design and construction costs for any projects.

GRANT AWARD DETAILS

Option 1 - \$30,000 Grant

- Population of Municipality: 50,000 or less according to the United States Census, 2013 American Community Survey. Population data can be found on the EFC EPG website at www.efc.ny.gov/cwplanninggrants.
- Type of Planning Project: any wastewater infrastructure-related, including disinfection projects.
- Engineering Report Requirements: Due within 9 months of grant agreement execution.

Option 2 - \$50,000 grant

- Population of Municipality: Greater than 50,000 according to the United States Census, 2013 American Community Survey. Population data can be found on the EFC EPG website at www.efc.ny.gov/cwplanninggrants.
- Type of Planning Project: any wastewater infrastructure-related, including disinfection projects.
- Engineering Report Requirements: Due within 9 months of grant agreement execution.

³ See the "Key Definitions" section of this document on what is considered an eligible publicly-owned treatment works activity.

Option 3 - \$100,000 grant

- Population of Municipality: no limit
- Type of Planning Project: Only for wastewater infrastructure inflow and infiltration issues as a result of an Order on Consent or SPDES Permit Compliance Schedule.
- Engineering Report Requirements: Due within 1 year of grant agreement execution.

MATCH

All grants require a local match equal to 20 percent of the requested grant amount. The match can include cash and/or in-kind services⁴. Other grants may not be used for local match. The applicant should identify the source of the match at the time that the application is submitted. The grant will provide up to 80 percent of the eligible planning costs.

GRANT PAYMENT

The grant will be disbursed in two payments. The municipality will be eligible to receive half the award amount as an advance payment once the grant agreement is executed. The remainder of the grant award will be paid when the municipality’s engineering report has been completed and accepted by DEC and EFC.

LONG RANGE PROGRAM GOALS

The state encourages grant recipients to use the engineering report completed under this grant to seek financing through the CWSRF program or from other funding entities to further pursue the recommended solution.

SELECTION CRITERIA

Projects will be scored and selected based on the following criteria.

	Points Assigned	Criteria
Regional Economic Development Priority	20 points	Alignment with the goals and priorities of its Regional Economic Development Council (REDC).
Performance Measures	38 points	Severity of existing water quality impairments.
Strategies	22 points	Proposed project is required by an Order on Consent, SPDES permit or TMDL.
Vision	10 points	Planning project is identified in a formally adopted plan and has both public support and a committed local leadership.
Agency Priority	10 points	Alignment with DEC and EFC priorities

Projects will receive a final score and then be selected for grant funding beginning with the highest down to the lowest ranked scores.

⁴ See the “Key Definitions” section of this document for specific information on what is considered in-kind services.

In case of a tie, DEC will look at individual scoring categories to determine a grant award. The following evaluation criteria will be reviewed in the following order:

1. Performance measures
2. Agency priorities
3. REDC
4. Strategies
5. Vision

DEC and EFC will consider regional distribution in the determination of awards, to the extent practicable.

MULTIPLE APPLICATION SUBMISSIONS

Only one project per municipality may be awarded in this Round. If an applicant is submitting multiple applications for their municipality, they are asked to prioritize their applications. In addition, municipalities may only have two *active* EPG awards, they are not eligible to receive a third.

Successful Applicant Requirements

Documentation: Recipients must provide documentation of the following requirements before entering into a grant agreement for the planning project. Forms and examples can be found at: www.efc.ny.gov/cwplanninggrants.

- Legal right to own, operate and maintain the project for the duration of its useful life.
- Compliance with the NYS Smart Growth Infrastructure Policy Act of 2010.
- Compliance with the NYS Minority/Woman-owned Business Enterprises (MWBE) requirements. www.efc.ny.gov/mwbe
- Executed Engineering Agreement that includes MWBE contract language provided by EFC. An MWBE Work Plan and approved Utilization Plan will be required if the Engineering Agreement exceeds \$25,000. www.efc.ny.gov/mwbe
- Detailed final budget and plan of finance including all third party funding agreements, and satisfaction of the minimum 20 percent local match requirement.
- Local resolution authorizing and obligating local match funds. The match can include cash and/or in-kind services. Other grants may not be used for local match.
- Local resolution declaring State Environmental Quality Review Act (SEQR) findings or determinations for the planning activities associated with the grant.
- Local resolution for designation of an Authorized Representative for the project.
- Acknowledgement of project review by the New York State Office of Parks and Historic Preservation's State Historic Preservation Office (SHPO). EFC expects to obtain this on behalf of the recipients.

KEY DEFINITIONS

Engineering Report - means the document or documents, which determines the technical and economic feasibility of a CWSRF eligible project. [Reference: 21 NYCRR 2602.2(a)(22) New York State Clean Water Revolving Fund Regulations]

Please refer to EFC's current Engineering Report Outline (www.efc.ny.gov/cwplanninggrants) for details on the required report components. In particular, the report must recommend a capital improvement project and consider both Smart Growth alternative(s) and green infrastructure alternative(s). Reports must be submitted electronically.

In-Kind Services - means services performed by capable and qualified employees of the grant recipient for technical and administrative force accounts that are directly related to and in support of the development of the Engineering Report and are deemed reasonable by the Environmental Facilities Corporation.

Municipality - means any county, city, town, village, district corporation, county or town improvement district, Indian reservation wholly within New York State, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of New York State which is empowered to construct and operate a project, or any two or more of the foregoing which are acting jointly in connection with a project. [Reference: 21 NYCRR 2602.2(a)(49) New York State Clean Water Revolving Fund Regulations]

Planning - means the orderly development of a project concept from the original statement of need or purpose through the evaluation of alternatives to a final recommendation on a course of action and measures to implement the selected alternative, including completion of the environmental review process. [Reference: 21 NYCRR 2602.2(a)(51) New York State Clean Water Revolving Fund Regulations]

Treatment Works (Publicly-Owned) – means eligible activities identified in section 2.1.1.1 of the Clean Water State Revolving Fund Final Intended Use Plan (IUP) for Federal Fiscal Year 2016.

Additional Resources

For more information, visit <http://www.dec.ny.gov/pubs/81196.html> or www.efc.ny.gov/cwplanninggrants

New York State Department of Environmental Conservation (DEC) – Water Quality Improvement Project Program

Funding Available: Up to \$26 million

DESCRIPTION

The Water Quality Improvement Project (WQIP) program is a competitive, statewide reimbursement grant program open to local governments and not-for-profit corporations for projects that directly address documented water quality impairments. Grants awarded through the WQIP program can fund up to 85 percent of the project cost for Wastewater Treatment Improvement projects. Grant recipients may receive up to 75 percent of the project cost for Non-agricultural Nonpoint Source Abatement and Control, Aquatic Habitat Restoration, Municipal Separate Storm Sewer System projects.

Additional Resources

The RFA is available on the Department of Environmental Conservation's website: <http://www.dec.ny.gov/pubs/4774.html>. Updates and/or modifications to the RFA, along with answers to questions received, will be posted on the DEC's website. Questions should be submitted to user.water@dec.ny.gov no later than July 11, 2016.

Pre-application workshops will be held around the State. The workshop schedule along with additional information is available at <http://regionalcouncils.ny.gov/>. All those who would like to have the application process explained or have process-related and/or grant-related questions are encouraged to attend.

Funding

The Department anticipates using mainly Environmental Protection Funds for these projects. The Department anticipates having up to \$26 million available for WQIP projects. The Department may potentially receive additional funding for qualifying projects (e.g., wastewater treatment, nonpoint source abatement and control, aquatic habitat restoration) located in Nassau and Suffolk counties. Should such funding become available, DEC reserves the right to award funding for scored and ranked projects, consistent with the method of award described in this grant opportunity.

Eligible Types of Applicants

Generally, applicants meeting the following criteria are eligible for WQIP funds. There is some variability among eligible applicants for specific project types. Applicant eligibility criteria is more clearly identified under each specific WQIP project type contained in this Request for Applications (RFA).

- Municipalities
- Municipal corporations
- Regulated traditional Municipal Separate Storm Sewer Systems (MS4s)
- Soil and water conservation districts
- Not-for-profit corporations, (**Only** aquatic habitat restoration projects)

Applicant who have demonstrated poor management of past WQIP contract(s) will not be funded in Round 13. Also applicants who have not previously been awarded a WQIP grant but their Round 13 application does not demonstrate the experience and ability to carry out the project will not be funded in Round 13.

Projects that have not secured any of the necessary approvals and are not ready to proceed with project implementation will not be funded.

All municipalities and soil and water conservation districts must register in the NYS Grants Gateway to be eligible for this grant (<http://grantsreform.ny.gov>).

All not-for-profits must register and prequalify in the NYS Grants Gateway by the due date of this application to be eligible for this grant (<http://grantsreform.ny.gov>).

Eligible Types of Projects

- Non-agricultural Nonpoint Source Abatement and Control
- Wastewater Treatment Improvement
- Aquatic Habitat Restoration
- Municipal Separate Storm Sewer Systems (MS4s)

Funding Priorities

Funding priorities are determined in each individual WQIP project type description described in this RFA.

Ineligible WQIP Projects

Application proposals that do not address water quality impairment.

DETAILED WQIP PROJECT TYPES AND DESCRIPTIONS ARE LISTED BELOW

Non-agricultural Nonpoint Source Abatement and Control

Eligible Applicants

- Municipalities⁵
- Soil and water conservation districts

Eligible Projects

Nonpoint Source Best Management Practices (BMPs)

Details on specific practices can be found in the following guidance documents.

- NYSDEC NPS Best Management Practices Catalogs, (<http://www.dec.ny.gov/chemical/96777.html>)
- NYSDEC SW Design Manual, (<http://www.dec.ny.gov/chemical/29072.html>)
- NYSDEC New York Standards and Specifications for Erosion and Sediment Controls (August, 2005), (<http://www.dec.ny.gov/chemical/29066.html>)
- NYSDEC Forestry BMPs for WQ – BMP Field Guide 2011 edition, (<http://www.dec.ny.gov/lands/37845.html>)
- 2014 Intermediate Design Manual, (<http://www.dec.ny.gov/chemical/79072.html>)
- In-Waterbody BMPs – General and Technical Resources, (<http://www.dec.ny.gov/pubs/4774.html>)

Priority Best Management Practices

- *Decentralized Wastewater Treatment Facilities for Failing On-site Treatment Systems:* The construction of decentralized wastewater treatment facilities including the necessary collection and conveyance system. The decentralized wastewater treatment facility

⁵ For the purposes of Non-agricultural Nonpoint Source Abatement and Control projects under this grant opportunity, "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof.

must consist of a subsurface treatment and disposal system designed in accordance with DEC standards. Collection may take the form of either a septic tank effluent pump (STEP) or septic tank effluent gravity (STEG), grinder pump or gravity sewer system. Applicants must demonstrate that necessary approvals and agreements can be in place within 12 months of grant award to complete the process of sewer district formation. Maximum grant available per facility is \$1,275,000.

- *Green Infrastructure (GI) Practices:* To address Combined Sewer Overflows (CSO) that are either under an approved Long Term Control Plan or are for projects that the DEC has determined are consistent and compatible with the requirements for an approved Long Term Control Plan are eligible. Projects should include policies and procedures for maintaining the green infrastructure BMPs installed.
 - Applicants applying for green infrastructure projects must complete a feasibility study for the proposed project and submit the study with the electronic application.
- *Green Infrastructure (GI) Practices Great Lakes:* To enhance coastal resilience and promote “natural engineering” or nature based shoreline, innovative green infrastructure and related storm-water management practices in the following counties bordering Lake Ontario and the St. Lawrence River: Niagara, Orleans, Monroe, Wayne, Cayuga, Oswego, Jefferson and St. Lawrence. Projects that demonstrate the effectiveness of such practices in high-intensity, storm and wave impact resilience will be given priority.
 - Applicants applying for green infrastructure projects must complete a feasibility study for the proposed project and submit the study with the electronic application.
- *Stormwater Retrofits:* Installation of stormwater retrofits designed to capture and remove the pollutant of concern (POC) causing a water quality impairment. Retrofits installed to achieve reduction in the POC to meet the Pollutant Load Reduction requirements of the MS4 General Permit will be given higher priority.
- *Stream Stabilization/Restoration*
- *Riparian Buffers*
- *In-Waterbody Controls for Nutrients:*
 - Hypolimnetic Aeration
 - Hypolimnetic Withdrawal
 - DredgingProposals for in-waterbody practices to control nutrients must:
 - Show that a plan has been completed for controlling external sources and that the plan is being implemented;
 - Provide a study, completed by a qualified professional, as demonstrated through work experience and/or education (e.g. certified lake manager, professional engineer, marine scientist or limnologist), that identifies significant internal waterbody loading and justification for the use of the BMP;
 - Provide a plan for long term operation and maintenance of the BMP (Hypolimnetic Aeration and Withdrawal);
 - Applicants must secure appropriate permits prior to submitting application

Projects must be consistent with practices identified in approved DEC guidance documents or General/Technical resources noted above.

Priorities

DEC will assess the Non-agriculture Nonpoint Source applications projects based on the following:

- Highest priority will be given to projects specifically identified in a Total Maximum Daily Load (TMDL) Implementation Plan, 9-element Watershed Plan or explicitly identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) sheet as "precluded" or "impaired."
- Secondary priority will be given to projects addressing an identified priority of a TMDL Implementation Plan or a 9-element Watershed Plan or addressing waterbodies identified on the (WI/PWL) as being "stressed" or "threatened".

Land Owner Agreements

The applicant must own the property, or obtain an applicable access agreement, for the proposed project site.

- If the property owner is a municipality – A resolution by the municipality supporting the project.
- If the property is not owned by the applicant – a formal written agreement between the applicant and landowner which allows the applicant access to the property, and represent the landowner, to accomplish the proposed project.
- If the applicant is a not-for-profit proposing a project on municipal property - a signed Municipal Endorsement. A municipal endorsement provides authorization for the not-for-profit to conduct the proposed project on municipal property. A sample municipal endorsement can be downloaded and viewed in the Pre-submission Upload section in the Grants Gateway.

Grant and Match Funds

Grant funds are available for up to 75 percent of the total project costs. Applicants must provide match funds of at least 25 percent of the requested grant amount.

Eligible Costs

Eligible costs are those costs incurred to implement the project (e.g. salary, fringe, contractual services, travel, and equipment). Planning and design costs for nonpoint source abatement and control projects may be considered for reimbursement if they are associated with implementing the project. Planning and design costs cannot exceed 20 percent of the project cost. If planning of exceed 20 percent the project will be ineligible to receive funding. Eligible costs must be incurred within the start and end date of the project.

Ineligible Costs

Planning and design costs alone are not eligible to be funded under this grant. This funding cannot be used to purchase land. Indirect costs are not eligible to be used as match for WQIP projects (e.g., office space/property rental, utilities, and other office supplies). Also costs incurred outside the start and end date of the project are not eligible.

Match Funds

Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded project. Match funds include: municipal salaries, fringe, contractual, travel, equipment, supplies, materials, and land acquisition. Match funds must consist of activities considered eligible for WQIP funding and must be incurred within the start and end date of the project. State or federal grant dollars cannot be used for the match funds. When applying for this grant, the applicant must identify the source of the matching funds.

Project Specific Funding Information

Funding (\$500,000) is available for qualifying projects located in the following counties bordering Lake Ontario and the St. Lawrence River: Niagara, Orleans, Monroe, Wayne, Cayuga, Oswego, Jefferson and St. Lawrence. For this funding, preference will be given to Green Infrastructure projects.

Contact

New York State Department of Environmental Conservation
Division of Water, Jacqueline Lendrum, (518) 402-8086

Wastewater Treatment Improvement

Eligible Applicants

- Municipalities⁶

Eligible Projects

- Wastewater Effluent Disinfection – Wastewater treatment projects (as defined in Environmental Conservation Law §56-0101) to upgrade municipal systems to meet new wastewater treatment effluent disinfection requirements and increase wastewater treatment plant resiliency with the installation of backup power. Prior to submitting an application, eligible projects must have been notified by DEC that their treatment system requires an upgrade to add effluent disinfection. Applicants will be required to submit an engineering report for the project with their application. Maximum grant available per facility is \$2.5 million.
- General wastewater infrastructure improvements - Wastewater treatment improvement projects (as defined in Environmental Conservation Law §56-0101) to upgrade municipal systems to meet wastewater treatment discharge requirements. Applicants will be required to submit an engineering report for the project with their application. Maximum grant available per facility is \$2.5 million.

Priorities

DEC will fund eligible disinfection projects (highest priority) starting with the highest scoring disinfection project. Once all the disinfection projects have been funded, DEC will award funding to the wastewater infrastructure improvement projects (secondary priority) starting with the highest scoring project.

DEC will assess the Wastewater Treatment Improvement applications projects based on the following:

- Highest priority will be given to projects addressing effluent disinfection.
- Secondary priority will be given to projects addressing wastewater infrastructure improvements.

Grant and Match Funds

Grant funds are available for up to 85 percent of the project costs. Applicants must provide match funds of at least 15 percent of the requested grant amount.

⁶ For the purposes of Wastewater Treatment Improvement projects under this grant opportunity, "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof.

Eligible Costs

Eligible costs are limited to construction costs that are part of construction contracts, i.e., general, electrical, plumbing, HVAC and mechanical (e.g., salary, fringe, contractual, equipment). Eligible costs must be incurred within the start and end date of the project.

Ineligible Costs

The following costs are NOT eligible for reimbursement: engineering, design, legal fees, construction oversight and non-construction costs incurred during the construction phase of the project. Indirect costs are not eligible to be used as match for WQIP projects (e.g., travel, space/property rent, utilities, and other office supplies). Also costs incurred outside the start and end date of the project are not eligible.

Match Funds

Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded project. Match funds include: salaries, fringe, contractual, equipment, supplies, and materials. Match funds must consist of activities considered eligible for WQIP funding and must be incurred within the start and end date of the project. State or federal grant dollars cannot be used for the match funds. When applying for this grant, the applicant must identify the source of the matching funds.

Contact

NYS Department of Environmental Conservation
Division of Water, Koon Tang, (518) 402-8238

Aquatic Habitat Restoration

Eligible Applicants

- Municipalities⁷
- Soil and water conservation districts
- Not-for-profit corporations⁸

Eligible Project Types

Aquatic Habitat Restoration (as defined in Environmental Conservation Law §56-0101) projects must meet the following criteria to be eligible for WQIP funding:

1. Projects located in New York State:

Eligible applications must focus on work that improves aquatic habitat connectivity at road/stream crossings or dams, with the primary intent to improve the natural movement of biota. Projects should seek to increase aquatic organism passage, as well as any other related ecological connectivity conditions. Projects should correct limitations to aquatic connectivity and must focus on culverts, bridges or dams that are causing these barriers. Sample projects, include, but are not limited to, the following:

- Upgrade and replacement of road stream crossing structures (culverts and bridges) to a larger size and appropriate design to increase ecological

⁷ For the purposes of Aquatic Habitat Restoration projects under this grant opportunity, "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof. In the case of aquatic habitat restoration projects, the term municipality shall include the state.

⁸ Environmental Conservation Law, Article 56-0101 (16), "Not-for-profit corporation" means a corporation formed pursuant to the not-for-profit corporation law and qualified for tax-exempt status under the federal internal revenue code.

connectivity and hydrologic capacity. Guidance for such projects is found at: <http://www.dec.ny.gov/permits/49066.html>

- Removal or breach of stream barriers such as dams or weirs that limit aquatic connectivity. Removals must meet natural resource management goals of an area
 - Stream daylighting, the opening of streams which have been previously enclosed in permanent tunnels
2. Projects within the New York/New Jersey Harbor Estuary Comprehensive Conservation and Management Plan⁹, Nassau and Suffolk counties:
Eligible applications must improve the ecological condition of the waters of the state including ponds, bogs, wetlands, bays, sounds, streams, rivers, or lakes and shorelines with the intent to support a spawning, nursery, wintering, migratory, nesting, breeding, or foraging environment for fish and wildlife and other biota.
Sample projects, include, but are not limited to, the following:
- Restoration or management of tidal or freshwater wetlands
 - Creation or restoration of submerged aquatic vegetation
 - Restoration or enhancement of shellfish and shellfish beds
 - Removal of tidal restrictions (i.e., berms, culverts) to reconnect formerly functioning wetlands

Land Owner Agreements

The applicant must own the property, or obtain an applicable access agreement, for the proposed project site.

- If the property owner is a municipality – A resolution by the municipality supporting the project.
- If the property is not owned by the applicant – a formal written agreement between the applicant and landowner which allows the applicant access to the property, and represent the landowner, to accomplish the proposed project.
- If the applicant is a not-for-profit proposing a project on municipal property - a signed Municipal Endorsement. A municipal endorsement provides authorization for the not-for-profit to conduct the proposed project on municipal property. A sample municipal endorsement can be downloaded and viewed in the Pre-submission Upload section in the Grants Gateway.

Grant and Match Funds

Grant funds are available for up to 75 percent of the project costs. Applicants must provide the remaining match funds of at least 25 percent of the requested grant amount.

Eligible Costs

Eligible costs are those costs incurred to implement the project. Planning, design, construction management, maintenance, reconstruction, revitalization, or rejuvenation activities are eligible for this project type only (e.g. salary, fringe, contractual, travel, equipment). Planning and design costs cannot exceed 20 percent of the project cost. If planning of exceed 20 percent the project will be indelible to receive funding. Eligible costs must be incurred within the start and end date of the project.

⁹ New York/New Jersey Harbor & Estuary Program boundaries within New York State can be found at: <http://www.harborestuary.org/geography.htm>

Ineligible Costs

Planning and design costs alone are not eligible to be funded under this grant. Indirect costs are not eligible to be used as match for WQIP projects (e.g., space/property rental, utilities, office supplies). Also, costs incurred outside the start and end date of the project are not eligible.

Match Funds

Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded project. Match funds include salaries, fringe, contractual, travel, equipment, and other costs including land acquisition. Match funds must consist of activities considered eligible for WQIP funding and must be incurred within the start and end date of the project. State or federal grant dollars cannot be used for the match funds. When applying for this grant, the applicant must identify the source of the matching funds.

Contacts

Josh Thiel, (518) 402-8978
Division of Fish, Wildlife and Marine Resources,
NYS Department of Environmental Conservation

Municipal Separate Storm Sewer Systems (MS4s)

Eligible Applicants

- Regulated Traditional MS4s¹⁰
- Municipalities¹¹
- Soil and water conservation districts

Funding will be considered for proposals submitted on behalf of multiple regulated MS4s. **Only the lead applicant needs to register in the NYS Grants Gateway (<http://grantsreform.ny.gov>).**

To be eligible to receive funding, applicants must participate in an area-wide municipal cooperative stormwater group (e.g., coalition), if one exists. If one does not currently exist, the applicant needs to document the steps that are being taken to develop such a group. In these cases, the group has to be in place prior to receiving a grant award. In the rare case where a coalition does not exist nor will be established in the project area, the applicant must justify the reasons in the application.

Applicants requesting funds must provide a list of cooperating MS4s and signed letters of intent from each of them. If funded, the lead applicant must get a signed commitment from each participating MS4 by the date of the contraction execution. The agreement must state that the partner municipality will deliver its share of the outputs specified in the contract workplan. Failure to obtain the signed agreements could result in the grant award being rescinded.

¹⁰ 40 CFR 122.26(b)(16)(i), Small municipal separate storm sewer system means all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that are discharges to waters of the United States.

¹¹ For the purposes of Municipal Separate Storm Sewer Systems projects under this grant opportunity, "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof. In the case of aquatic habitat restoration projects, the term municipality shall include the state.

Eligible Projects

Eligible activities include (*proposed projects must meet the minimum MS4 permit requirements*):

1. Development of Retrofit plans for existing unmanaged and/or inadequately managed stormwater runoff to MS4s discharging to impaired watersheds with approved TMDLs (MS4 General Permit Part IX). Eligible projects are those that will deliver an inventory and ranking of all MS4-owned properties and infrastructure with retrofit potential. Plans should be developed using the “*Center for Watershed Protection Urban Stormwater Retrofit Practices Guidance.*”
 - Identification of potential retrofit locations at publicly owned properties, street right of way, culverts/outfalls and existing detention practices;
 - Identification of potential retrofit treatment options and constraints;
 - Development of an inventory of potential retrofit projects with conceptual design;
 - Evaluation and ranking of potential retrofits; and
 - Identification of the most cost effective approaches.
2. Comprehensive system mapping/program mapping
 - Mapping requirements (see the following table):

REQUIRED Items for Comprehensive System Mapping/Program Mapping	Basic Comprehensive Map (only newly designated MS4s)	Required Elements Map (Maps must include these elements to be considered for funding)	Additional Elements Map (Elements beyond the minimum required elements)
Waterbody Mapping			
All Waterbodies within the MS4 jurisdiction	X		
Impaired Segments		X	
Outfall Mapping			
Electronic GIS Map	X		
Receiving Waterbody Name	X		
Type of Conveyance		X	
Outfall material		X	
Outfall shape		X	
Type of outfall		X	
Submerged in water?		X	
Submerged in sediment?		X	
Inspection data		X	
Sewershed Boundary			
Preliminary	X		
Impaired waters			X
Per MS4 outfall			X

Land Use within Impaired Watersheds (Commercial, HD Residential, LD Residential, Industrial, Open Space)			X
Land Use within Other sewersheds (Commercial, HD Residential, LD Residential, Industrial, Open Space)			X
Priority Areas			
Areas with Onsite wastewater systems subject to Part IX requirements	X		
Description of Concern (Sewershed to impaired waters, septic systems, high water table, industrial area, etc.)		X	
Pollutant(s) of Concern (Litter, Sediment, Nutrients, etc.)		X	
Areas of Shallow Groundwater			X
Areas of Low Infiltrative Soils			X
Areas of historic on-site sanitary system failures			X
Other areas of Concern (wetlands, riparian buffers, flood plains, steep slopes, etc.)			X
Areas with Onsite wastewater systems (Typical age?)			X
Stormwater Management Practice (SMP) Mapping (minimum data must include)			
Location		X	
Type of SMP (Pond, Bioretention, Swale, Rain Garden, etc.)		X	
Reason for SMP (Retrofit, New Development, Flood Control, etc.)			X
Ownership of SMP			X
Location where SMP discharges (Does SMP drain to MS4?)			X
Contributing Drainage area to SMP (if known) Construction date (if known)			X
Last Inspection date (if known)			X
Proposed Retrofits			
Location			X
Contributing drainage area to the proposed stormwater retrofit			X
Municipality owned/operated facilities			
Location		X	
Type (Municipal Buildings, DPW Garage, vehicle and fleet maintenance areas (fire station, police station, bus stations), landfills, salt storage areas, parks & open		X	

space, solid waste disposal areas, transfer stations, marinas, etc.)			
Contact			X
Last Assessment Date			X
Storm Sewer System Mapping (for areas not subject to Part IX)			
Type of Conveyance System (closed pipe or open drainage)			X
*Closed Pipe (Pipe material; Shape; Size)			X
*Open Drainage (Channel/Ditch lining material; Shape; Dimensions; Locations and dimensions of any culvert crossings)			X
Drop Inlet, catch basin and manhole locations			X
Number and size of connections to catch basins and manholes			X
Direction of Flow			X

Purchase of equipment already owned and available through the cooperative stormwater group and development of materials already available through the group are not eligible for funding.

Grant and Match Funds

Grant and match funds are available for up to 75 percent of the project costs. Applicants must provide the remaining match funds of at least 25 percent of the requested grant amount.

Eligible Costs

Eligible costs are those costs incurred by MS4s to develop and implement a stormwater management program (SWMP) that complies with GP-0-15-003 (e.g. salaries, fringe, contractual services, travel, equipment). Eligible costs must be incurred within the start and end date of the project.

Ineligible Costs

Indirect costs are not eligible to be used as match for WQIP projects (e.g., office supplies, rental office space, utilities), and costs incurred outside the start and end date of the project will not be considered eligible.

Match Funds

Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded project. Match funds include: municipal personal services, fringe benefits, supplies, materials. Match funds must consist of activities considered eligible for WQIP funding and must be incurred within the start and end date of the project. State or federal grant dollars cannot be used for the match funds. When applying for this grant, the applicant must identify the source of the matching funds.

Contact

New York State Department of Environmental Conservation
 Division of Water, Carol Lamb-Lafay, (518) 402-8123

EVALUATION PROCESS FOR ALL PROJECT TYPES

Scoring and Selection

All applications will be reviewed and scored by a review team in accordance with the evaluation and scoring criteria contained in this RFA. Applicants are strongly encouraged to read and address the scoring standards in the process of developing an application. Knowledge of the scoring criteria is valuable for designing and proposing a relevant and quality project. Scoring consists of two steps:

Applications are first reviewed for eligibility and then scored in accordance with the Evaluation and Scoring Standards contained in this RFA.

Method of Award Criteria Details

Funding will be distributed to the highest scoring projects in each WQIP category until the available funding is exhausted or the amounts listed in the RFA have been met. High priority projects in the wastewater treatment improvement category will be awarded funding based on score. Any remaining funding will be awarded to the highest scoring secondary priority projects.

Eligibility Criteria:

To be eligible for consideration applicants must meet the following criteria:

1. Eligible Applicant
 - a. Municipality
 - b. Municipal Corporation
 - c. Regulated traditional Municipal Separate Storm Sewer Systems (MS4s)
 - d. Soil and Water Conservation District
 - e. Not-for-Profit Corporation (Aquatic Habitat only)
2. Eligible Project Type
 - a. Non-Agricultural Nonpoint Source Abatement and Control
 - b. Wastewater Treatment Improvement
 - c. Aquatic Habitat Restoration
 - d. Municipal Separate Storm Sewer Systems (MS4s)
3. Registration in the NYS Grants Gateway
 - a. Municipalities, Municipal Corporations and Soil and Water Conservation Districts must be registered in the NYS Grants Gateway by the time of project award.
 - b. Not-for-Profit Corporations must be registered and pre-qualified in the NYS Grants Gateway by the application due date.

Selection Criteria

Projects will be scored and selected based on the following criteria.

Nonpoint Source Abatement and Control AND Wastewater Treatment Improvement Projects

	Maximum Points			Minimum Points
Performance Measures	<p>Project specifically identified in:</p> <ul style="list-style-type: none"> • TMDL Implementation Plan, • Watershed Action Agenda, • SPDES Permit • SPDES Permit Modification • 9-element Watershed Plan or • Long Term Control Plan <p>OR</p> <p>Waterbody listed on PWL as “precluded” or “impaired”.</p> <p>OR</p> <p>Pollutant of Concern (POC) identified in MS4 Permit.</p> <p>Points: 40</p>	<p>Project addresses priorities in:</p> <ul style="list-style-type: none"> • TMDL Implementation Plan, • Watershed Action Agenda, • SPDES Permit • SPDES Permit Modification • 9-element Watershed Plan or • Long Term Control Plan <p>OR</p> <p>Waterbody listed on PWL as “stressed” or “threatened”.</p> <p>OR</p> <p>Pollutant of Concern (POC) identified in MS4 Permit.</p> <p>Points: 20</p>	<p>Project addresses a documented water quality impairment not listed on the PWL.</p> <p>Points: 10</p>	<p>Project necessary to preserve or protect a surface waterbody not listed on the PWL.</p> <p>Points: 5</p>
Reasonableness of Cost	<p>Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project.</p> <p>Also to be considered is if the applicant is a Climate Smart Community, has taken Action 3.31, 3.32, 7.1 or 7.10 and information from one or more of the</p>	<p>Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.</p>	<p>Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.</p>	<p>Cost not reasonable for this type of project.</p>

	Actions is referenced in the application. Points: 20	Points: 10	Points: 5	Points: 0
Vision	Proposed project will improve a waterbodies impairment level as it pertains to impairments as listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL) by two levels or will eliminate the impairment. Points: 10	Proposed project will improve a waterbodies impairment level as it pertains to impairments as listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL) by one level. Points: 5	Proposed project will have no reduction to the impairment level as it pertains to impairments listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL). Points: 0	
Project Readiness	Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction. Points: 5	Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay. Points: 3	Project has not secured any of the necessary approvals and is not ready to proceed to construction. Applications that fall into this category will not be funded. Points: 0	
Experience and Ability	Applicant has shown the ability to complete all WQIP projects. Points: 5	Applicant has shown the ability to complete most WQIP contracts. OR Applicant has not previously been awarded a WQIP grant but appears to have the experience and ability to carry out the project. Points: 3	Applicant has demonstrated poor management of WQIP contract(s). OR Applicant has not previously been awarded a WQIP grant and does not appear to have the experience and ability to carry out the project. Applications that fall into this category will not be funded. Points: 0	
Regional Economic Development Priority	20 points for this criterion are provided by the Regional Economic Development Councils.			
Total Maximum Points	100 points			

Aquatic Habitat Restoration (AHR) Projects

	Maximum Points				Minimum Points
Performance Measures (Statewide Projects)	<i>Species Miles</i> ¹² : 10 or more <i>Barrierity</i> ¹³ : Significant or greater Points: 40	<i>Species Miles</i> : 3 or more <i>Barrierity</i> : Moderate or greater Points: 30	<i>Species Miles</i> : 1 or more <i>Barrierity</i> : Minor or greater Points: 20	<i>Species Miles</i> : 0.1 or more <i>Barrierity</i> : Minor or greater Points: 10	<i>Species Miles</i> : 0 <i>Barrierity</i> : Moderate or greater Points: 5
Performance Measures (New York/New Jersey Harbor Estuary CCMP¹⁴, Nassau and Suffolk Counties)	<i>Excellent</i> : Addresses a habitat restoration priority (or critical habitat) identified in a Federal or state management plan and provides benefit to 3 or more SGCN or Federal trust species. Points: 40	<i>Good</i> : Addresses 2 or more habitat restoration priorities (or critical habitats) identified in a Federal or State management plan, and provides benefit to 2 or more State SGCN or Federal trust species. Points: 30	<i>Fair</i> : Addresses one or more habitat restoration priorities (or critical habitats) identified in a Federal or State management plan, and provides benefit to one or more State SGCNs or Federal trust species. Points: 20	<i>Poor</i> : Addresses any goal identified in a Federal or state management plan, and provides direct benefit to any species of management concern to the Department. Points: 10	<i>Lowest</i> : Addresses any goal identified in a Federal or State management plan Points: 5
Reasonableness of Cost	Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project.	Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.	Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.	Cost is not reasonable for this type of project.	

¹² Species Miles: See explanation at the end of this matrix.

¹³ Barrierity: See explanation at the end of this matrix.

¹⁴ New York/New Jersey Harbor & Estuary Program boundaries within New York State can be found at: <http://www.harborestuary.org/geography.htm>

	Points: 20	Points: 10	Points: 5	Points: 0
Vision	Proposed project will improve a waterbodies impairment level as it pertains to the goals of the Aquatic Habitat Restoration category or such impairments as listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL) by two levels or will eliminate the impairment. Points: 10	Proposed project will improve a waterbodies impairment level as it pertains to the goals of the Aquatic Habitat Restoration category or such impairments as listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL) by one level. Points: 5	Proposed project will have no reduction to the impairment level as it pertains to the goals of the Aquatic Habitat Restoration category or such impairments as listed on the Waterbodies Inventory/Priority Waterbodies List (WI/PWL). Points: 0	
Project Readiness	Project has all necessary permits (or does not need permits) and approvals. The project is ready to move forward with construction. Points: 5	Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to construction without delay. Points: 3	Project has not secured any of the necessary approvals and is not ready to proceed to construction. Applications that fall into this category will not be funded. Points: 0	
Experience and Ability	Applicant has shown the ability to complete all WQIP projects.	Applicant has shown the ability to complete most WQIP contracts. OR Applicant has not previously	Applicant has demonstrated poor management of WQIP contract(s). OR Applicant has not previously been awarded a WQIP grant and does not appear to have the experience and ability to carry out the project. Applications that fall into this category will not be funded.	

		been awarded a WQIP grant but appears to have the experience and ability to carry out the project. Points: 3	Points: 0
Regional Economic Development Priority	20 points for this criterion are provided by the Regional Economic Development Councils.		
Total Maximum Points	100 points		

Species Miles

Describes the functional gain achieved by removing a barrier to aquatic organism passage. The total number of SGCN (<http://www.dec.ny.gov/animals/9406.html>) or other aquatic species of management concern to the Department is multiplied by the total number of stream miles which will be made accessible to these species. Stream miles is calculated by totaling the linear distance of each stream segment, including tributaries, from the existing barrier traveling upstream until the next impassable barrier. (Species x Stream Miles = Species Miles)

Barrierity

Describes the severity to which a structure creates a barrier to aquatic organism passage. It is derived from a protocol for calculating this value as part of the Stream Continuity Project (SCP) (<http://www.streamcontinuity.org/>). When this methodology is not possible, professional judgement will be used to assess a structure that most closely replicates the categories used by SCP.

Severe	Less than 0.3
Significant	0.3001 – 0.5
Moderate	0.5001 – 0.7
Minor	0.7001 – 0.9
Insignificant	0.9001 – 0.9999

Municipal Separate Storm Sewer System (MS4) Projects

	Maximum Points			Minimum Points
Performance Measures	Project addresses comprehensive mapping and stormwater retrofit planning. Points: 30		Project addresses comprehensive mapping OR Project addresses stormwater retrofit planning Points: 15	Retrofit planning for areas outside TMDL WIS areas. Points: 5
Reasonableness of Cost	Exceptional value for the cost as it applies to both achieving the project objectives and being a fiscally sound project. Points: 20	Cost is good as it applies to both achieving the project objectives and being a fiscally sound project. Points: 10	Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project. Points: 5	Cost is not reasonable for this type of project. Points: 0
Vision	Project greatly exceeds permit requirements mapping including many above and beyond elements or innovative retrofit planning that includes desktop analysis, field reconnaissance, site inventory, site evaluation and ranking, subwatershed analysis). Points: 20	Project exceeds permit requirements (mapping including some above and beyond elements retrofit planning that includes desktop analysis, field reconnaissance, site inventory, site evaluation and ranking). Points: 10	Project meets permit requirements (retrofit planning that includes desktop analysis, field reconnaissance). Points: 5	Project only partially meets or does not meet permit requirements. Points: 1
Project Readiness	Project has all necessary pieces in place to complete retrofit planning and/or mapping. Points: 5	Project has some of the necessary pieces in place to complete retrofit planning and/or mapping. Points: 3	Project has not secured any of the necessary approvals and is not ready to proceed with project implementation. Applications that fall into this category will not be funded. Points: 0	
Experience and Ability	Applicant has shown the ability to complete all WQIP projects.	Applicant has shown the ability to	Applicant has demonstrated poor management of WQIP contract(s). OR	

		<p>complete most WQIP contracts. OR Applicant has not previously been awarded a WQIP grant but appears to have the experience and ability to carry out the project. Points: 3</p>	<p>Applicant has not previously been awarded a WQIP grant and does not appear to have the experience and ability to carry out the project. Applications that fall into this category will not be funded. Points: 0</p>
Regional Economic Development Priority	20 points for this criterion are provided by the Regional Economic Development Councils.		
Total Maximum Points	100 points		

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of the RFA in accordance with the method of award, or withdrawal of the RFA at any time at the Department's sole discretion.
- Award only one application for funding in the event there are multiple application submissions for a single project or for pieces of a single project.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 60-90 days of a grant award.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project, or fails to receive the necessary permissions and permits for the project.
- The Department reserves the right not to fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.

Smart Growth Infrastructure Policy Act

New York State's Smart Growth Public Infrastructure Policy Act (ACT), Environmental Conservation Law Article 6, requires the Department and all State infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State Smart Growth Public Infrastructure criteria specified in the Act, or that compliance is considered to be impracticable, before making any commitment to fund such project(s).

Insurance Requirements

Applicants will be required to carry appropriate insurance upon execution of a MCG and as specified in the MGC Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Please refer to Program Terms and Conditions for additional insurance information.

Signage Requirements

The Department may require the installation of a project sign (2' x 4') which identifies the EPF as a source of funding as outlined in the requirements and specifications attached to and made part of this contract as Attachment E.

For projects with multiple funding sources the Contractor acknowledges that a portion of this grant is funded by the Department as a Water Quality Improvement Project. The Contractor agrees to identify the Department as a source of funding for this project in any communications to the public. The Department may require the installation of a project sign which identifies it as a source of funding as outlined in the requirements and specifications attached to and made part of this contract as Attachment E.

Permit Requirements (if applicable)

Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

State Environmental Quality Review (SEQR) Documentation

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the Department. The Contractor has notified, and shall continue to notify, the Department of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

Vendor Responsibility Questionnaire

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm, or go directly to the VendRep System at <https://portal.osc.state.ny.us>

Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

MINORITY/WOMEN BUSINESS ENTERPRISES (M/WBE) AND EQUAL EMPLOYMENT OPPORTUNITIES (EEO) REQUIREMENTS

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (“MWBE Regulations”) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

- Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment opportunities for minority group members and women (“EEO”) and contracting opportunities for certified minority and women-owned business enterprises (“MWBEs”). Contractor’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, state or local laws.
- Failure to comply with M/WBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages or enforcement proceedings.

- Please refer to the NYS Master Contract for Grants - Article IV.(J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at <http://www.dec.ny.gov/about/48854.html>
- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
- A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885>
- Contracts which meet the established M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, http://www.dec.ny.gov/docs/administration_pdf/quarterly.pdf, detailing payments made by the Prime Contractor to NYS Certified M/WBEs.
- The following M/WBE-EEO “Fair Share” goals are established as follows:

Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:

Construction/Engineering – 30%

Commodities – 30%

Services/Technologies – 30%

Equal Employment Opportunity (EEO) Participation Goals

EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 10%

EEO Female Workforce Participation Goals (DEC Regions 1-9) 10%

- DEC M/WBE Contact Person
Carla Leubner, Compliance Specialist
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/MWBE Program
625 Broadway, 10th Floor
Albany, New York 12233-5028
Phone: (518) 402-9240
Fax: (518) 402-9023

Procurement of contractors/subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

Satisfactory Progress

Grant recipients are expected to show satisfactory progress with the development of a project workplan and implementation of the project. Satisfactory progress includes, but is not limited to, timely submission of all necessary documents needed for contract execution, such as, required proofs of insurance, and an M/WBE Utilization Plan. A grantee must also submit timely quarterly payment requests, quarterly narrative reports, quarterly expenditure reports, and a final project summary report. Successful applicants are expected to manage their WQIP projects in accordance with the terms and condition of the State of New York Master Grant

Contract. Failure to make satisfactory progress or to complete the project to the satisfaction of the State may be deemed an abandonment of the project and may cause the termination of any financial obligation of the State.

Operation and Maintenance of Completed WQIP Projects

Grant recipients are fully responsible for ensuring the proper and efficient monitoring operation and maintenance of the project satisfactory to DEC, including, but not limited to, retaining a sufficient number of qualified staff and ensuring performance or required tests and requirements. After completion of the project, the grantee shall, for a period of thirty years (the useful life of the project as provided in State Finance Law § 61[18]), operate the project or otherwise cause the project to be operated properly and in a sound and economical manner and shall maintain, preserve and keep the project, or cause the project to be maintained, preserved and kept, in good repair, working order and condition and shall make, or cause to be made, all necessary and proper repairs, replacements and renewals from time to time, so that at all times the project may be operated properly in a manner consistent with the performance standards for the project, with the contract and with the requirements of any related permit or other governmental approval of the project.

Proposed Project Timeline and Contract Terms

DEC prefers contract terms of 2 -3 years in length. However, in rare cases, DEC will consider time extensions beyond 3 years with written justification from the Grantee, describing the need for an extension and a timeline that supports project implementation. Contract amendments may not exceed a maximum term of 5 years. Applicants should not submit an application if they do not anticipate their project can be completed within the specific time frame.

Project-related costs incurred on or after May 2, 2016 will be considered eligible for reimbursement and towards meeting project type match requirements.

Application Limits

Applicants may submit up to 1 application per project. Applicants are limited to 5 applications per round.

ADDITIONAL APPLICATION SUBMISSION INFORMATION

Pre-Application Requirements

All governmental entities (municipalities, municipal corporations, and soil and water conservation districts, and as further defined in this RFA), and NFP corporations must register in the NYS Grants Gateway to be considered eligible for this grant opportunity

<http://grantsreform.ny.gov>

In addition to registering, NFP organizations must also complete the Vendor Prequalification process in the NYS Grants Gateway to be considered eligible to apply for this grant opportunity. Government entities are currently not required to complete the Vendor Prequalification Process.

NYS Grants Gateway Registration Instructions:

If your organization has not already registered in the Grants Gateway, the registration is NOT an online process. Register now to allow time for processing!!

- 1.) On the Grants Reform Website at www.grantsreform.ny.gov/Grantees, download a copy of the Registration Form for Administrator.
- 2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.

- 3.) Mail the signed and notarized original form to the Division of Budget at the address provided in the instructions.
- 4.) After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
- 5.) Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov. If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts.

Not-For-Profit Prequalification Instructions:

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant application and contract processes. These initiatives require not-for-profit organizations to complete the Vendor Prequalification process to be considered eligible to apply for a grant.

Below is a summary of the steps to complete the prequalification requirements. The Vendor Prequalification Manual on the Grants Reform website at www.grantsreform.ny.gov/Grantees provides additional information and instruction.

1.) Complete your Prequalification Application.

- Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. If this is your first time logging in, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the *Required Forms* and upload the *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be referred to your agency representative or to the Grants Reform Team at grantsreform@budget.ny.gov.

2.) Submit Your Prequalification Application

- After completing your Prequalification Application, click the *Submit Document Vault* button located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted, the status of the Document Vault will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Additional registration and prequalification information, including a video tutorial, is available on the Grants Reform website at www.grantsreform.ny.gov/

CONTRACTING INFORMATION

State of New York Master Contract for Grants (MCG)

Applicants selected to receive a grant award will be required to execute a MCG in the NYS Grants Gateway within 90 - 120 days from the time of their award notification. DEC staff are available to assist successful applicants through the contracting process. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded at: <http://www.dec.ny.gov/pubs/44916.html>

The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (*NYS standard terms and conditions*)
- Attachment A-1 Program Specific Terms and Conditions (*Agency and Program specific terms and conditions*)
- Attachment B-1 Expenditure Based Budget (*project expense categories and detail*)
- Attachment C Work Plan (*project objectives, tasks and performance measures*)
- Attachment D Payment and Reporting Schedule (*claims for reimbursement and grant reporting provisions*)

Grant opportunity payment and reporting conditions

- For all WQIP project types except wastewater treatment, upon approval of the MCG by the Office of the State Comptroller, an advance payment of up to twenty-five percent (25%) of the total Contract Amount may be provided under this Contract to the Contractor, including Contractors that are municipalities, for project start-up funding. Contractors must provide justification of the need for the advance payment.
- No reimbursement payments under the MCG will be made by the Department to the Contractor unless the Contractor provides supporting cost documentation to support how the 25% advance funding was spent on the Project. Future reimbursement payments shall be made upon audit and approval by the Department and the Comptroller's Office of vouchers executed by an authorized officer of the Contractor.
- Project costs eligible for reimbursement and project match must be incurred between the MCG term start date and the MCG term end date. Costs incurred prior to the MCG term start date or after the MCG term end date will not be considered eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the Department for costs to be eligible for grant reimbursement.
- Quarterly MCG payment reimbursement requests will be accepted prior to submission of a final closeout reimbursement request. Approved project design, required permits and landowner permissions must be in place to submit a reimbursement request.

- Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the quarter. The reports will summarize how the project progressed towards meeting project objectives and deliverables during the quarter.
- Quarterly Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the quarter. These reports must correlate to subsequent vouchers submitted for payment.
- Final Report must be submitted and approved by the Department prior to the release of the final contract payment to the Grantee. The Contractor must submit the Final Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the grant funds were utilized in achieving the goals set forth in the approved MCG Attachment C Work Plan. Copies of appropriate documents (i.e. inventory and/or management plan) must be submitted and approved by the Department.
- A Department on-site inspection may be required to confirm all work was completed in accordance to the approved project work plan.

Environmental Facilities Corp. - Green Innovation Grant Program

Funding Available: \$10 million

DESCRIPTION:

The Green Innovation Grant Program (GIGP) provides grants on a competitive basis to projects that improve water quality and demonstrate green stormwater infrastructure in New York. GIGP is administered by the New York State Environmental Facilities Corporation (EFC) through the Clean Water State Revolving Fund (CWSRF) and is funded through a grant from the United States Environmental Protection Agency.

Green infrastructure practices treat rainwater as a valuable resource to be harvested and used on site, or filtered and allowed to soak back into the ground, recharging our aquifers, rivers and streams. The plants used in green infrastructure help to cool our surroundings and improve air quality through the process of evapotranspiration. These green practices can also help beautify our streets and neighborhoods, improve property values, revitalize downtowns and improve the overall quality of our lives.

Projects selected for funding go beyond providing a greener solution, they maximize opportunities to leverage the multiple benefits of green infrastructure, which include restoring habitat, protecting against flooding, providing cleaner air, and spurring economic development and community revitalization. At a time when so much of our infrastructure is in need of replacement or repair and communities are struggling to meet competing needs, we need resilient and affordable solutions like green infrastructure that can meet many objectives at once.

The amount of funding available for Round 8 of GIGP (GIGP 8) is \$10 million. EFC seeks highly visible demonstration projects which:

- Create and maintain green, wet-weather infrastructure
- Spur innovation in the field of stormwater management
- Build capacity locally and beyond, to construct and maintain green infrastructure
- Facilitate the transfer of new technologies and practices to other areas of the State

GIGP 8 applicants are strongly encouraged to work with their Regional Council to align their project with regional goals and priorities. EFC reserves the right to fund all, or a portion of, an eligible proposed project. Grants will be available for up to 90% of the total eligible project costs set forth in the application. A minimum 10% match from state or local sources is required. Funding will be provided to selected projects to the extent that funds are available.

ELIGIBLE TYPES OF APPLICANTS:

- Municipal
- Intermunicipal
- Interstate Agencies
- State Agencies

Eligible applicants may submit more than one grant application. However, EFC reserves the right to limit GIGP 8 funding to one grant award per applicant.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

GIGP funding is provided for water quality projects. Eligible project costs are limited to items that are directly attributable to the improvement or protection of water quality and integral to the success of the following eight specific green infrastructure practices:

Bioretention, e.g. rain gardens or bioswales

Bioretention systems are shallow vegetated depressions often referred to by a variety of names such as bioinfiltration areas, biofilters, rain gardens, bioswales, or recharge gardens. They are very effective at removing pollutants and reducing stormwater runoff. These systems are designed to collect water in the depression where it ponds on the surface. This water is then used by the vegetation in evapotranspiration and infiltrated into the soil. Larger volume systems are designed to include stone storage underneath the soil to provide additional stormwater capacity. Properly designed bioretention techniques mimic natural ecosystems through species diversity, density and distribution of vegetation, and the use of native species, which results in a system that is resistant to insects, disease, pollution, and climatic stresses.

Construction or restoration of wetlands, floodplains, or riparian buffers

Constructed Wetlands are shallow marsh systems planted with emergent vegetation that are designed to treat stormwater runoff. They are extremely effective for pollutant removal, can mitigate peak rates and reduce runoff volume. Constructed wetlands have considerable aesthetic and wildlife benefits and are a good option for retrofitting existing detention basins.

Floodplains are a natural water right-of-way that provide temporary storage for large flood events, keeping people and structures out of harm's way and preserving riparian ecosystems and habitats. Over time, people have filled-in and built on floodplains thereby reducing nature's ability to cope with large rain events. Restoring floodplains helps provide safe storage of excess water in large storm events, reduce volume through infiltration and evaporation, and filter sediment and nutrients from the water before it reaches or re-enters the larger waterbody.

Riparian Buffers are vegetated or undisturbed natural areas that filter runoff before it enters a waterbody. Riparian zones reduce sediment, nitrogen, phosphorous, pesticides and other pollutants by soaking the water and associated pollutants into the ground where some of these can be broken down. Healthy riparian buffers increase habitat, stabilize channels and banks, improve water quality, provide stream shade and temperature control, and improve aesthetics.

Downspout disconnection

Downspout disconnection is the removal of roof runoff from a direct connection to a combined or storm sewer. Historically, many communities required that roofs have stormwater connected to the sewer to rapidly convey the water away from the structure. However, by redirecting the rain to a designated vegetated pervious area, runoff volume can be greatly reduced and water quality benefits can be achieved. When disconnecting a downspout, the runoff is directed to a vegetated and pervious area where plants and soil can filter and infiltrate the water.

Green roofs and green walls

Green roofs consist of vegetation, growing media, and a drainage layer installed on top of a conventional flat or sloped roof. The rooftop vegetation soaks up rainwater. Some of this water evaporates off the surface, some is used by the plants in evapotranspiration, and in larger storms a portion of the water will runoff. Through storage of water in the plants, the soils and the drainage layer, the green roof reduces stormwater runoff volumes and attenuates peak flows.

Green Walls are typically vertical systems which consist of a modular container to hold growing media and vegetation. Vegetation can be rooted in the ground, or in modular containers, growing blocks or growing mats located at various heights along the face of the structure. In addition, green walls provide air quality and stormwater benefits, and can help to reduce energy usage.

Permeable pavement, e.g. porous asphalt, concrete, or pavers

Permeable pavement is designed to convey rainfall through the pavement surface into an underlying reservoir where it can infiltrate, thereby reducing stormwater runoff from a site. Given appropriate soil and subsurface conditions, permeable pavements can be used in any type of development, for example: roads, parking lots, sidewalks, basketball and tennis courts, playgrounds, and plaza surfaces. Permeable pavement includes porous asphalt, porous concrete, and pervious pavers such as reinforced turf, interlocking modules and pavers.

Stormwater harvesting and reuse, e.g. rain barrel and cistern projects

Rain barrels are rooftop catchment storage systems typically utilized in residential settings while cisterns are large-scale rain barrels used in commercial and industrial settings. Rain barrels and cisterns capture and store stormwater runoff to be used later for lawn and landscaping irrigation, or water can be filtered and used for non-potable activities such as car washing or filling swimming pools. Rain barrels and cisterns may be constructed of any water-retaining material; their size varies from hundreds of gallons for residential uses to tens of thousands of gallons for commercial and/or industrial uses. The storage systems may be located either above or below ground and may be constructed of on-site material or pre-manufactured.

Stormwater street trees / urban forestry programs designed to manage stormwater

Stormwater street trees include engineered tree pits, tree boxes and trenches designed to capture stormwater from the adjacent roadway and manage the stormwater through evapotranspiration and infiltration. Urban Forestry Programs use a detailed inventory and map of existing and proposed trees to manage and maintain their urban forest. These tools help determine planting sites, select appropriate species, schedule maintenance, and evaluate the most effective practices to ensure tree health and stormwater capacity. By using these tools, an Urban Forestry Program provides water quality benefits in addition to numerous other benefits including: reduced energy usage by shading buildings in the summer to reduce thermal loads and blocking winter winds, providing wildlife habitat, sequestering carbon dioxide and other greenhouse gases, intercepting and absorbing pollutants through their leaves and branches; increasing property values and revenues, reducing crime, engaging residents in creating safer neighborhoods, improving walkability of communities, calming traffic, and promoting smart growth.

Stream daylighting

Stream daylighting includes the removal of natural streams from artificial pipes and culverts to restore a natural stream morphology that is capable of accommodating a range of hydrologic conditions while also providing biological integrity. Stream daylighting improves habitat, promotes infiltration, helps reduce pollutant loads and can provide better runoff attenuation because it increases the storage size of the natural system. The historic enclosure of rivers and streams often took place in urbanized areas to accommodate development. Stream daylighting re-establishes stream banks where culverts once existed. This often requires updating of existing grey stormwater infrastructure. When the project is complete, what was once a linear pipe of heavily polluted water becomes a meandering stream with dramatic improvements to both aesthetics and water quality. Stream daylighting is not only an important water quality practice, but it is also a powerful economic development and community revitalization tool.

Applicants should refer to the New York State Stormwater Management Design Manual <http://www.dec.ny.gov/chemical/29072.html> for design guidance.

APPLICATION REQUIREMENTS:

All applicants must submit a conceptual site plan, existing conditions plan, a feasibility study, and site photographs with their Consolidated Funding Application (CFA). Minimum content requirements for the feasibility study, conceptual site plan, and existing conditions plan, are included in the CFA and can also be found at: www.efc.ny.gov/gigp

INELIGIBLE ACTIVITIES:

Projects which are **NOT ELIGIBLE** for GIGP funding include:

- Stormwater controls that have impervious or semi-impervious liners and provide no compensatory evapotranspirative or harvesting function for stormwater retention
- Stormwater ponds that serve an extended detention function and/or extended filtration, including dirt-lined detention basins
- In-line and end-of-pipe treatment systems that only filter or detain stormwater
- Underground stormwater control and treatment devices such as swirl concentrators, hydrodynamic separators, baffle systems for grit, trash removal/floatables, oil and grease, inflatable booms and dams for in-line underground storage and diversion of flows
- Stormwater conveyance systems that are not soil/vegetation based (swales) such as pipes and concrete channels
- Hardening, channelizing or straightening streams and/or stream banks
- Green infrastructure practices which are being implemented to comply with the requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002 ("Permit"). (Note: practices which are over and above Permit requirements will be considered for funding)
- Wetlands construction or restoration required as compensation (mitigation) for adverse impacts to wetlands or other environmental damage caused through construction activities. This ineligible category includes both tidal and freshwater wetland mitigation projects
- Costs not directly attributable to water quality including: asbestos abatement and amenities i.e. bus shelters, benches, light poles, traffic devices, etc.
- Potable water irrigation systems
- Capital equipment costs such as street sweepers, sewer cleaners, and vector trucks

SELECTION CRITERIA:

EFC will score and select projects based on the following criteria:

- Measurable improvement or protection of water quality, including applicant's proposal for generating water quality metrics
- Addressing or demonstrating solutions to Regional water quality issues
- Reducing flow to a Combined Sewer System
- Likelihood of project success, based on project development at time of application
- The extent to which the project spurs innovation in the area of green stormwater infrastructure, through research, development, and/or the adoption of new technologies
- Alignment with the goals and priorities of its Regional Council Strategic Plan
- Projects identified in a NY Rising Community Reconstruction Program Plan or a NY Rising Countywide Resiliency Plan or identified in the Regional Council's Downtown Revitalization Initiative

- Revitalization of communities - building projects in municipal centers, utilizing land recycling, retrofits, and/or infill
- Fostering safe, healthy, walkable neighborhoods through improved access to affordable multimodal transportation choices as part of green street projects
- Ability to be replicated to improve water quality in an urban area
- Public stakeholder engagement in the development of the project
- Outreach and educational opportunities provided by the project applicant in order to facilitate the transfer of new technologies, knowledge, and practices to other NYS water quality issues and other regions of the State
- Leveraging of additional resources through removing barriers to collaboration, developing new partnerships, utilizing staff and in-kind resources, securing other funding and investments, and/or provides workforce development
- Applicant's plan for the long-term operation, maintenance, and water quality / flow monitoring of the project

EFC will consider regional distribution in the determination of awards, to the extent practicable.

SUCCESSFUL APPLICANT REQUIREMENTS:

Recipients must provide documentation of the following before entering into a Grant Agreement:

- Legal right to own, operate and maintain the project for the duration of its useful life
- Compliance with the Smart Growth Infrastructure Act of 2010 and the State's MWBE requirements.
- Successful completion of all State environmental and historic preservation reviews i.e., SEQR and SHPO.
- Detailed final budget and plan of finance including all third party funding agreements, intermunicipal agreements, and satisfaction of the minimum 10% local match requirement
- Designation of an Authorized Representative for the project
- EFC Approved Final Feasibility Study
- Recipients must complete all requirements to enter into a grant agreement within six months of the award
- Prior to entering into a Grant Agreement with EFC, the Applicant will be required to demonstrate that funding is available to complete the project

ADDITIONAL RESOURCES:

For more information, visit <http://www.efc.ny.gov/qigp>

Sustainability Planning and Implementation

Climate Smart Communities Grant Program

Funding Available: Up to \$11 million

DESCRIPTION

Communities are at the forefront of action to make residents of New York State more resilient to our changing climate and significantly reduce greenhouse gas emissions. Adaptation to climate change is local, whether the hazards are sea-level rise, extreme precipitation, heat waves, or changes in the natural environment upon which agriculture, tourism and many communities' sense of place depend. Local governments are also key partners in the state's role as an international leader in reducing greenhouse gas emissions.

Many communities are doing their part and have already committed to acting on climate. These forward-thinking communities and others are assessing their climate vulnerabilities and making plans to protect and improve the health, safety and economic well-being of their residents. At the same time, they are seeking to reduce their carbon footprints, secure direct cost savings, and increase economic activity.

The Climate Smart Communities Environmental Protection Fund grant program will enable even more communities across the state to put climate plans into action. The program matches state resources with community commitments to bring local and regional plans to fruition. The competition for grant funding will reward foresight and innovation in climate protection and showcase the ingenuity of many communities.

For general information and questions on the Climate Smart Communities Program, please contact the Office of Climate Change, New York State Department of Environmental Conservation, Office of Climate Change, 625 Broadway, Albany, NY 12233, 518-402-8448, climatechange@dec.ny.gov.

Eligible Applicants

Eligible applicants are villages, towns, cities, and counties of the State of New York. Partnership projects are encouraged. If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead applicant can submit the application for grant funding. The lead applicant must assume the responsibility for the project application, performance of work consistent with this RFA, and compliance with the State of New York Master Contract for Grants. Letters substantiating the collaboration from each partner are required.

Eligible Activities

Projects will be considered in the following two categories:

1. Climate Protection Implementation Projects

Grants totaling up to \$10.5 million will be awarded for design, engineering or construction projects in this project category, with a minimum award of \$100,000 and a maximum award of \$2,000,000. Funding will be distributed across small, medium and large municipalities,

with consideration for communities that demonstrate financial hardship, with no more than 50% of the funds going to cities or towns with a population greater than 100,000.

Grant funding may be used for implementation activities that focus on decreasing community vulnerability in the face of a changing climate, or reduce greenhouse gas emissions, in the categories below. Projects that demonstrate replicability in other communities, and address needs identified in local or regional plans (e.g., comprehensive plan, regional sustainability plan, climate action plan, energy master plan, or greenhouse gas reduction plan) will receive higher points. No more than 15 percent of a grant award may be used for design and engineering.

- a. Construction of natural resiliency measures:** Use of natural resources and nature-based processes (green infrastructure) for stormwater management, groundwater recharge, flood mitigation, streambank stabilization or coastal protection for the purpose of decreasing vulnerability to climate change.
- b. Relocation or retrofit of climate-vulnerable facilities:** Strategic relocation of vulnerable municipal facilities or infrastructure and/or installation of measures to reduce climate risks, including but not limited to elevation of facilities and flood-proofing.
- c. Conservation or restoration of riparian areas and tidal marsh migration areas:** Projects to conserve, revegetate and reconnect floodplains and buffers in riparian areas, or to allow migration of tidal marsh systems as sea level rises, for the purpose of decreasing vulnerability to climate change.
- d. Reduction of flood risk:** Construction, including design and engineering, of flood risk reduction measures for the purpose of decreasing vulnerability to climate change, including but not limited to, right-sizing of bridges and culverts; measures to reduce surge; construction/improvement of levees, tide gates, and flood barriers; or stormwater capacity management projects.
- e. Clean transportation:** Projects that enhance or showcase alternatives to driving for the purpose of decreasing vehicle trips and reducing greenhouse gas emissions, with an emphasis on the following categories.
 1. Construction of on-road and off-road facilities for pedestrians, bicyclists and other non-motorized forms of transportation, resulting in a meaningful reduction in greenhouse gas emissions.
 2. Construction of infrastructure-related projects to provide safe routes for non-drivers to access daily needs, resulting in a meaningful reduction in greenhouse gas emissions.
 3. Implementation of transit improvements that have the potential to substantially increase ridership and result in a meaningful reduction in greenhouse gas emissions.

Facilities eligible for consideration in the clean transportation category must connect activity centers such as businesses, schools, libraries, shopping areas, recreation areas, residential developments, and/or provide a critical link in a continuous transportation system that connects to such destinations. Projects that are solely for recreational purposes are not eligible.

f. Reduction or recycling of food waste: Projects that reduce greenhouse gas emissions by decreasing food waste and increasing the volume of food scraps diverted to local composting or anaerobic digester facilities (within 50 miles), with an emphasis on one or more of the following categories.

1. *Increasing food donation* – Assessment of potential costs and savings of food donation, identifying and coordinating with local food rescue organizations, and developing a delivery schedule that leads to the purchase, installation and/or implementation of product storage and handling measures.
2. *Increasing organics recycling* – Assessment of potential costs/savings of organics recycling and assessment of organics recycling facilities that accept food scraps that leads to the purchase, installation and/or implementation of measures to allow or increase food scrap recycling at existing organics recycling facilities.
3. *Increasing processing at existing anaerobic digesters* – Design, purchase and/or installation of equipment and facilities (including grinding equipment, storage tanks and other related equipment) and/or implementation of measures necessary to increase the storage and processing of food waste at existing wastewater treatment plants and/or other anaerobic digesters. Implementation activities would allow these existing facilities to accept off-site organics directly into their digesters.
4. *Increasing processing at existing composting facilities* - Design, purchase and/or installation of equipment and facilities (including impervious pad construction, windrow turners, blowers, piping, screens and other processing equipment and facility improvements) and/or implementation of measures necessary to enhance existing municipal yard waste composting facilities so they can accept food scraps.

2. Climate Smart Communities Certification Projects

Grants totaling up to \$500,000 will be awarded for assessment activities in this project category, with a minimum award of \$25,000 and a maximum award of \$100,000. Funding will be distributed across small, medium and large municipalities, with consideration for communities that demonstrate financial hardship, with no more than 50% of the funds going to cities or towns with a population greater than 100,000.

Grant funding may be used to conduct projects that will lead to identification of climate protection implementation projects. Applications will be accepted in this round for one or more of the following Certification Actions (see Certification Manual for full action descriptions):

- *Certification Action 3.11* - Right-size the local government fleet.
- *Certification Action 6.17* - Develop a natural resource inventory.
- *Certification Action 7.1* - Conduct a vulnerability assessment.
- *Certification Action 7.3* - Review existing community plans and projects to identify climate adaptation strategies and policies or projects that may decrease vulnerability.
- *Certification Action 7.4* - Develop climate adaptation strategies.
- *Certification Action 7.6* - Update the multi-hazard mitigation plan to address changing conditions and identify specific strategies to reduce vulnerability to natural hazards.

The Climate Smart Communities Certification Manual is available on the Office of Climate Change web site at <http://www.dec.ny.gov/energy/96511.html>. Applicants that have previously undertaken documented completion of Climate Smart Communities certification actions will receive higher points. Applicants that propose undertaking a comprehensive suite of certification actions will receive higher points. For consideration under this category, applicants must identify the applicable CSC certification action(s) being addressed by the proposed work in the submitted funding application.

Match

All grants require a local match equal to **50 percent of the eligible project costs**. All eligible costs and services, with the exception of other state funding, that are directly related to and in support of the project may be used as match with approval by the Department of Environmental Conservation (DEC). Federal funds are not an eligible source of match; if a project receives federal funding those costs will be subtracted at the outset to establish eligible project costs. The applicant must identify the source of the match at the time that the application is submitted.

Land acquisition may be used as match, but cannot be supported with grant funding. A map identifying the property, current appraisal report and copy of the recorded deed conveying title will be required to document property value and ownership.

Eligible Costs

Eligible budget items include personal services (salary and fringe), non-personal services (contractual), travel, equipment, and other project costs that are not specifically excluded below.

Ineligible Activities/Costs

Ineligible budget items that will not be accepted as local match or supported with grant funds include:

- Indirect or overhead costs of the municipality, such as rent, telephone service, general administrative support, computers, office equipment, general office supplies, general operations costs, membership fees, or subscription costs.
- Salaries and other expenses of elected officials, whether incurred for purposes of project direction, execution, or legislation.
- Fund raising events/expenses.
- Taxes, insurance, fines, deficit funding, bond interest and associated fees.
- Contingency costs.
- Federal funds.
- Costs for purchase and installation of zero-emission vehicles (ZEV) and associated infrastructure that are eligible for funding under the 2016 EPF ZEV Municipal Rebate Program.

Letters of Permissions/Municipal Endorsement

If applicable, the applicant must own the property, or obtain an applicable access agreement, for the proposed project site. The applicant will be required to submit proof of property ownership and/or landowner permissions (in a single PDF file) as follows:

- If the property owner is a municipality – A resolution by the municipality supporting the project.
- If the property is not owned by the municipality – a formal written agreement between the municipality and landowner which allows the municipality to access the property and to represent the landowner to accomplish the proposed project.

A municipality which develops, improves, restores or rehabilitates real property that is not owned by the municipality using grant funds awarded pursuant to this RFA shall obtain a climate change mitigation easement from the owner of the real property. Climate change mitigation easements shall be enforced as conservation easements that are enforced in section 49-0305 of New York Environmental Conservation Law.

Project Location

Eligible projects for grant funding must be located in the State of New York.

Application Limit

Applicants may submit multiple applications. Multiple applications may not be for the same project or project location.

NYS Grants Gateway

Eligible applicants must be registered in the NYS Grants Gateway. Applicants must have a valid Federal Employee Identification Number (FEIN) and a New York State Vendor Identification Number in order to complete their Grants Gateway registration. If a municipality (for example, a county) passes a governing resolution authorizing a department under its jurisdiction to apply for funding, that department can apply only if it is registered in the NYS Grants Gateway.

Registration in the NYS Grants Gateway is necessary to be eligible to:

- Apply for a NYS grant opportunity.
- Enter into a grant contract, an amendment to an existing contract.
- Apply for grant payments.

Registration is NOT an online process. Register now to allow time for processing!!

Grants Gateway Registration Instructions

- 1.) On the Grants Reform Website at www.grantsreform.ny.gov/Grantees, download a copy of the Registration Form for Administrator.
- 2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.
- 3.) Mail the signed and notarized original form to the Division of Budget at the address provided in the instructions.
- 4.) After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
- 5.) Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov. If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts.

Once your Organization is registered in the Grants Gateway, the User with the Delegated Administrator Role is responsible for creating additional roles in the system necessary for contract development and completion. Refer to Section 4.2 of the "Grantee User Guide", located on the Grants Reform website at www.grantsreform.ny.gov/grantees, for instructions on creating user roles in the Grants Gateway system.

Smart Growth Infrastructure Policy Act

New York State's Smart Growth Public Infrastructure Policy Act (ACT), Environmental Conservation Law Article 6, requires the Department and all State infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State Smart Growth Public Infrastructure criteria specified in the Act, or that compliance is considered to be impracticable, before making any commitment to fund such project(s). The applicant will be required to provide Smart Growth assessment information as part of its Consolidated Funding Application process.

Minimum Eligibility (Pass/Fail criteria)

The applicant must be eligible. A failure to meet any one criterion below will disqualify the application from funding.

- Municipality is eligible (county, city, town or village of the State of New York), and if applicable, letters of partnership with a designated lead applicant have been provided.
- The project must implement one of the specified eligible project types.
- The project timeline must indicate completion within a five-year contract term.
- All project funding sources must be eligible for grant funding and match.
- If applicable, documentation of land ownership and/or the necessary access agreement(s) are provided.

Selection Criteria

Each eligible application will be scored by an evaluation team consisting of a technical reviewers from DEC and other state agencies in appropriate disciplines. Using information gathered during technical review sessions each eligible project will be scored according to the selection criteria outlined below. Technical reviewer scores will be averaged and REDC priority points will be incorporated to develop a numerical score and ranking for all eligible projects. Funding will be recommended based on highest to lowest rank within each funding category and within the expressed funding limit for municipalities with population size over 100,000, as described in this RFA, until available funding has been exhausted. Projects will be scored and selected based on the following criteria:

a) Overview of Scoring Categories

a. Climate Protection Implementation Projects

	Maximum Points			Minimum Points
CSC Status (5)	5	3	-	0
Project Readiness (10)	10	8	4	2
Financial Hardship (5)	5	-	-	0
Effectiveness of Response to Climate Change (30)	30	<i>See Explanation of Scoring</i>		1
Consistency with Local Plans (5)	5	2	-	0
Community Health (5)	5	2	-	0
Reasonableness of Cost (20)	20	12	6	1
Regional Economic Development Priority (20)	<i>To be awarded by REDC</i>			
Total Available Points	100			

b. Climate Smart Communities Certification Projects

	Maximum Points			Minimum Points
CSC Status (10)	10	-	-	0
Project Readiness (10)	10	8	4	2
Financial Hardship (5)	5	-	-	0
Foundation for Implementation (15)	15	10	5	2
CSC Priority Actions (20)	20	15	10	5
Reasonableness of Cost (20)	20	12	6	1
Regional Economic Development Priority (20)	<i>To be awarded by REDC</i>			
Total Available Points	100			

b) Explanation of Scoring

a. Climate Protection Implementation Projects

Scoring Category	Evaluation
CSC Status (5)	<ul style="list-style-type: none"> a) Applications submitted by a certified Climate Smart Community - 5 points. b) Applications submitted by a registered Climate Smart Community - 3 points. c) All other applications - 0 points.
Project Readiness (10)	<ul style="list-style-type: none"> a) Application demonstrates that applicant has conducted planning needed to identify, prioritize, select, and design the proposed work; has identified project participants and their roles; has clearly identified an available source of eligible matching funds; has documented necessary partnership agreements; owns and/or has permission to use property or facilities proposed for work; and has undertaken the permitting or approvals necessary to conduct proposed work - 10 points. b) Application satisfies all of the conditions for maximum points, except permitting/approvals are not yet completed – 8 points. c) Application satisfies all of the conditions for maximum points, except the site, design, or alternative has not yet been selected, is not complete, or is not available, or there is some other element of work uncertainty or delay – 4 points. d) Applicant’s proposed work is not supported by an inventory and planning process, or applicant has not provided sufficient supporting information – 2 points.
Financial Hardship (5)	<ul style="list-style-type: none"> a) Applicant is a hardship community, defined as a community with a Median Household Income (MHI) less than the 2014 Statewide MHI (\$58,687). Median Household Income (MHI) may be established using publicly available census data rather than requiring

	<p>detailed demographic and economic data from the municipality – 5 points.</p> <p>b) Applicant is not a hardship community, as defined above – 0 points.</p>
<p>Effectiveness of Response to Climate Change (30)</p>	<p>TRACK ONE (for implementation project categories a., b., c., and d. in this RFA)</p> <p>Resiliency</p> <p>a) Proposed project improves local resiliency to changing climatic conditions by addressing high risks as described in any of the following categories - 18 points:</p> <ol style="list-style-type: none"> 1. Flood-risk Management - Proposed project provides structural improvements or additions, or other actions that will reduce flood risk under future conditions to homes, businesses, government facilities and/or public infrastructure. 2. Stormwater Management - Proposed project provides structural improvements or additions that will reduce risks associated with stormwater runoff conditions to homes, businesses, government facilities and public infrastructure under future extreme-precipitation events. 3. Natural Systems - Proposed project increases ability of natural systems to withstand disasters and adapt to changing environmental conditions due to climate change, including sea level, extreme heat, drought, extreme precipitation and other climate factors. 4. Community Resiliency - Proposed project increases community resiliency to future climatic conditions by strategically retrofitting, upgrading, or replacing critical infrastructure, installing resilient power, or by implementing other disaster preparatory mechanisms. <p>b) Project does not address high risks as described in any of the above categories – 0 points.</p> <p>Identification of Climate Change Assumptions</p> <p>a) Application describes climate change assumptions and how they are incorporated into project design, including science-based sources of climate projections and time scales considered – 10 points.</p> <p>b) Application describes climate change assumptions but does not identify climate projections used or time scale considered – 5 points.</p> <p>c) Application does not sufficiently describe the anticipated climate change the project is intended to address – 1 points.</p> <p>Green Design</p>

	<p>a) Applicant demonstrates that the project will be certifiable or otherwise approved under Leadership in Energy and Environmental Design (LEED), ENERGY STAR, International Green Construction Code (ICC-IGCC 2012) or American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE 189.1), or other energy or water efficiency or conservation certification programs – 2 points.</p> <p>b) Applicant does not demonstrate that the project will be certifiable, or it will not be certifiable, under any energy or water conservation certification programs – 0 points.</p> <p>OR</p> <p>TRACK TWO (for implementation project categories e. and f. in this RFA)</p> <p>Greenhouse Gas Reduction Potential</p> <p>a) Application demonstrates the potential for significant greenhouse gas emission reductions; and reductions are quantified and reported in terms of emissions before and after, reduction of vehicle miles travelled and/or food waste diverted – 30 points.</p> <p>b) Application demonstrates the potential for moderate greenhouse gas emission reductions; and reductions are quantified and reported in terms of emissions before and after, reduction of vehicle miles travelled and/or food waste diverted – 20 points.</p> <p>c) Application demonstrates the potential for minimal greenhouse gas reductions that are quantified and reported in terms of emissions before and after, reduction of vehicle miles travelled and/or food waste diverted – 6 points.</p> <p>d) The proposed project is not likely to reduce greenhouse gas emissions; the reductions are not quantified or are otherwise unclear; or applicant has not provided sufficient or otherwise complete supporting information for evaluation – 1 point.</p>
<p>Consistency with Local Plans (5)</p>	<p>a) Proposed project implements specific recommendations in existing, adopted local or regional plans or greenhouse gas emission reduction goals – 5 points.</p> <p>b) Proposed project is consistent with existing, adopted local or regional plans or greenhouse gas emission reduction goals – 2 points.</p> <p>c) Application does not identify a relationship with local or regional plans or greenhouse gas emission reduction goals – 0 points.</p>

<p>Community Health (5)</p>	<p>a) Applicant identifies a potential community health benefit under projected climatic conditions as a result of the proposed work – 5 points.</p> <p>b) Application does not identify a community health benefit, but work is likely to lead to some benefit under projected climatic conditions – 2 points.</p> <p>c) Applicant does not identify a community health benefit and the proposed work is not likely to lead to a positive community health benefit – 0 points.</p>
<p>Reasonableness of Cost (20)</p>	<p>To determine the reasonableness of cost, consider the following questions 1-7:</p> <ol style="list-style-type: none"> 1) Does the project demonstrate new technology, or will it be replicable for other communities? 2) Are the costs reasonable in relation to the anticipated climate mitigation and adaptation benefits? 3) Is the complexity of the solution proposed appropriate given the problem? 4) Is the size and scope of the project suitable to accomplish the desired improvement identified, i.e. reduce emissions or protect the community in the face of climate change? 5) Where appropriate, does the applicant minimize the use of contractors and leverage municipal and collaborator staff to complete the project? 6) Are the proposed costs of the project comparable to the costs of projects of the same project type, size and scope funded through previous state funding programs for this type of project, e.g., Cleaner Greener Communities? 7) Has the applicant provided greater than the required local match demonstrating a strong financial commitment to the project? <p>a) Projects that meet 7 of the above listed criteria 1-7 and the applicant has submitted a detailed budget and feasible timeline – 20 points.</p> <p>b) Projects that meet 5-6 of the above listed criteria 1-7 (including 1), and the applicant has submitted a detailed budget and feasible timeline – 12 points.</p> <p>c) Projects that meet 3 or more of the above listed criteria (not including 1) – 6 points.</p> <p>d) Projects that meet 0-2 of the above listed criteria – 1 point.</p>
<p>Regional Economic Development Priority (20)</p>	<p><i>To be awarded by REDC</i></p>
<p>Total Available Points</p>	<p>100</p>

b. Climate Smart Communities Certification Projects

Scoring Category	Evaluation
CSC Status (10)	<p>a) Applications submitted by a registered Climate Smart Community - 10 points.</p> <p>b) All other applications - 0 points.</p>
Project Readiness (10)	<p>a) Application demonstrates that applicant has conducted all work needed to identify, prioritize, and select the proposed project elements; has identified project participants and their roles; has identified an available source of eligible matching funds; has documented necessary partnership agreements; and has undertaken the approvals necessary to conduct proposed work - 10 points.</p> <p>b) Application satisfies all of the conditions for maximum points, except agreements or approvals are not yet completed – 8 points.</p> <p>c) Application satisfies all of the conditions for maximum points, except the work plan has not yet been identified, prioritized, or selected, or is otherwise not complete, or there is some other element of work uncertainty or delay – 4 points.</p> <p>d) Applicant’s proposed work is not supported by an identification and prioritization process, or applicant has not provided sufficient supporting information – 2 points.</p>
Financial Hardship (5)	<p>a) Applicant is a hardship community, defined as a community with a Median Household Income (MHI) less than the 2014 Statewide MHI (\$58,687). Median Household Income (MHI) may be established using publicly available census data rather than requiring detailed demographic and economic data from the municipality – 5 points.</p> <p>e) Applicant is not a hardship community, as defined above – 0 points.</p>
Foundation for Implementation (15)	<p>a) Application demonstrates that the proposed project will lead directly to well-planned, well-designed future implementation actions as part of a comprehensive strategy to become a certified CSC. The proposed work includes all of the appropriate assessments - 15 points.</p> <p>b) Application demonstrates that the proposed project lays a foundation for future implementation actions as part of a strategy to become a certified CSC, and includes all appropriate assessments, but additional work may be necessary prior to implementation – 10 points.</p> <p>c) The proposed project lays a foundation for future work but does not clearly articulate a strategy for becoming a certified CSC, does not lead directly to implementation, and/or the proposed work lacks some of the appropriate assessments – 5 points.</p>

	<p>d) The application does not clearly demonstrate how the work will lead to future implementation actions or CSC certification, and/or does not provide sufficient supporting information – 2 points.</p>
<p>CSC Certification Priority Actions (20)</p>	<p>a) DEC has received documentation at least two weeks before the application deadline that the lead applicant has completed at least 6 of the 13 CSC priority actions (see CSC Certification Manual) - 20 points.</p> <p>b) DEC has received documentation at least two weeks before the application deadline that the lead applicant has completed 5 of the 13 CSC priority actions (see CSC Certification Manual) - 15 points.</p> <p>c) The proposed workplan for the lead applicant includes at least 7 of the 13 CSC priority actions (see CSC Certification Manual) - 10 points.</p> <p>d) The proposed workplan for the lead applicant includes at least 6 of the 13 CSC priority actions (see CSC Certification Manual) – 5 points.</p>
<p>Reasonableness of Cost (20)</p>	<p>To determine the reasonableness of cost, consider the following questions 1-7:</p> <ol style="list-style-type: none"> 1) Does the project demonstrate new technology, or will it be replicable for other communities? 2) Are the costs reasonable in relation to the anticipated climate mitigation and adaptation benefits? 3) Is the complexity of the solution proposed appropriate given the problem? 4) Is the size and scope of the project suitable to accomplish the desired improvement identified, i.e. reduce emissions or protect the community in the face of climate change? 5) Where appropriate, does the applicant minimize the use of contractors and leverage municipal and collaborator staff to complete the project? 6) Are the proposed costs of the project comparable to the costs of projects of the same project type, size and scope funded through previous state funding programs for this type of project, e.g., Cleaner Greener Communities? 7) Has the applicant provided greater than the required local match demonstrating a strong financial commitment to the project? <p>a) Projects that meet 7 of the above listed criteria 1-7 and the applicant has submitted a detailed budget and feasible timeline – 20 points.</p> <p>b) Projects that meet 5-6 of the above listed criteria 1-7 (including 1), and the applicant has submitted a detailed budget and feasible timeline – 12 points.</p> <p>c) Projects that meet 3 or more of the above listed criteria (not including 1) – 6 points.</p>

	d) Projects that meet 0-2 of the above listed criteria – 1 point.	
Regional Economic Development Priority (20)	<i>To be awarded by REDC</i>	
Total Available Points	100	

Significant Statewide Programs

Proposed projects that are part of the following initiatives will be looked upon favorably:

- Downtown Revitalization Initiative**
Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.
- Opportunity Agenda Related Projects**
Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.
- Global NY Related Projects**
The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.
- Veterans' Related Projects**
New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014 the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.
- NY Rising Related Projects**
The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

Department of Environmental Conservation Oversight

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of the RFA in accordance with the method of award, or withdraw the RFA at any time at the Department's sole discretion.
- Award only one application for funding in the event there are multiple application submissions for a single project or for pieces of a single project.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 60 days of a grant award.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project, or fails to receive the necessary permissions and permits for the project.
- Not to fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.

Notification of Award

Applicants selected to receive a grant award will be notified by email and in an official Department award letter.

Program-Specific Contract Terms and Conditions

- If the grant recipient is not already a registered Climate Smart Community, the grant recipient shall take the Climate Smart Communities Pledge within the term of their grant contract.
- For climate mitigation projects, including the Clean Transportation and/or Reduction and Recycling of Food Waste categories, the grant recipient shall provide a report of estimates of emissions reduction as required by the Department.
- For certification actions funded in the Climate Smart Communities Certification Project category, the grant recipient shall adhere to the requirements and standards described in the Climate Smart Communities Certification Manual. The Climate Smart Communities Certification Manual is available on the Office of Climate Change web site at <http://www.dec.ny.gov/energy/96511.html>.
- If the grant recipient develops, improves, restores or rehabilitates real property that is not owned by the Contractor as part of the funded project, the grant recipient shall obtain a climate change mitigation easement from the owner of the real property. Climate change mitigation easements shall be enforced as conservation easements are enforced in ECL section 49-0305.

State of New York Master Contract for Grants (MCG)

Applicants selected to receive a grant award will be required to execute a MCG **within 60 - 90 days** from the time of their award notification. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded on DEC's website at <http://www.dec.ny.gov/energy/76910.html>. The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (*NYS standard terms and conditions*)
- Attachment A-1 Program Specific Terms and Conditions (*Agency and Program specific terms and conditions*)
- Attachment A-2 Federally Funded Grant Terms and Conditions
- Attachment B-1 Expenditure Based Budget (*project expense categories and detail*)
- Attachment C Work Plan (*project objectives, tasks and performance measures*)
- Attachment D Payment and Reporting Schedule (*claims for reimbursement and grant reporting provisions*)

Important Note: Project related costs must be incurred within the term of the MCG to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the Department until a MCG is fully approved by the Department, and as applicable the Attorney General and the State Comptroller. All contracts must be approved by the contract start date of which will be determined at the time of an official award.

Applicants should be prepared to comply with the following MCG requirements:

- **Insurance Requirements**

Contractors will be required to carry appropriate insurance as specified in the MGC Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the Contractor as an additional insured, with appropriate limits, covering contractor's public liability and property damage insurance, contractor's contingency liability insurance, "all-risk" insurance and workers compensation/disability coverage for the project.

- **Permit Requirements (if applicable)**

Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

- **State Environmental Quality Review (SEQR) Documentation**

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the Department. The Contractor has notified, and shall continue to notify, the Department of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

- **Vendor Responsibility Questionnaire**

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm , or go directly to the VendRep System at <https://portal.osc.state.ny.us>.

- **Iran Divestment Act**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

Projected Periods/Terms

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a five-year contract period/term. Applicants should not begin their projects or incur costs until a Master Contract for Grants has been fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end date will be determined by the Department based upon written justification from the Grantee. Applicants should not submit an application if they do not anticipate their project can be completed within the specified contract term.

Permits

The applicant is responsible for assuring that any SEQR determinations, permits, approvals, lands, easements and rights-of way that may be required to carry out the activities of the project are obtained.

Historic Preservation Review Requirements

For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation. Questions about or proposals for listing on the State or national Register should be directed to the OPRHP National Register Unit at (518) 237-8643. To ensure the public benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

Americans with Disabilities Act

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas <https://www.access-board.gov/guidelines-and-standards> .

Payment and Reporting

Municipalities are not eligible to receive advance payments under State Finance Law. Project costs eligible for reimbursement and project match must be incurred between the MCG term start and end dates. Costs incurred prior to the MCG term start date or after the MCG term end date will not be considered eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the Department for costs to be eligible for grant reimbursement.

Quarterly MCG payment reimbursement requests will be accepted prior to submission of a final closeout reimbursement request. Approved project design, required permits and landowner permissions must be in place to submit a reimbursement request.

Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the quarter. The reports will summarize how the project progressed towards meeting project objectives and deliverables during the quarter.

Quarterly Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the quarter. These reports must correlate to subsequent vouchers submitted for payment.

Final Report must be submitted and approved by the Department prior to the release of the final contract payment to the Grantee. The Contract must submit the Final Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the use of grant funds were utilized in achieving the goals set forth in the approved MCG Attachment C Work Plan. Copies of appropriate documents (i.e. inventory and/or management plan) must be submitted and approved by the Department.

A Department on-site inspection may be required to confirm all work was completed in accordance to the approved project work plan.

Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

Minority/Women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

- Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements

include equal employment opportunities for minority group members and women (“EEO”) and contracting opportunities for certified minority and women-owned business enterprises (“MWBEs”). Contractor’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, state or local laws.

- Failure to comply with M/WBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages or enforcement proceedings.
- Please refer to the NYS Master Contract for Grants - Article IV.(J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at <http://www.dec.ny.gov/about/48854.html>.
- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
- A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885>.
- Contracts which meet the established M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, http://www.dec.ny.gov/docs/administration_pdf/quarterly.pdf, detailing payments made by the Prime Contractor to NYS Certified M/WBEs.
- The following M/WBE-EEO “Fair Share” goals are established as follows:
 - Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:**
 - Construction/Engineering – 30%
 - Commodities – 30%
 - Services/Technologies – 30%
 - Equal Employment Opportunity (EEO) Participation Goals:**
 - EEO Minority Workforce Participation Goals (DEC Regions 1- 9) – 10%
 - EEO Female Workforce Participation Goals (DEC Regions 1-9) – 10%
- DEC M/WBE Contact Person: Carla Leubner, Compliance Specialist
NYSDEC Bureau of Contract and Grant Development/MWBE Program
625 Broadway, 10th Floor
Albany, New York 12233-5028
Phone: (518) 402-9240
Fax: (518) 402-9023

Department of State - Local Government Efficiency Program

Funding Available: Approximately \$4 Million

DESCRIPTION

For the 2016-2017 program year approximately \$4 million is available under the Local Government Efficiency (LGE) Grant program to assist local leaders identify best practices and implement actions focused on reducing municipal expenditures, limiting the growth in property taxes and increasing efficiencies in service delivery. Projects can include local government reorganization, functional or service delivery consolidation, city or county charter revisions that include functional consolidation, cooperative service agreements, and establishment of regional service delivery mechanisms.

ELIGIBLE APPLICANTS

Local government efficiency projects must implement new opportunities for financial savings or exhibit great potential to modernize existing services. Additional benefits may include improving organization or management structures or improving public access to services.

Generally local governments must apply cooperatively for an LGE grant. However, in certain instances the program can provide direct assistance to fiscally stressed local governments to implement internal reorganizations or service delivery modifications.

ELIGIBLE ACTIVITIES / PROGRAM FUNDING:

Local governments may apply for implementation planning and implementation projects.

- The maximum funding for planning, or the planning component of a project that includes both planning and implementation, is \$12,500 for each local government involved in the project, not to exceed \$100,000.
- The total maximum cumulative funding for a project is \$200,000 for each local government involved in the project, not to exceed \$1,000,000.

Applicants are required to provide matching funds for all projects.

- For a planning grant, matching funds equal to at least 50% of the total project cost shall be required. Upon implementation, the original matching funds required will be refunded up to 90% of the eligible costs.
- For an implementation project, matching funds equal to at least 10% of the total project cost shall be required.

All grants are reimbursement grants. In order to receive full funding, the awardees must demonstrate that the project has received all appropriate public consideration, referenda where required.

For projects that implement a previously funded planning grant under the Local Government Efficiency (LGE) Grant program, the grant award from this RFA will be increased by the amount of the local matching funds provided for the planning grant.

PRE-APPLICATION REQUIREMENTS:

None

SUCCESSFUL APPLICANT REQUIREMENTS:

The Department of State requires that all successful applicants enter into a contract with the State of New York. The contract will be a fixed term agreement and will be dated April 1, 2016 – March 31, 2020. The Department of State may cancel an award if the state contract is not returned in a timely manner.

If an applicant is awarded a grant, the contract must be returned to the Department of State within ninety (90) days from its receipt to ensure that funds go to applicants that are ready to move forward. All projects must be managed in accordance with the terms and conditions of the state contract and follow state and local procurement policies.

Failure to render satisfactory progress or to complete the project to the satisfaction of the state may be deemed an abandonment of the project and may cause the suspension or termination of any financial obligation of the state. Satisfactory progress includes, but is not limited to, execution of the state contract and submission of all necessary documents for execution by the state, submitting timely payment requests in accordance with the payment schedule in the state contract, completing satisfactory work products, and other tasks negotiated and agreed to in the executed state contract.

Expenses incurred after April 1, 2016 are eligible for reimbursement. Expenses incurred prior to the start date of the state contract cannot be reimbursed. The grant contractor will be required to submit payment requests every three (3) months.

Recipients of grants must submit project status reports along with every request for payment. Project close-out requires completion of terms and activities outlined in the state contract, including all deliverables identified in the work plan.

The New York Department of State Division of Local Government Services (DLGS) staff monitors each grant and will make site visits during the course of project completion to determine the rate and quality of progress. Notification of contract related meeting schedules and other media events must be provided to DLGS staff. In addition, some projects may be selected for more extensive review and inclusion in the Local Government Efficiency Annual Report submitted to the Governor and Legislature, and may be used as a resource for providing technical assistance.

INELIGIBLE ACTIVITIES:

For this application, projects shall not include plans for a local government re-organization eligible to receive a funding pursuant to the New York Department of State Local Government Citizens Re-Organization Empowerment Grant (CREG). CREG can assist those local governments that are developing plans for consolidation or dissolution pursuant to the terms of General Municipal Law 17-A, the “New N.Y. Government Reorganization and Citizen Empowerment Act”. CREG funding is available on a monthly basis. Please visit the LGE program website at <http://www.dos.ny.gov/funding/> for more information on submitting a CREG grant.

PROJECT SELECTION CRITERIA:

An application is eligible to receive a total final score of 100, of which 80 percent is derived from program review criteria and 20 percent is allocated to the applicable Regional Economic Development Council (REDC) endorsement.

Application of LGE program score

- Each application will be judged on an initial scale of 80 points.

Application of Regional Economic Development Council score

- Each REDC may award up to 20 points for each project, based upon the project’s concurrency with the regional priorities.

LGE Program Scoring Criteria (Up to 80 points)

Priorities (Possible 10 points)

- The project implements a planning project completed with LGE funds. (5 points)
- Any of the project partners uses multi-year financial planning. (5 points)

The following numerical evaluation scale will be used to assess the degree to which the application meets the grant criteria set forth below.

- Fully meets program criteria 5 points
- Partially meets program criteria 3 points
- Marginally meets program criteria 1 point
- Does not meet criteria 0 points

Project Need (Possible 5 points)

- Significance of existing conditions that created the need for the project, including unplanned increases in local expenditures or other financial challenges, recent requirements to modify existing service delivery or changes in the municipal workforce.

Since the Local Government Efficiency program is able to fund both implementation and planning projects, different questions have been asked for each type of project.

Implementation Questions

Cost Savings - (Possible 5 points)

- How much savings, as percentage of budget, will be generated by the completion of the project?

Potential Financial Impact (Possible 5 points)

- How the action may affect the property tax levy or user rates.

Performance Measurement (Possible 5 points)

- How continued performance of the project is measured to determine the future effectiveness of the project after implementation.

Operational Impacts (Possible 5 points)

- How the project will change current business practices or management operations associated with the impacted services.

Service Delivery Impact (Possible 5 points)

- How the project will make significant impacts on the delivery of services and how the public will be affected by the project.

Project Readiness and Sustainability (Possible 5 points)

- What actions have already been undertaken that commit the local governments to complete the project. How the local governments will institutionalize the organizational and/or service delivery changes.

Public Engagement (Possible 5 points)

- How the project ensures ongoing transparency, public participation and stakeholder engagement.

Planning Questions

Type of Planning (Possible 10 points)

- General Shared Services Study - 3 points
- Functional Consolidation Study - 6 points
- Implementation Plan – 10 points

Potential Financial Impact (Possible 5 points)

- How the action may affect the property tax levy or user rates.

Operational Impacts (Possible 5 points)

- How the project will change current business practices or management operations associated with the impacted services.

Service Delivery Impact (Possible 5 points)

- How the project will make significant impacts on the delivery of services and how the public will be affected by the project.

Project/Partner Readiness (Possible 5 points)

- What actions have already been undertaken that commit the local governments to complete the project.

Public Engagement (Possible 5 points)

- How the project ensures ongoing transparency, public participation and stakeholder engagement.

Work Plan Questions

Work Plan Detail (Possible 5 Points)

- Clarity and detail of the work plan, including the project timeline, specific phases and associated tasks, and deliverables.

Work Plan Feasibility (Possible 5 Points)

- Feasibility of the work plan to complete the project within the scope and timeline.

Budget Questions

Cost Determination (Possible 5 Points)

- How the budget and costs were determined.

Budget Detail (Possible 5 Points)

- How each budget item relates to individual tasks for all project components.

Expense Eligibility (Possible 5 Points)

- How expenses meet eligibility requirements of the program.

Budget Relationship with Work Plan (Possible 5 Points)

- How costs relate to and support activities in the proposed work plan.

ADDITIONAL RESOURCES: <http://www.dos.ny.gov/lg/lge/index.html>

Education/Workforce Development

Department of Labor - Workforce Development

Funding Available: Up to \$5 million

DESCRIPTION

Provides grants on a competitive basis for occupational skills training of employed and unemployed workers to enhance hiring and workforce skills, commensurate with regional economic development strategic plans.

Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with, or upgrade them in, the skills required to perform a specific job or group of jobs needed by a business.

ELIGIBLE PROJECT TYPE DESCRIPTIONS

Four project types are described:

1. Existing Employee Training (EET) Program;
2. New Hire Training (NHT) Program;
3. Unemployed Worker Training (UWT) Program; and
4. Special Populations Training (SPT) Program.

1. Existing Employee Training (EET) Program

This program provides \$2 million in WIOA funds for applicants to train their existing employees in specific occupational skills leading to attainment or retention of middle-skills occupations.

Middle-skills occupations are defined as those requiring a medium level of preparation to work in that occupation and typically require some education and training beyond high school but less than a bachelor's degree. The postsecondary education and/or training may include an associate's degree, vocational certificates, significant on-the-job training, previous work experience, or some college.

The position(s) targeted for training must exist and be filled at the time the proposal is submitted. Part-time employees are eligible for training under this grant if they have a permanent, year-round attachment to the applicant. Temporary employees, seasonal employees, public (federal, state, county, municipal, public authority and public benefit corporation) employees and volunteers are not eligible for training under the EET Program.

Allowable costs under this program include:

- The costs of outside vendors or in-house trainers to provide on-site or off-site classroom training. Training provided by in-house staff may not be billed at a per trainee rate. NYSDOL will only reimburse for the actual hourly wage rate (salary only, no fringe benefits) of the in-house trainer. Training by in-house staff must be for a minimum of two trainees per course.
- Textbooks or training materials directly associated with the training.
- Distance learning fees (i.e., the fee for the training slot and software required to deliver the program of training). This grant will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.
- Credentialing exam fees.

The method of selection will be based on a point system with the program design worth 60% of the total score and program cost worth 20% of the total score. The REDC will also review the proposal and award a maximum of 20 points (20%) based on the proposal's alignment with regional priorities. Scores for the Existing Employee Training Program will be tabulated separately from the other three NYS DOL programs available under this RFP. Existing Employee Training Program proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the funds allocated to the program have been exhausted.

2. New Hire Training (NHT) Program

This program provides \$1 million in WIOA funds to applicants to train dislocated workers who require on-the-job training upon being hired. Applicants are encouraged to focus hiring on individuals in special populations, defined as those with barriers to employment under WIOA, veterans, long-term unemployed, and Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program (SNAP) recipients.

A "Dislocated Worker" is defined as any of the following:

- An individual who has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- An individual who is eligible for or has exhausted entitlement to unemployment compensation;
- An individual who has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for a business not covered under a State unemployment compensation law;
- An individual who has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- An individual who is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member;
- An individual who was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters; or
- An individual who is a displaced homemaker - an individual who had been dependent on the income of another family member, but is no longer supported by that income; and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Applicants hiring new workers that require training in specific occupational skills will be eligible to receive reimbursement for up to 50% of the employee's wages for a period of time appropriate for the employee to become proficient in the occupation, but not to exceed one year (maximum grant period).

Additional NHT Program requirements include the following:

- The training must apply to a job opportunity for full-time employment (defined as 35 hours or more per week) in New York State paying at least the NYS minimum wage, with an emphasis on higher wages.

- Wage calculations to determine NHT Program reimbursement may not include payment for holiday or overtime hours worked.
- The training must occur on-the-job while the trainee is engaged in productive work.
- The new hires must be employees of the applicant, and not independent contractors or contract employees.
- Eligible applicants may only apply for one NHT Program grant under this solicitation, not one per location.
- The applicant may not apply for seasonal positions or positions based on the addition of commission or tips to a sub-minimum wage base salary.
- The hiring business must be willing to assure that:
 - The intention in hiring is for the newly hired employee to remain employed with the business at the same or higher rate of pay upon completion of the training.
 - The training will take place during the newly hired employee's work hours (i.e., during the shift/hours for which the worker was hired) and the employee will be compensated at no less than their normal rate of pay.
 - No currently employed worker shall be displaced by the newly hired employee, including a partial displacement such as a reduction in the hours, wages, or employment benefits.
 - Training is in compliance with New York State labor law and federal law for the protection of workers.

The method of selection will be based on a point system, with the program design portion worth 60% of the total score and program cost worth 20% of the total score. The REDC will also review the proposal and award a maximum of 20 points (20%) based on the applicant's alignment with regional priorities. Scores will be tabulated for the New Hire Training Program separately from the other three NYSDOL programs available under this RFP. Proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the funds allocated to the New Hire Training program have been exhausted.

3. Unemployed Worker Training (UWT) Program

This program provides WIOA funds to provide occupational skills training of dislocated workers to prepare them for full-time jobs (35 hours per week or more) needed by an applicant or group of applicants in the region. Training is provided in a classroom setting, and there must be a commitment from business(es) to interview individuals who successfully complete the training. Applicants are encouraged to focus training on dislocated workers from special populations, defined as those with barriers to employment under WIOA, veterans, long-term unemployed, and TANF and SNAP recipients.

A "Dislocated Worker" is defined as any of the following:

- An individual who has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- An individual who is eligible for or has exhausted entitlement to unemployment compensation;
- An individual who has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient

earnings or having performed services for a business not covered under a State unemployment compensation law;

- An individual who has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- An individual who is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member;
- An individual who was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters; or
- An individual who is a displaced homemaker - an individual who had been dependent on the income of another family member, but is no longer supported by that income; and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Allowable costs under this program include:

- The cost of providing occupational skills training course(s) as a published tuition rate, if available, or an itemized non-published tuition rate, which may include admissions, career development, work readiness, job placement, staff compensation, and operational expenses as part of the occupational skills training.
- The cost of credentialing exam fees.
- The costs of textbooks or training materials directly associated with the training.
- The cost of software that is required to deliver the program of training.
- Distance learning fees (i.e., the fee for the training slot and software required to deliver the program of training). This grant will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.
- Supportive services for trainees which may include: miscellaneous participant expenses; incentives for reaching benchmarks; payments for transportation, child care, housing, and dependent care.

The method of selection will be based on a point system, with the program design worth 60% of the total score and program cost worth 20% of the total score. The REDC will also review the proposal and award a maximum of 20 points (20%) based on the applicant's alignment with regional priorities.

4. Special Populations Training (SPT) Program

This program provides WIOA funds to provide for training of dislocated workers in special populations (e.g., ex-offenders, limited English proficient, individuals with disabilities, TANF and SNAP recipients, veterans) who require classroom-based occupational skills training in order to be qualified to be hired for full or part-time employment. For the full list of special populations eligible under this RFP, see the Workforce Innovation and Opportunity Act Section 3 (24) or the full solicitation.

A “Dislocated Worker” is defined as any of the following:

- An individual who has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- An individual who is eligible for or has exhausted entitlement to unemployment compensation;
- An individual who has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for a business not covered under a State unemployment compensation law;
- An individual who has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- An individual who is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member;
- An individual who was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters; or
- An individual who is a displaced homemaker - an individual who had been dependent on the income of another family member, but is no longer supported by that income; and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Allowable costs under this program include:

- The costs of providing occupational skills training course(s) as a published tuition rate, if available, or an itemized non-published tuition rate, which may include admissions, career development, work readiness, job placement, staff compensation, and operational expenses as part of the occupational skills training.
- The cost of credentialing exam fees.
- The costs of textbooks or training materials directly associated with the training.
- The cost of software that is required to deliver the program of training.
- Distance learning fees (i.e., the fee for the training slot and software required to deliver the program of training). This grant will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.
- Supportive services for trainees which may include: miscellaneous participant expenses; incentives for reaching benchmarks; payments for transportation, child care, housing, and dependent care.

The method of selection will be based on a point system, with the program design worth 60% of the total score and program cost worth 20% of the total score. The REDC will also review the proposal and award a maximum of 20 points (20%) based on the applicant's alignment with regional priorities. Proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the funds allocated to the Special Populations Training and Unemployed Worker Training programs have been exhausted.

ELIGIBLE APPLICANTS

Existing Employee Training Program, and New Hire Training Program

- Private sector for-profit businesses, including corporations, LLCs, LLPs, etc. with two or more employees, or the equivalent of two full-time employees; or
- Private sector not-for-profit businesses with two or more employees, or the equivalent of two full-time employees.

Unemployed Worker Training Program, and Special Populations Training Program

- Local Workforce Development Boards (LWDBs) with two or more employees; or
- Training providers with two or more employees, or the equivalent of two full-time employees.

Unincorporated LWDBs interested in applying must designate the local area's WIOA Grant Recipient or Fiscal Agent as the official grantee for any award under this offering. Training should be provided by the training providers on the Eligible Training Provider List, but this is not a requirement. LWDBs have the authority to enter into contracts with institutions of higher education, such as community colleges, or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations. LWDBs/One-Stop Operators should not deliver training directly with these WIOA funds.

In keeping with the Governor's promise to reform the State's grant contracting process, New York State has established a standardized statewide grant contracting system called the Grants Gateway, which is designed to facilitate prompt contracting.

- All applicants are required to register in this system in order to be able to enter into a contract with New York State. All entities must log-in to the Grants Gateway website at <https://grantsgateway.ny.gov> and follow the instructions to complete the registration. The registration form must be signed, notarized and mailed to Gateway Administrators. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.
- Not-for-profit organizations must take the additional step of prequalifying by completing a basic profile and storing organizational documents. Both registration and prequalification must be completed by not-for-profit organizations before the proposal is submitted. Failure to do so will mean that their proposals will not be reviewed. Not-for-profit organizations will be able to submit their responses online, and, once reviewed and approved by a state agency prequalification specialist, the not-for-profit organization will be able to apply for grants, and all information will be stored in a virtual, secured vault. Not-for-profit organizations will only have to prequalify once every three years, with responsibility to keep their information current throughout the three year period.

For additional information on registration and prequalification, please log on to the Grants Gateway web site at <https://grantsgateway.ny.gov> and/or the Grants Reform Website at www.grantsreform.ny.gov.

AWARD, CONDITIONS & REQUIREMENTS

Awards

Awards may not exceed \$100,000 per applicant. Please note that there are four NYSDOL Workforce Development programs available under this RFP: the Existing Employee Training Program, the New Hire Training Program, the Unemployed Worker Training Program, and the Special Populations Training Program. Eligible applicants may apply for funding under one, two, three or all four of these programs. However, the maximum award that an applicant may receive is \$100,000 regardless of the number of NYSDOL programs for which it applies.

For those applicants applying for multiple NYSDOL programs under the CFA, funds for two, three or all four programs cannot be combined to use on the same trainees. For example, an applicant may not use New Hire Training funds to train a new worker on-the-job and then use Existing Employee Training funds to send the same worker to classroom training. Each group of trainees must remain separate and distinct and be trained solely under one NYSDOL CFA program.

Matching Fund Requirements:

The EET, UWT, and SPT Programs have no match requirements, but leveraged funds will factor in the scoring of proposals. The NHT Program match must be at least 50% of the trainee's wages.

Contracts:

The start date for all contracts resulting from this RFP may be no earlier than the date of the award letter issued by NYSDOL and no later than six months from the date of the award letter.

Training may not begin until after an award is made (i.e., once the due date passes, reviews are completed, due diligence is completed, EEO Staffing plan approvals are made, awardees are determined and award letters are issued). The earliest start date for any contract resulting from this RFP is the date of the award letter. Any training that begins and/or is paid for prior to the date of the award letter will fall outside the contract period and be ineligible for reimbursement.

Contracts resulting from this RFP will be awarded for a period of up to one year and will operate on a cost reimbursement basis. Only not-for-profit organizations funded under the UWT or SPT Programs will be eligible for a cash advance of up to 25% upon contract execution at the sole discretion of NYSDOL and subject to the availability of funds appropriated and available for contracts entered into pursuant to this RFP. Any award must be expended on program activities in New York State.

Once a contract is developed and formally executed, funds will be released to the applicant on a cost reimbursement basis, meaning that a grantee must first pay the trainer and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made. For cost reimbursements to be approved, certain records must be kept and specific documents submitted.

CONTACT / ADDITIONAL PROGRAM INFORMATION:

The contact for this program is Julie Deo, New York State Department of Labor, Division of Employment and Workforce Solutions, State Office Campus, Building # 12, Room # 440, Albany, New York, 12240, (518) 457-3555.

Applicants may submit questions via electronic mail (CFA@labor.ny.gov). Questions regarding this RFP will be accepted no later than July 19, 2016. No telephone inquiries will be accepted. All inquiries should reference "CFA Question" in the Subject line. Answers to all questions will be posted on NYSDOL's website (<http://labor.ny.gov/businessservices/funding.shtm>) on an ongoing basis, with the final posting taking place no later than July 22, 2016.

The full RFP and any related questions and answers are available on NYSDOL's web site at <http://www.labor.ny.gov/businessservices/funding.shtm> and at <http://labor.ny.gov/cfa/index.shtm>.

The New York State Department of Labor is an Equal Opportunity Employer. Auxiliary aids and services are available upon request to individuals with disabilities.

Low Cost Financing

Federal Industrial Development Bond Cap

Available Funding: Up to \$300 million

DESCRIPTION:

Up to \$300 million of the 2016 statewide private activity bond allocation (“volume cap”) authority under Federal guidelines will be dedicated to facilitate lower cost tax-exempt bond financing for qualified projects by authorized State and/or local government issuers.

ELIGIBLE APPLICANTS/PROJECT TYPES:

In order to receive the benefits of a tax-exempt interest rate, private borrowers and their projects must be eligible under one of the federally-recognized private activity bond categories described in the Internal Revenue Code (IRC) sections 142-144, and 1394.

The most common economic-development related private activity bonds include:

- Industrial Development Bonds for small (\$10 million or less) manufacturing projects; and
- Exempt Facility Bonds, which cover a wide range of facilities including:
 - Airports;
 - Mass commuting facilities;
 - Qualified residential rental projects;
 - Facilities for the furnishing of local electric energy or gas;
 - Local district heating or cooling facilities; and
 - Sewage facilities and solid waste disposal facilities.

Projects must meet the eligibility requirements of the federal IRC and any laws, rules, or regulations governing the provision of financial assistance by the authorized issuer. Preference will be given to NY Rising Community Reconstruction Program and Opportunity Agenda projects identified by the appropriate Regional Council(s).

NY Rising Summary

The NY Rising Community Reconstruction Program is a community driven initiative that will empower localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Over the course of eight months each community will develop a comprehensive recovery that increases resilience and economic development, and positions the community to most effectively use implementation funds.

Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions enhance resilience and economic development.

For more information, please visit: <http://stormrecovery.ny.gov/community-reconstruction-program>

Downtown Revitalization Initiative

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow’s workforce will want to live, work, and raise a family.

Opportunity Agenda Summary

In his 2013 State of the State address, Governor Cuomo announced the Regional Economic Development Council Opportunity Agenda. Regional Councils will use the lessons they have learned and the collaborations they have forged to help poor communities overcome the challenges that prevent them from fully participating in the state's economic revitalization.

Applicants **must** be authorized issuers (e.g., local industrial development agency (IDA)) or agents of such authorized issuers. Where the applicant is not the authorized issuer, the authorized issuer **must** be included in CFA as a co-applicant or additional contact.

CONTACT/ADDITIONAL PROGRAM INFORMATION:

For more information eligible applicants should visit

<http://www.empire.state.ny.us/BusinessPrograms.html>

or contact George LaPointe at Empire State Development by calling (518) 292-5307.



A Division of Empire State Development