



Regional Economic Development Councils



2018 Available CFA Resources

Governor Andrew M. Cuomo

Table of Contents

Table of Contents.....	1
Introduction	2
2018 Available Resources	4
Direct Assistance to Businesses and Other Organizations.....	5
Empire State Development Grant Funds.....	5
Excelsior Jobs Program.....	11
New York State Business Incubator Program.....	15
ESD Strategic Planning and Feasibility Studies.....	19
Market New York.....	24
Community Development.....	35
New York State Council on the Arts – Arts and Culture Initiatives	35
New York State Council on the Arts - Arts & Cultural Facilities Improvement Program – Large Capital Project Fund.....	48
Community Development Block Grant Program	57
New York Main Street Program	72
Office of Parks, Recreation & Historic Preservation (OPRHP) – Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF).....	80
Waterfront Revitalization.....	97
Department of State - Local Waterfront Revitalization Program	97
Canalway Grants Program.....	126
Energy.....	132
NYSERDA Energy Efficiency Programs.....	132
NYSERDA Net Zero Energy for Economic Development.....	140
New York Power Authority - ReCharge New York	147
Environmental Improvements	148
New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant Program - Overview	148
New York State Department of Environmental Conservation (DEC) – Water Quality Improvement Project Program	155
Environmental Facilities Corp. - Green Innovation Grant Program	219
Sustainability Planning and Implementation	224
Climate Smart Communities Grant Program	224
Department of State - Local Government Efficiency Program	246
Education/Workforce Development	250
Department of Labor - Workforce Development	250
Low Cost Financing	255
Federal Industrial Development Bond Cap.....	255

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.

New York State drives economic growth by making investments that enforce four interconnecting strategies:

- **Placemaking** - The notion that where investment occurs matters. In order to attract a talented workforce, our built environment must emphasize creating accessible job centers, sustainable infrastructure, and livable communities.
- **Workforce** - The belief that people drive the economy. Targeted job training and education ensures that jobs in high-paying, in-demand, tradeable sectors are filled in an equitable way.
- **Tradeable Sectors** - The industries New York State is targeting to increase export based employment opportunities. They are the industry sectors that are part of a global market like manufacturing, agricultural products, and energy.
- **Innovation** - The strategy of investing in and creating synergies between research and commercialization to drive the economy forward.

Regional Councils are asked to address statewide priorities in ways uniquely tailored to their region which complement the regional vision. 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 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 VIII, 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 2018 to support the economic development priorities of the regions and spur job creation across the state, including \$225 million in competitive funds from Empire State Development.

In 2018, 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 VIII, 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 2018 REDC Guidebook):

- Support the Downtown Revitalization Initiative Plan and identify projects.
- Implementing additional strategies in their strategic plan.
- Maintaining a pipeline of projects.
- Working with industry to identify skills gaps
- Measuring the performance and progress of the strategic plan and CFA projects.

In addition to the \$225 million available for the competitive aspect of the Regional Council process, over \$525 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.

In 2014, the Service-Disabled Veteran-Owned Business Act was signed into law. The new law created the Division of Service-Disabled Veterans' Business Development in Office of General Services to certify, promote and encourage economic development among disabled veterans throughout the state. Project applicants are urged to work with Service-Disabled Veteran-Owned Businesses (SDVOBs) and a directory can be found at <https://ogs.ny.gov/Veterans>.

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

2018 Available Resources

Direct Assistance to Business and Other Organizations: Up to \$242.37 million

- **Empire State Development**
 - Up to \$150 million for ESD Grant Funds
 - Up to \$75 million for Excelsior Jobs Program
 - Up to \$1.37 million for Business Incubator Program
 - Up to \$1 million for Strategic Planning and Feasibility Studies
 - Up to \$15 million for Market New York

Community Development: Up to \$55.7 million

- **New York State Council on the Arts**
 - Up to \$5 million for Arts, Culture and Heritage Projects
 - Up to \$5 million for Arts & Cultural Facilities Improvement Program – Large Capital Project Fund
- **Homes and Community Renewal**
 - Up to \$20 million for New York State Community Development Block Grant Program
 - Up to \$6.2 million for New York Main Street Program
- **Office of Parks, Recreation and Historic Preservation**
 - Up to \$19.5 million for Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)

Waterfront Revitalization: Up to \$16 million

- **Department of State**
 - Up to \$15 million for the Local Waterfront Revitalization Program
- **New York State Canal Corporation**
 - Up to \$1 million for the Canalway Grants Program

Energy: Up to \$45 million

- **New York State Energy Research and Development Authority**
 - Up to \$35 million for Energy Efficiency Programs
 - Up to \$10 million for Net Zero Energy for Economic Development
- **New York State Power Authority**
 - Up to 143MW for the ReCharge NY Program

Environmental Improvements: Up to \$97 million

- **Department of Environmental Conservation**
 - Up to \$3 million for NYS DEC/EFC Wastewater Infrastructure Engineering Planning Grant
 - Up to \$79 million for the Water Quality Improvement Projects (WQIP) Program
- **Environmental Facilities Corporation**
 - Up to \$15 million for the Green Innovation Grant Program

Sustainability Planning and Implementation: Up to \$12.78 million

- **Department of Environmental Conservation**
 - Up to \$8.78 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 \$150 million

DESCRIPTION:

ESD has \$150 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. Funding decisions will be 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, coupled with New York State's economic growth priorities. 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, Veterans' Related Projects, and Downtown Revitalization Initiative projects.

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:

Grant 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, 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.

GRANT 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;
- Residential development, although program funds may only be used for the commercial component of a mixed-use project; and
- Block grant projects or revolving loan funds

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.

The amount of an award from ESD is based on a number of factors including, but not limited to, the project's alignment with the state and regional priorities, as well as the potential for direct and indirect job creation, direct and indirect fiscal benefit to the state and local governments, overall economic activity, community development and private investment. Generally, applicants should not apply for, nor will be considered for, more than twenty percent (20%) of the financing for any particular project based on the eligible total project cost. Typically, awards will be less than 20% of the eligible total project cost and the likelihood of winning an award improves as the percentage of ESD assistance is reduced and private investment or other sources are better leveraged. Exceptions to this limit may be made at the sole discretion of ESD in cases where it is found that a project or projects will have an unusual or extraordinary regional or statewide impact.

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.

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.

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 transferable at the sole discretion of ESD.
- 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 2014, the Service-Disabled Veteran-Owned Business Act was signed into law. The new law created the Division of Service-Disabled Veterans' Business Development in Office of General Services to certify, promote and encourage economic development among disabled veterans throughout the state. Project Applicants are urged to work with Service-Disabled Veteran-Owned Businesses (SDVOBs) and a directory can be found at <https://ogs.ny.gov/Veterans>.
- 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.
- Grant 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 \$75 million

DESCRIPTION: The Excelsior Jobs Program, established in Chapter 59 of the Laws of 2010, provides job creation and investment incentives to firms in targeted industries such as biotechnology, pharmaceutical, high-tech, clean-technology, green technology, financial services, agriculture and manufacturing, not inclusive. Firms in these industries that create and maintain net 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 six 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:

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.

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.

Financial Services: “Financial services data centers or financial services customer back office operations” means operations that manage the data or accounts of existing customers or provide product or service information and support to customers of financial services companies, including banks, other lenders, securities and commodities brokers and dealers, investment banks, portfolio managers, trust offices, and insurance companies.

Life Sciences: means agricultural biotechnology, biogenetics, bioinformatics, biomedical engineering, biopharmaceuticals, academic medical centers, biotechnology, chemical synthesis, image analysis, marine biology, medical devices, medical nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research, medical and neurological clinical trials, health robotics and veterinary science.

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.

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.

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.

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.

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 net new jobs in New York.

Targeted Activity	Minimum Job Creation Threshold
Agriculture	5
Back Office	25
Distribution	50
Entertainment Company	100
Financial Services	25
Life Sciences	5
Manufacturing	5
Music Production	5
Scientific R&D	5
Software Development	5

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 5 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, Veterans' Related Projects and Downtown Revitalization Initiative projects.

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 Program

Funding Available: \$1.375 Million

DESCRIPTION

The New York State Business Incubator Support Program was 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. Applications will be received and reviewed through the Consolidated Funding Application (CFA) process by both the Regional Councils and ESD. In the Round VIII competition, ESD anticipates making eleven (11) Business Incubator designations. Awardees will receive operating funds from ESD to expand and create 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 production of their products and services. This was one of the strategies laid out by Governor Cuomo to more effectively harness our innovation assets and better serve inventors and entrepreneurs. Importantly, this program will provide ESD with valuable information on the companies that are at the early stage of entry into the state's innovation pipeline.

ELIGIBILITY

- Any entity seeking designation as a New York State Business Incubator must currently be a business incubator program that 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 (no more than fifty percent of such match shall be in-kind).
- 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.

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 \$125,000¹ will be provided annually for five years to entities designated as a New York State Business Incubators. Eleven (11) awards are anticipated in this category for CFA Round VIII funding.

Successful Applicant Requirements

Entities seeking designation as New York State Business Incubator will be required to:

- Be located in New York State;
- Be a not-for-profit organization;
- Have operated an incubator for three or more 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 match² 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. 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 provided
- 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

¹ The funding is reimbursement based.

² At least 50% of the match must be cash

- 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 scored by the Regional Economic Development Council (REDC) (20 percent)
- 2). Incubation Effectiveness (20 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
- 3). 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, Regional Innovation Hot Spot, or other innovation resources?
- 4). Financial Soundness and Sustainability (20 percent)
 - Does the applicant’s operating budget demonstrate financial soundness and strength?
- 5). Regional Incubator Leadership Assistance (15 percent)
 - How does the applicant propose to assist in the growth of the region’s entrepreneurial and innovation network?
- 6). Alignment to one or more Significant Statewide Programs (10 percent)

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.

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.

PERFORMANCE MEASUREMENTS

New York State Business Incubators will be required to provide bi-annual performance reports 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 Business 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 and Downtown Revitalization Initiative projects. 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 2014, the Service-Disabled Veteran-Owned Business Act was signed into law. The new law created the Division of Service-Disabled Veterans' Business Development in Office of General Services to certify, promote and encourage economic development among disabled veterans throughout the state. Project Applicants are urged to work with Service-Disabled Veteran-Owned Businesses (SDVOBs) and a directory can be found at <https://ogs.ny.gov/Veterans>.
- 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 \$15 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 special events, including meetings, conferences, conventions, festivals, agritourism/craft beverage events, 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 2018-2019 Fiscal Year, up to \$15 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 (10) 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 two categories of funding available under *Market New York*, each with varying requirements. Up to **\$15 million total** is available for the following project categories:

- 1) **Regional Tourism Marketing (Working Capital) - \$7 million;**
(only minimum requests of \$50,000 or more will be considered); and
- 2) **Tourism Capital- \$8 million;**
(only minimum requests of \$150,000 or more will be considered).

*Applicants with projects that include both marketing and capital expenditures will need to meet the requirements for both funding tracks and clearly indicate that in their CFA application (select both capital and working capital when requested).

ELIGIBILITY REQUIREMENTS

Applicants must complete and submit a Consolidated Funding Application (CFA) which will be reviewed by Empire State Development (ESD) and the REDC. Projects that are statewide or multi-regional will be scored by the REDC where the project is mainly located headquartered, or by the REDC sponsoring the project.

Projects must clearly demonstrate in both the CFA application and the project plan that the project is tourism related. Projects that fail to establish a direct tourism impact will be determined ineligible and will not be scored.

Entities that may apply for funding include not-for-profit corporations, municipalities, Tourism Promotional Agencies (TPAs), public benefit corporations and for-profit companies. **Individuals, SUNY schools and NYS agencies 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. It is strongly advised that all Not-For-Profit organizations register with Grants Gateway upon application.

ESD's Non-Discrimination & Contractor and Supplier Diversity Policies

In accordance with the requirements of Article 15-A of the New York State Executive Law: Participation by [certified] 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 (Minority and Women Owned Business Enterprise) 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.

In 2014, the Service-Disabled Veteran-Owned Business Act was signed into law. The new law created the Division of Service-Disabled Veterans' Business Development in Office of General Services to certify, promote and encourage economic development among disabled veterans throughout the state. Project Applicants are urged to work with Service-Disabled Veteran-Owned Businesses (SDVOBs) and a directory can be found at <https://ogs.ny.gov/Veterans>.

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.

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.

SIGNIFICANT TOURISM INITIATIVES

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

- **Projects that market/promote/showcase, on at least a regional basis, New York State's:**
 - Unique, world-class destinations;
 - Broad array of available activities; and /or
 - Strength in creating family memories through activities including but not limited to outdoor recreation, historic sites and museums, food and drink, festivals and the performing arts.
- **Projects that align with I LOVE NY initiatives such as:**
 - I LOVE NY LGBT (including the commemoration of World Pride/Stonewall 50 in 2019);
 - Path Through History;
 - Taste NY and agri-tourism; and / or
 - New-to-the-state special events

FUNDING CATEGORY INFORMATION

I. Regional Tourism Marketing (Working Capital)

Up to \$7 million

Only minimum requests of \$50,000 or more will be considered.

Any grant requests under \$50,000 will be found ineligible and will not be scored.

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, in addition to increased visitation or increase spending per visitor.

Successful tourism marketing projects will also complement the goals and strategies of I LOVE NY, namely to make New York State the destination of choice for families looking to create meaningful memories and those elements highlighted above in ***Significant Tourism Initiatives***. Special measurement criteria include: increases in room nights, visitor frequency, visitor spending and length of stay. New York State will employ 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 other initiatives.

*Projects developed collaboratively between businesses and tourism promotion agencies (TPA) will be looked upon favorably.

*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 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, by the Grantee 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;
- website design/updates;
- fees paid to artists, musicians, performers, special guests & speakers;
- rental of event amenities (e.g. chairs, tents, tables, staging, lighting, fencing, etc.);
- consultation/vendor events services (e.g. security, AV, sound, lighting crews, etc.);
- site expenses & services (e.g. convention center fees, security, shuttle buses, etc.);
- event producer or other consultant costs;
- supplies and materials as approved by ESD;
- 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); and
- other costs deemed reasonable by ESD.

Ineligible Expenses

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

- food and / or beverages for consumption, including alcoholic beverages (these costs can be used towards the grantee match ONLY);
- loan, finance, interest and/or tax fees;
- legal fees, insurance/liability insurances and / or membership fees;
- in-kind, donated, volunteer services (not reimbursable nor can they be used toward the match); any costs incurred for events held outside New York State;
- wayfinding signage;
- fireworks (these costs can be used towards the grantee match ONLY) competition prizes, prize money and monies paid to participants;
- 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.). 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.);
- permanent wayfinding signage (signage produced to be placed on city, county, state roads);
- training;
- operational/overhead expenditures (e.g. rent, utilities, office supplies, etc.); and

- other expenses deemed ineligible by ESD.

Note that travel costs (transportation, lodging, mileage, etc.), as approved by the Division of Tourism, will be eligible toward the grantee's match only and not reimbursed by grant funds;

Required Match

25% of Total Project Cost

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. All expenditures, including the matched expenses, are required to be demonstrated that they were expended from the grantee's account(s). If working with a partner, the partner will need to transfer any cash match into the grantee's account(s).

Payment Process

The grantee will receive an Award Letter after the grants have been announced. After that time, the grantee will then receive an Award Confirmation Letter outlining the requirements of the grant program, what is expected of the grantee if they choose to accept the grant, and authorizing spending against 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**, no more frequently than quarterly, up to 75% of the total eligible costs that are supported by invoices, paid receipts and other documentation as required. (This means that the Grantee will need to show a minimum of 25% of their match for each reimbursement request. 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 or more.**

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.

All Regional Tourism Marketing Projects are required to complete projects within two years of the date of the award letter (December 31, 2020).

Please note: awarded grants are not transferable and project expenditures (grant and match) must be shown to have been expended from the Grantee's accounts.

Fees

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

Reporting

All projects will require that a "Project Performance Measure" report and a final report be completed before a final reimbursement will be made. Requests for reimbursement will be outlined with successful awardees in the GDA, and may be submitted no more frequently than quarterly, up to 75% of the total eligible costs. Reimbursements are eligible for request after the

successful grantee has a signed/approved grant disbursement agreement (GDA). Please note all MWBE and SDVOB requirements must be in compliance and Grants Gateway accounts in pre-qualified status for non-profit organizations, in order for payments to be processed.

II. Regional Tourism Capital

Up to \$8 million

(only minimum requests of \$150,000 or more will be considered)

Any grant requests under \$150,000 will be found ineligible and will not be scored.

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, in addition to increased visitation and visitor spending.

Successful tourism marketing projects will also complement the goals and strategies of I LOVE NY, namely to make New York State the destination of choice for families looking to create meaningful memories and those elements highlighted in ***Significant Tourism Initiatives***. Special measurement criteria include: increases in room nights, visitor frequency, visitor spending and length of stay. New York State will employ 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 other initiatives.

*Projects developed collaboratively between businesses and tourism promotion agencies (TPA) will be looked upon favorably.

Projects that include a hotel (with more than 15 employees) as a principal function and/or a convention center 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 project plan budget should reflect the same expenditures costs and total project costs indicated in the CFA application budget section.*

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, and/or with permanent structures or other infrastructure associated with a special event.

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;
- improve accessibility services;
- purchase of equipment and/or event amenities (ex. permanent staging, fixed assets, etc.)

- acquisition of an existing business and/or assets; and
- new construction, renovation or leasehold improvements.

Ineligible Expenses

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

- developer fees;
- training;
- recapitalization/refinancing;
- expenses reimbursed from any other source or agency;
- food and/or beverages for consumption, including alcoholic beverages;
- legal fees, insurance/liability insurances and / or membership fees;
- loan, finance, interest and/or tax fees; any costs incurred for capital event costs held outside New York State;
- competition prizes, prize money and monies paid to participants;
- in-kind, donated, volunteer services (not reimbursable nor can they be used toward the match);
- fringe benefits (such as health insurance, retirement benefits and other non-mandated benefits);
- wayfinding signage (signage produced to be placed on city, county, state roads);
- operational/overhead expenditures (e.g. rent, utilities, etc.);
- residential development, although program funds may be used for the commercial component of a mixed-use project; and
- other expenses deemed ineligible by ESD.

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

80% Match Required

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 for the total project cost being expended from the Grantee's accounts only. No financial payment of the grant will be made upfront. Grant funds are not transferable.

Because awards are offered as an incentive to undertake a project, the project should not begin, and expenses cannot 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.

Please note: awarded grants are not transferable and project expenditures (grant and match) must be shown to have been expended from the grantee's account(s).

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

All projects will require that a "Project Performance Measure" report and a final report, be completed before a final reimbursement will be made. Requirements for such reports/requests will be outlined in the GDA with successful awardees. Reimbursements may be eligible for request after the successful grantee has a signed and approved grant disbursement agreement (GDA). Please note all Grants Gateway accounts (for non-profit organizations) and MWBE compliance must be up to date in order for payments to be processed.

*****FOR ALL APPLICANTS WHO APPLY FOR FUNDS UNDER EITHER REGIONAL TOURISM MARKETING OR CAPITAL FUNDING SOURCES:**

- Awarded grants are not transferable.
- All project expenditures (grant and match) must be demonstrated to have been expended from Grantees accounts.
- Expenditures made by partners and/or consultants are not eligible unless the grantee can demonstrate that the partner and/or consultant was directly reimbursed by the grantee for the expenses and/or services rendered.
- Reimbursement payments may only be made to the awardee.
- Any use of the I LOVE NY logo as part of the funded project must conform to ESD guidelines and be approved in advance by ESD; non-compliance may result in a reduction and/or termination of an award.
- 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 in the application regarding a project match fails to show any demonstrated "match" for the program, the overall project may be deemed ineligible.

- 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 visitation and spending in the corresponding region of New York State.
- 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.
- Market New York Grants are meant to initiate new projects and/or provide support to expand a project beyond what an organization can do on its own. Therefore, projects that have been funded in three (3) consecutive rounds may be deemed ineligible. It is also likely that funding for multi-year or ongoing projects will decrease for each year after the first year of funding in order to facilitate self-sufficiency of these tourism projects
- 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.
- Any changes of an awarded project budget (including the match) over 10% or \$1,000, whichever is greater, and/or major changes to the scope of the project may cause a reduction of award amount or termination of your awarded grant.
- Regional Tourism Marketing projects requests must be for \$50,000 or more, projects below this minimum request will be deemed ineligible.
- Regional Tourism Capital projects requests must be for \$150,000 or more, projects below this minimum request will be deemed ineligible

**MARKET NEW YORK SELECTION CRITERIA
(Applies to both Regional Tourism Marketing and Capital projects)**

ESD will establish an internal technical review committee that will score each eligible application (applications determined to be ineligible will not be scored). Accepted applications will be reviewed by applying the review criteria described below. Reviewers' final scores will be combined to provide a *final average score* for each Proposal.

An Executive Review Team may then also consider additional or subsequent information pertaining to the Proposals that may not have been available for the reviewers to consider and award up to thirty points to each proposal.

Applications will be scored, by the internal technical review team, upon the following criteria and combined with **up to 20 points** to be scored by the REDC.

I.ESD TECHNICAL REVIEW [50 Points Total]

INCREASED TOURISM IMPACT [up to 15 Points]

How well does the project plan demonstrate:

- evidence that the project will increase tourism to and within New York State;
- that the theme and/or scope of this project will support the REDC strategic plan for the affected region(s);
- the project's overall positive economic impact on the region(s);
- if the project relates to one attraction/destination, how the project will economically benefit the region(s).

I LOVE NEW YORK ALIGNMENT [up to 15 Points]

How well does the project plan demonstrate that the proposed project aligns with the goals and strategies of I LOVE NY, increasing the perception and consideration of New York State as a travel destination, increasing visitation and creating a positive economic impact.

* Additional consideration, in this category, will be given for:

- information demonstrating project partnerships, such as how the applicant will collaborate with regional partners on the project particularly TPAs; and
- for applicants that are part of the NY Rising and/or Opportunity Agenda projects, are considered a Global NY and/or a Veteran Related Project, and
- for projects that strongly demonstrate elements in Significant Tourism Initiatives, such as:

- **Projects that market/promote/showcase, on at least a regional basis, New York State's:**
 - Unique, world-class destinations;
 - Broad array of available activities; and /or
 - Strength in creating family memories through activities including but not limited to outdoor recreation, historic sites and museums, food and drink, festivals and the performing arts.
- **Projects that align with I LOVE NY initiatives such as:**
 - I LOVE NY LGBT (including the commemoration of World Pride/Stonewall 50 in 2019);
 - Path Through History;
 - Taste NY and agri-tourism; and / or
 - New-to-the-state special events

BUDGET [up to 10 points]

How well does the project budget demonstrate:

- how the ESD reimbursed funds will be specifically spent;
- how the Grantees Match will be specifically spent;
- an overall clear budget in which all financial figures match throughout the application and project plan.

PROJECT TIMELINE & PERFORMANCE MEASURES/METRICS [up to 5 points]

How well does the project plan demonstrate:

- a timeline for individual project steps;
- performance measures/metrics to quantify the ROI and demonstrate the economic impact.

GRANT MATCH REQUIREMENT [up to 5 points]

How well does the project plan/budget evidence the necessary minimum cash match for total project costs (+ 25% for Region Tourism Marketing projects and/or+ 80% for Capital Tourism projects and projects with any capital components) with information like:

- letter(s) from partners confirming financial support/sponsorship;
- a letter from the grantee committing a specific amount of actual cash to the project; or
- a letter from a bank showing a bank loan committed to the project, etc.

*Additional consideration will be given for applications demonstrating additional funding for the proposal outside of the minimum required.

II. ESD EXECUTIVE REVIEW [30 Points Total]

ESD will consider additional factors pertaining to the Proposals, as part of the Executive Review that may not have been available for the reviewers to consider and award **up to 30 points** to each proposal. This review will take into account such factors as:

- Alignment with the mission of the Division of Tourism;
- Past Market New York compliance and contractual history;
- Geographic/regional distribution of projects awarded through the current round of Market New York funding;
- And other mitigating factors as determined by ESD.

Requested award amounts may be reduced for proposals out of proportion to the overall amount of funding available in the current round of Market New York grants.

III. REGIONAL COUNCIL SCORE [20 Points Total]

Regional Economic Development Council scoring teams will score projects from their region up to a maximum of 20 points.

TOTAL POSSIBLE SCORE FOR PROPOSAL – [100 Points Total]

MORE INFORMATION/ASSITANCE

For more information please contact the New York State Division of Tourism staff at RegionalTourism@esd.ny.gov and/or 518.292.5727.

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 through the Regional Economic Development Program (REDC). The New York State Council on the Arts (NYSCA) welcomes applications in FY2019 for requests to REDC categories 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, to encourage broader participation and public interest in the cultural, heritage of the state, and to promote economic development.

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

All NYSCA's REDC Initiative funding must be distinct from applications for support already submitted for or currently funded by other NYSCA programs in FY 2019.

Award announcements are expected to be made in December.

GOALS:

Funding opportunities are available through the REDC Initiative 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 Initiative, arts and cultural projects focused on economic and community development will:

- Develop the arts and cultural workforce sector
- 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

Grant awards will assist communities and organizations in the following ways:

- Attract visitors to experience the cultural assets of the community
- Broaden and encourage public access and participation in 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

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/eligibility>

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: <https://grantsreform.ny.gov/>

Applicants must meet agency-wide and programmatic evaluative criteria: artistic/programmatic, managerial/fiscal, and outreach/service to the public. Please click here to review the evaluative criteria: <http://www.arts.ny.gov/how-applicants-are-evaluated>

Please note: The Council rarely funds more than 25% of an organization's overall operating budget for the most recently completed fiscal year. This should be taken into consideration when determining an applicant's request amount. Please click here to review general NYSCA funding restrictions: <http://www.arts.ny.gov/eligibility>

An application made to the NYSCA REDC Initiative **is exempt** from NYSCA's two-grant request limit per applicant per year.

GENERAL ELIGIBILITY REQUIREMENTS:

- Applicants **may submit only one application** to the NYSCA REDC Initiative. Organizations **are not** restricted from applying to other NYS agencies' REDC Initiatives. Please review the resource guide materials for the other agencies thoroughly.
- Applicants **may not** request funding for the same project through the FY2019 REDC Initiative and another FY2019 NYSCA grant program, including activities receiving continuing multi-year funding.
- **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.
- Out of state travel costs are not eligible for support.

FY2019 CATEGORIES OF SUPPORT:

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

1. Arts and Cultural Impact Programming
2. Workforce Investment
3. Workforce Readiness

CATEGORY DESCRIPTIONS & REQUIREMENTS:

1) Arts and Cultural Impact Programming

Support is provided for the implementation of new, bold programming initiatives designed to have a measurable economic and community development impact in a community or region. Initiatives developed through partnerships among non-profit, for-profit and government entities are encouraged.

New York State is celebrating two landmark events of great historical significance. The NYSCA REDC Initiative is supporting arts and culture projects that are inspired by either of these two events and that broadly engage the general public, including temporary programs for art in public places.

- Nonprofit organizations and local units of government may apply in this category
- The Arts and Cultural Impact Programming category is offered as a single-year grant contract
- One-year contract and work period is from March 2019 through February 2020
- This category is open only to initiatives that are not part of a current NYSCA FY2019 request and not included in activities receiving continuing multi-year funding

For the FY19 grant cycle funds must be directed in the Arts and Cultural Impact Programming category in any ONE of the following 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 statewide. Historic and cultural links to the Erie Canal Corridor can be found from the Great Lakes, to the Mohawk River, 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 throughout New York State. It has had an enduring impact along all of New York's inland waterways and canal systems.

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 activities, programs, or events that celebrate and interpret the construction, historical development, traditions, communities and contemporary culture relating to and along the Erie Canal.

FY19 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 and present 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 FY19 NYS Canal Corporation CFA opportunities and the Erie Canal, refer to:

About the Bicentennial:	http://www.discovertheeriecanal.com/
Canal Corporation:	http://www.canals.ny.gov/
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 directly from those programs. This might include creation of new work, performances, festivals and exhibitions.

Women's Suffrage Background Link:

<https://www.ny.gov/programs/new-york-state-womens-suffrage-commission>
http://www.assembly.state.ny.us/member_files/084/20090313/

FOCUS 3

Art and Artists In Public Places

Funds can be requested for organizations producing, presenting or exhibiting arts or cultural activities that relate to the distinctive sense of place of the community or region where the activity occurs. These may include visual, performing, literary or traditional folk arts that are inspired by and express a community's experience of place. Support is available for 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. Priority will be given to activities occurring in currently underutilized locations and venues such as empty storefronts, squares, parks, waterfronts, streets, markets and cultural districts that will increase visibility of a community's cultural resources while serving as an economic driver for the defined area. Applications can involve any arts discipline and may include multidisciplinary programs as well as engaging resident artists to represent the identified area.

Successful applications will demonstrate an inclusive approach, engaging a variety of stakeholders as part of the proposed art and artists in public places program. Further, they will demonstrate the need for public programs that specifically relate to the proposed location. Programming taking place in areas experiencing significant economic challenges are encouraged.

Informational Links:

<http://www.passagewayschattanooga.com/passageways>

<https://www.artplaceamerica.org/>

Arts and Cultural Impact Programming Criteria:

- Programming awards will range from \$25,000 - \$49,500
- Require a 1 to 1 cash match of request amount from non-NYSCA sources (in-kind services **are not** permitted)
- In no case will an Arts and Cultural Impact grant fund more than 50% of the total project cost
- Temporary arts or cultural activities that by design take place in currently underutilized locations and venues
- Nonprofit organizations and local units of government may apply in this category
- Partnership applications are strongly encouraged

The following are not eligible for Arts and Cultural Impact Programming Support:

- Permanent public works of art
- Proposals involving regranteeing of funds **are not** eligible for support
- Production support for broadcast/cablecast programming, film and media documentary
- Website design, equipment purchases or capital projects

Required Supplemental Materials:

1. 1-page Resume(s) of key program consultant(s) and/or staff
2. Current organizational chart of lead organization including names and titles of all staff and board members
3. Representative work samples that showcase the artistic content of the initiative. Up to two video work samples of no more than three minutes each and/or stills. If Submitting stills, no more than 10 stills may be submitted. To provide videos and/or stills, please create a PDF document with a list of active hyperlinks and/or stills. Label each work sample with artist(s), title, year, and for visual arts initiatives, medium(s) and dimensions.
4. Comprehensive marketing plan
5. OPTIONAL: Letters of support and/or partnership
6. Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload
 - a. 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 2018
 - b. Click here to download the NYSCA Organization Budget Form:
http://nysca.org/downloads/guidelines/NYSCA_Org_Budget_Form.xls

Impact Programming 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 in the area of artist compensation
- New opportunities for local and regional artists to create, market or make a living from their art

2) **Workforce Investment**

Workforce Investment support is designed to expand the capacity of New York State's arts and cultural organizations with operating budgets from the organization's last completed fiscal year that do not exceed \$1,000,000. Please note there is no limit on the organizational budget size for applications submitted in the Resident Artist 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. Positions to be occupied by members of communities underrepresented in arts and cultural professions are encouraged. Applicants should demonstrate how this position will contribute to the organizational goals relating to diversity and inclusion.

- **Organizations that have already received REDC Workforce Investment funding are not eligible to apply in this category**
- Only nonprofit arts and cultural organizations may apply in this category
- In every case grant funds received can fund only a SINGLE position
- Applications for multiple positions are not eligible
- The Workforce Investment category is offered as a single-year grant contract
- One-year contract and work period is from March 2019 through February 2020
 - **NOTE:** Up to a six-month extension may be requested to spend down funds over a longer period if needed. Extensions will be approved on a case by case basis.
- This category is open only to initiatives that are not part of a current NYSCA FY2019 request and not included in activities receiving continuing multi-year funding

For the FY19 grant cycle, funds in the Workforce Investment category must be directed toward any ONE of the following focus areas:

FOCUS 1

Administrative Position

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 a case-by-case basis.

FOCUS 2

Artistic Position

Support for the following artistic 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 a case-by-case basis.

FOCUS 3

Resident Artist Position

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. NOTE: There is no limit on the organizational budget size for applications submitted in the Resident Artist focus area.

Applicants are encouraged to apply for residencies for artists with disabilities as well as for artists with or without disabilities who are skilled American Sign Language Interpreters. In the latter case, a lead applicant may wish to apply for a partnered residency in which an artist/ASL interpreter is shared with another organization, and may, for example, interpret for a deaf designer at one performing arts organization and perform or direct at another over the course of the residency.

Workforce Investment Criteria

- Workforce investment awards will range from \$25,000 - \$75,000
- Grants received may only be allocated toward base salary
- Require a 25% cash match based on the request amount from non-NYSCA sources (in-kind services **are not** permitted)
- Cash match may only include a combination of additional salary, fringe benefits and employer-paid payroll taxes
- 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 employee's hours
 - Wages to hire a new full or part-time staff employee
- Proposals involving regranting of funds **are not** eligible for support
- The applicant's overall operational budget **may not exceed** \$1,000,000 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 Resident Artist focus area

Required Supplemental Materials:

1. New Hire: 1-page Job announcement and detailed job description for the new position
OR
Expanded Position: 1-page resume of staff member being expanded to fulltime and detailed job description of expanded position
2. 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
3. 1-2-page recruitment plan including key search personnel conducting the search and hire timeline
 - a. Note: provide a recruitment plan even if the candidate has been identified
4. OPTIONAL: Letters of support and/or partnership
5. Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload
 - a. 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 2018
 - b. Click here to download the NYSCA Organization Budget Form:
http://nysca.org/downloads/guidelines/NYSCA_Org_Budget_Form.xls

3) Workforce Readiness

Workforce Readiness support is designed to prepare emerging professionals for careers in the arts through innovative training, mentoring and professional development programs. A successful Workforce Readiness Program will include one or more of the following: work experiences such as summer and year-round employment, on-the-job training, apprenticeships, internships and job-shadowing opportunities.

These opportunities must not replace or supplement an applicant organization's existing staff.

Projects involving pathways that incorporate multiple stages in the development of an arts career, including training and exposure in schools or arts organizations, employment and on-going support are welcomed.

At least 30% of the overall proposed program budget must be used to compensate participants for their time as part of the program.

- Only nonprofit arts and cultural organizations may apply in this category
- In every case the grant will cover direct costs associated with the proposed program intended to benefit at least 2 or more participants as part of the proposed program
- The Workforce Readiness category is offered as a single-year grant contract
- One-year contract and work period is from March 2019 through February 2020
- This category is open only to initiatives that are not part of a current NYSCA FY2019 request and not included in activities receiving continuing multi-year funding.
- **Organizations that have already received REDC Workforce Readiness funding in this category are not eligible to apply**

For the FY19 grant cycle, funds in the Workforce Readiness must be directed category towards any ONE of the following focus areas:

FOCUS 1

Arts Career Development Fellowships for Underrepresented Communities

Support is available to provide fellowship and career development 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. Fellowship programs that incorporate a "pipeline" that includes training and exposure in schools or arts organizations and on-going support are welcomed.

FOCUS 2

Arts Career Training Programs

Support is available to provide youth and young adults ages 16-25 training opportunities that offer a pathway to working in the arts and cultural sector. Training opportunities can revolve around administrative or production-related skills-based learning that encompasses any number of arts disciplines. Applicants are encouraged to collaborate with high schools, community colleges and four-year colleges.

Administrative training programs can encompass any number of areas including: box office operations, front of house operations, bookkeeping for nonprofits, basic grant writing, marketing, and facilities management.

Production training programs can encompass any number of areas, including: stage management, company management, curation and program coordination, art handling, design, technical operations (light board, stage craft, electrics, exhibition installation, etc.).

Programs that target members of communities underrepresented in arts professions are encouraged.

Other specific training opportunities that meet overall category criteria will be considered on a case-by-case basis.

Workforce Readiness Criteria

- Workforce Readiness awards will range from \$30,000 - \$75,000
- Require a 25% cash match based on the request amount from non-NYSCA sources (in-kind services **are not** permitted)
- 30% or more of the overall program budget must be used to compensate participants.
- Grants received may only be allocated towards direct program costs
- Workforce Readiness funds **may not** support contracted employees or seasonal staff
- Workforce Readiness grants will only support:
 - Wages and travel reimbursement to program participants
 - Direct program costs such as program coordinator fees, instructor fees, seminar and other related event fees and recruitment
- Proposals involving regranteeing or scholarship of funds **are not** eligible for support

Required Supplemental Materials:

1. 1-page program announcement and 1-2-page detailed training or work/learn description or curriculum and timeline delineating activities occurring during the duration of the program
2. Current organizational chart including names and titles of all staff and board members
3. 1-2-page recruitment plan including key search personnel conducting the search and timeline delineating the selection of program participants
 - a. Note: provide recruitment plan even if the candidates have been identified
4. 1-page Resume(s) of key program consultant(s) and/or training staff
5. OPTIONAL: Letters of support and/or partnership
6. Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload
 - a. 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 2018
 - b. Click here to download the NYSCA Organization Budget Form:
http://nysca.org/downloads/guidelines/NYSCA_Org_Budget_Form.xls

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.

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.

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 NYSCA.REDC@arts.ny.gov

Application questions should be submitted via email to (NYSCA.REDC@arts.ny.gov) no later than July 09, 2018. Beyond this date, we cannot guarantee that staff will be able to respond to inquiries before the application deadline. All inquiries should reference "CFA Question" in the Subject line.

Click *Regional Priorities* at <https://regionalcouncils.ny.gov/> to view detailed information about the Regional Economic Development Councils.

REDC INITIATIVE 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.

Staff Review

NYSCA's program and administrative staff verify applicant eligibility and review application materials according to NYSCA's primary criteria, 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 five 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. The panel discusses, evaluates and rates each request according to NYSCA's criteria.

New York State Council on the Arts - Arts & Cultural Facilities Improvement Program – Large Capital Project Fund

Funding Available: Up to \$5 million

DESCRIPTION

The *Arts & Cultural Facilities Improvement Program* is a capital grant program established to strengthen tourism, promote business development, and improve the quality, efficiency and accessibility of New York State arts and cultural organizations through targeted investments.

Funding is available for, but not limited to, renovations and/or expansions of space(s) that are open to the public; modifications to provide for sustainable, energy efficient spaces that would result in overall cost savings; accessibility renovations; as well as technology and other equipment that would benefit the public. The *Arts & Cultural Facilities Improvement 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 2019-2020 Fiscal Year, up to \$5 million will be available through the *Large Capital Project Fund*.

For the *Large Capital Project Fund*, only request amounts between \$250,000 and \$1,000,000 will be considered. For request amounts below \$250,000, please see the Mid-Size Capital Project Fund guidelines on the [NYSCA website](#). Award announcements are expected to be made in December 2018, with grant contracts starting in March 2019.

Funding is available for eligible projects that include plans to improve the quality, efficiency, and accessibility of arts and cultural organizations within New York State, thereby increasing the economic impact in the corresponding region as a result of increased visitation and visitor spending. Grant funding will be allocated among the ten (10) 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/>.

ELIGIBILITY REQUIREMENTS

Applicants must complete and submit a Consolidated Funding Application (CFA) which will be reviewed by the New York State Council on the Arts (NYSCA) and the REDC for the primary region in which the project is located or headquartered if there is not one single project location.

Applications must clearly demonstrate that the project is related to arts and culture in both the CFA application and the project plan. Projects that fail to establish this focus will be determined ineligible and will not be scored.

Only Not-For-Profit arts and cultural organizations incorporated in NY State or registered to do business in NY State may apply for funding. 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.

These organizations are not eligible:

- Religious institutions or arts organizations requesting funds for a facility they share with or lease from a religious institution.
- Public school districts, public universities, or state agencies, or arts organizations leasing their facility from such an entity.
- Organizations that have already received 2017 *Arts and Cultural Facilities Improvement Program* funding.
- Organizations applying to the Mid-Size Capital Project Fund.

Not-for-profit organizations who are successful in receiving grants under this program must meet the following requirements prior to 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.

If applicable, 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 **required for applicants to 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. Additionally, it should include the following documents as appropriate: architect(s), engineer(s) and other key project contractor resume(s), facility images and/or images of architect(s); further, a fundraising plan for the required 50% cash match. It is also strongly advised that applicants provide information that clearly and specifically addresses the Scoring Criteria listed later in these guidelines. Additionally, the project plan budget should reflect the same expenditures costs and total project costs indicated in the CFA application budget section.*

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 NYSCA's MWBE Officer who 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 NYSCA'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.

Proposed projects that are part of the following significant statewide 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 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.

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.

Eligible Project Activities

The general purpose of this program is to fund capital expenditures which 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.).

Therefore, eligible arts and culture costs include, but are not limited to, the following:

- Acquisition of land and/or buildings, new construction, renovation or expansion of leasehold improvements;
- Acquisition of fixed capital equipment;
- Acquisition of fixtures;
- Soft costs of up to 15% of total project costs;
- Design studies related to a specific capital project including conceptual, schematic, design development through construction documents.

Use Restrictions

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

- developer fees;
- training;
- recapitalization/refinancing;
- expenses reimbursed from any other source or agency;
- food and/or beverages for consumption, including alcoholic beverages;
- legal fees, insurance/liability insurances and / or membership fees;
- any costs incurred for capital costs outside New York State;

- competition prizes, prize money and monies paid to participants;
- in-kind, donated, volunteer services (not reimbursable nor can they be used towards the match);
- fringe benefits (such as health insurance, retirement benefits and other non-mandated benefits);
- wayfinding signage (permanent signage produced to be placed on city, county, state roads);
- operational/overhead expenditures (e.g. rent, utilities, etc.);
- residential development, although program funds may be used for the commercial component of a mixed-use project; and
- other expenses deemed ineligible by NYSCA.

Required Match

50% Match Required

No more than fifty percent (50%) of the financing for *Large Capital Project Fund* projects will be considered. **An actual cash match of 50% of the Total Project Cost is required. In-kind matches and/or staff time is not eligible for the match requirement.** Additionally, funds from any other state agency (e.g. I LOVE NY Matching Funds, ESD or other NYSCA Fund) are ineligible to be used for the match.

*Match Example: A \$1,000,000 **total project cost** requires a \$500,000 **minimum match**, regardless of the grant amount being requested.*

Award and Payment Process

The grantee will receive an Award Letter after the grants have been announced with details of all requirements of the grant program and what is expected of the grantee if they choose to accept the grant. If the grantee accepts the award, the grantee will be required to prequalify with NY State and enter into a NY State Master Grants Contract (Grant Disbursement Agreement/GDA) with NYSCA in the Grants Gateway, after Council approval.

All grants contracts will be paid on a performance basis, as follows:

- Upon contract execution by the State Comptroller, the grantee receives a **25% advance** of the contract award amount.
- **The grantee is eligible to receive the second installment payment of 35% of the contract amount, for a total amount of 60% of the contract amount at an appropriate interval to be determined by the grantee, NYSCA, and the supervising project manager based on the length of the contract term. The second installment payment will not be released until the Grantee submits to NYSCA a detailed Progress Report comprised of a detailed progress report, and can demonstrate how they have spent or intend to spend the funds to date. Upon satisfactory submission and approval of the report, the grantee will be sent a Claim for Payment Form for the second installment payment.**
- **The grantee is eligible to receive the third and final installment payment of 40% of the contract amount when it is determined that at least 95% of the project has been completed, as determined by the grantee, NYSCA, and the supervising**

project manager. The third and final installment payments will not be released until the Grantee submits to NYSCA a Progress Report comprised of a detailed narrative report, and can demonstrate how they have spent or intend to spend the funds to date, and that the grantee has successfully raised the 50% match for the project. Upon satisfactory submission and approval of the report, the grantee will be sent a Claim for Payment Form for the second installment payment.

Expenses incurred prior to the award of the grant may not be included in the project budgets; additionally, expenses incurred after submission of a CFA but prior to an award announcement are not eligible for reimbursement.

Fees

There are no fees associated with this Program.

Reporting

Requirements for progress reports and requests for reimbursement will be outlined with successful awardees in the Award Confirmation Letter and the GDA. Awardees will also be notified of reporting requirements pursuant to NY State's MWBE requirements and its Grants Gateway prequalification and Vendor Responsibility procedures.

Grantee Reporting Requirements:

1. Milestone Payment # 1 (25%):

- a. Project Budget showing hard and soft costs. Hard costs in G702/3 format listing all proposed subcontractors
- b. known
- c. Submit executed copies all sub-contractor contracts valued above \$100K
- d. Compliance with other NYSCA requirements incl. VendRep

2. Milestone payment # 2 (35%) Reporting requirements:

- a. Progress Narrative
 - i. 1-3 pages summary outlining progress of scope completed to date, including any material changes to design or scope objectives
- b. Anticipated costs and expenditure report summary (1-3 pages)
- c. Grantee G702/3 showing progress payments = / > 60% of project cost, including backup – bills of sale, photos of work in place and stored materials listed in G703 continuation sheet, columns "F" and "G"
- d. Subcontractors G702/3 including backup – bills of sale, photos of work in place and stored materials listed in G703 continuation sheet, columns "F" and "G"

3. Milestone payment # 3 (40%) Reporting requirements:

- a. Progress Narrative
 - a. 1-3 pages summary outlining progress of scope completed to date, including any material changes to design or scope objectives
- b. Anticipated costs and expenditure report summary (1-3 pages)
- c. Grantee G702/3 showing progress payments = / > 95% of project cost including backup – bills of sale, photos of work in place and stored materials listed in G703 continuation sheet, columns "F" and "G"
- d. Subcontractors G702/3, including backup – bills of sale, photos of work in place and stored materials listed in G703 continuation sheet, columns "F" and "G"

- e. Evidence of Project Substantial Completion as certified by the Project Architect/Engineer. If no architect exists for the project, as certified by Grantee CFO and CEO

****FOR ALL APPLICANTS WHO APPLY FOR FUNDS UNDER THIS PROGRAM:**

- Awarded grants are not transferable.
- All project expenditures (grant and match) must be demonstrated to have been expended from Grantees accounts.
- Expenditures made by partners and/or consultants are not eligible unless the grantee can demonstrate that the partner and/or consultant was directly reimbursed for the expenses and/or services rendered.
- Grant award payments may only be made to the awardee.
- 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.
- Applicants must demonstrate how *Large Capital Project Fund* support for these expenses will be used to achieve 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.
- 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 *Large Capital Project Fund* 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 will be required to adhere to the terms outlined in the award letter and contract, including all requested documentation, including interim and final reports.
- All grantees are fully responsible for being aware of any taxes required to be paid as a part of accepting an awarded grant. The New York State Council on the Arts is not able to provide assistance on your tax reporting status.
- Major changes to the scope of the project will cause a proportional reduction of award amount or termination of your awarded grant.

SCORING CRITERIA

NYSCA will work to determine a total score based on the NYSCA Technical Review Final score as outlined below.

Eligible applications will be reviewed by applying the review criteria described below. NYSCA will consider regional distribution in the determination of awards, to the extent practicable.

The total score will then be added with **up to 20 points** to be scored by the REDC for a final score.

I. NYSCA REVIEW [80 Points Total]

This review will take into account such factors as:

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. The following are considered elements of Artistic/Programmatic Excellence.

Applicants will be evaluated based on their strength in these areas:

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.

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.

PROJECT TIMELINE & PERFORMANCE MEASURES/METRICS

How well does the project plan demonstrate:

- a timeline for individual project steps;
- performance measures/metrics to quantify the ROI and demonstrate the economic impact.

Additionally, NYSCA will look favorably on projects that meet one or more of the following priorities:

- Projects that improve, expand, or rehabilitate existing buildings to provide access for all.
- Projects that address known health and safety deficiencies.
- Projects that address issues of building stabilization.
- Projects from organizations that further cultural development in rural or minority communities.
- Projects that reduce an organization's operating costs.
- Projects that demonstrate environmental stewardship and/or sustainable building practices.

NYSCA shall have the discretion to consider additional factors in determining the relative merits of projects.

INCREASED ECONOMIC IMPACT

How well does the project plan demonstrate:

- evidence that the project will increase arts and cultural activities within New York State;
- theme and/or scope of this project support the REDC strategic plan for the affected region(s);
- the project's overall economic impact on a region(s);
- if the project relates to one attraction/destination, how the project will economically benefit the region(s).

BUDGET & GRANT MATCH REQUIREMENT

How well does the project plan/budget/match demonstrate:

- how the grant funds will be spent;
- how the Grantee's match will be spent;
- information illustrating the necessary minimum cash match for total project costs:
- letter(s) from partners confirming financial support/sponsorship, or
- a letter from the grantee committing a specific amount of actual cash to the project, or
- a letter from a bank showing a bank loan committed to the project, etc.
- additional consideration will be given for applications demonstrating additional funding for the proposal outside of the minimum required.

II. REGIONAL COUNCIL SCORE [20 Points Total]

Regional Economic Development Council scoring teams will score projects from their region up to a maximum of 20 points.

TOTAL POSSIBLE SCORE FOR PROPOSAL – [100 Points Total]

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 NYSCA.REDC@arts.ny.gov

Application questions should be submitted via email to (NYSCA.REDC@arts.ny.gov) no later than July 09, 2018. Beyond this date, we cannot guarantee that staff will be able to respond to inquiries before the application deadline. All inquiries should reference “CFA Question” in the Subject line.

Click *Regional Priorities* at <https://regionalcouncils.ny.gov/> to view detailed information about the Regional Economic Development Councils.

Community Development Block Grant Program

Funding Available: Up to \$20 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). For 2018, the OCR may make up to \$20 million available.

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) Microenterprise (4) Community Planning.

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. Note that ancillary activities, such as homeowner service lateral replacement, should not exceed 10% of the grant amount without formal approval from OCR.

The Public Works activity consists of, but is not limited to, standalone public works components such as 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 standalone 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/>.

OCR may consider certain eligible pre-award costs for **water or sewer/stormwater projects only**, which may include pre-development costs necessary to complete the environmental review process required for all CDBG projects under the National Environmental Policy Act (NEPA). This will encourage projects that are more "shovel-ready" upon award. These expenses may include, but are not limited to:

- Engineering or design work needed to obtain approval from state or federal agencies
- Administrative costs incurred consulting with state and federal agencies
- Permitting activities needed to complete the Environmental Review Record (ERR) and/or Request for Release of Funds (RROF). This includes addressing State Environmental Quality Review Act (SEQRA) process requirements as applicable

Pre-development costs incurred up to 12 months prior to grant award may be eligible for reimbursement. Eligible costs must still meet all CDBG rules and regulations including federal procurement and civil rights requirements, and must be in compliance with 2CFR 200. **Applicants are strongly urged to contact OCR prior to considering incorporating pre-award costs into the project budget to ensure that those costs are eligible.**

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.); sidewalks; 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), however, the removal of architectural barriers in a building for the general conduct of government may be eligible. 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) **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: 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 2018 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.

4) **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 include assisting 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 help initiate a planning process that will result in follow-up implementation plans to 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, building studies, and asset management plans. Comprehensive Plans, Strategic Plans, and Master Plans are not eligible 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.

Activity Funding Limits:

<u>Public Infrastructure</u>	Maximum
Counties, Towns, Cities or Villages	\$750,000
*With NYS Co-Funding Initiative	\$1,000,000
Joint Applicants	\$900,000
*Joint w/Co-Funding Initiative	\$1,250,000
<u>Public Facilities</u>	
Counties, Towns, Cities or Villages	\$300,000
<u>Microenterprise</u>	
Counties, Towns, Cities or Villages	\$200,000
<u>Planning</u>	
Counties, Towns, Cities or Villages	\$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 should 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, single applicants may apply for an amount of funding not to exceed \$1,000,000 (\$1,250,000 for joint applicants).** “Co-funded” projects are those projects that include other State and/or Federal sources including, but not limited to, USDA Rural Development and/or 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 - Project listed on Intended Use Plan (IUP) AND financing application has been submitted
- Other Sources – Contact NYS OCR

All qualifying documentation must be submitted as an attachment to the funding application **and is subject to review and approval by the OCR.**

OCR may consider certain eligible pre-award costs for **water, sewer, or storm water projects only**, which may include pre-development costs necessary to complete the environmental review process required for all CDBG projects under the National Environmental Policy Act (NEPA). These expenses may include, but are not limited to:

- Engineering or design work needed to obtain approval from state or federal agencies

- Administrative costs incurred consulting with state and federal agencies
- Permitting activities needed to complete the Environmental Review Record (ERR) and/or Request for Release of Funds (RROF). This includes addressing State Environmental Quality Review Act (SEQRA) process requirements as applicable

Pre-development costs incurred up to 12 months prior to grant award may be included as part of the project budget. Eligible costs must still meet all CDBG rules and regulations including federal procurement and civil rights requirements, and must be in compliance with 2CFR 200. **Please contact OCR prior to considering incorporating pre-award costs into the project budget to ensure that those costs are eligible.**

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 15% of the CDBG award in program delivery, administration, and training combined. Of the 15%, administration must not exceed more than 5% of the total CDBG award.

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 up to the maximum per activity. The total amount requested by the applicant between the two categories of Public Infrastructure and Public Facilities cannot exceed the individual caps listed above for counties, cities, towns and villages, with the exception of single and joint projects that qualify under the higher threshold as described above. Applicants may request up to the maximums listed for Microenterprise regardless of any applications submitted for other categories of assistance. Applicants may also request up to the maximum listed for Planning regardless of any other applications submitted for any other categories of assistance. However, as noted above, demonstrated capacity to carry out each grant activity in a timely manner is a factor in the application review process, so funding requests should be determined with this in consideration.

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 submission 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:

- **Public hearings must be held by a quorum of the legislative body of the eligible applicant, not by a department or arm of the local government, a Subrecipient or other related organization;**
- The notice for the hearing must specifically mention the municipality's intent to apply for NYS CDBG funds, and must identify activities that may be applied for during the current program year;
- 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 municipality must provide a minimum seven (7) day period between the publication of the hearing notice and the hearing itself. Note that the date of publication is day "zero"
- The hearing notice must be conspicuously posted in one or more public locations at least seventy-two (72) hours prior to the actual hearing. This may also be accomplished by posting to the municipal website;
- The public hearing must be conducted at least two (2) weeks prior to finalizing an application; The municipal resolution authorizing the public hearing, the hearing notice, affidavit of publication, list of attendees, and hearing minutes, 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.

Civil Rights Materials

- Affirmatively Furthering Fair Housing (AFFH) attachments.

Program Income Report (Required)

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.
- Draft Agreement between Recipient and businesses to receive assistance.

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.

Civil Rights Materials

- Affirmatively Furthering Fair Housing (AFFH) attachments.

Program Income Report (Required)

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.)

Civil Rights Materials

- Affirmatively Furthering Fair Housing (AFFH) attachments.

Program Income Report (Required)

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, 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.

Veterans' Related Projects

New York State is home to more than 900,000 veterans, 72% 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.

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 with the exception of handicapped accessibility improvements to comply with the Americans with Disabilities Act (ADA). 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.

Project Assessment Points – 80 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 80 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 – 40 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 – 25 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 – 40 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 – 25 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.

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.

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.

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 any construction 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. OCR may consider certain eligible pre-award costs for eligible costs for **water or sewer/stormwater projects only**, which may include pre-development costs necessary to complete the environmental review process required for all CDBG projects under the National Environmental Policy Act (NEPA). This will encourage projects that are more "shovel-ready" upon award. **Applicants are strongly urged to contact OCR prior to considering incorporating pre-award costs into the project budget to ensure that those costs are eligible.**

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 \$6,200,000

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 2018 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

Applicants may propose one activity for a 2018 New York Main Street (NYMS) application. Four NYMS activities are available in the 2018 CFA New York Main Street application:

1. Technical Assistance Project

Applicants may request up to \$20,000 to complete a project that improves community or property owner readiness to participate in a future New York Main Street renovation activity. Examples of eligible NYMS-TA activities include, but are not limited to the projects described below. Please contact the Office of Community Renewal at 518-474-2057 or HCR_CFA@nyshcr.org to discuss project eligibility prior to applying.

- Building Reuse or Feasibility Analysis - Analysis of rehabilitation or adaptive re-use options for downtown, mixed-use building(s) to provide property owners with the resources necessary to make informed decisions regarding the feasibility of rehabilitation projects. These studies may include: historic and architectural analysis; building condition assessment; building code analysis; structural engineering study, proposed uses for the building including opportunities for upper story apartments; plan drawings; green technology potential; cost estimates; and funding strategies, including historic tax credits; and pro-forma analysis.
- Design Guidelines - The importance of preserving downtown architecture must not be overlooked in repairing and renovating buildings for new occupants and uses. Design Guidelines should be an educational tool for property owners and provide technical assistance and practical recommendations for repairing and renovating downtown, potentially historic, building facades and storefronts. Proposals to produce Design Guidelines must provide clear community support, and a plan for formal adoption and implementation once produced.

Examples of completed NYMS-TA Projects are available for review online, here:
<http://www.nyshcr.org/Programs/NYMainStreet/TA/>

2. Traditional NYMS Target Area Building Renovation Project

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.

- 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 be awarded only for activity ancillary to a traditional NYMS building renovation project and cannot be applied for on its own. NYMS Downtown Anchor or Downtown Stabilization applicants may not request Streetscape funds.

- 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 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.
- **Soft Costs:** Applicants may request funds to cover architectural and engineering work, required environmental testing and clearances, and filing fees. These expenses must be included in the per-building activity funding limits, require matching funds 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. Funds for Soft Costs must be requested at the time of application, and must be included within the maximum request amount.

Funds for Administration and Soft Costs are available on a reimbursement basis, and will therefore be reviewed for eligibility prior to disbursement of funds. Applicants are not required to request NYMS program funds for Administration or Soft Costs, but are encouraged to identify alternate sources of funds for administrative expenses and soft costs. Additional funding commitments for administrative expenses and soft costs strengthen an application.

Example NYMS Target Area Building Renovation Application Request:

\$250,000	2018 NYMS Request Amount
\$210,000	Building Renovation Funds: to renovate five buildings
\$15,000	Streetscape Enhancement Funds: install bike racks and benches
\$10,000	Soft Costs: to hire environmental firm to complete five site specific reviews
\$15,000	Administration: staff time to administer grant

3. NYMS Downtown Anchor Project:

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

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.

- **Soft Costs:** Applicants may request funds to cover architectural and engineering work, required environmental testing and clearances, and filing fees. These expenses must be included in the per-building activity funding limits, requires matching funds and may not exceed 18% of the NYMS renovation funds for the 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. Funds for Soft Costs must be requested at the time of application, and must be included within the maximum request amount.

Funds for Administration and Soft Costs are available on a reimbursement basis, and will therefore be reviewed for eligibility prior to disbursement of funds. Applicants are not required to request NYMS program funds for Administration or Soft Costs, but are encouraged to identify alternate sources of funds for administrative expenses and soft costs. Additional funding commitments for administrative expenses and soft costs strengthen an application.

Example NYMS Downtown Anchor Project Application Request:

\$250,000	2018 NYMS Downtown Anchor Project Request Amount
\$227,500	Building Renovation Funds: to renovate one project
\$10,000	Soft Costs: to hire firm to complete environmental review
\$12,500	Administration: staff time to administer grant

4. NYMS Downtown Stabilization Project

Applicants may request \$50,000 to \$500,000 to complete a Downtown Stabilization Project. Funds are available to assist with environmental remediation and associated construction costs, as well as other innovative approaches to stabilizing and developing a downtown, mixed-use project. NYMS Downtown Stabilization Project 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 support, financial commitments and a compelling need for substantial public investment.

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: An applicant is encouraged to focus its efforts on one project type. For this reason, applicants may propose only one NYMS activity in an application.

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. General planning activities are not eligible under the four NYMS program activities.

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. Applications should include data and a relevant examination of that data to demonstrate substantial need. The application must provide a clear statement about the need for public investment in the proposed target area and specific need for the NYMS program funds to receive maximum points.

Impact - 10 Points

Measures the extent to which the project described in the application will have a positive public benefit and sustainable positive impact on the commercial and residential conditions in the target area and surrounding community and neighborhoods. Applications should provide clear explanations of the anticipated impact of the proposed program, including but not limited to enhancement of existing assets in the target area and community, expansion of economic opportunities, ability to spur investment of private resources, improvement of aesthetics, preservation and creation of affordable housing in the upper floors of mixed-use buildings. Applications determined to have the greatest impact on increasing the availability of quality, affordable housing and the greatest impact on business conditions, when compared to other applications, will receive the highest scores.

Leveraging & Financing Plan - 20 Points

Measures the quality and completeness of the proposed project budget and status of funding commitments, specifically:

- Clarity of project budget including eligible use of funds and substantiated request amount;
- Status of funding commitments for required match and construction financing;
- Extent to which the NYMS resources will result in additional investments including private sources beyond the required matching funds;
- Plan for use of funds for soft costs and administrative expenses.

Implementation Capacity and Readiness - 40 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 that are administering an open NYMS or other Office of Community Renewal program contracts where substantial expenditure or funding commitments have been achieved and sufficient progress has been made. Points are also available to applicants that have successfully and effectively completed previous NYMS or other Office of Community Renewal program contract obligations. Applicants that have not previously participated in the NYMS program but 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 also be eligible for points.
- 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.
- 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 the plan for a coordinated design review process. 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 implementing sensitive design plans.

- **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.

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, local approvals and administrative capacity.
- 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.
- **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.

Award Criteria Details:

- 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.
- HTFC will consider regional distribution in the determination of awards, to the extent practicable.

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>

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

All NYMS activities including contracting, professional services and administration require a minimum of two bids or proposals to be solicited and accepted by the applicant organization to establish reasonableness of cost.

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 (90% Area Median Income) by signing and filing a Property Maintenance Declaration with the County in which the building is located.

Project Term Completion Dates:

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. NYMS-Technical Assistance project awardees enter into a one-year grant agreement. NYMS Target Area Building Renovation, Downtown Anchor and Downtown Stabilization awardees enter into a two-year grant agreement.

Applicants should not submit applications if they do not expect to initiate the project within a reasonable time after receiving an executed contract or will not be able to complete the project within the term. Funds remaining at the end of the term are subject to de-obligation and reallocation.

Matching Fund Requirements:

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 for ineligible activities or prior to award and contract execution are not eligible.

- **New York Main Street Technical Assistance Project**
NYMS-TA funds may reimburse up to 95% of the project cost, not to exceed \$20,000. The remaining 5% must be provided as a cash match, in kind match will not be accepted. A total project cost of at least \$21,053 must be presented to request a \$20,000 NYMS-TA grant.
- **New York Main Street Building Renovation Project**
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 a minimum of two residential units.
- **New York Main Street Downtown Anchor Project**
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 Project**
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 Project request is \$100,000.

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/>

2018 CFA Applications must be submitted by **Friday July 27, 2018 at 4:00 pm.**

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

Funding Available: Up to \$19.5 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 the total eligible project cost; up to 75% if the project is located in a high-poverty area as defined below. 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 will 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 or 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,” located at <http://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 and professional qualifications as defined in “Historic Preservation Terms and Professional Qualifications” available at <http://nysparks.com/grants/consolidated-funding-app.aspx>.
 - Properties not currently listed, but scheduled for nomination review at the State Board for Historic Preservation meeting of either June 7, 2018, or September 6, 2018, 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) 268-2213.
 - 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.
 - The expense of packing/storing of furnishings and artwork is allowed when required to complete an awarded project for grant-assisted interior work, such as installation of a fire suppression system, or plaster/decorative finishes.
 - For 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. Information and instructions on how to structure/present a sectarian project can be found at <http://nysparks.com/grants/consolidated-funding-app.aspx>.
- **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://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) (below and at <https://parks.ny.gov/grants/contact.aspx>) or the archeology representative for your county (at <https://parks.ny.gov/shpo/contact/>), 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 preparing site designs and specifications, schematic drawings and conducting specific environmental reviews (i.e., for rehabilitation of a historic property or structural assessment of a dock for public fishing), not for comprehensive Open Space, Management or Master 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. Instructions on how to structure/present a “Basic vs Restoration” breakdown can be found at <http://nysparks.com/grants/consolidated-funding-app.aspx>.

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, solicitation of Minority and Women-owned Business Enterprises (MWBES), 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 (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 Planning/Master Planning/Management Plans/Open Space 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 as provided in the “Poverty Level Table by ZIP Code Tabulation Area (ZCTA)” at <http://nysparks.com/grants/consolidated-funding-app.aspx>), 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 (i.e., Climate Smart Communities, Water Quality Improvement Project, Local Waterfront Revitalization Program, Greenway Conservancy Trail Grant Program, etc.) cannot be used as match. State and Municipal Facilities Program (SAM) funding cannot be used as a required match or be considered a local share, but can be used to pay for additional projects costs that are over and above the award and required local match.
- **Force Account:** Applicant’s payroll expenses itemized according to job title or job assignment on project. 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 fair 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 the 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.

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, advancement of

the Downtown Revitalization Initiative, Veterans' Initiative, or Opportunity Agendas of the Regional Economic Development Council.

- 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 2018 grant program:
 - Projects that enhance and/or create opportunities for walkable public spaces for recreation, fitness, community gardens and open space in underserved neighborhoods (i.e., build green space, revitalize existing athletic and recreational facilities, create and enhance amenities at community gardens and schoolyards).
 - Trail projects that provide linkages to the Empire State Trail, and/or create or enhance multi-use pedestrian and bicycle trails, creating physical and functional connections among already-protected state and local lands, historic sites, greenways, trails and waterways (including landscape and trail improvements and special features or signage to improve programming and interpretation).
 - Projects that are undertaken by OPRHP Friends organizations or other partner groups that occur in State Parks or Historic Sites, or projects that enhance the public's access to already-protected state and local lands and historic sites by creating physical and functional connections (e.g. landscape improvements to facilitate connections, special features or signage to improve programming and interpretation).

Applicants are encouraged to use the online layered "Grants Map for CFA" accessed via <http://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, ZIP Code Tabulation Area (ZCTA) and Poverty data, 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.

APPLICATION REQUIREMENTS:

The following documentation will be required with the application. **Applications lacking these attachments (or an acceptable explanation) are considered incomplete, and may cause the application to be deemed ineligible, or adversely affect the rating points assigned.**

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://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" available at <http://nysparks.com/grants/consolidated-funding-app.aspx>. Municipalities must document or describe where they are in the SEQR process.
- **Photos** showing the project area
- **Schematic Site Plan**
- 1:24,000 scale **topographic or planimetric map** with the subject property circled

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. For projects involving multiple municipalities, the endorsement is required from the municipality with planning jurisdiction (e.g., the county) and all municipalities owning affected property. See a sample of an acceptable resolution of “Municipal Endorsement” at <http://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://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**.

Attachments listed in the **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” available online at <http://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. Photographs must reflect current conditions. Images that are freely available on the internet may not show current, actual conditions. 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. We recommend using the online, layered "Grants Map for CFA," accessed via <http://nysparks.com/grants/consolidated-funding-app.aspx> and the instruction document, "Using the Grants Map for CFA." Another source for downloadable, printable maps is the NYS GIS Clearinghouse <http://gis.ny.gov/gisdata/quads/>. In addition, you may submit any other site map that is available which will help to locate the specific project site.

Federal, Statewide, Regional and Local Planning Documents

Provide clearly marked excerpts in support of the project narrative AND documentation that the plans cited reflect current need (e.g., a copy of the resolution adopting or reaffirming the local plan if it is 5 years or older).

Community Support

Documentation of community support may include 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 (especially those from people directly impacted by the project).

Stand-Alone Planning Grants

To justify the proposed consultant costs, two estimates are required. For planning budgets involving just the preparation of plans and specifications, provide at least two professional estimates for the preparation of these documents or provide two professional estimates of the proposed construction costs or submitted construction bids and identify the percentage of the professional fee to prepare plans and specifications. For other planning projects (condition studies, Historic Structures Report, Cultural Landscape Report, feasibility study, etc.), submit two estimates and documentation of consultants' qualifications and/or licenses (for historic preservation professionals, see "Historic Preservation Terms and Professional Qualifications" available at <http://nyspark.com/grants/consolidated-funding-app.aspx>).

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; if the local plan which identifies the need for the project is 5 years or older, provide evidence that the plan reflects current need (i.e., a copy of the resolution adopting or reaffirming the local 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

ATTACHMENTS TO SUPPORT APPLICATION:

As outlined above, your application requires you to upload supporting documents. **These files must be in PDF, JPG or ZIP format (unless specifically noted otherwise below) and cannot be larger than 10 MB in size. You may combine multiple PDF files into a single .ZIP file if necessary. Avoid using special characters like (*, %, #, :, ;) in your document name as this will cause errors in the upload.** If an attachment question requires more than one document, you must create a single PDF or JPG file that contains all the required documents or a ZIP file that contains the required documents More information is available on [how to create PDFs from other documents](#) and [how to create ZIP files](#).

You may proceed with your application without uploading these documents. However, since supporting documents are required, you must return to the Documents section and upload the required documents before you can finalize and submit your online application.

For assistance scanning your documents, please bring your documents to any of these [Regional Offices](#).

ADDITIONAL RESOURCES:

Go to <http://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 (RGA) for your county (see list below).

Western New York Region

Kathleen McIsaac
2221 Taughannock Park Road
Trumansburg, NY 14886
(607) 387-7041, FAX (607) 387-3390
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 McIsaac
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 McIsaac
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
New York, NY 10027

Mid-Hudson Region

Erin Drost
NYS OPRHP
Taconic Regional Office
9 Old Post Road
Staatsburg, NY 12580
(845) 889-3866, FAX (845) 889-8321

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

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

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. Project Impact (up to 30 points)

For Parks Projects:

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

B. Community Impact and Need (0-25):

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

Community Need.

Population Served: Assess whether the project will particularly impact underserved groups. For example, 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 persons of various abilities.

Need for Facilities: 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.

Recreational Opportunity: Evidence which demonstrates the degree to which the project will primarily serve either a densely-populated area where recreational opportunities have sustained physical deterioration, decay, neglect or disinvestment, or an area 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.

For Historic Preservation Projects:

A. Level of Significance (0-15) 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).

B. Severity/Immediacy of Threat (0-15) 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.

For Heritage Area Projects:

A. Addresses current Heritage Area programs (0-10) 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, or to the preservation or enhancement of its most significant natural, historic or cultural resources.

B. Addresses Heritage Area goals (0-10) 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.

C. Enhances the Heritage Area Experience (0-10) The degree to which the project directly serves or benefits heritage area visitors and users and/or enhances the function and visual quality of the heritage area.

For Acquisition Projects:

A. Environmental and Recreational Contribution (0-15) 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.

B. Surrounding Area Contribution and Impact and Protection of Historic Resources (0-15) 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 viewshed, 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.

II. Planning Initiatives (up to 10 points)

A. Community Support: Points are based on evidence of community support of and involvement in the project, 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 and other evidence that the project is supported by local elected officials and community groups, such as Land Trusts, recreation committees, environmental councils, preservation boards, Friends groups, local activists
- 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

B. Consistent with Plans: In determining whether the project relates or contributes to documented plans, examine documents cited and submitted. For planning documents that are more than five years old, look for evidence that the plans are current and applicable. Relevant documents include, but are not limited to:

- NYS Open Space Conservation Plan as a priority project
- New York State Historic Preservation Plan
- State or National Heritage Area Management Plans
- Local Waterfront Revitalization Program (LWRP)
- Recognized local Open Space Plan
- Local historic preservation ordinance/designations
- Community participation in the Certified Local Government (CLG) Program
- Other state/federal/local plans, such as Preserve America designation, Path Through History, etc.
- Community comprehensive or master plans or other local plans
- Project implements a prior Planning grant

C. Advancement of the Downtown Revitalization Initiative, Veterans' Initiative, or Opportunity Agendas of the Regional Economic Development Council.

III. 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).

IV. OPRHP Commissioner Priorities (0-10)

A. Projects that enhance and/or create opportunities for walkable public spaces for recreation, fitness, community gardens and open space in underserved neighborhoods (i.e., build green space, revitalize existing athletic and recreational facilities, create and enhance amenities at community gardens and schoolyards).

B. Trail projects that provide linkages to the Empire State Trail, and/or create or enhance multi-use pedestrian and bicycle trails, creating physical and functional connections among already-protected state and local lands, historic sites, greenways, trails and waterways (including landscape and trail improvements and special features or signage to improve programming and interpretation).

C. Projects that are undertaken by OPRHP Friends organizations or other partner groups that occur in State Parks or Historic Sites, or projects that enhance the public's access to already-protected state and local lands and historic sites by creating physical and functional connections (e.g. landscape improvements to facilitate connections, special features or signage to improve programming and interpretation).

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

VI. 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)

VII. 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://hudsongreenway.ny.gov/Libraries/PDF_s/Greenway_Map_08-04-16.sflb.ashx).

AWARD CRITERIA DETAILS

- **ELIGIBLE AREA, CITY, COUNTY, POPULATION LIMITS OR POPULATION TARGET TYPES:**
Not less than \$10 million of the \$19.5 million appropriation must be awarded to projects located in densely populated and/or underserved areas. {Note: \$2,550,000 of the appropriated amount is directed to specific line items, leaving \$16,950,000 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 2018-2019 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** below) and a contract is executed with the State, 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.

SUCCESSFUL APPLICANT REQUIREMENTS:

Successful applicants are advised NOT to begin work until a project contract with the State 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 official authorized to accept the grant funds and 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 current 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.
 - Valid 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.
- 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 MWBEs, etc.

Project costs will be eligible for reimbursement only if the specified 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 projects on property eligible or listed on the National or State Registers of Historic Places 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.

Waterfront Revitalization

Department of State - Local Waterfront Revitalization Program

Funding Available: Up to \$15 million

I. INTRODUCTION:

The Department of State (Department) is soliciting applications through the New York State Consolidated Funding Application (CFA) under Title 11 of the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP) from eligible villages, towns, and cities, and counties (with the consent and acting on behalf of one or more villages, towns, cities) located along New York's coasts or designated inland waterways to advance the preparation or implementation of strategies for community and waterfront revitalization through the following grant categories:

- Preparing or Updating a Local Waterfront Revitalization Program (LWRP)
- Preparing an LWRP Component, including a Watershed Management Plan
- Updating an LWRP to Mitigate Future Physical Climate Risks
- Implementing a Local Waterfront Revitalization Program or a completed LWRP Component.
- Celebrating the Bicentennial of the Erie Canal - Improving Public Waterfront Access for Canal Communities

Within these grant categories, 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.

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.

The EPF LWRP is a reimbursement program. State assistance awarded and paid shall not exceed 75% of the total eligible project costs set forth in the application and as approved by the Department, except where the proposed project is located in an environmental justice

community, in which case state assistance awarded and paid shall not exceed 85% of the total eligible project costs set forth in the application and as approved by the Department. Applicants must identify the amount, type and source of eligible local match, and demonstrate that it has been secured; failure to do so will result in a reduced award amount for qualifying applications.

Applicants are required to demonstrate that projects are ready to move forward. A contract period will not exceed five years. Special consideration for extensions due to extreme extenuating circumstances will only be granted on a case-by-case basis and only if significant progress has been demonstrated. Only applications for discrete phases of a project (e.g. planning, design, construction) that can be completed within five years will be considered. Applicants will be required to prepare and submit a project work schedule and timeline that includes major tasks and milestones with completion dates for each.

This Request for Applications is available on the Department's website:
<http://www.dos.ny.gov/funding/>.

II. ELIGIBLE APPLICANTS:

Eligible applicants are villages, towns, or cities and counties (with the consent and on behalf of one or more villages, towns, or cities) which are located along New York's coasts or inland waterways as designated pursuant to Executive Law, Article 42. The list of coastal waterbodies and designated inland waterways is available at <http://www.dos.ny.gov/funding/>. Applicants may also partner with counties or 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 and neighborhood groups) and for-profit organizations are ineligible and will not be scored.

Eligible applicants working in partnership with counties or 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 acting 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 in Section V, an applicant must be a village, town, city, or county with the consent and on behalf of one or more villages, towns 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 acting on behalf of one or more villages, towns or cities currently preparing an LWRP or LWRP Component or with an approved LWRP or LWRP Component. The proposed project must be located within the LWRP or LWRP Component boundary.
- For construction of projects needed to advance eligible activities, an applicant must be a village, town, city with an approved or substantially completed LWRP or relevant LWRP Component, or a county with the consent and acting on behalf of one or more eligible villages, towns, or cities with an approved or substantially completed LWRP or relevant LWRP Component. The proposed project must be located within the LWRP or LWRP Component boundary.

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.

III. FUNDING OPPORTUNITY:

The Department is making approximately \$15 million available to fund applications for the Local Waterfront Revitalization Program grants, with up to \$2 million for updates to existing LWRPs to mitigate future physical climate risks. Approximately \$9 million will be awarded 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

The maximum State assistance request per grant application is \$2 million. There is no minimum State assistance request amount.

IV. NEW YORK STATE SMART GROWTH PUBLIC INFRASTRUCTURE POLICY ACT

Awards made through this grant program shall be consistent with the State's Smart Growth Public Infrastructure Policy Act (Environmental Conservation Law, Article 6), where applicable.

V. ELIGIBLE ACTIVITIES:

New York State's approach to managing waterfront areas recognizes that while State government can promote development and provide protection for critical resources and environments, municipalities are in the best position to determine their own waterfront objectives and to adapt statewide approaches to specific local needs. Accordingly, the Department of State, pursuant to the State Waterfront Revitalization and Coastal Resources Act, has encouraged waterfront communities to prepare Local Waterfront Revitalization Programs (LWRPs).

An LWRP is a comprehensive land and water use plan that expresses a vision for a community's waterfront area, refines State Coastal Policy to reflect local or regional needs, and outlines the organizational structure, local laws, and projects necessary to implement the plan. The State Coastal Policies, set forth in the State of New York Coastal Management Program and Final Environmental Impact Statement, include enforceable coastal policies for managing the State's coastal resources by preserving and using coastal resources in a manner that balances natural resource protection and the need to accommodate economic development. By preparing an LWRP, community stakeholders have the opportunity to evaluate local waterfront resources, develop goals and a comprehensive strategy for the best use of those resources, propose future projects, and adopt a local program that will guide appropriate development. Development of LWRPs can also provide a regional framework to cooperatively address revitalization issues and advance ongoing and emerging state initiatives including, but not limited to, regional economic development, community sustainability, smart growth, public health outcomes and environmental justice.

The benefits of preparing, and implementing an LWRP include development of a consensus-driven, unified vision for the community; technical assistance from the Department of State; increased chances for obtaining financial assistance from public and private funding sources; and, coordinated review between federal, State, and local agencies as appropriate for proposed projects and government actions within the LWRP boundary.

Preparing or Updating a Local Waterfront Revitalization Program (LWRP)

An LWRP is a comprehensive land and water use program that expresses a vision for the waterfront and refines State coastal policies to reflect local or regional needs and objectives and allow them to be enforced at the local level. Preparation of an LWRP is a principal means of implementing the State's Coastal Management Program and plays a significant role in addressing relevant issues for a given region or place, bringing to bear the resources and authorities of local governments and engaging the public in the management and use of resources having an ecological, physical, social, visual, or economic relationship to the waterfront. The State coastal policies are available at: <https://www.dos.ny.gov/opd/programs/pdfs/CoastalPolicies.pdf> and the LWRP generic workplan for reference is available at: <https://www.dos.ny.gov/funding/>

Communities with an approved LWRP are encouraged to regularly update their LWRP to reflect changes in local conditions and community goals. An LWRP update can include of a revision of all LWRP sections; focus on a specific section or issue; amend the LWRP boundary; reflect changes in land use; or and identify new project proposals. An update to the LWRP will ensure the plan is current and well-connected to short and long-range community objectives.

Eligible communities with shared interests or resources are encouraged to prepare joint LWRPs and to develop a common regional program.

Applicants may apply for funding to prepare, complete, or update an LWRP, using the LWRP Preparation Guidance, which may include:

- developing public consensus on a vision for the future of a region or a community through community visioning, public meetings and workshops, focus groups, charrettes, etc.
- identifying regional and local assets, potential risks, opportunities, and issues within the defined waterfront area with regard to: development and infrastructure; fish and wildlife habitats and resources; flooding and erosion hazards; resiliency; public access and recreation; historic and scenic resources; agricultural lands; energy and ice management; wetlands, water and air resources; and other social, cultural, economic and environmental interests
- developing goals that strike a balance between economic development and preservation to advance State coastal policies
- addressing and incorporating all applicable State coastal policies commensurate with local conditions and circumstances into a new or existing waterfront revitalization strategy or plan
- determining appropriate land and water uses to implement community goals and objectives for the waterfront
- recommending public and private projects to implement the LWRP
- providing the local organizational and legal structure, including the adoption of necessary zoning and local laws to implement the LWRP
- incorporating a NY Rising Community Reconstruction Plan or NY Rising Countywide Resiliency Plan, Long Term Community Recovery Plan or other resiliency plan

Preparing a Local Waterfront Revitalization Program Component

Preparation of an LWRP is a principal means of implementing the State's Coastal Management Program at the local level. While we encourage communities to complete a full LWRP inclusive of the consideration of all enforceable State coastal policies and local waterfront geographical areas, for some communities it may be appropriate to advance toward a complete LWRP in stages to address the most time sensitive and geographically significant priorities and policies.

LWRP Components will provide local governments with increased flexibility to better manage their coastal resources, help to develop local and regional capacity to effectively address revitalization issues through the LWRP process, and will further strengthen the Coastal Management Program's ability to work in partnership with local governments.

An LWRP Component focuses on one or more topic(s) or section(s) of an LWRP of its waterfront, provided that the program constitutes a discrete and cohesive, yet comprehensive, treatment of the subject or subjects addressed, which may be related to environmental, social, regional growth management, or economic conditions. An LWRP Component may focus on one or more State coastal policies that are relevant to the particular conditions and priorities in the municipality, address a significant geographic portion of the municipality's waterfront, or both.

The State coastal policies are available at:

<https://www.dos.ny.gov/opd/programs/pdfs/CoastalPolicies.pdf> and the LWRP generic workplan for reference is available at: <https://www.dos.ny.gov/funding/>

Applicants may apply for funding for planning activities to prepare a component LWRP using the LWRP Preparation Guidance, which may including:

- addressing select State coastal policies commensurate with local conditions and circumstances,
- determining appropriate land and water uses to implement community goals and objectives for the waterfront in support of furthering select State coastal policies
- developing public consensus on a vision for the future of a region or a community through community visioning, public meetings and workshops, focus groups, charrettes, etc.
- identifying regional and local assets and potential risks, and opportunities and issues within the defined waterfront area with regard to one or more of the following, as appropriate: development and infrastructure; fish and wildlife habitats and resources; flooding and erosion hazards; resiliency; public access and recreation; historic and scenic resources; agricultural lands; energy and ice management; wetlands, water and air resources; and other social, cultural, economic and environmental interests that address one or more of the coastal policies
- developing goals that strike a balance between economic development and preservation to advance State coastal policies
- incorporating applicable State coastal policies to an existing waterfront revitalization strategy or plan
- recommending public and private projects to implement the component LWRP, including public access projects and/or environmental protection projects
- providing the local organizational and legal structure, including the adoption of zoning and local laws to implement the component LWRP and advance the feasibility of future completion of a LWRP

Updating an LWRP to Mitigate Future Physical Climate Risks

Climate change, sea level rise, drought, increased frequency and intensity of storms, and the resultant effects from these weather related changes challenge communities and impact services on which residents and tourists depend. The health of communities rests on their ability to reduce or avoid harm and rebound from severe weather impacts when they occur. Communities can move forward successfully only when they are prepared to respond quickly and strategically to changing conditions. An emphasis should be placed on regional strategy development.

Applicants with an adopted and approved, or partially completed, LWRP may apply for grant funding to update their LWRP, which may include updating coastal policies and projects, to mitigate future physical climate risks. As part of updating an existing LWRP, an eligible community may consider planning activities including but not limited to the examples below:

- incorporation of an NY Rising Community Reconstruction Plan or NY Rising Countywide Resiliency Plan, Long Term Community Recovery Plan or other resiliency plan;
- assessment of risks associated with coastal/riverine flooding and erosion including impacts to wetlands, habitats, and other natural resources
- assessment of risks to critical infrastructure and systems such as water supply, sewage treatment plants, combined sewer overflows, electric utilities, transmission lines, dams, shoreline stabilization infrastructure and other in-water structures, and transportation systems
- assessment of potential impacts to economic sectors including recreation, tourism and agriculture
- assessment of relevant landscape attributes such as impervious surface area, vegetated stream buffers, water storage capacity, and forested land cover to improve resilience
- identification of strategies related to climate change/drought/sea level rise adaptation that can be implemented through both public and private actions
- identification of severe weather mitigation measures to reduce economic risk associated with or attributable to inaction
- identification of strategies to make health and social services more resilient on a daily basis and responsive during an emergency event
- identification of strategies/projects that will reduce the vulnerability of infrastructure to severe weather events
- identification of opportunities for modifying existing or developing new laws, regulations, policies and practices to reduce a community's vulnerability to climate change, drought, and sea level rise impacts and improve emergency preparedness, pre-weather event management or response protocols
- creation of development tools that optimize land use patterns to meet the needs of vulnerable populations and future growth demands
- identification of public education efforts concerning potential long term effects from severe weather event damage such as mold, desiccation, contaminated soils and aquifer impacts
- incorporating New York State sea level rise projections into local plans and projects
- consider issues such as risk assessment, combined benefits, critical facilities, value to the community, public health outcomes, and coordination of timing with other improvements within a regional context

Implementing a Local Waterfront Revitalization Program or Local Waterfront Revitalization Program Component

Applicants with approved or substantially complete LWRPs or LWRP Components may apply for implementation funding for activities including but not limited to:

- project-specific planning, feasibility, design, marketing or education needed to implement an approved or substantially complete LWRP or LWRP Component (Scope of work for design projects should include completion of final design, permitting and bid documents.)
- constructing projects necessary to implement an approved LWRP or LWRP Component
- developing regional, intermunicipal, or local Geographic Information Systems to improve management of coastal areas and resources, and improve impact prediction and assessment and mitigation and adaptation planning
- site-specific community and waterfront redevelopment projects including design, construction and/or implementation activities related to identified projects in a comprehensive redevelopment program:
 - existing conditions analysis;
 - preparation of concept plans and site redevelopment strategies;
 - project-specific design, cost estimating, construction and permitting documentation;
 - site preparation and construction of public amenities and infrastructure; trails, launch sites and directly related infrastructure and improvements;
 - creation, expansion, or improvement of accessible parks, public gathering spaces and entertainment amenities;
 - mixed-use/mixed-income redevelopment;
 - adaptive reuse of underutilized and abandoned buildings;
 - acquisition due diligence (e.g., title work, appraisals, surveys);
 - development of design guidelines and standards;
 - streetscape and gateway improvements, including but not limited to: pedestrian walkways, sidewalks, bike lanes and multi-use trails; crosswalks and other pedestrian safety enhancements, directional, informational signage; lighting, street trees, benches, planters, bicycle racks, trash receptacles, landscaping, and building facades;
 - installing or ensuring access to secure bike or car parking near transit hubs or shuttle services;
- marketing, promotion, and economic feasibility studies including marketing campaigns, brochures, website design, and RFP for developers;
- establishment of cultural, historic, arts, and entertainment districts
- implementation of priority actions to improve community resilience and reduce risks associated with sea level rise, erosion, storm surge and flooding
- amendment or adoption of local land and water use controls to improve community resilience to storm events and sea level rise
- incorporate climate resilience vision, goals and strategies into local plans and projects
- development of educational outreach/training materials and programs to improve community resilience to severe weather and sea level rise impacts
- engineering, design, and/or construction of projects to make public facilities more resilient to potential severe weather and sea level rise impacts

- projects for the conservation, restoration, and enhancement of natural protective features and processes such as flood plains, wetlands, vegetated buffers, living shorelines, dunes and sediment transport
- green infrastructure projects that address water quality and stormwater management
- advancement of projects in an approved NY Rising Community Reconstruction (NYRCCR) Plan or NY Rising Countywide Resiliency Plan related to building or improving community resilience that advance LWRP policies.

Approved LWRPs are listed at:

http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html.

LWRP Component: Watershed Management Plan (Planning or Implementation)

A watershed management plan is a type of LWRP Component that produces a comprehensive plan to protect and restore specific waterbodies and their watersheds by identifying and prioritizing land uses and capital projects to reduce point and nonpoint source pollution, and protect or restore water quality, tributary corridors and aquatic habitats. As significant contributing areas surrounding and draining into a waterbody generally lie within more than one municipal jurisdiction, the preparation of cooperative, intermunicipal plans for a specific watershed can be an effective way to achieve local, regional and statewide goals. These plans can form the factual basis for the LWRP inventory and local policies dealing with water quality and water resources.

Local business, recreation, tourism, agriculture, industry, and economic development are dependent on high-quality water resources. Often, for communities surrounding a lake or embayment or those bordering a river or stream, good water quality significantly contributes to their economy. Regions are similarly dependent on their natural assets. Guiding activities to protect and promote natural and economic assets on an intermunicipal, watershed basis can be an effective way to make the most of human and financial resources to address concerns and to achieve shared goals. Networking with experienced local governments, agencies, and organizations leads to efficiencies that minimize the costs of protecting and restoring natural assets. The Department's guidebooks on waterfront revitalization and watershed planning are available at <http://www.dos.ny.gov/opd/publications.html>.

Funds are being made available for the preparation and implementation of intermunicipal plans that identify and assess key assets, problems, threats, and municipal land use development controls and practices, emphasizing water quality improvement, protection, and restoration. Projects funded under this category are expected to have significant regional benefits.

Planning

Applicants may apply for grant funding to prepare or update an LWRP Component focusing on watershed management, that includes:

- visioning to identify the connections between water quality protection, waterfront revitalization, and climate change mitigation and adaptation
- conducting public participation to develop consensus on issues and actions needed to advance revitalization and water quality goals
- inventory, analyze and characterize the watershed including land cover, land and water uses, and infrastructure
- identifying and assessing key natural, cultural and economic assets

- identifying problems, impairments, and threats including nonpoint and source water impairments, invasive species, chronic flooding, harmful algal bloom, etc. and assessing of their causes
- assessing land and water use controls (laws, programs and practices) to protect water quality and guide appropriate development
- quantifying the benefits of high water quality to local areas and the regional economy
- identifying issues and opportunities
- preparing strategies to protect water quality and promote sustainable economic development and community revitalization
- identifying local, state and other technical and financial resources needed for implementation of proposed projects and actions
- planning for the protection and promotion of natural assets on an intermunicipal watershed basis
- prioritizing projects and actions on an intermunicipal basis to improve and protect water quality
- developing systems to track implementation and measure and report on success
- preparing of a Health Impact Assessment to identify and evaluate public health outcomes of a strategy, approach, or project(s) contained in an existing Watershed Management Plan or one under preparation
- integrating existing LWRP and LWRP Component programs and plans, including those that focus on watershed management, into a more holistic Watershed Management Plan.

Implementation

Applicants with approved or substantially complete LWRP Components focusing on Watershed Management Plans may apply for implementation funding for activities including but not limited to:

- implementation of priority actions to protect and restore water resources
- amendment or adoption of local land and water use controls to provide coordinated watershed management for protecting water quality
- development of education, outreach/training materials and programs to reduce causes of impairments and threats to water quality including the ecological and financial costs of nonpoint and source water impairments, invasive species, chronic flooding, and harmful algal blooms
- advancement of projects that preserve or restore natural landscapes that protect water quality and catalyze waterfront revitalization including advancing green infrastructure projects that lead to the preservation or restoration of natural landscapes, such as forests, floodplains and wetlands, and/or the reduction of watershed imperviousness and preservation of groundwater infiltration
- feasibility analysis, design or construction water quality projects
- public access projects
- environmental protection projects

Celebrating the Bicentennial of the Erie Canal - Improving Public Waterfront Access for Canal Communities

From 2017 - 2025, New York State will celebrate the 200th anniversary of the construction of the Erie Canal. While this is a significant event, New York's upstate canal communities continue to experience post-industrial disinvestment resulting in struggling and underserved villages, towns, and cities along this formerly booming corridor. The unique history and culture of canal communities presents an opportunity to attract additional tourism and recreation that can then be leveraged to revitalize local communities. New investments in infrastructure and public access that connect the public to the Canal will help make canal front communities more desirable places to live, work, and recreate - in turn creating increased visitation and the driving the establishment of support businesses. Opportunities exist to transform vacant or underused land into new parks, complete missing trail linkages, and increase boater services and amenities along the waterfront to encourage increased use of the canal system. Additionally, many public access sites - particularly along the Mohawk River, were severely impacted by flooding following Hurricane Irene and Tropical Storm Lee and restoration is needed to reopen them to the public.

The New York State Canal System includes four canals (Erie, Oswego, Cayuga-Seneca, and Champlain) and eight harbor centers (Whitehall, Waterford, Little Falls, Oswego, Syracuse, Seneca Falls, Rochester and the Tonawandas). The Canal and the Canalway Trail, which parallels much of the New York State Canal Systems 524 miles, connects 180 canal-front communities and parts of seven Regional Economic Development Councils (REDCs) (Western New York, Finger Lakes, Southern Tier, Central New York, Mohawk Valley, North Country, and the Capital Region).

Eligible applicants with an approved or substantially completed LWRP may apply for grant funding to advance projects which create new waterfront public access sites or improve and/or expand existing sites along the New York State Canal System. Grants may be awarded for projects that will be located within the boundaries of an LWRP or LWRP Component such as:

- improving public access to and along the Canal including, but not limited to, land and water based trails, boat launches, boat docks, boater facilities, and amenities
- contributing to regional and local economies by filling gaps in the existing Canalway Trail;
- providing linkages between the Canal and downtowns, neighborhoods, parks, open spaces, and historic, scenic, and cultural sites
- marketing materials and campaigns to promote canal activities to strengthen and extend the tourism season

VI. FUNDING AND BUDGET GUIDANCE

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, and fringe benefits for activities related to project work by municipal employees, including project management, capacity building, and grant administration. Fringe benefits must be outlined in the application and include the organizations documented rate.

Non-Personal Services – including supplies and materials, travel, equipment, consultant/contractual services for direct project related costs, project management, capacity building, limited grant administration, and other goods and services.

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.

Capacity building may include: investment in existing staff, such as training, purchasing equipment or automating systems that will improve a community's ability to carry out projects and/or deliver programs funded under this RFA; or developing sustainable organizational capacity, such as through creating and recruiting new positions or enlisting external professional assistance to oversee revitalization efforts. Allowable activities under capacity building shall be within the scope of the RFA and undertaken in direct furtherance of the purpose of the grant application.

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.

Land acquisition – land acquired (e.g., purchase or donation) may only be used as local match for construction projects. Land acquired must directly support the project and be acquired within three years prior to the contract start date or within the executed contract term. 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.

Ineligible Costs

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

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 funding

Other Environmental Protection Fund awards

Land acquisition (except as noted above)

Taxes, insurance, fines, deficit funding

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.

Contingency costs

Lobbying expenses

Cost incurred prior to the contract start date

Costs that are not adequately justified or that do not directly support the project

Failure to adequately justify direct project costs will deem costs ineligible. Ineligible costs will be eliminated from the total project costs in the grant application.

Local Match

State assistance awarded and paid shall not exceed 75% of the total eligible cost for the project, except where the proposed project is located in an environmental justice community, in which case state assistance awarded and paid shall not exceed 85% of the total eligible cost for project. 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 written permission from the Department. Local match must be outlined in the application for consideration. State assistance payments will be made to grant recipients based on actual expenditures for eligible costs up to the amount of the grant awarded.

Volunteer services included in the local match are limited to those that are required to complete project tasks. Volunteer services must be listed in the application. Documented volunteer services (non-professional or administrative) may be valued at up to \$15.00 per hour. Credit for project related volunteer services requires submission of detailed accurate records using Department approved forms to account for volunteer services to be included as local match. Failure to do so will result in non-approval of accrued volunteer hours for documented match.

Paid and unpaid donated professional services included in the local match are limited to those that are required to complete project tasks and only when services provided are in direct relation to the profession of the individual providing these services. Donated professional services must be listed in the application. Professional or technical services, such as engineering, legal, design, planning, and project management services will be valued at a rate of \$60.00 per hour. Construction and other labor services will be valued at the prevailing wage rate set for the locality where the work is performed. Applicants must provide a description of the work to be undertaken by each individual and the reason for using a donated professional services rate rather than the volunteer services rate in the grant application.

Donated services that are not directly related to a profession will be considered as local match at the volunteer services rate. In all cases, detailed accurate records must be kept using Department approved forms to account for services to be included as local match.

Environmental Justice

NYS Environmental Conservation Law § 54-1101 and NYS Executive Law § 42-918 dictate the local match requirements for the Department of State's Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP) grants. These laws stipulate that state assistance awarded and paid shall not exceed 75% of the total eligible project costs set forth in the application and as approved by the Department, except where the proposed project is located in an environmental justice community, in which case state assistance awarded and paid shall not exceed 85% of the total eligible project costs set forth in the application and as approved by the Department.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities. As established in NYS Department of Environmental Conservation Commissioner Policy 29 on Environmental Justice and Permitting (CP-29), Potential Environmental Justice Areas are 2000 U.S. Census block groups of 250 to 500 households each that, in the 2000 Census, had populations that met or exceeded at least one of the following statistical thresholds:

- At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or
- At least 33.8% of the population in a rural area reported themselves to be members of minority groups; or
- At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.

Urban and rural designations for census block groups were established by the U.S. Census Bureau. See CP-29 for more information.

Maps depicting potential environmental justice areas are available on the NYS Department of Environmental Conservation website: <https://www.dec.ny.gov/public/911.html>.

Listed below is the DOS policy used to determine if a CFA applicant is eligible to receive state assistance at a rate of 85% of the total eligible project cost:

- The Project Funding and Program Budget section in the CFA must clearly indicate the applicant is seeking State funding from the Local Waterfront Revitalization Program in the amount equal to 85% of the total project cost. This should also be clearly indicated in the LWRP Budget Summary & Detail spreadsheet, submitted as an CFA attachment.
- For applications to prepare or update an LWRP for one municipality, a portion of the LWRP boundary area must meet the environmental justice criteria for the grant to receive state assistance of 85% of the total project cost.
- For applications for design and construction projects, a portion of the project must be located within Environmental Justice Area for the grant to receive state assistance of 85% of the total project cost.

- For projects that include multiple municipalities, every municipality must meet the Environmental Justice criteria for the grant to receive state assistance of 85% of the total project cost.
- DOS GIS analysis must confirm the project is located within a Potential Environmental Justice Area as mapped by the NYS Department of Environmental Conservation. Confirmation will be determined during the application review.

Determining State Funding Request

Total Eligible Project Cost * % Local Match (either 0.75 or 0.85) = State Funds Requested

For example, if the total eligible project cost is \$200,000, the State Funds Requested would be \$150,000 and the Local Match would be \$50,000.

$\$200,000 * 0.75 = \$150,000$ State Funds Requested

$\$200,000 * 0.85 = \$170,000$ State Funds Requested for projects meeting Environmental Justice criteria

Construction

Construction must be on public property or where a permanent public interest, such as an easement, has been established. 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.

For construction only projects, the applicant is required to submit draft or final design documents with the grant application. Construction projects located within the New York State Coastal Area boundary must be consistent with State Coastal Policies.

Sub-contracts

Sub-contracts should be competitively procured based on the applicable provisions of New York State General Municipal Law. Bids should be inclusive of all costs related to the project, or portion thereof. Bids can be structured as deliverable based or line item (reimbursement) costs. Bid formats cannot be a mixed format.

VII. AWARD METHOD

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

REDC points are based on regional economic priorities and are assigned by the REDCs.

The Department will fund the highest scoring applications until the allocated funds are exhausted. Approximately \$15 million is anticipated for awards for this procurement, with up to \$2 million for updates to existing LWRPs to mitigate future physical climate risks. Approximately \$9 million will be awarded 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

The Department may make an award under the RFA in whole or in part, and may offer partial funding if a particular phase of a project is not ready to move forward. The Department may award no funding to an applicant if its application cannot be fully funded within the funds remaining, in which case funding may be awarded to the next highest-scoring unfunded application. In the event that an awardee fails to satisfactorily negotiate a proper contract within a reasonable amount of time, that funding may be awarded to the next highest-scoring unfunded application.

In the event that another NYS agency fully funds a high scoring project through the CFA process, the awardee will receive funding from only one state agency. The Department will work with other NYS agencies to ensure that duplication of funding does not occur. In the event that an applicant receives full funding from another agency, the Department reserves the right to award full or partial funding to the next highest scoring unfunded application.

The opportunity to be debriefed will be provided, upon request, to unsuccessful applicants. Requests must be made in writing within 30 days of notification of status of award.

VIII. 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 acting on behalf of one or more villages, towns, 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 (maximum of 80 points)

Applications will be evaluated to assess the degree to which they meet the elements of each criterion.

The program criteria (with total available points) and elements are:

Local Waterfront Revitalization Program (maximum of 4 points)

- Applicant has a Local Waterfront Revitalization Program which has been locally adopted and approved by the NYS Secretary of State. LWRPs for municipalities within the coastal area must also have received or be in the process of obtaining federal concurrence by the U.S. Office of Coastal Management
- Project will prepare an LWRP or LWRP update for one or more eligible municipalities located along New York's coasts or inland waterways as designated pursuant to Executive Law, Article 42

Vision (maximum of 4 points)

- Proposal creates or advances a vision for achieving long-term community goals, capitalizing on assets, or creating opportunities for addressing problems identified in an existing LWRP, LWRP Components, or Designated Brownfield Opportunity Area Plans where applicable

Process (maximum of 8 points)

Public Engagement (*maximum of 4 points*)

- Describes an effective approach and process that will be followed to ensure ongoing public participation and engagement during project development, including the involvement of partnering municipalities and the general public
- Demonstrates that the public and stakeholders who would be affected by, or who can advance the project, will be engaged in project planning and implementation

Local Capacity and Previous Performance (*maximum of 4 points*)

- Demonstrates that an effective organizational structure exists to advance and complete the project
- Previously demonstrated capacity and effective organizational structure to manage more than one EPF LWRP project (Only pertains to applicants which have one or more open EPF LWRP contracts)
- Demonstrated high quality performance under previous EPF LWRP contracts, timely submission of contract deliverables, completion of work within five years or less and submission of contract close out documents within 60 days of the contract end date
- Required contract status reports submitted to the Department in a timely manner
- Payments to MWBEs recorded in the NYS Contract System in a timely manner
- Payment requests submitted to the Department on a regular basis

Strategies (maximum of 24 points)

Regional Significance (*maximum of 4 points*)

- Improves or protects natural, cultural or economic resources of regional significance
- Advances State coastal policies
- Ensures an appropriate balance between development, open space and natural resource protection within the regional context
- Advances efforts to resolve shared issues through creative intermunicipal partnerships
- Redevelops and/or revitalizes a regional center
- Provides a public facility of greater than local importance
- Advances the completion or implementation of a plan or strategy that addresses critical issues and opportunities of regional significance
- Advances the strategies and priorities of a REDC, related to Downtown Revitalization Initiatives, Opportunity Agenda strategies, and Veterans Initiatives
- Advances regional strategies which address carbon reduction/abatement, energy efficiency or renewable energy

Local Significance (*maximum of 4 points*)

- Advances an approved or substantially completed LWRP, or LWRP Component
- Advances completion of a new phase of a project previously funded by EPF LWRP
- Creates or implements a plan for community resiliency

- Protects, preserves, enhances or restores archeological, historic and/or cultural resources
- Implements a public amenity that is an identified priority for a community
- Addresses environmental justice issues
- Advances the completion or implementation of a plan or strategy that addresses critical issues and opportunities of local significance

Public Value (*maximum of 4 points*)

- Promotes or implements strategies that include integration of all income, ethnic and age groups
- Ensures predictability in land use regulations and procedures
- Incorporates and advances pedestrian, bicycle and paddling trails that connect people to parks, nature and public spaces; community landscaping using native species; and accessible neighborhood parks
- Advances the completion of a plan or strategy that enhances the quality and availability of public resources within a community or region, including improving, protecting, and restoring water quality
- Improves or expands visual/physical access to public resources, provides new/enhanced public spaces, or enhances community character/visual environment
- Improves or expands water-dependent public recreation opportunities
- Promotes positive public health outcomes and/or avoids or mitigates negative public health outcomes

Sustainability (*maximum of 4 points*)

- Ensures that governmental decision-making is based on sound science and considers cumulative effects
- Promotes a mix of land uses and concentrates new development in urban centers where infrastructure and public services are adequate
- Incorporates and advances green infrastructure through preservation and restoration of natural landscapes, or green infrastructure policies that reduce watershed imperviousness and preserve groundwater infiltration
- Provides a framework that encourages development or redevelopment of communities in sustainable locations
- Incorporates and advances carbon reduction/abatement, energy efficiency or renewable energy
- Improves community resiliency to a changing climate

Economic Value (*maximum of 4 points*)

- Generates economic activity, creates immediate and future jobs, offers realistic economic development potential, or contributes to restoration of municipalities' tax bases
- Advances the completion of a plan or strategy that enhances economic vitality in a community or region
- Provides for downtown/hamlet revitalization
- Supports water-dependent commercial and industrial uses, tourism development or agriculture
- Offsets municipal expenses by protecting ecosystem services
- Supports renewable energy and clean transportation

Natural Resource Value (maximum of 4 points)

- Promotes conservation and protection of ecosystem integrity
- Protects, enhances or restores designated significant coastal fish and wildlife habitat, or natural protective features (wetland, floodplain, active river area, beach, dune)
- Protects, enhances or restores a scenic area of statewide significance
- Protects agricultural land as a resource that provides for farmland uses and open space
- Implements New York State's Coastal Nonpoint Pollution Control Program, or otherwise protects groundwater or surface water quality and hydrology
- Advances the completion of a plan or strategy that protects, restores, or enhances natural resources

Implementation (maximum of 12 points)**Scope of Work (maximum of 4 points)**

- Clearly defines what is to be done, where and how it will be done, who will do it, and when it will be completed
- Is an integral part of a set of actions that comprehensively addresses an issue or opportunity
- Demonstrates sufficient experience and ability of key project personnel to successfully carry out the project
- Project deliverables are clearly defined and consistent with program objectives

Time Frame (maximum of 4 points)

- Demonstrates how the project will be completed within a maximum of five years or less
- Presents a clear and realistic schedule and time line that includes major tasks, milestones and completion dates
- Demonstrates that the project is ready to move forward quickly

Project Readiness (maximum of 4 points)

- Demonstrates the ability to proceed with project upon award
- Demonstrates preliminary work needed to advance the proposed project phase has been completed (for example, if a construction project, designs have been prepared, permits and/or other approvals obtained, or at least submitted, to facilitate construction)
- Site control established (i.e. easements, acquisition etc.)

Leveraging Resources and Partnerships (maximum of 4 points)

- Complements related activities and projects, and leverages funding under the Environmental Protection Fund, other New York State grant programs, federal grant programs, or other sources of public, not-for-profit and private funds
- Makes efficient use of/protects public investment in resources and infrastructure
- Creates or advances regional, intermunicipal, intergovernmental, public, private, or not-for-profit partnerships
- Demonstrates support from stakeholder(s) directly impacted by project

Performance Measures (maximum of 4 points)

- Demonstrates how the project will be monitored and progress recorded to achieve milestones and complete individual products and deliverables according to the project schedule and timeline
- Proposes logical metrics to quantify anticipated benefits of the project

Evaluation of Budget and Cost (maximum of 20 points)

Applications will also be evaluated to assess the degree to which they meet the elements of each criterion below.

- Application describes and documents how the budget and cost were determined. Identifies the person(s) responsible for compiling the budget including relevant experience and background of all parties and the method/approach used to arrive at estimates **(maximum of 5 points)**
- Budget narrative clearly demonstrates what matching local funds will be provided **(maximum of 5 points)**
- Budget includes adequate detail for all project components involved, is cost-effective, presents necessary and realistic costs, and does not contain extraneous or ineligible expenses. Budget is accurate and thorough. Budget narrative includes an explanation for the estimate of each budget line and clearly supports the applicant's need for financial resources requested to achieve project outcome. Budget narrative describes how the grant recipient will monitor expenditures during the life of the project to ensure that the project stays on schedule and within budget. **(maximum of 10 points)**

Note: Detailed and clear demonstration of local match is required at the time of application. Awards may be reduced or not made if applicant fails to document sufficient, eligible match.

Regional Economic Development Council Endorsement (maximum of 20 points)

Each application will be scored by the Regional Economic Development Council in which the proposed project is located. Regional Councils will review applications to assess the degree to which the project helps implement the Regional Strategic Plan. The Regional Council will score applications based on a set of standards, referred to as "endorsement standards." and will assign each project a single score of 20, 15, 10, 5 or 0 (no fractions) based on merit. Regional Strategic Plans and endorsement standards can be found at <https://regionalcouncils.ny.gov/>.

IX. CONTRACT REQUIREMENTS

New York State Grants Gateway

Grant applicants are encouraged to register through the New York State Grants Gateway. To register, log on to <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 an agreed upon work program, 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. The contract will: 1) be subject to approval by the Attorney General and State Comptroller; 2) require submission of final products in both hard copy and electronic format; 3) be 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 the 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 of (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 advances and reimbursements: itemized bank stamped deposit slips, and a copy of the related bank statements.

MWBE Utilization

Applicants are required to create a plan for compliance with the Certified Minority-And Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women requirements as part of this application.

The plan will include a **detailed** statement, with the project description, on how you intend to meet the MWBE goals with your project. The following should be included in the statement:

1. Your project's MWBE goal amount, determined by using the MWBE GOALS CALCULATION Template.
2. The names of general circulation, trade association, and MWBE-oriented publications in which you plan to solicit certified MWBEs for the purposes of complying with the participation goals related to your project.
3. A list identifying the date(s) that all solicitations for certified MWBE participation plan to be published in any of the above publications
4. A list of all certified MWBEs appearing in the NYS Directory of Certified Firms that will be solicited for purposes of complying with your certified MWBE participation goal (The Directory can be viewed at: <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?XID=7637&TN=ny>.)
5. Descriptions of the notices, dates of contact, letters, and any other correspondence that will be made to all certified MWBEs.
6. A description of any contract documents, plans, or specifications to be made available to certified M/WBEs for bid solicitation purposes and the proposed date and manner in which these documents will be made available.

The plan for compliance shall be uploaded as part of the application. Additional information may be found in Appendix 1.

If your project is selected for an award, you will be required to comply with all the contractual requirements, including demonstrating that a good faith effort has been made to meet the goals for certified MWBE firms participation as stated in the executed contract and in accordance with Article 15-A of the Executive Law.

If an applicant chooses to move forward with a project prior to any award announcement, they are responsible for meeting MWBE requirements established by the State of New York. The requested plan is intended to help an applicant think about how to comply with the regulations and provide information showing their due-diligence to comply with the MWBE requirements.

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, 2018. 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.

Amendments

Amendments will not 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.

X. SATISFACTORY PROGRESS

It is imperative that the grant recipient complete the project as set forth in the agreed upon work program 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 program 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.

XI. 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 an easement (e.g. conservation, public access), and the predominant purpose is to provide a public benefit. 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; and
- Coastal Zone Management Act (federal)

XII. GENERAL SPECIFICATIONS

1. By signing the "Application Form" each applicant attests to its express authority to sign on behalf of the applicant and to the accuracy of the information contained therein. Applications containing false or inaccurate information may be disqualified upon verification of information by the Department.
2. Contractors will possess, at no cost to the State, all qualifications, licenses and permits to engage in the required business as may be required within the jurisdiction where the work specified is to be performed. Workers to be employed in the performance of this contract will possess the qualifications, training, licenses and permits as may be required within such jurisdiction.
3. Submission of any application indicates the applicant's acceptance of all conditions and terms contained in this RFA, including the terms and conditions of the contract.
4. Provisions upon default:
 - a. The services to be performed by the applicant shall be at all times subject to the direction and control of the Department as to all matters arising in connection with or relating to the contract resulting from this RFA
 - b. In the event that the applicant, through any cause, fails to perform any of the terms, covenants or promises of any contract resulting from this RFA, the Department acting for and on behalf of the State, shall thereupon have the right to terminate the contract by giving notice of the fact and date of such termination to the applicant
 - c. If, in the judgment of the Department, the applicant acts in such a way which is likely to or does impair or prejudice the interests of the State, the Department acting on behalf of the State, shall thereupon have the right to terminate any contract resulting from this RFA by giving notice of the fact and date of such termination to the contractor. In such case, the contractor shall receive equitable compensation for such services as shall, in the judgment of the Department, have been satisfactorily performed by the contractor up to the date of the termination of this agreement, which such compensation shall not exceed the total cost incurred for the work in which the contractor was engaged at the time of such termination, subject to audit by the State Comptroller.
5. The Department reserves the right, including but not limited, to:
 - a. Reject any or all applications received in response to this RFA
 - b. Withdraw the RFA at any time, at the agency's sole discretion
 - c. Make an award under the RFA in whole or in part
 - d. Disqualify any applicant whose conduct and/or application fails to conform to the requirements of the RFA
 - e. Seek clarifications and revisions of applications
 - f. Use proposal information obtained through site visits, management interviews and the State's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFA
 - g. Prior to the application due date, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available
 - h. Prior to the application due date, direct applicants to submit proposal modifications addressing subsequent RFA amendments
 - i. Change any of the scheduled dates
 - j. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders

- k. Waive any requirements that are not material
- l. Negotiate with applicants responding to this RFA within the scope of the RFA to serve the best interests of the State
- m. If unsuccessful in negotiating a state contract with the selected applicant within an acceptable time frame, the Department may begin state contract negotiations with the next ranked qualified applicant(s) in order to serve and realize the best interests of the State
- n. Utilize any and all ideas submitted in the proposals received
- o. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant's proposal and/or to determine an applicant's compliance with the requirements of the solicitation
- p. Waive or modify minor irregularities in applications received
- q. Not to fund an application that fails to submit a clear and concise work plan or budget

Appendix 1

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES, EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN, AND SERVICE-DISABLED VETERAN-OWNED BUSINESSES

I. MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES PARTICIPATION

NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations Department of State is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of Department of State contracts.

Business Participation Opportunities for MWBEs

The Department’s New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) utilization goal is 30%. For purposes of this solicitation, the specific MWBE goal and the breakdown between the Minority-owned Business Enterprise (“MBE”) and the Women-owned Business Enterprise (“WBE”) utilization goals shall be established post award and set forth in the Department of State contract, in the Attachment B “Budget” (based on the current availability of MBEs and WBEs). A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFA, the respondent agrees that Department of State may withhold payment pursuant to any Contract awarded as a result of this RFA pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com/frontend/vendorsearchpublic.asp>. For guidance on how Department of State will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25 percent of the total value of the broker’s contract.

FOR CONSTRUCTION CONTRACTS – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60 percent of the total value of the supplier’s contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE.

In accordance with 5 NYCRR § 142.13, the respondent further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a Contract resulting from this RFA, such finding constitutes a breach of contract and Department of State may withhold payment as liquidated damages. Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had

the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a proposal, a respondent agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a respondent may arrange to provide such evidence via a non-electronic method by contacting Department of State. As a contractor of New York State, you have a responsibility to utilize certified minority- and/or women-owned businesses in the execution of your contracts, per the MWBE percentage goals stated in your solicitation, proposal or contract documents. Through the NYSCS you will submit utilization plans, request subcontractors, record payments to subcontractors, and communicate with your project manager throughout the life of your awarded contracts.

Additionally, successful applicants will be required to submit the following documents and information within ten (10) business days after the applicant receives notice from Department of State that the grant is being awarded as evidence of compliance with the foregoing:

An MWBE Utilization Plan (**Form D**) or a Certification Letter (**Form D-1**) stating their commitment to show due-diligence to comply with the MWBE goals and requirements. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to Department of State for review and approval.

The Department of State shall review the submitted MWBE Utilization Plan or Certification Letter and issue a written notice of acceptance or notice of deficiency within 20 days of receipt of utilization plan or certification letter.

If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the Department of State, at the address provided below, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by Department of State to be inadequate, Department of State shall notify the respondent and direct the respondent to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the proposal.

Please see details under “**Additional Notices and Explanations Regarding the MWBE Program and this Request for Applications.**”

Department of State may disqualify a respondent as being non-responsive under the following circumstances:

- a) If a respondent fails to submit an MWBE Utilization Plan or certification letter;
- b) If a respondent fails to submit a written remedy to a notice of deficiency;
- c) If a respondent fails to submit a request for waiver; or
- d) If Department of State determines that the respondent has failed to document good faith efforts.

Successful applicant(s) will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award

may be made at any time during the term of the Contract to Department of State, but must be made no later than prior to the submission of a request for final payment on the Contract.

Successful applicant(s) will be required to submit a quarterly M/WBE Contractor Compliance & Payment Report to Department of State, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

Equal Employment Opportunity Requirements

By submission of a proposal in response to this solicitation, the respondent agrees with all of the terms and conditions of the New York State Master Grant Contract, Section IV (J) - Equal Employment Opportunities for Minorities and Women. The respondent is required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the respondent, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Additionally, successful applicants will be required to submit the following documents and information within ten (10) business days after the applicant receives notice from Department of State that the grant is being awarded as evidence of compliance with the foregoing:

- A. Submit a Minority and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement (**Form A**) to Department of State.
- B. Submit a Workforce Utilization Report (**Form C**) and shall require each of its Subcontractors to submit a Workforce Utilization Report, in such format as shall be required by Department of State on a quarterly basis during the term of the Contract, to the Division of Affirmative Action Programs at:

Maria C. Herman
Director, Division of Affirmative Action Programs
Phone: 518-473-3401
Email: Maria.Herman@dos.ny.gov

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and subcontractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Additional Notices and Explanations Regarding the MWBE Program and Successful Applications to this Request for Applications:

If your project is selected for an award, you will be required to show due diligence to comply with all the MWBE contractual requirements, including meeting the goals for certified MWBE firms participation as stated in your Contract and in accordance with NYS Executive Law Article 15-A.

If an applicant chooses to move forward with a project prior to any award announcement, they are responsible for meeting MWBE requirements established by the State of New York. The requested plan, as described herein, is intended to help an applicant think about how to comply with the regulations and provide information showing their due-diligence to comply with the MWBE requirements.

Successful applicants notified by the NYS Contract System (System) that a record for the submission of the utilization plan has been created, must comply with this requirement by entering the Utilization Plan data in the System through the Statewide Utilization Management Plan (SUMP) module.

If you are unable to comply with the MWBE goals, you must request a waiver of these requirements by submitting to the Department of State the REQUEST FOR WAIVER FORM E, found on the DOS funding page, for processing. Please note that the following information will be required to secure the waiver (all items may not apply to your case, but provide information and documentation for those that apply):

1. A DETAILED statement with the project description (any special characteristics, needs, specifications, etc.), and an explanation setting forth your basis and justification for requesting a partial or total waiver of the MWBE goals.
2. A copy of the completed MWBE GOALS CALCULATION Template, found on the DOS funding page.
3. The names of general circulation, trade association, and MWBE-oriented publications in which you solicited certified MWBEs for the purposes of complying with your participation goals related to this Contract.
4. A list identifying the date(s) that all solicitations for certified MWBE participation were published in any of the above publications.
5. A list of all certified MWBEs appearing in the NYS Directory of Certified Firms that were solicited for purposes of complying with your certified MWBE participation levels.
6. Documentation of your search in the NYS Directory of Certified Firms (e.g.: Printouts, screenshots).
7. Copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing and copies of such solicitations, or a sample copy of the solicitation, if an identical solicitation was made to all certified MWBEs. Any information and/or documentation to support the efforts to follow up with the MWBEs.
8. Copies of responses to your solicitations received by you from certified MWBEs
9. A description of any contract documents, plans, or specifications made available to certified MWBEs for purposes of soliciting their proposals and the date and manner in which these documents were made available.
10. Documentation of any negotiations between you and the MWBEs undertaken for purposes of complying with the certified MWBE participation goals.
11. Any other information you deem relevant which may help us in evaluating your request for a waiver.

12. The name, title, address, telephone number, and email address of your representative authorized to discuss and negotiate this waiver request.
13. Copy of notice of application receipt issued by Empire State Development (ESD), if subcontractors are not certified MWBE, but an application has been filed with ESD.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

II. SERVICE-DISABLED VETERAN-OWNED BUSINESSES PARTICIPATION

Article 17-B of the Executive Law, enacted in 2014, authorized the creation of the Division of Service-Disabled Veterans' Business Development to promote participation of Service-Disabled Veteran-Owned Businesses (SDVOBs) in New York State contracting. The Service-Disabled Veteran-Owned Business Act recognizes the veterans' service to and sacrifice for our nation, declares that it is New York State's public policy to promote and encourage the continuing economic development of service-disabled veteran-owned businesses, and allows eligible Veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB), in order to increase their participation in New York State's contracting opportunities. To this effect, the Department of State (DOS) has implemented a Veteran-Owned Businesses (SDVOB) Program, as mandated by Article 17-B.

To comply with the SDVOB Program goals of 6%, the Department of State strongly encourages grantees to make every effort, to the maximum extent possible, to engage certified SDVOBs in the purchasing of commodities, services and technology in the performance of their contracts with the Department. If SDVOB utilization is obtained, a quarterly SDVOB utilization report should be submitted to the Department with information of the utilization percentage achieved during that quarter. Contractor Reporting Forms are found at: <https://ogs.ny.gov/Veterans/>.

The Division of Service-Disabled Veterans' Business Development (DSDVBD) is housed within the New York State Office of General Services (OGS), and maintains a directory of the NYS Certified SDVOBs. For assistance with engaging SDVOB vendors in your contracts, please contact the Division of Service-Disabled Veterans' Business Development at the following email address: VeteransDevelopment@ogs.ny.gov, or the DOS Division of Affirmative Action Programs – SDVOB Program at Maria.Herman@dos.ny.gov or Api.Ohouo@dos.ny.gov. The directory of certified SDVOB vendors can be found at: https://ogs.ny.gov/Veterans/Docs/CertifiedNYS_SDVOB.pdf

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. These costs may be used as part of the applicant match though, with no cap.

FUNDING PRIORITIES:

Priority will be given, with equal consideration, for the following:

Priority will be given to projects that are intended to further the goals and objectives of the NYS Canal Recreationway Plan <http://www.canals.ny.gov/news/crc/plan.html> and Regional Economic Development Councils Strategic Plans <http://regionalcouncils.ny.gov/>

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>

If an application is made for trail related construction, priority in this round will be given to projects that connect to or enhance the Empire State Trail initiative.

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 and access 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 addition, 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.

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.

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, trail sections, vessels or structures; constructing additions or improvements that enlarge, expand, enhance or extend existing buildings, trail sections, vessels or structures; new systems in existing buildings, vessels or structures (HVAC, plumbing, electrical, mechanical, propulsion); substantial renovations or preservation of existing buildings, trail segments, 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 including signs and interpretive exhibits, constructing or rehabilitating segments of Canalway Trail; constructing or rehabilitating docks or bulkheads 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.

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?*
- *Does the project connect to, or enhance the Empire State Trail Initiative, meeting at least one of the six targeted goals of this initiative? Initiatives can be found here: www.ny.gov/empire-state-trail/about-empire-state-trail*
- *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?*

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?*
- *Is viable and accessible match clearly demonstrated in the grant budget?*

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, 30 South Pearl Street, Albany NY 12207 www.canals.ny.gov

<http://www.canals.ny.gov/community/grant.html>
procurement@canals.ny.gov

Energy

NYSERDA Energy Efficiency Programs

Funding Available: Up to \$35 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 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.nyserda.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 one of NYSERDA's other 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>

1-866-NYSERDA

NYS Energy Research and Development Authority – Commercial New Construction Program

DESCRIPTION:

The Commercial New Construction Program (CNCP) 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 K-12 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.

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:

- Funding is available on a first-come, first-served basis until funds are exhausted;
- All applications to the CNCP are given equal consideration; and
- To ensure eligibility to participate in all services available through the CNCP and to maximize CNCP 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 CNCP 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.nysesda.ny.gov/new-construction>.
1-866-NYSERDA

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.

- NYSERDA's focus is on projects that improve manufacturing process productivity and data center efficiency. NYSERDA's performance-based incentives are calculated from the total annual energy savings that result from implementing energy efficiency measures.
 - 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 style 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

NYSERDA Net Zero Energy for Economic Development

Funding Available: Up to \$10 million available

Program Opportunity Notice (PON) 3881

DESCRIPTION

The New York State Energy Research and Development Authority (NYSERDA) has \$10 million of incentives available to support economic development projects across New York State. All projects must demonstrate that the project will help achieve the goals of the Regional Economic Development Council's (REDC's) Strategic Plans or State Priority Areas. The purpose of the funding available in this program is to help the site be designed and operate at net zero energy performance.

Eligibility Note:

- Projects located in one of the following REDCs must pay into the System Benefits Charge at that site: Capital Region, Central New York, Finger Lakes, Mid-Hudson, Mohawk Valley, New York City, North Country, Southern Tier and Western New York.
- Projects located in Long Island are not subject to this restriction.

Incentives are available for the incremental cost of design, construction, and installation of all technologies (as compared to the cost to build/renovate to a code compliant standard) utilized to achieve net zero energy performance. Project awards will be up to up to 70 percent of eligible costs or \$1,000,000. Additional funding may be available to projects that meet certain criteria, depending on availability of funds.

The Net Zero Energy for Economic Development Program provides eligible New York State commercial, industrial, and institutional applicants with incentives on a competitive basis, for the construction of, or renovation to existing, buildings designed to achieve net zero energy performance.

APPLICATION SUBMISSION

No communication intended to influence this procurement is permitted except by contacting the designated contact Lori Borowiak at (518) 862-1090, ext. 3004 or by e-mail lori.borowiak@nyserda.ny.gov. If you have contractual questions concerning this solicitation, contact Elsyda Sheldon at (518) 862-1090, ext. 3232 or elsyda.sheldon@nyserda.ny.gov. Contacting anyone other than the Designated Contacts (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

ELIGIBLE TYPES OF APPLICANTS

Eligible Applicants include, but are not limited to:

- Commercial Facilities (not including multifamily or retail)
- Light-Industrial Facilities
- Food Processing Facilities
- Public and Private K-12 schools
- Colleges and Universities
- Healthcare Facilities
- Agricultural Facilities
- Municipalities (Local Government)
- State Agencies & Other State Government
- Not-for-profit Corporations
- Mixed Use
- Warehouse & Distribution Facilities
- Waste Water Treatment Plants

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS

Net zero energy performance, for the purposes of this program, is defined as an energy-efficient facility where the actual annual energy used on site is less than or equal to the on-site renewable energy produced.

If fossil fuels must be utilized for a project due to energy requirements for process loads, the Applicant must demonstrate that there is not an all-electric process that can replace the fossil fuel usage. In this instance, NYSERDA will consider the project's use of the US Department of Energy's Common Definition of Zero Energy Buildings

https://www.energy.gov/sites/prod/files/2015/09/f26/bto_common_definition_zero_energy_buildings_093015.pdf in determining eligibility.

Incentives will be paid for the incremental cost to design and build the project to net zero energy performance above the cost of building to the applicable New York State Energy Conservation Construction Code (i.e. the cost of installing a ground source heat pump to heat and cool the building, less the cost of installing a code-minimum heating and cooling system, etc.). The calculation of incentives will include all technologies that contribute to the building achieving net zero energy performance (i.e. energy efficiency, renewable energy, battery storage, electric vehicle charging infrastructure, etc.), thus providing the Applicant with "single-point" access to clean energy incentives for the entire project. Applicants selected for award under this opportunity, will be ineligible to apply for other NYSERDA or utility energy-related incentives for any aspect of the project. Applicants applying for NYSERDA's Net Zero Energy for Economic Development Program incentives must clearly describe the scope, schedule and budget for the project.

While NYSERDA may consider some design costs that occur prior to award to be eligible, all physical work conducted to make capital improvements to the facility prior to a contract being executed will not be eligible for cost-sharing.

Projects that receive an award under this Net Zero Energy for Economic Development Program will not be eligible to apply for any other efficiency or renewable energy incentives from NYSERDA or their utility. However, Applicants that are not awarded through this competitive selection process may be eligible to participate in NYSERDA's Commercial New Construction Program, NYSERDA's renewable energy programs, or utility programs as applicable.

GRANT FUNDS MAY BE USED FOR

- Design, Energy Modeling and Integrated Project Delivery
- Energy Efficiency Improvements
- On-site Renewable Energy Systems (photovoltaics, wind, or solar thermal)
- Ground-Source or Air-Source Heat Pumps
- Electric Vehicle Charging Stations
- Battery Storage
- Or other efficiency or renewable energy technologies.

At NYSERDA's sole discretion, NYSERDA may determine additional costs to be eligible if the Applicant is able to demonstrate to NYSERDA's satisfaction that these additional cost categories were specifically necessary to achieve net zero energy performance as compared to what would have been necessary to complete a project that complied with New York State Energy Conservation Construction Code, or otherwise result in significant CO₂ savings at the site.

SUCCESSFUL APPLICANT REQUIREMENTS

Successful Applicants will work with NYSERDA to develop a detailed and site-specific scope of work, schedule and project budget. The scope of work will need to provide detailed information on the

proposed design to accommodate all building systems, unregulated energy loads, and renewable energy systems that will result in net zero energy performance. Expenses incurred on upgrades made to existing buildings prior to submission of a Consolidated Funding Application (CFA) are not eligible expenses in the CFA project budget, however design-related expenses may be considered. Successful Applicants must be able to clearly state in the project proposal how the project is aligned with the applicable REDC's Strategic Plan, and/or Regional/State Priorities, such as the project being within the Region's Economic Clusters.

NYSERDA, at its sole discretion, may choose to award projects that are designed to be net zero energy capable or other high performing standards.

Upon NYSERDA selection for an award, NYSERDA will issue an Agreement for the project's estimated/eligible award amount.

FUNDING PRIORITIES

NYSERDA intends to make awards in each REDC region that has a fundable project submitted, but may distribute funds differently if fundable projects are not submitted in each region.

INELIGIBLE APPLICANTS AND ACTIVITIES

- Heavy Industrial Facilities
- Residential (including single family and multifamily)
- Retail
- Applicants receiving an award from this opportunity may not obtain incentives through other NYSERDA or utility programs for any efficiency or renewable energy expenses incurred, even if the incentive cap is reached; and
- Applicants may not obtain incentives for measures installed before an application is submitted.

SELECTION CRITERIA

An Application is eligible to receive a total final score of 100, of which 80 percent is derived from the NYSERDA review criteria below and 20 percent is allocated to the applicable REDC. The REDC rates the degree to which the project aligns with the REDC's Strategic Plan.

In addition to the criteria noted below, NYSERDA shall have the discretion to consider additional factors in determining the relative merits of projects, demonstration of replicable net zero energy projects, or other factors determined to advance net zero energy construction in New York State.

Regional and State Economic Development Strategies:

- Alignment with the REDC's stated Economic Clusters or Strategic Plan;
- Contributes to State Priority Issue Area
 - Downtown Revitalization Initiative: Priority consideration will be given to proposals which demonstrate they will be located in a downtown area that has developed and submitted a proposal to the REDC to advance an existing Downtown Revitalization Initiative (DRI). The project does not need to be explicitly mentioned in the DRI proposal, nor does the downtown in question need to have been one of the selected DRI awardees. The site can be located in a downtown from any year of DRI proposal submittals.
 - 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.
 - 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.

- The degree to which the project identified in the application supports New York State minority- and women-owned business enterprises.
- Whether the project will have a significant regional impact or is likely to increase the subject community's economic viability and vitality.

Performance Measures:

- The estimated energy performance of the project, including all building systems, unregulated loads and renewable energy systems;
- The applicant's commitment to meet the net zero energy performance standard;
- Whether the project will include integrated design principals, or will be designed to meet third-party performance validation standards (i.e. Passive House certification, New Buildings Institute); and
- Whether the project is technically feasible, innovative, and superior to alternatives.

Cost Effectiveness/ Replicability:

- The estimated return on investment that the project identified in the application will generate (energy savings, productivity, improved work environment) for the project cost;
- Whether the project scope can be easily replicated for similar development projects within the Region or the State;
- Whether the project site will be located in a: Opportunity Zone, on a Brownfield; in a previously proposed DRI area, or in a community that has adopted New York Stretch Code;
- 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/credit score.

Geographic Region:

- The geographic distribution of fundable Net Zero Energy projects in REDC regions; and
- 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.

Resiliency:

Whether the project will demonstrate improved recovery time, or protection against, factors related to extreme weather events or power outages.

ADDITIONAL FUNDING

- Proposed projects that are located on sites that meet any of the following criteria may be eligible for additional funding:

Opportunity Zones: An Opportunity Zone is a low-income census tract with an individual poverty rate of at least 20 percent and median family income no greater than 80 percent of the median area income. Designation of a census tract, by New York State, in the community development Opportunity Zone program may be considered for up to \$250,000 of additional funding, if available.

Brownfield Redevelopment: To promote the cleanup and redevelopment of brownfield sites, projects located on a NYS Department of Environmental Conservation-designated brownfield site may be considered for up to \$250,000 of additional funding, if available.

Downtown Revitalization Initiative: Each Regional Council may nominate communities for selection in the Downtown Revitalization Initiative (DRI) based on the downtown's potential for transformation of downtown neighborhoods into vibrant communities. Projects located in areas that had formal plans submitted to their REDC for the DRI program, should provide evidence as such in their application. Projects within communities that proposed a plan for the DRI may be considered for up to \$250,000 of additional funding, if available.

New York Stretch Code: Communities may adopt NYSERDA's New York State Stretch Code to increase the energy performance of new buildings. Projects located in communities that have adopted the New York State Stretch Code may be considered for up to \$250,000 of additional funding, if available.

AWARD CRITERIA DETAILS

- An initial screening for eligibility will be conducted several weeks after the close of the CFA. Applicants that are determined to not meet basic eligibility criteria will be informed at that time that they are not eligible for further consideration of this program for this year.
- Notice of a funding award will be given in the form of a contract outlining the terms of the proposed assistance. 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 NYSERDA's Agreement prior to starting the project.
- All Applicants will be required 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, may result in NYSERDA's reduction of the award, in NYSERDA'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, may not result in an increase of the award, consideration of scope changes will be at the sole discretion of NYSERDA.
- Please note that awarded grants are transferable at the sole discretion of NYSERDA.
- 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 NYSERDA, doubt as to its viability, NYSERDA reserves the right to cancel its funding commitment to such project. NYSERDA reserves the right to require Recipient to provide any additional information and/or documentation NYSERDA 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 and installation of renewables, including State Environmental Quality Review (SEQR) and consultation with the State Historic Preservation Office, if applicable. Physical work on a NYSERDA-funded project may not be started prior to the completion of any necessary environmental, historic and/or smart growth review.

- 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 NYSERDA's Contracts Department, which will set business and participation goals for minorities and women. Such goals shall typically be included in the Agreement.

Please Note: NYSERDA'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.

- Grant funds originally awarded to projects that have since been cancelled or terminated will be repurposed for economic development projects by NYSERDA at its discretion in consultation with the REDCs.
- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:** Applicants in REDC regions (not including Long Island) 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 up to seventy percent (70%) of the eligible net zero energy design and construction costs, up to \$1,000,000, based on an approved Scope of Work. Additional funding may be available as described above.
 - An independent third-party consultant is required for all projects.
 - NYSERDA may require site visits at multiple times during the course of the construction project.
 - Post-construction monitoring and verification of performance is required for all awarded projects.
- **LONG RANGE GOALS:** NYSERDA's goal is to increase the economic competitiveness of facilities by providing technical and financial support for the implementation of cost-effective energy efficiency and renewable energy technologies.
- **PROJECT TERM COMPLETION DATES:** Financial incentives are based upon the predicted cost of design and construction to achieve net zero energy performance, as determined in the approved Scope of Work. NYSERDA will provide payments of incentives in three designated stages during the design and construction of the project: 1) Design Complete/ Buildings Department Approval; 2) 50% construction complete, with delivery of systems equipment on-site; and 3) when construction is complete.
- **MATCHING FUND REQUIREMENTS / DEADLINES:** The Applicant will pay the remaining percentage of the total project cost of the design and construction of the project.
- All projects must include cost-sharing in the form of matching cash support from the Applicant. In-kind contributions of any type are not allowed as matching funds.

ADDITIONAL RESOURCES

For more information, applicants should contact the New York State Energy Research and Development Authority, 17 Columbia Circle, Albany, New York 12203, call (518) 862-1090 ext 3004, email lori.borowiak@nyserda.ny.gov or visit: <https://www.nyserda.ny.gov/>.

New York Power Authority - ReCharge New York

Amount available: Up to 143 Megawatts (availability as of 4/1/18)

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 \$3 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 \$3 million has been made available for this round of the Wastewater Infrastructure Engineering Planning Grant (EPG) program.

Grants of up to \$100,000³ are available 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 so successful applicants can use the engineering report funded by the grant to seek financing through the CWSRF program, Water Quality Improvement Project program, or other funding entities to further pursue the identified solution.

Eligible Applicants

- Municipalities as defined in the Definitions section of this document; and
- Median household income (MHI) of the municipality must be:
 - Equal to or less than \$65,000 according to the United States Census, 2015 American Community Survey for municipalities located in REDC regions of Capital District, Southern Tier, North Country, Mohawk Valley, Central NY, Finger Lakes, or Western NY; or
 - Equal to or less than \$85,000 according to the United States Census, 2015 American Community Survey for municipalities located in REDC regions of Long Island, New York City and Mid-Hudson.

A summary of the United States Census, 2015 American Community Survey MHI data can be found on the EPG page on the EFC website at www.efc.ny.gov/epg.

- Municipalities may have no more than two active EPG awards at the same time. An active EPG award includes a project that has been awarded funding and is 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 report⁴. This includes planning activities to determine the scope of water quality issues, evaluation of alternatives, and the recommendation of a capital improvement project. In addition, the costs to

³ See the “Grant Award Details” section of this document for details of funding amounts.

⁴ See the “Definitions” section of this document for specific information on the required contents of the engineering report.

conduct an environmental review for the recommended alternative are eligible. Design and construction costs for projects are not eligible costs

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

- required by an executed Order on Consent; or
- required by a draft or final State Pollutant Discharge Elimination System (SPDES) permit (e.g. nutrient removal, inflow and infiltration, disinfection, etc.); or
- upgrading or replacing an existing wastewater system; or
- constructing a wastewater treatment and/or collection system for an area with failing onsite septic systems; or
- identified in a Total Maximum Daily Load (TMDL) implementation plan.

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

- No-action alternative;
- Green infrastructure, in combination with gray infrastructure or individually, is 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 (if it is 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 Projects

- 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.⁵
- Projects and scope that are listed on the 2018 CWSRF Intended Use Plan Annual Project Priority List.

Grant Award Details

There are three grant categories, as listed below, for the planning of wastewater infrastructure project. The first two options are for any wastewater infrastructure-related, including disinfection, projects. The third option is for inflow and infiltration projects as a result of an Order on Consent or SPDES Permit Compliance Schedule

⁵ See the "Definitions" section of this document on what is considered an eligible publicly-owned treatment works activity.

Option 1 - \$30,000 Grant

- Population of Municipality: 50,000 or less according to the United States Census, 2015 American Community Survey. Population data can be found on the EFC website at www.efc.ny.gov/epg.

Option 2 - \$50,000 grant

- Population of Municipality: Greater than 50,000 according to the United States Census, 2015 American Community Survey. Population data can be found on the EFC EPG website at www.efc.ny.gov/epg.

Option 3 - \$100,000 grant (only for inflow and infiltration projects as a result of an Order on Consent or SPDES Permit Compliance Schedule)

- Population of Municipality: no limit

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 services⁶. 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 or more payments based on the municipality's progress toward completion of an acceptable engineering report. The municipality will receive its first disbursement as an advance payment once the grant agreement is executed. The final disbursement will be made to the municipality when its 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, Water Quality Improvement Project program, or from other funding entities to further pursue the recommended solution.

Evaluation Criteria

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

- Will provide a measurable improvement or protection of water quality;
- Is identified in a SPDES permit, consent order, or TMDL or is a new wastewater treatment system and/or collection system to replace or upgrade an existing system or unsewered area;
- Is identified in a formally adopted plan such as a comprehensive plan, master plan, asset management plan, or local waterfront revitalization plan;
- Addresses a DEC priority; and
- Aligns with the goals and priorities of its Regional Council Strategic Plan.

⁶ See the "Definitions" section of this document for specific information on what is considered in-kind services.

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

	Maximum Points		Minimum Points	
Performance Measures	<p>Project would address a water quality impairment identified in a TMDL, TMDL Implementation Plan, CSO Long Term Control Plan, SSO plan, or listed on the PWL as “precluded” or “impaired” or is to upgrade municipal systems to meet new wastewater treatment effluent disinfection requirements.</p> <p>Points: 38</p>	<p>Project would address a water quality impairment listed as “stressed” or “threatened” on the PWL.</p> <p>Points: 20</p>	<p>Project would address a documented water quality impairment that is not listed on the PWL.</p> <p>Points: 10</p>	<p>Project is necessary to preserve or protect a surface waterbody, no impairment associated with wastewater discharges is listed on the PWL.</p> <p>Points: 5</p>
Strategies	<p>The planning project is required by a draft or final SPDES Permit or Consent Order, including the preparation of a flow management plan, or is identified in a TMDL.</p> <p>Points: 22</p>	<p>The planning project is for a new wastewater treatment and/or collection system to replace or upgrade an existing system, but is not required by a draft or final SPDES Permit or Consent Order. This includes regionalization projects.</p> <p>Points: 12</p>	<p>The planning project is for a new wastewater treatment and/or collection system for a currently unsewered area.</p> <p>Points: 6</p>	
Vision	<p>Project is in a formally adopted plan⁷;</p> <p>AND</p> <p>Applicant has demonstrated that the public and stakeholders who will be affected by, or who can advance the project, have been engaged in project</p>	<p>Project is in a formally adopted plan;</p> <p>OR</p> <p>Applicant has demonstrated that the public and stakeholders who will be affected by, or who can advance the</p>	<p>Project is not in a formally adopted plan;</p> <p>AND</p> <p>Applicant has not demonstrated that the public and stakeholders who will be</p>	

⁷ Formally adopted plans include comprehensive plans, master plans, asset management plans, local waterfront revitalization plans, and other land use planning type plans. Unacceptable plans include: annual system reports; consent orders, REDC strategies; TMDLs; TMDL implementation plans; watershed implementation plans; and watershed action agendas.

	<p>planning and implementation.</p> <p>Points: 10</p>	<p>project, have been engaged in project planning and implementation.</p> <p>Points: 5</p>	<p>affected by, or who can advance the project, have been engaged in project planning and implementation.</p> <p>Points: 0</p>	
Agency Priority	<p>Planning projects that are:</p> <ul style="list-style-type: none"> • required by an executed Order on Consent; or required by a draft or final SPDES permit (e.g. disinfection, nitrification, etc.); or • constructing a wastewater treatment and/or collection system for an area with failing onsite septic systems; or • identified in a Total Maximum Daily Load implementation plan; or • submitted by an applicant who qualifies as a hardship community in the 2018 CWSRF Intended Use Plan. <p>Points: 10</p>	<p>Project to upgrade or replace an existing wastewater system.</p> <p>Points: 5</p>	<p>Project does not align with DEC and EFC priorities.</p> <p>Points: 0</p>	
Regional Economic Development Priority	<p>Up to 20 points is assigned by the Regional Economic Development Council according to their criteria.</p>			

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

In case of a tie, DEC will look at individual scoring categories in the following order to determine a grant award:

1. Performance Measures
2. Strategies
3. Vision
4. Agency priorities
5. REDC
6. Tie breaker: date and time received

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

Multiple Application Submissions

EFC/DEC reserve the right to limit the number of awards per municipality to one per Round. If an applicant chooses to submit multiple applications for their municipality, please prioritize the applications. Please note, municipalities may only have two active EPG awards.

Successful Applicant Requirements

Documentation: Successful applicants must provide documentation of the following requirements before they may enter into a grant agreement for the funds.

- 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.
- Executed Engineering Agreement that complies with NYS Minority/Woman-owned Business Enterprises (MWBE) and Service Disabled Veteran-Owned Business (SDVOB) Program, and Equal Employment Opportunity (EEO) requirements.
- Detailed final budget and plan of finance including all third party funding agreements, and satisfaction of the minimum 20 percent local match requirement.
- Board resolution authorizing and obligating local match funds.
- Board resolution declaring State Environmental Quality Review Act (SEQR) findings or determinations for the planning activities associated with the grant.
- Board resolution for designation of an Authorized Representative for the project.

The grant agreement must be executed within 12 months of grant award.

Definitions

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

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. [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. [21 NYCRR 2602.2(a)(51) New York State Clean Water Revolving Fund Regulations]

Treatment Works (Publicly-Owned) – Includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances, only if they convey wastewater to a publicly owned treatment plant, and combined storm water and sanitary sewer systems. [Section 212 (2) (A) & (B) of the Federal Clean Water Act].

Additional Resources

For more information, visit <http://www.dec.ny.gov/pubs/81196.html> or www.efc.ny.gov/epg

New York State Department of Environmental Conservation (DEC) – Water Quality Improvement Project Program

Funding Available: Up to \$79 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 implementation projects that directly address documented water quality impairments or protect a drinking water source. This grant program requires recipients to provide 25% of the award amount as a local share of the project for high priority Wastewater Treatment Improvement projects, Non-agricultural Nonpoint Source Abatement and Control, Land Acquisition for Source Water Protection, Aquatic Habitat Restoration, and Municipal Separate Storm Sewer System projects; 60% of the award amount as a local share of the project for General Wastewater Infrastructure Improvement projects; and 50% of the award amount as a local share of the project for Salt Storage.

Additional Resources

The RFA is available on the Department of Environmental Conservation's (Department'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 Department's website. Questions should be submitted to user.water@dec.ny.gov no later than July 13, 2018.

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.

For projects impacting surface water, the applicant must provide the correct Priority Waterbodies List (PWL) identification number and HUC 12 watershed of the closest waterbody that the project will impact.

For the most updated PWL map, go to the DECinfo Locator at <https://www.dec.ny.gov/pubs/109457.html>. Click on the link for "Environmental Quality Map View". In the left column of the map, click on "Information List" and check the box for "Rivers, Streams and Shorelines" AND "Lakes, Reservoirs, and Estuaries" to display these map layers. Enter the address or project location in the "Search Near Me" search bar. Click on the plus sign in the top left corner of the map to zoom into the location until the waterbodies are visible on the map. Click on the waterbody of interest. A box with the Waterbody Inventory/Priority Waterbodies List information will be displayed, including the waterbody name, PWL ID number, basin, and assessment level. To access the PWL factsheet for that waterbody, click on the "Download Fact Sheet" link in the box.

For guidance on how to read the PWL data sheets, please visit the Department website at: <http://www.dec.ny.gov/chemical/36730.html>

A map of the hydrologic unit code (HUC 12) watersheds can be found at: <http://www.arcgis.com/home/webmap/viewer.html?webmap=a1c786a4252e44848f4357>

Funding

The Department anticipates having up to \$79 million available for WQIP projects.

The Department may potentially receive additional funding for qualifying projects in specific geographic areas or for specific types of projects. Should such funding become available, the Department 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 are 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** land acquisition for source water protection projects OR aquatic habitat restoration projects)

Eligible Types of Projects

- Wastewater Treatment Improvement
- Non-agricultural Nonpoint Source Abatement and Control
- Land Acquisition Projects for Source Water Protection
- Salt Storage
- Aquatic Habitat Restoration
- Municipal Separate Storm Sewer Systems (MS4s)

Ineligible WQIP Projects

- Application proposals that do not address water quality impairment or protect a drinking water source
- Projects that provide no matching funds
- Projects that are seeking funding for planning or design only
- Projects that include ineligible activities/costs as described in the project type descriptions
- Projects that fail to submit required documentation as specified in the project type descriptions
- Not for profit applicants who do not have a current pre-qualification in Grants Gateway as of the application deadline
- Applications that fail to meet the minimum scoring criteria as detailed in the Scoring Rubric at the end of the RFA

Funding Priorities

Funding priorities are described in each individual WQIP project type description in this RFA.

Applicant Guidance

The “Legal Name of Applicant” listed in the application must be the name of the entity that will enter into the contract if awarded. The Legal Name of Applicant field should not list an individual. Be sure to select the correct entity that is applying for the grant because the name cannot be switched in any way (i.e. change from the County to the County Office of Planning) after award.

Applicants who have demonstrated poor management of past WQIP contract(s) will not be funded in Round 15. Also, applicants who have not previously been awarded a WQIP grant but whose Round 15 application does not demonstrate the experience and ability to carry out the project will not be funded in Round 15.

Projects must have secured at least some of the necessary approvals and be ready to proceed with project implementation to be funded.

Projects that include ineligible activities or ineligible costs may be deemed ineligible. See individual project types for a list of ineligible activities/costs for each project type.

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>).

DETAILED WQIP PROJECT TYPES AND DESCRIPTIONS ARE LISTED BELOW

Wastewater Treatment Improvement

Eligible Applicants

- Municipalities⁸

Eligible Projects

High Priority Project Types:

- Wastewater Effluent Disinfection – Wastewater treatment projects (as defined in Environmental Conservation Law §56-0101) for facilities that currently do not disinfect their effluent 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, applicants must have been notified by the Department that their treatment system requires an upgrade to add effluent disinfection.** Municipalities with no current disinfection system will take precedence over repairs or upgrades to an existing system. Applicants will be required to submit an engineering report for the project with their application. Maximum grant available per facility is \$1 million.
- Combined Sewer Overflow/Sanitary Sewer Overflow (CSO/SSO) – Projects to upgrade municipal systems to meet CSO or SSO discharge requirements. To be considered eligible under this category, CSO projects must be listed under an approved Long-Term Control Plan; SSO projects must be for an SSO included in a capacity, management, operation and maintenance (CMOM) program, a sanitary sewer evaluation survey plan, or identified as a Type 1 outfall in a SPDES permit. Applicants will be required to submit

⁸ 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.

an engineering report for the project with their application. Maximum grant available per municipality is \$5 million.

- Watershed Plan Implementation Projects – Projects to purchase and install equipment necessary to meet watershed plan requirements, such as chemical addition and other techniques to remove phosphorous. before the water is discharged from the plant. To be considered eligible under this category, implementation projects must be listed in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan. Applicants will be required to submit an engineering report for the project with their application. Maximum grant available per facility is \$1 million.
- Municipal systems to serve multiple properties with inadequate on-site septic systems– Projects to construct municipal systems to serve multiple properties with inadequate on-site septic systems. To be considered eligible under this category, the PWL nearest to the project must list septic systems as a source of impairment, or the need for the project is documented in a completed sanitary survey conducted and/or approved by the Department of Health or be identified in a DEC HABs Action Plan. The process of forming a sewer district must be complete prior to the date of application in order to be eligible. Applicants will be required to submit an engineering report for the project with their application. Maximum grant available per system is \$5 million.
- Wastewater Treatment Facility Nitrogen Abatement Projects for Shellfishing Waters (SA) – Projects to reduce and/or eliminate nitrogen impairments in shellfishing waters (SA).

Secondary Priority:

- 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

The Department will fund eligible high priority projects starting with the highest scoring projects. The Department reserves the right to award one project from each high priority category scoring 70 or above before awarding additional high priority wastewater projects. Once all the quality high priority projects have been funded, the Department will award funding to the general wastewater infrastructure improvement projects (secondary priority) starting with the highest scoring project.

Performance Measures

The Department will assess the Wastewater Treatment Improvement projects based on the following:

- Highest priority will be given to:
 - Wastewater Treatment projects that are designed to meet requirements in a finalized consent order compliance schedule or a finalized compliance schedule associated with the facility's SPDES permit

AND are for:

- Wastewater effluent disinfection projects for facilities that currently do not disinfect their effluent who have been notified by the Department that their treatment system requires an upgrade to add effluent disinfection; or
- CSO projects that are under a Long-Term Control Plan; or
- SSO projects that are for an SSO included in a capacity; or management, operation and maintenance (CMOM) program, a sanitary sewer

- evaluation survey plan, identified as a Type 1 outfall in a SPDES permit, or listed in a consent order; or
 - Implementation projects that are listed in a TMDL, Nine Element Watershed Plan, DEC HABs Action Plan or SPDES permit; or
 - Municipal systems to serve multiple properties with inadequate on-site septic systems projects that: address a source of impairment listed in the PWL; is listed in a DEC HABs Action Plan; or is documented in a completed sanitary survey conducted and/or approved by the Department of Health.
 - Projects to reduce and/or eliminate nitrogen impairments in shellfishing waters.
 - Secondary priority will be given to:
 - Wastewater Treatment projects that are for:
 - Wastewater effluent disinfection projects for facilities that currently do not disinfect their effluent and who have been notified by the Department that their treatment system requires an upgrade to add effluent disinfection; or
 - CSO projects that are under a Long-Term Control Plan; or
 - SSO projects that are for a SSO included in a capacity; or management, operation and maintenance (CMOM) program, a sanitary sewer evaluation survey plan, identified as a Type 1 outfall in a SPDES permit, or listed in a consent order; or
 - Implementation projects that are listed in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan; or
 - Municipal systems to serve multiple properties with inadequate on-site septic systems projects that: address a source of impairment listed in the PWL; is listed in a DEC HABs Action Plan; or is documented in a completed sanitary survey conducted and/or approved by the Department of Health.
 - Tertiary priority will be given to:
 - Projects that are:
 - Located in the HUC 12 watershed of waterbodies listed on PWL as “precluded” or “impaired”; or
 - Located in the HUC 12 watershed of waterbodies classified as a Class A or Class AA waterbody with an active public water system and drinking water use is listed on PWL as “stressed” or “threatened.”

Scoring

A scoring rubric can be found in the “Evaluation Process for All Project Types” section toward the end of this document.

Grant/Match Fund Split

Grant funds are available for up to:

- 75 percent of the project cost for Wastewater Effluent Disinfection, CSO/SSO, Watershed Plan Implementation or Municipal systems to serve multiple properties with Inadequate On-Site Septic Systems.
- 40 percent of the project cost for General Wastewater Infrastructure Improvements.

Applicants must provide match funds of at least 25 or 60 percent of the requested grant amount, as applicable.

Eligible Costs

Eligible grant and match costs include salary, fringe, contractual, equipment costs, and construction inspection costs incurred by the awardee to implement the construction phase of the project such as general, electrical, plumbing, HVAC and mechanical. Costs must be incurred within the start and end date of the contract to be eligible. The start date of the contract can be no earlier than May 1, 2018.

Ineligible Costs

The following costs are NOT eligible for match or grant reimbursement:

- Engineering design and specs
- Design
- Construction oversight
- Non-construction costs incurred during the construction phase of the project.
- Indirect costs (e.g. travel, space/property rent, utilities, and other office supplies)
- Administrative costs
- Legal fees
- Costs incurred outside the start and end date of the contract

Ineligible projects:

- Applications that do not attach an engineering report
- Applications for non-municipal systems
- Projects for the Municipal systems to serve multiple properties with inadequate on-site septic systems high priority category that have not formed a sewer district.
- Applications that fail to show adequate match for the priority level for which they are applying.
- Applications for projects that are also being funded through the State Septic System Replacement Fund.

Match Funds

Only activities considered eligible for WQIP funding are eligible to be used as match funds. Match funds considered eligible for WQIP funding must be incurred within the start and end date of the contract. Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded 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
Robert Wither, (518) 402-8123

Non-agricultural Nonpoint Source Abatement and Control

Eligible Applicants

- Municipalities⁹
- Soil and water conservation districts

Eligible Projects

A table of Nonpoint Source Best Management Practices (BMPs) eligible for WQIP funding can be found at: <http://www.dec.ny.gov/chemical/96777.html>.

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>)
- New York State Stormwater Design Manual (<http://www.dec.ny.gov/chemical/29072.html>)
- New York State Standards and Specifications for Erosion and Sediment Control (2016), (<http://www.dec.ny.gov/chemical/29066.html>)
- NYSDEC Forestry BMPs for Water Quality – BMP Field Guide 2011 edition, (<http://www.dec.ny.gov/lands/37845.html>)
- Design Standards for Intermediate-Sized Wastewater Treatment Systems (2014), (<http://www.dec.ny.gov/permits/95768.html>)
- In-Waterbody BMPs – General and Technical Resources, (<http://www.dec.ny.gov/chemical/96777.html>)
- Riparian buffers – Maintenance and Planting Resources, (<http://www.dec.ny.gov/chemical/106345.html>)
- Shoreline stabilization – General and Technical Resource, (<http://www.dec.ny.gov/permits/67096.html>)

Maximum grant available per project unless otherwise noted below is \$1,000,000.

Additional Resources

For use in estimating pollutant load reductions, please see the calculator found at: <http://www.dec.ny.gov/chemical/96777.html>

For the most updated Priority Waterbodies List (PWL) map, go to the DECinfo Locator at <https://www.dec.ny.gov/pubs/109457.html>. Click on the link for “Environmental Quality Map View”. In the left column of the map, click on “Information List” and check the box for “Rivers, Streams and Shorelines” AND “Lakes, Reservoirs, and Estuaries” to display these map layers. Enter the address or project location in the “Search Near Me” search bar. Click on the plus sign in the top left corner of the map to zoom into the location until the waterbodies are visible on the map. Click on the waterbody of interest. A box with the Waterbody Inventory/Priority

⁹ 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

Waterbodies List information will be displayed, including the waterbody name, PWL ID number, basin, and assessment level. To access the PWL factsheet for that waterbody, click on the “Download Fact Sheet” link in the box.

For guidance on how to read the PWL data sheets, please visit the Department website at: <http://www.dec.ny.gov/chemical/36730.html>

A map of the hydrologic unit code (HUC 12) watersheds can be found at: <http://www.arcgis.com/home/webmap/viewer.html?webmap=a1c786a4252e44848f4357>

Scoring

For the Non-Agricultural Nonpoint Source category, the scoring for Vision is comprised of the Performance Measures score multiplied by the Impact Factor for the specific Non-Agricultural Nonpoint Source category. See each category for a more detailed description of the Impact Factor. A scoring rubric can be found in the “Evaluation Process for All Project Types” section toward the end of this document.

Primary and Secondary Loading Sources

For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Plans, and DEC HABs Actions Plans, please refer to DEC’s Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>.

Non-Agricultural Nonpoint Source Priorities

- Decentralized Wastewater Treatment Facilities for Failing On-Site Treatment Systems
- Green Infrastructure Practice/Stormwater Retrofits
- Great Lakes Nature-Based Shoreline Projects
- Streambank Stabilization/Restoration and Riparian Buffers
- In-Waterbody Controls for Nutrients
- Beach Restoration
- Other Nonpoint Source Projects

-
- *Decentralized Wastewater Treatment Facilities for Failing On-site Treatment Systems:*

Summary:

The construction of decentralized wastewater treatment facilities including the necessary collection and conveyance system. The decentralized wastewater treatment facility must consist of a subsurface treatment and disposal system designed in accordance with Department 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.

*Note – projects in areas where on-site septic systems are listed: in a TMDL, Nine Element Plan, DEC HABs Action Plan, on the PWL as a source of impairment, or projects having a completed sanitary survey conducted and/or approved by the Department of Health where decentralized systems consisting of subsurface treatment and disposal may not be feasible should consider applying for funding under the *Wastewater Treatment Improvement* category of this grant.

Specific Requirements:

Applicants must provide documentation detailing the expected time frame to acquire approvals and agreements necessary for sewer district formation. These approvals and agreements must be in place within 12 months of the grant award.

Performance Measures

The Department will assess the Decentralized Wastewater Treatment Facilities for Failing On-Site Treatment Systems projects based on the following:

- Highest priority will be given to:
 - Projects to address failing on-site septic systems along waterbodies where on-site septic systems have been identified as a primary pollution source¹⁰ in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan AND where failing on-site septic systems are impacting an active public drinking water supply.
- Secondary priority will be given to:
 - Projects to address failing on-site septic systems along waterbodies where on-site septic systems have been identified as a primary pollution source³ in a TMDL or Nine Element Watershed Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment listed as either “precluded” or “impaired” due to failing on-site septic systems; or
 - Projects to address failing on-site septic systems that have a documented impact to an active public drinking water supply.
- Tertiary priority will be given to:
 - Projects to address failing on-site septic systems along waterbodies where septic systems have been identified as a secondary pollution source³ in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment that is “stressed” or “threatened” due to failing on-site septic systems; or
 - Projects supporting an action or priority identified in a Watershed Action Agenda.

Impact Factor Definitions:

4 points: will be given to projects that address a primary pollution source in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan.

3 points: will be given to projects where on-site septic systems are impacting a PWL segment listed as “precluded” or “impaired.”

2 points: will be given to projects that address a secondary pollution source in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan OR projects where on-site septic systems are impacting a PWL segment listed as “stressed” or “threatened” and the proposed project serves properties located directly on the waterbody segment.

1 point: projects where on-site septic systems are impacting a PWL segment listed as “stressed”, “threatened” or “unassessed” and the proposed project serves properties

¹⁰ For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Watershed Plans, and DEC HABs Actions Plans, refer to DEC’s Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>

located within the HUC 12 watershed.

Contact

NYS Department of Environmental Conservation, Division of Water Ken Kosinski, (518) 402-8086

- *Green Infrastructure Practices/Stormwater Retrofits:*

Summary

Green Infrastructure Practices:

Projects that construct green infrastructure to address combined sewer overflows, reduce a pollutant of concern impacting a receiving water body, or address a regional water quality issue. Green Infrastructure practices include, but are not limited to, bioretention, rain gardens, porous pavement, green roofs, downspout disconnection, stormwater street trees, stormwater harvesting and reuse, and stream daylighting.

All Green Infrastructure projects must be designed in conformance with the *New York State Stormwater Design Manual* to be eligible. Additionally, Green Infrastructure projects should include policies and procedures for maintaining the green infrastructure BMPs installed. Green infrastructure projects must go above and beyond the water quality volume treatment and/or reduction requirements listed in the SPDES Construction General Permit.

Stormwater Retrofits:

Installation of stormwater retrofits designed to capture and remove the pollutant of concern (POC) causing a water quality impairment are eligible.

Specific Requirements:

Applicants applying for green infrastructure/stormwater retrofit projects must complete a feasibility study for the proposed project and submit the study with the electronic application to be eligible for funding. The feasibility study must include all the Required Elements listed in the WQIP Required Green Infrastructure Documentation Guidance attached here as WQIP RFA Appendix A.

Performance Measures

The Department will assess the Green Infrastructure Practices/Stormwater Retrofits projects based on the following:

- Highest priority will be given to:
 - Projects that address a primary pollution source¹¹ identified in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan AND impacting an active public drinking water supply.
- Secondary priority will be given to:
 - Projects to address a primary pollution source⁴ in a TMDL or Nine Element Watershed Plan; or

¹¹ For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Watershed Plans, and DEC HABs Actions Plans, refer to DEC's Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>

- Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “precluded” or “impaired” that target the Pollutant of Concern, identified in the PWL factsheet, causing or contributing to the use impairment; or
- Projects that reduce stormwater flow to a combined sewer system; or
- Retrofit projects required under an MS4 permit; or
- Projects to address a documented pollution source impacting an active drinking water supply.
- Tertiary priority will be given to:
 - Projects that address a secondary pollution source⁴ identified in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “stressed” or “threatened” that target the Pollutant of Concern, identified in the PWL factsheet, causing or contributing to the use impairment; or
 - Projects supporting an action or priority identified in a Watershed Action Agenda.

Impact Factor Definitions:

The impact factor will be scored based on the capacity of stormwater the practice can accommodate per water quality storm event. The breakdown of points will be as follows:

4 points: Total WQv treated or reduced – 7,500 ft³ or more

3 points: Total WQv treated or reduced – 5,000 to 7,499 ft³

2 points: Total WQv treated or reduced – 2,500 to 4,999 ft³

1 point: Total WQv treated or reduced – 0 to 2,499 ft³

Contact

NYS Department of Environmental Conservation, Division of Water Ryan
Waldron, (518) 402-8244

- *Great Lakes Nature-Based Shoreline Projects:*

Summary:

For qualifying nature-based or “soft engineering” shoreline stabilization projects located along the open shorelines and embayments of Lake Erie, Lake Ontario, the St. Lawrence River, Niagara River and the Finger Lakes to reduce erosion, enhance coastal resilience and improve water quality and coastal habitat. Nature-based shoreline projects incorporate natural features and materials alone or in combination with structural components to manage erosion and stabilize shorelines, while enhancing aquatic habitat, natural coastal processes and access to the extent practicable or desired. Nature-based shoreline stabilization projects may include, but are not limited to, natural buffer zones, constructed or restored wetlands, “living” sills or breakwaters, beach and dune restoration, and nature-based stabilization techniques including tree/rootwad revetments, live crib walls, vegetated rip-rap and vegetated geogrids. Information on preferred, nature-based methods

of shoreline stabilization is available at <http://www.dec.ny.gov/permits/50534.html>. Maximum grant available per project is \$500,000.

Specific Requirements:

Applicants applying for the Great Lakes nature-based shoreline project category must include any site assessments, permits, feasibility studies or other documentation that demonstrates the likelihood of project success and/or feasibility. Such documentation should be submitted with the electronic application.

Performance Measures

The Department will assess the Great Lakes Nature-Based Shoreline projects based on the following:

- Highest priority will be given to:
 - Projects that address a primary pollution source¹² identified in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan AND impacting an active public drinking water supply; or
 - Projects that demonstrate protection of infrastructure (such as roads, water treatment facilities, schools, and parks) vulnerable to impacts of coastal erosion and flooding.
- Secondary priority will be given to:
 - Projects that address a primary pollution source⁵ identified in a TMDL or Nine Element Watershed Plan; or
 - Projects supporting multiple actions or priorities identified in the Great Lakes Watershed Action Agenda; or
 - Projects that address a documented nonpoint source of pollution impacting an active public drinking water supply.
- Tertiary priority will be given to:
 - Projects supporting an action or priority identified in the Great Lakes Watershed Action Agenda.
- Quaternary priority will be given to:
 - Projects addressing a water quality impairment not listed on the PWL that has been reported and substantiated by a credible agency.

Impact Factor Definition:

4 points: will be given to projects that demonstrate protection of infrastructure and the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “precluded” or “impaired.”

3 points: will be given to projects that demonstrate protection of infrastructure and the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “stressed” or “threatened.”

2 points: will be given to projects that either demonstrate protection of infrastructure OR the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as

¹² For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Watershed Plans, and DEC HABs Actions Plans, refer to DEC’s Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>

“precluded” or “impaired.”

1 point: will be given to projects that do not demonstrate protection of infrastructure but the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “stressed”, “threatened”, or “unassessed.”

Contact

NYS Department of Environmental Conservation, Division of Water
Shannon Dougherty, (716) 851-7070

- *Streambank Stabilization/Restoration and Riparian Buffers:*

Summary:

Streambank Stabilization/Restoration: Projects to address sedimentation of waterbodies caused by erosion of streambanks. Streambank stabilization and restoration practices include but are not limited to staking, erosion control matting, root wads, and rip-rap. Guidance for such projects can be found at: <http://www.dec.ny.gov/permits/67096.html>. Bioengineered practices are preferred over hard structural practices. Streambank stabilization/restoration projects that are paired with replanting of riparian buffers are preferred and will receive priority in scoring.

Riparian Buffers: Projects to replant vegetation within the riparian zone of waterbodies to filter nutrients and sediment, prevent streambank erosion and reduce thermal impacts to streams. Guidance for such projects can be found at: <http://www.dec.ny.gov/chemical/106345.html>.

Specific Requirements:

Applicants applying for the Streambank Stabilization/Restoration and Riparian Buffer project category should include any site assessments, permits, feasibility studies or other documentation that demonstrates the likelihood of project success and/or feasibility. Such documentation should be submitted with the electronic application.

Performance Measures

The Department will assess the Streambank Stabilization/Restoration and Riparian Buffers projects based on the following:

- Highest priority will be given to:
 - Projects that address a primary pollution source¹³ identified in a TMDL, Nine

¹³ For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Watershed Plans, and DEC HABs Actions Plans, refer to DEC’s Pollutant Source Prioritization Table posted here:

<https://www.dec.ny.gov/pubs/4774.html>

Element Watershed Plan, or DEC HABs Action Plan AND impacting an active public drinking water supply.

- Secondary priority will be given to:
 - Projects that address a primary pollution source⁶ identified in a TMDL or Nine Element Watershed Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “precluded” or “impaired” due to streambank erosion or urban/stormwater runoff; or
 - Projects that address a documented nonpoint source of pollution impacting an active public drinking water supply.
- Tertiary priority will be given to:
 - Projects that address a secondary pollution source⁶ identified in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “stressed” or “threatened” due to streambank erosion or urban/stormwater runoff; or
 - Projects supporting an action or priority identified in a Watershed Action Agenda.

Impact Factor Definitions:

4 points: will be given to projects that implement riparian buffers AND streambank stabilization directly adjacent to a waterbody that has been identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) as “precluded” or “impaired.”

3 points: will be given to projects that implement riparian buffers OR streambank stabilization directly adjacent to a waterbody that has been identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) as “precluded” or “impaired.”

2 points: will be given to projects that implement riparian buffers AND streambank stabilization directly adjacent to a waterbody that has been identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) as “stressed” or “threatened.”

1 point: will be given to projects that implement riparian buffers OR streambank stabilization directly adjacent to a waterbody that has been identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) as “stressed”, “threatened” or “unassessed.”

Contact

NYS Department of Environmental Conservation, Division of Water Lauren Townley, (518) 402-8283

- *In-Waterbody Controls for Nutrients:*

Summary:

Projects that reduce internal loading of nutrients (mainly phosphorus) within waterbodies. For waterbodies experiencing internal nutrient cycling leading to excessive algae and plant growth, low water clarity, and other water quality impairments. Eligible practices to address these issues include but are not limited to: hypolimnetic aeration, hypolimnetic withdrawal, and dredging. Projects must be underway to control external (landside) sources of nutrients prior to submitting an application for in-waterbody control for

nutrients.

Specific Requirements:

Proposals for in-waterbody practices to control nutrients must provide the following in order to be eligible for funding:

- Provide a plan that has been completed or is underway for controlling external sources and documentation 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, if applicable (Hypolimnetic Aeration and Withdrawal); AND
- Applicants must secure appropriate permits prior to submitting application.

Performance Measures

The Department will assess the In-Waterbody Controls for Nutrients projects based on the following:

- Highest priority will be given to:
 - Projects that address internal loading of nutrients in waterbodies where internal loading has been identified as a primary pollution source¹⁴ in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan AND where internal loading is impacting an active public drinking water supply
- Secondary priority will be given to:
 - Projects that address internal loading of nutrients in waterbodies where internal loading has been identified as a primary pollution source⁷ in a TMDL or Nine Element Watershed Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “precluded” or “impaired” due to internal loading of nutrients; or
 - Projects that address a documented nonpoint source of pollution impacting an active public drinking water supply.
- Tertiary priority will be given to:
 - Projects that address internal loading of nutrients in waterbodies where internal loading has been identified as a secondary pollution source¹⁴ in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “stressed” or “threatened” due to internal loading of nutrients; or
 - Projects supporting an action or priority identified in a Watershed Action Agenda.

¹⁴ For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Watershed Plans, and DEC HABs Actions Plans, refer to DEC’s Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>

Impact Factor Definitions:

4 points: will be given to in-waterbody control projects where internal loading has been identified as the primary source of pollution in a TMDL, Nine Element Watershed Plan, or DEC HABs action plan.

3 points: will be given to in water body control projects where internal loading was identified as the primary source of pollution in a waterbody that has been identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) as “precluded” or “impaired” for nutrient pollution.

2 points: will be given to in water body control projects that were identified in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan where internal loading was identified as a secondary source of pollution.

1 point: will be given to in water body control projects where internal loading was identified as the primary source of pollution in a waterbody that has been identified in the Waterbody Inventory/Priorities Waterbodies List (PWL) as “stressed”, “threatened”, or “unassessed” for nutrient pollution.

Contact

NYS Department of Environmental Conservation, Division of Water Lauren Townley, (518) 402-8283

- *Beach Restoration:*

Summary:

Projects to implement designs recommended in beach restoration green infrastructure design reports. Projects may include, but are not limited to, porous pavement, bioinfiltration/bioretenion, rain gardens, stormwater tree trenches, greenways, beach re-naturalization, beach sand enrichment/nourishment, beach sloping/grading, constructed wetlands, or trumpeter swan or coyote decoys.

Special Requirements:

Projects must have a completed beach sanitary survey and upload the sanitary survey report as part of the electronic application to be eligible. Applicants applying for the beach restoration project category should include topographic surveys, borehole/percolation test information, permits, construction designs, feasibility studies or other documentation that demonstrates the likelihood of project success and/or feasibility. Such documentation should be submitted with the electronic application.

Performance Measures

The Department will assess the Beach Restoration projects based on the following:

- Highest priority will be given to:

- Projects that address a primary pollution source¹⁵ identified in a TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan AND impacting an active public drinking water supply; or
- Projects that are specifically listed as a priority in a beach restoration report funded through Ocean and Great Lakes EPF pilot beach closure mitigation project.
- Secondary priority will be given to:
 - Projects that are for a type of project that is the main focus of a beach restoration report funded independently or based on beach sanitary surveys; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “precluded” or “impaired” that target nonpoint source of pollution causing or contributing to the use impairment.
- Tertiary priority will be given to:
 - Projects that address a secondary pollution source¹⁵ identified in a TMDL, Nine Element Watershed Plan, or DEC HABS Action Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “stressed” or “threatened” that target the Pollutant of Concern, identified in the PWL factsheet, causing or contributing to the use impairment; or
 - Projects supporting an action or priority identified in a Watershed Action Agenda.

Impact Factor definitions:

4 points: will be given to projects that combine two or more practices (e.g., porous pavement, rain gardens and bioswale) to reduce/restore waterbody (such that the water quality benefit is greater than any one practice alone); and the proposed project is located on the beach or within the beach/park property;

3 points: will be given to projects that combine two or more practices (e.g., porous pavement, rain garden and bioswale) to reduce/restore waterbody (such that the water quality benefit is greater than any one practice alone); and the proposed project is located on a tributary adjacent to the beach that has been identified as a source of pollution;

2 points: will be given to projects with one practice to reduce/restore waterbody; and the proposed project is on a tributary adjacent to the beach that has been identified as a source of pollution;

1 point: will be given to projects with one practice to reduce/restore waterbody; and the proposed project is located within the HUC 12 watershed.

Contact

NYS Department of Environmental Conservation, Division of Water
Karen Stainbrook, (518) 402-8095

¹⁵ For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Watershed Plans, and DEC HABS Actions Plans, refer to DEC’s Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>

-
- *Other NPS Projects:*

Summary:

All other nonpoint source projects that do not fall into the above best management practices will be considered under this section.

Special Requirements: None

Performance Measures

The Department will assess the Other Nonpoint Source projects based on the following:

- Highest priority will be given to:
 - Projects that address a primary pollution source¹⁶ identified in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan AND impacting an active public drinking water supply.
- Secondary priority will be given to:
 - Projects that address a primary pollution source⁹ identified in a TMDL or Nine Element Watershed Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “precluded” or “impaired” that target the Pollutant of Concern, identified in the PWL factsheet, causing or contributing to the use impairment; or
 - Projects that address a documented nonpoint source of pollution impacting an active public drinking water supply; or
 - Retrofit projects required under an MS4 permit.
- Tertiary priority will be given to:
 - Projects that address a secondary pollution source¹⁶ identified in a TMDL or Nine Element Watershed Plan or DEC HABs Action Plan; or
 - Projects located in the HUC 12 watershed of a PWL segment with uses listed as either “stressed” or “threatened” that target the nonpoint source of pollution causing or contributing to the use impairment; or
 - Projects supporting an action or priority identified in a Watershed Action Agenda.

Impact Factor definitions:

Unless otherwise noted in the specific category, the following impact factors will be used in scoring of projects:

4 points: will be given to projects that combine two or more related best management practices installed at the same site to address an impairment, such that the water quality benefit is greater than one practice alone (e.g, ditch maintenance, hydroseeding, and filter strip system installed at same location; or installation of porous pavement, bioswale, rain gardens, and tree bowls at same location as

¹⁶ For a list of primary and secondary sources of pollution listed in TMDLs, Nine Element Plans, and DEC HABs Actions Plans, refer to DEC’s Pollutant Source Prioritization Table posted here: <https://www.dec.ny.gov/pubs/4774.html>

complete project) and the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “precluded” or “impaired”;

3 points: will be given to projects that combine two or more related best management practices installed at the same site to address an impairment, such that the water quality benefit is greater than one practice alone (e.g. ditch maintenance, hydroseeding, and filter strip system installed at same location; or installation of porous pavement, bioswale, rain gardens, and tree bowls at same location as complete project) and the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “stressed” or “threatened”;

2 points: will be given to projects with one best management practice to reduce/restore waterbody and the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “precluded” or “impaired”;

1 point: will be given to projects with one best management practice to reduce/restore waterbody and the proposed project is located within the HUC 12 watershed of waterbodies identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses listed as “stressed” or “threatened”; or projects located in the watershed of waterbodies classified as Class A or Class AA that are identified in the Waterbody Inventory/Priority Waterbodies List (PWL) sheet with uses other than “precluded”, “impaired”, “stressed”, or “threatened”.

Contact

NYS Department of Environmental Conservation, Division of Water
Ken Kosinski, (518) 402-8086

Additional Information for all Non-Agricultural Nonpoint Source Projects

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.

Grant/Match Fund Split

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 grant and match costs include personal services (e.g. salary, fringe); and non-personal services (e.g. contractual services, travel, equipment operating expenses, etc.) incurred by the awardee to implement the project. The following categories of costs are

considered eligible:

- Construction
- Construction inspection
- Planning and Design (cannot exceed 20% of award amount)

Costs must be incurred within the start and end date of the contract to be eligible. The start date of the contract can be no earlier than May 1, 2018.

Ineligible Costs

The following costs are NOT eligible for match or grant reimbursement:

- Construction oversight
- Land purchases
- Indirect costs (e.g. space/property rent, utilities, and other office supplies)
- Administrative costs
- Legal fees
- Costs incurred outside the start and end date of the contract
- Costs associated with grant application and/or its administration and securing applicable approvals, permits, easements, etc.

Ineligible Projects

- Projects with planning and design costs in excess of 20% of the award amount
- Projects that do not include required supporting documentation
- Projects that include ineligible costs
- Projects that do not address a water quality impairment
- Projects that do not implement a NPS Best Management Practice
- Projects that have not secured any of the necessary approvals and are not ready to proceed to construction

Match Funds

Only activities considered eligible for WQIP funding are eligible to be used as match funds. Match funds considered eligible for WQIP funding must be incurred within the start and end date of the contract. Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded 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.

Land Acquisition Projects for Source Water Protection

Eligible Applicants

- Municipalities¹⁷
- Soil and water conservation districts
- Not-for-profit corporations¹⁸

Before starting an application, applicants interested in Land Acquisition Projects for Source Water Protection are strongly encouraged to investigate steps that must be taken and local approvals that are needed to start a project of this type (permits, easements, etc.). Applicants who have questions about what is needed for their project are encouraged to attend the CFA workshops offered statewide or to call or email WQIP staff.

Eligible Projects and Programs

Only active public water supplies as defined by the New York State Department of Health (NYSDOH) are eligible for funding under this WQIP category. NYSDOH defines a public drinking water supply as “any system with at least 5 service connections or that regularly serves an average of at least 25 people daily for at least 60 days out of the year”.

1. **PROJECTS for Protection of Surface or Groundwater Public Drinking Water Supplies -** Applicants can apply for funding to purchase conservation easements or parcels of land for the purpose of protecting one or more active public surface water drinking water supplies (streams, lakes, rivers, and reservoirs) OR to protect one or more active public groundwater drinking water supplies (groundwater wells). **Land parcel (s) must be specifically identified at the time of application to be considered for funding under the “Project” category.**
2. **PROGRAMS for Protection of Surface or Groundwater Public Drinking Water Supplies –** Applicants can apply for funding to purchase conservation easements or parcels of land at multiple locations throughout the HUC 12 watershed of one or more active public surface water drinking water supplies (streams, lakes, rivers, and reservoirs) OR parcels at multiple locations within the areal extent of the zone of contribution¹⁹ of one or more active public groundwater drinking water supplies. **Parcels are not required to be specifically identified at the time of application to be considered for funding under the “Program” category, but programs that have identified and prioritized parcels are preferred.**

Maximum grant available per project or program is \$3,000,000.

¹⁷ For the purposes of Land Acquisition Projects for Source Water Protection 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.

¹⁸ 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.

¹⁹ Areal extent of the zone of contribution as defined by USGS. See <https://water.usgs.gov/admin/memo/GW/gw03.02.html>

New Public Water Supplies

Only land acquisition projects or programs associated with established and active public water supplies are eligible for funding under Round 15.

Application Upload Requirements

- Applicants applying for land acquisition for source water protection projects or programs must provide a detailed protocol for monitoring and enforcement of properties or easements and submit the written protocol with the electronic application. Monitoring and enforcement of properties or easements obtained through this grant may be performed by a subcontractor. The protocols must include all of the Required Elements listed in the WQIP Required Land Acquisition for Source Water Protection Documentation Guidance attached here as WQIP RFA Appendix B. **Applicants that do not upload a detailed protocol will be deemed ineligible for funding.**
- A detailed expenditure based budget summary is required to be uploaded as part of the electronic application. The budget summary must estimate the value of the land or development rights being acquired, transactional costs, staff salaries directly devoted to or connected to the project or program, restoration costs, contractual costs and travel costs. **Applicants that do not clearly detail costs associated with a land acquisition project or program; or detail costs that do not provide a good value as it applies to achieving source water protection will be deemed ineligible for funding.**
- Map(s) depicting the active public drinking water supply(s), location of wells, intakes, or springs, parcel location(s), areal extent of the zone of contribution, watershed boundary, land use (National Land Cover Dataset 2011), and circles showing distance to 1,000 feet and 1,500 feet from groundwater wells (if applicable) are required to be uploaded with the electronic application. The map(s) must include all of the Required Elements listed in the WQIP Required Land Acquisition for Source Water Protection Documentation Guidance attached here as WQIP RFA Appendix B. Examples of maps meeting all required elements can be found at: <https://www.dec.ny.gov/pubs/4774.html> . **Applicants that do not upload a detailed map(s) will be deemed ineligible for funding.**
- Applicants applying for land acquisition for source water protection **programs only** must provide fiscal information, such as annual reports, that demonstrate the ability to sustain the level of effort being funded under this grant if grant funds will be used for personal services.

Restoration Requirements for Surface Water Projects or Programs

For both projects and programs targeting protection of surface waterbodies, parcels adjacent to waterbodies used as a water supply or adjacent to tributaries draining to a water supply must contain an existing riparian buffer or wetland OR restore a riparian buffer or wetland. Both existing and restored riparian buffers and wetlands must meet the requirements listed below. Only restoration activities performed on properties or easements acquired through this grant opportunity are eligible for funding.

Riparian Buffer Requirements (Surface Water Projects or Programs)

- Riparian buffers must be revegetated using only native trees, shrubs, or grasses appropriate for the site conditions.
- Riparian buffers must have a minimum average width of 100 feet if they are adjacent to tributaries.
- Riparian buffers must have a minimum average width of 300 feet if they are adjacent to reservoirs.

- For newly created or restored buffers, the applicant must develop and implement a maintenance plan during the buffer establishment period, defined as 3-5 years after planting of vegetation. Guidance on designing and maintaining buffers can be found here: <http://www.dec.ny.gov/chemical/106345.html> .
- Streambanks must be stable prior to creation or restoration of riparian buffers. “Soft” streambank stabilization practices include but are not limited to, live staking, contour wattling, erosion control matting, and root wads, are eligible for funding as part of a buffer project under this category. Guidance for such projects can be found at: <http://www.dec.ny.gov/permits/67096.html>. Hard armoring of streambanks, including stone rip rap, is not eligible for funding under this category. Streambank stabilization costs cannot exceed 25% of the award amount.
- Selective cutting of trees, removal of invasive species, or supplemental planting of trees, shrubs, or grasses are allowed provided they improve habitat and function of the riparian buffer or remove, mitigate, or warn against unreasonable harm to people, property or health of native species on or around the defined riparian buffer area.

Wetland Requirements (Surface Water Projects or Programs)

- Project plans must describe how the work in and near wetlands will protect drinking water supplies and provide improved wetland function.
- Work within or immediately adjacent to existing wetlands must be limited to activities that will improve wetland function. Disturbances that compromise ecological functions are ineligible for funding under this RFA.
- Projects cannot mitigate for impacts to regulated wetlands. Wetland mitigation projects are ineligible for funding under this RFA.
- The applicant must develop and implement a maintenance plan for any wetland creation or enhancement. The maintenance plan must include protocols for addressing problems for a minimum of 3 years following creation or enhancement.

Land Purchase and Conservation Easement Requirements

- Lands currently protected by a federal or state easement program are not eligible for funding under this RFA.
- Conservation easements must be acquired in perpetuity.
- If the property is used for activities which interfere with the accomplishment of approved purposes, the violating activities must cease and any resulting adverse effects must be remedied.
- Disturbances that compromise the ecological condition of the riparian buffer or wetland areas, including, but not limited to, livestock access, wood or timber harvesting, excessive mowing and recreational vehicular use must be prohibited.
- DEC cannot provide funding for any land acquisition project by a not-for-profit if any town, village, or city objects to such acquisition. A not-for-profit contact shall notify any town, village, or city of their interest in acquiring such project. The town, village, or city has 90 days after such notification to object by resolution. A not-for-profit contractor must provide DEC with copies of such notification and any responses received from any town, village or city, or certify to the Department that no responses were received within 90 days.
- The applicant must hold title to any land or easement acquired through this grant.
- Any real property acquired through this grant opportunity cannot be sold, leased, exchanged, donated or otherwise disposed of without the express authority of an act of the New York State legislature.

Public Access

Public access and passive recreational activities (i.e. hiking trails) will be reviewed by DEC on a case-by-case basis. The applicant must provide a thorough description and maps showing public access points, proposed activities, proximity to the public water supply, and justification for public access to assist DEC in making the determination if public access will have an impact to the drinking water supply. In the case of a municipality, this documentation is to be provided at the earliest date practicable but not later than 120 days prior to closing on a property. In the case of a not-for-profit or Soil and Water Conservation District, documentation shall be provided concurrently with notification of the municipality of its interest in acquiring such projects.

Priorities

Highest priority will be given to:

- Projects and programs identified in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan; or
- Projects that protect land parcels directly adjacent to surface waterbodies used as an active public drinking water supply OR parcels within 1,000 feet of a water supply wellhead permitted as an active public drinking water source; or
- Projects that protect parcels specifically identified for drinking water protection in the New York State Open Space Plan (under New York State's Priority Open Space Conservation Projects section starting on P. 79 of the Open Space Plan). Parcels prioritized in the Open Space Plan for purposes other than public drinking water (i.e. habitat protection, recreation) will NOT be prioritized in the scoring.

Secondary priority will be given to:

PROJECT Category:

- Projects that target protection of land parcels adjacent to tributaries that directly drain into a surface waterbody used as an active public drinking water supply OR parcels within 1,001 – 1,500 feet of a water supply wellhead permitted as an active public drinking water source.

PROGRAM Category:

- Programs that demonstrate that some level of planning has already occurred through:
 - Creating tools or methods to prioritize acquiring lands to protect public water supplies; or
 - Inclusion of source water protection in comprehensive plans, municipal resolutions, etc. of the majority of municipalities in the HUC 12 watersheds being proposed.
- Watersheds specifically identified for drinking water protection in the New York State Open Space Plan (under New York State's Priority Open Space Conservation Projects section starting on P. 79 of the Open Space Plan). Watersheds prioritized in the Open Space Plan for purposes other than public drinking water (i.e. habitat protection, recreation) will NOT be prioritized in the scoring.

Scoring

A scoring rubric can be found in the "Evaluation Process for All Project Types" section toward the end of this document.

Grant/Match Fund Split

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 expenses include administrative and transactional costs (e.g. property surveys, land appraisals, staff time devoted to the project) and the value of the land or development rights to be acquired. Eligible grant and match costs include personal services (e.g. salary, fringe) and non-personal services (e.g. contractual services, travel, equipment) incurred by the awardee to implement the project or program. The following categories of costs are considered eligible:

- The value of the land or development rights being acquired, provided such value associated with the purchase of the property or purchase of a conservation easement is from an appraisal deemed acceptable by DEC (see Transaction Requirements).
- Transactional costs, provided they result in final acquisition of land or perpetual conservation easement and/or restoration of new riparian buffers or wetlands. Transactional costs can be submitted for reimbursement as incurred throughout the contract term, however payments may need to be returned to the State should the land transaction not successfully close. Transactional costs are limited to: title reports, title insurance, property surveys, appraisals, certified appraisal review, easement holder and landowner's legal fees to negotiate/close the conservation easement transaction and to review title reports and, as necessary, prepare title curatives, filing fees or other closing costs, map and GIS/remote sensing data, environmental assessments, baseline documentation reports, stewardship or management plans, easement stewardship fee, project specific defense liability insurance fees, property taxes, and State or local real estate transfer taxes
- Staff salaries directly devoted to or connected to the project or program, excluding fringe (employee benefits) and indirect (overhead/operating) expenses. Grantees will be required to document time worked, tasks, pay ratio and payment, and itemize salaries according to job title and roles/responsibilities on the program. Staff salaries cannot exceed 10% of the award amount for applications in the Project category and 30% of the award amount for applications in the Program category.
- Riparian buffer or wetland restoration costs deemed acceptable by DEC. "Soft" streambank stabilization practices including but not limited to, live staking, contour wattling, erosion control matting, and root wads, are eligible for funding as part of riparian buffer restoration. Streambank stabilization costs cannot exceed 25% of the award amount.
- Value of contractual services provided by professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a property, etc.)
- Travel Costs (within New York State) directly associated and required to implement the project or program.

Costs must be incurred within the start and end date of the contract to be eligible. The start date of the contract can be no earlier than May 1, 2018.

Transaction Requirements

- Appraisals are required for all properties prior to reimbursement.
- Appraisals must be completed by a state licensed or a state certified appraiser following the Uniform Standards of Professional Appraisal Practice (USPAP).
- DEC may reimburse for purchase of land or development rights above fair market value in the limited circumstances where it can be demonstrated that the property has a unique resource value. This approach recognizes that outside independent appraisals will not take into consideration the unique resource value of a particular parcel. In such circumstances, the outside independent appraisals may be merely a bench mark for determining the fair market value of the property. DEC may reimburse at a price above the highest approved independent appraisal provided: 1) the price was the result of documented negotiations between the Grantee and the seller and 2) the Grantee demonstrates the unique resource value and how it accomplishes the objective of this program.
- Boundary surveys and maps are required for all properties. Surveys must be completed by a professional land surveyor.
- Appraisals, surveys, titles and easement language (if applicable) will be reviewed by DEC. Final approval from DEC is required prior to closing certification of the deed of conservation or deed transfer. DEC will have a minimum of 120 days to review and approve or disapprove parcel(s) being proposed.

Ineligible Costs

The following costs are NOT eligible for match or grant reimbursement:

- Out -of- state travel costs and any travel not directly required to implement the project or program
- Project or program costs funded from other state and/or federal funding sources
- Indirect costs, including overhead/operating expenses (space, rent, utilities) and fringe benefits
- Costs incurred outside of the contract term
- Endowment funds
- Major capital expenditures, such as equipment or computers
- Any fee or other contribution deposited to a legal defense fund other than a conservation easement defense liability insurance policy
- Restoration projects that include hard armoring of streambanks, including stone rip rap
- Wetland mitigation projects
- Projects with planning and design costs in excess of 20% of the award amount
- Projects with staff salary costs in excess of 10% of the award amount for the Project category or 30% of the award amount for the Program category.
- Projects with streambank stabilization costs in excess of 25% of the award amount
- Projects that do not include land acquisition as part of the grant
- Construction oversight
- Projects to acquire land to be used for a new well

Match Funds

Only activities considered eligible for WQIP funding are eligible to be used as match funds. Match funds considered eligible for WQIP funding must be incurred within the start and end date of the contract. Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded project. In addition, revenue from carbon offsets generated using land already owned by the applicant can be used as match. 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
Lauren Townley, (518) 402-8086

Salt Storage

Eligible Applicants

- Municipalities²⁰
- Soil and water conservation districts

Eligible Projects

Projects to construct a structure to cover a salt or salt/sand mixture storage pile. Projects must adhere to the OGS salt storage specs (http://www.dec.ny.gov/docs/water_pdf/ogsspecs.pdf) to be eligible for this grant. Only costs related to the construction of the storage shed will be eligible for reimbursement. Projects that include any costs that are not for construction of the shed itself (e.g. office space, additional maintenance facilities, etc.) will be deemed ineligible. Maximum grant amount available per project is \$500,000.

Ineligible Projects

- Projects that do not include construction of a structure to cover a salt or salt/sand mixture storage pile
- Projects with planning and design costs in excess of 20% of the award amount

Priorities

Highest priority will be given to projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile which is currently located near a groundwater drinking water source or surface water used for a public water system; or within a primary or sole source aquifer. Secondary priority will be given to projects that are for a structure that replaces an existing structure.

Scoring

For the Salt Storage category, the scoring for Vision is comprised of the Performance Measures score multiplied by the Impact Factor. See below for more details. A scoring rubric can be found in the "Evaluation Process for All Project Types" section toward the end of this document.

²⁰ For the purposes of Salt Storage 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.

Performance Measures

The Department will assess the Salt Storage applications based on the following:

- Highest priority will be given to projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile that is currently located:
 - Less than 300 feet from a groundwater drinking water source or surface water used for a public water system; or
 - Within a primary aquifer; or
 - Within a sole source aquifer
- Secondary priority will be given to projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:
 - 300 feet or more but less than 1,000 feet from a groundwater drinking water source or surface water used for a public water system; or
 - Less than 500 feet from a private well
- Tertiary priority will be given to projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:
 - 1,000 feet or more but less than 2,000 feet from a groundwater drinking water source or surface water used for a public water system; or
 - 500 feet or more but less than 1,000 feet from a private well
- Quaternary priority will be given to projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:
 - 2,000 feet or more but less than 4,000 feet from a groundwater drinking water source or surface water used for a public water system; or
 - 1,000 feet or more but less than 1,500 feet from a private well
- Lowest priority will be given to projects:
 - To build a structure that replaces an existing structure; or
 - To construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located 4,000 feet or more from a groundwater drinking water source or surface water used for a public system; or
 - To construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located 1,500 feet or more from a private well.

Impact Factor Definitions:

4 points: will be given to projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile currently located within 300 feet of a groundwater drinking water source or surface water used for a public water system; projects located within a primary aquifer; or projects located within a sole source aquifer.

3 points: will be given to projects to construct a new structure to enclose an uncovered salt or salt/sand mixture storage pile currently located 300 feet or more but less than 2,000 feet from a groundwater drinking water source or surface water used for a public water system or within 1,000 feet of a private well.

2 points: will be given to uncovered salt piles that do not fall within the first two impact factor criteria.

1 point: will be given to projects where an existing salt storage structure is being replaced by a new structure.

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.

Grant/Match Fund Split

Grant funds are available for up to 50 percent of the total project costs. Applicants must provide match funds of at least 50 percent of the requested grant amount.

Eligible Costs

Eligible grant and match costs include personal services (e.g. salary, fringe); and non-personal services (e.g. contractual services, travel, equipment operating expenses, etc.) incurred by the awardee to implement the project. The following categories of costs are considered eligible:

- Construction
- Construction inspection
- Planning and Design (cannot exceed 20% of award amount)
- Land purchases

Costs must be incurred within the start and end date of the contract to be eligible. The start date of the contract can be no earlier than May 1, 2018.

Ineligible Costs

The following costs are NOT eligible for match or grant reimbursement:

- Construction oversight
- Indirect costs (e.g. space/property rent, utilities, and other office supplies)
- Administrative costs
- Legal fees
- Costs incurred outside the start and end date of the contract
- Costs associated with grant application and/or its administration and securing applicable approvals, permits, easements, etc.

Match Funds

Only activities considered eligible for WQIP funding are eligible to be used as match funds. Match funds considered eligible for WQIP funding must be incurred within the start and end date of the contract. Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded 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
Don Tuxill, (518) 402-8168

Aquatic Habitat Restoration

Eligible Applicants

- Municipalities²¹
- Soil and water conservation districts
- Not-for-profit corporations²²

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:

Connectivity 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 restore the natural movement of organisms. Projects should remove barriers to aquatic connectivity and must focus on culverts, bridges or dams that are causing these obstructions. There is a maximum grant amount for this category of \$250,000. 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 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 the natural resource management goals of an area

Scoring

A scoring rubric can be found in the “Evaluation Process for All Project Types” section toward the end of this document.

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.

²¹ 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.

²² 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.

Grant/Match Fund Split

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 grant and match costs include salary, fringe, contractual costs, travel and equipment incurred by the awardee in the following categories:

- Planning and design (cannot exceed 20% of award amount)
- Construction inspection
- Maintenance
- Reconstruction
- Revitalization
- Rejuvenation activities

Costs must be incurred within the start and end date of the contract to be eligible. The start date of the contract can be no earlier than May 1, 2018.

Ineligible Costs

The following costs are NOT eligible for match or grant reimbursement:

- Projects with planning and design costs in excess of 20% of the award amount
- Monitoring costs in excess of 20% of grant amount
- Construction oversight
- Indirect costs (e.g. space/property rent, utilities, and other office supplies)
- Administrative costs
- Legal fees
- Costs incurred outside the start and end date of the contract

Match Funds

Only activities considered eligible for WQIP funding are eligible to be used as match funds. Match funds considered eligible for WQIP funding must be incurred within the start and end date of the contract. Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded 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 Fish and Wildlife
Josh Thiel, (518) 402-8978

Municipal Separate Storm Sewer Systems (MS4s)

Eligible Applicants

- Regulated Traditional MS4s²³
- Municipalities²⁴
- 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>)**. Projects being undertaken by multiple regulated MS4s in the same county or Urbanized Area will be given highest priority. For additional information on urbanized areas, please refer to <http://www.dec.ny.gov/chemical/92258.html>.

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. If funded, the lead applicant must get a signed commitment from each participating MS4 by the date of the contract 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.

Eligible Projects

There is no maximum grant amount for this category however typically grants range from \$20,000 to \$400,000. **Proposed projects must meet the minimum MS4 permit requirements.** Eligible activities include purchase of vacuum truck equipment and/or comprehensive system mapping/program mapping in accordance with the mapping requirements in Table 1 below:

²³ 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.

²⁴ 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.

Table 1: Required Items for Comprehensive System Mapping/Program Mapping

REQUIRED: Applications that include the creation of an electronic or GIS system of mapping will be given precedence over applications that already have an established electronic or GIS system to be expanded upon.			
	Basic Comprehensive Map (Application must include these elements if they are not already included in map.)	Required Elements Map (Applications must look to include these elements if they are not already included in map. Must complete all items in Basic Comprehensive Map prior.)	Additional Elements Map (Elements beyond the required permit elements. Must complete all items in Basic Comprehensive Map prior.)
Waterbody Mapping			
All Waterbodies within the MS4 jurisdiction	X		
Impaired Segments		X	
Outfall Mapping			
Electronic or GIS Map	X		
Receiving Waterbody Name	X		
Type of Conveyance	X		
Outfall material	X		
Outfall shape	X		
Outfall Prioritization (See Draft MS4 GP 0-17-002 Part VI.C.4. /VII.C.4. for guidance.)	X		
Type of outfall	X		
Submerged in water?	X		
Submerged in sediment?	X		
Inspection data	X		
Location of interconnected MS4 outfalls		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 high discharge potential (Refer to Table 14 of IDDE Guidance Manual for identification)			X
Areas of Shallow Groundwater			X
Areas of Low Infiltrative Soils			X
Areas where stormwater flows have significant potential to cause erosion (soil, silt, rock, etc.)			X
Areas of historic on-site sanitary system failures			X
Sites with a history of major oil or chemical leaks/spills (Include date of event, type of spill, and final resolution)			X
High priority construction sites (Discharges to impaired waters, AA-S, AA, or A classified water sources, or T (trout)/TS (trout spawning) protected bodies)			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	
Post construction specific SMPs		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 space, solid waste disposal areas, transfer stations, marinas, etc.)		X	
Facility Prioritization (See Draft MS4 GP 0-17-002 Part VI.F.3. /VII.F.3. for guidance.)		X	
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.

Mapping Table Key:

Basic Comprehensive Map (Red Category) – These mapping elements are required by the NYS Small MS4 GP-0-15-003 to have been completed within 3 years of the effective date of permit authorization. To be eligible for funding, applicants must have a plan for conversion of these elements to an electronic/GIS format if the applicant has not already done so. All requirements in the Basic Comprehensive Map category **MUST** be completed before grant or match funds can be used for items in the Required Elements Map or Additional Elements Map categories.

Required Elements Map (Yellow Category) – These mapping elements are required by the NYS Small MS4 Draft GP-0-17-002 (Oct. 2016). All requirements in the Basic Comprehensive Map category MUST be completed before grant or match funds can be used for items in the Required Elements Map or Additional Elements Map categories.

Additional Elements Map (Green Category) – These mapping elements are beyond the required Stormwater Management Plan (SWMP) mapping requirements of the NYS Small MS4 GP-0-15-003 and Draft MS4 GP-0-17-002. All requirements in the Basic Comprehensive Map category MUST be completed before grant or match funds can be used for items in the Required Elements Map or Additional Elements Map categories.

Ineligible Projects:

- Projects that do not include the creation of an electronic or GIS system of mapping, or specify the use of an already established electronic or GIS system to be expanded upon.
- Projects that have not completed all requirements in the Basic Comprehensive Map category but include Required Elements or Additional Elements Map costs.

Priorities:

- Highest priority will be given to:
 - Projects addressing Basic Comprehensive Map items (see Table 1) that will impact a waterbody that is either:
 - listed on the Priority Waterbodies List (PWL) as “precluded” or “impaired”; or
 - has a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan.
 - Projects to purchase vacuum truck equipment to be used in an area that is impacting a waterbody that is listed on the PWL as “precluded” or “impaired” where mapping includes all basic comprehensive mapping (red column) and required mapping (yellow column) items.
- Secondary priority will be given to:
 - Projects addressing Basic Comprehensive Map items that will impact a waterbody that is not listed on the Priority Waterbodies List (PWL) as “precluded” or “impaired” and does not have a TMDL, Nine Element Plan or DEC HABs Action Plan.
- Tertiary priority will be given to:
 - Projects addressing Required Elements Map items;
 - Projects to purchase vacuum truck equipment to be used in an area that is impacting a waterbody that is not listed on the Priority Waterbodies List (PWL) as “precluded” or “impaired” where mapping includes all basic comprehensive mapping (red column) and required mapping (yellow column) items.

In addition, projects being undertaken by multiple regulated MS4s in the same county or Urbanized Area will be given highest priority in the following manner:

- Highest priority will be given to projects where 85% or more of regulated MS4s in a county or Urbanized Area will be working on activities listed in Table 1.
- Secondary priority will be given to projects where 40% - 84% of regulated MS4s in a county or Urbanized Area will be working on activities listed in Table 1.
- Tertiary priority will be given to projects where less than 40% of regulated MS4s in a county or Urbanized Area will be working on activities listed in Table 1.

Scoring

A scoring rubric can be found in the “Evaluation Process for All Project Types” section toward the end of this document.

Grant/Match Fund Split

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 grant and match costs include salary, fringe, contractual costs, travel, equipment costs, and construction inspection fees incurred by MS4s to develop and implement a stormwater management program (SWMP) that, at a minimum, complies with GP-0-15-003. Costs must be incurred within the start and end date of the contract to be eligible. The start date of the contract can be no earlier than May 1, 2018.

Ineligible Costs

The following costs are NOT eligible for match or grant reimbursement:

- Purchase of equipment already owned and available through the cooperative stormwater group
- Development of materials already available through the cooperative stormwater group
- Indirect costs (e.g. space/property rent, utilities, and other office supplies)
- Administrative costs
- Legal fees
- Costs incurred outside the start and end date of the contract

Match Funds

Only activities considered eligible for WQIP funding are eligible to be used as match funds. Match funds considered eligible for WQIP funding must be incurred within the start and end date of the contract. Match funds consist of cash contributions and in-kind services put forth by the applicant to complete the awarded 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
Ethan Sullivan, (518) 402-1382

EVALUATION PROCESS FOR ALL PROJECT TYPES

Scoring and Selection

All applications are first reviewed for eligibility and then 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.

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 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 (**Only** land acquisition for source water protection projects OR aquatic habitat restoration projects)
2. Eligible Project Type
 - a. Wastewater Treatment Improvement
 - b. Non-agricultural Nonpoint Source Abatement and Control
 - c. Land Acquisition Projects for Source Water Protection
 - d. Salt Storage
 - e. Aquatic Habitat Restoration
 - f. 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.

Wastewater Treatment Improvement Projects Scoring Rubric

	Maximum Points			Minimum Points	
Performance Measures	<p>Wastewater Treatment projects that are designed to meet requirements in a finalized consent order compliance schedule or a finalized compliance schedule associated with the facility's SPDES permit</p> <p>AND one of the following:</p> <p>Wastewater effluent disinfection projects for facilities that currently do not disinfect their effluent who have been notified by the Department that their treatment system requires an upgrade to add effluent disinfection</p> <p>OR</p> <p>CSO projects that are under a Long-Term Control Plan</p> <p>OR</p> <p>SSO projects that are for an SSO included in a capacity, management, operation and maintenance (CMOM) program, a sanitary sewer evaluation survey plan, or identified as a Type 1 outfall in a SPDES permit</p> <p>OR</p> <p>Implementation projects that are listed</p>	<p>Wastewater effluent disinfection projects for facilities that currently do not disinfect their effluent who have been notified by the Department that their treatment system requires an upgrade to add effluent disinfection</p> <p>OR</p> <p>CSO projects that are under a Long-Term Control Plan</p> <p>OR</p> <p>SSO projects that are for an SSO included in a capacity, management, operation and maintenance (CMOM) program, a sanitary sewer evaluation survey plan, or identified as a Type 1 outfall in a SPDES permit</p> <p>OR</p> <p>Implementation projects that are listed in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan</p> <p>OR</p> <p>Municipal systems to serve multiple properties with Inadequate On-Site Septic Systems that are listed in the PWL as a source of impairment; listed in a DEC HABs Action Plan; or have a</p>	<p>Projects that are located in the HUC 12 watershed of waterbodies listed on PWL as "precluded" or "impaired"</p> <p>OR</p> <p>Projects that are located in the HUC 12 watershed of waterbodies classified as a Class A or Class AA waterbody with an active public water system and drinking water use is listed on PWL as "stressed" or "threatened"</p> <p>Points: 20</p>	<p>Projects that are located in the HUC 12 watershed of waterbodies listed on PWL as "stressed" or "threatened".</p> <p>OR</p> <p>Projects that are located in the HUC 12 watershed of waterbodies classified as a Class A or Class AA without an active public water system</p> <p>Points: 10</p>	<p>Project will not address the POC for an impairment listed on the PWL or project is necessary to preserve or protect a surface waterbody not listed on the PWL.</p> <p>Points: 5</p>

	<p>in a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan</p> <p style="text-align: center;">OR</p> <p>Municipal systems to serve multiple properties with Inadequate On-Site Septic Systems that are: listed in the PWL as a source of impairment; listed in a DEC HABs Action Plan; or have a completed sanitary survey conducted and/or approved by the Department of Health.</p> <p style="text-align: center;">OR</p> <p>Projects to reduce and/or eliminate nitrogen impairments in shellfishing waters</p> <p>Points: 40</p>	<p>completed sanitary survey conducted and/or approved by the Department of Health.</p> <p>Points: 30</p>			
Classification Points Factor	<p>AA, SA, A(T), GA (primary water supply aquifer), AA special</p> <p>Points: 10</p>	<p>A, A special, B(T), GA (other), GSA</p> <p>Points: 8</p>	<p>B, SB, C(T), C(TS)</p> <p>Points: 6</p>	<p>C, SC, I</p> <p>Points: 4</p>	<p>D, SD, GSB</p> <p>Points: 2</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 for Wastewater Treatment projects is if the applicant is a Climate Smart Community, and has taken Action 3.31, 3.32, 7.1 or 7.10 and information from one or more of the Actions is referenced in the application.</p> <p>Points: 20</p>	<p>Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.</p> <p>Points: 10</p>	<p>Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.</p> <p>Points: 5</p>	<p>Cost not reasonable for this type of project.</p> <p>Points: 0</p>	

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 and/or Engineering Planning Grant projects. Points: 5	Applicant has shown the ability to complete most WQIP and/or Engineering Planning Grant contracts. OR Applicant has not previously been awarded a WQIP or Engineering Planning grant but appears to have the experience and ability to carry out the project. Points: 3	Applicant has demonstrated poor management of WQIP and/or Engineering Planning Grant contract(s). OR Applicant has not previously been awarded a WQIP or Engineering Planning 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		

Nonpoint Source Abatement Scoring Rubric

	Maximum Points				Minimum Points
Performance Measures	<p>Projects that address a primary pollution source identified in a TMDL, Nine Element Plan, or DEC HABs Action Plan as listed in DEC's Pollutant Source Prioritization Table AND impacting an active public drinking water supply;</p> <p style="text-align: center;">OR</p> <p>Great Lakes Nature Based Shoreline projects that demonstrate protection of infrastructure vulnerable to impacts of coastal erosion and flooding;</p> <p style="text-align: center;">OR</p> <p>Beach Restoration projects that are specifically listed as a priority in a beach restoration report funded through Ocean and Great Lakes EPF pilot beach closure mitigation project.</p> <p>Points: 10</p>	<p>Projects that address a primary pollution source identified in a TMDL or Nine Element Plan as listed in DEC's Pollutant Source Prioritization Table;</p> <p style="text-align: center;">OR</p> <p>Projects located in the HUC 12 watershed of a PWL segment with uses listed as either "precluded" or "impaired" that target the Pollutant of Concern, listed in the PWL factsheet, causing or contributing to the use impairment;</p> <p style="text-align: center;">OR</p> <p>Projects that address a documented nonpoint source of pollution impacting an active public drinking water supply;</p> <p style="text-align: center;">OR</p> <p>Retrofit projects required under an MS4 permit;</p> <p style="text-align: center;">OR</p> <p>Green Infrastructure projects that reduce stormwater flow to a combined sewer system;</p> <p style="text-align: center;">OR</p> <p>Projects that support multiple actions in the Great Lakes Watershed Action Agenda;</p> <p style="text-align: center;">OR</p> <p>Beach restoration projects that are for a type of project that is the main focus of a beach restoration report funded independently or based on a sanitary survey.</p> <p>Points: 8</p>	<p>Projects that address a secondary pollution source identified in a TMDL, Nine Element Plan, or DEC HABs Action Plan as listed in DEC's Pollutant Source Prioritization Table;</p> <p style="text-align: center;">OR</p> <p>Projects that support an action or priority identified in a Watershed Action Agenda</p> <p style="text-align: center;">OR</p> <p>Projects located in the HUC 12 watershed of a PWL segment with uses listed as either "stressed" or "threatened" that target the Pollutant of Concern, listed in the PWL factsheet, causing or contributing to the use impairment.</p> <p>Points: 6</p>	<p>Great Lakes Nature Based Shoreline projects addressing a water quality impairment not listed on the PWL that has been reported and substantiated by a credible agency.</p> <p>Points: 4</p>	<p>Projects located in the HUC 12 watershed of a PWL segment that is listed as "unassessed".</p> <p>Points: 1</p>

Impact Factor	See individual NPS priorities for definition Points: 4	See individual NPS priorities for definition Points: 3	See individual NPS priorities for definition Points: 2	See individual NPS priorities for definition Points: 1	
Vision	Vision will be calculated by multiplying Performance Measures times Impact Factor. See individual NPS priorities for definition. Performance Measures points and Impact Factor points will not be included in the total score, only the combined Vision points.				
Waterbody Assessment (For All Categories EXCEPT Green Infrastructure)	<i>Waterbody Classification</i>	AA, SA, GA (primary supply aquifer), AA special, A(T) Points: 3	A, A special, GA (other), GSA, B(T), C(T) Points: 2	B, SB, C(TS), C, SC, I, D, SD, GSB Points: 1	Waterbody not listed on the PWL Points: 0
	<i>Water Quality Problem Severity</i>	“precluded” or “impaired” Points: 3	“stressed” or “threatened” Points: 2	Fully Supported Points: 1	Unassessed or Waterbody not listed on the PWL Points: 0
	<i>Type of Pollutant (must be a nonpoint source pollutant)</i>	Known Points: 2	Suspected Points: 1	Unconfirmed Points: 0	Unassessed or Waterbody not listed on the PWL Points: 0
	Source of Pollutant	Known Points: 2	Suspected Points: 1	Unconfirmed Points: 0	Unassessed or Waterbody not listed on the PWL Points: 0
Waterbody Assessment (For Green Infrastructure Category)	<i>Water Quality Problem Severity</i>	“precluded” or “impaired” Points: 4	“stressed” or “threatened” Points: 3	Fully Supported Points: 2	Unassessed or Waterbody not listed on the PWL Points: 0
	<i>Type of Pollutant (must be a pollutant traditionally identified with CSO discharges)</i>	Known Points: 3	Suspected Points: 2	Unconfirmed Points: 0	Unassessed or Waterbody not listed on the PWL Points: 0
	Source of Pollutant	Known Points: 3	Suspected Points: 1	Unconfirmed Points: 0	Unassessed or Waterbody not listed on the PWL Points: 0

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 not reasonable for this type of project. 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 necessary approvals and is not ready to proceed with constructions. Applications that fall into this category will not be funded. Points: 0	
Experience and Ability	Applicant has shown the ability to complete all WQIP contracts. 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 Points	100			

Land Acquisition Projects for Source Water Protection Scoring Rubric

	Maximum Points			Minimum Points
Performance Measures	<p>Land Acquisition Projects: Projects identified in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan</p> <p style="text-align: center;">OR</p> <p>Parcels directly adjacent to surface waterbodies used as an active public drinking water supply</p> <p style="text-align: center;">OR</p> <p>Parcels within 1,000 feet of a water supply wellhead permitted as an active public drinking water source</p> <p style="text-align: center;">OR</p> <p>Parcels specifically identified for drinking water protection in the New York State Open Space Plan</p> <p style="text-align: center;">OR</p> <p>Land Acquisition Programs: Programs identified in a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan</p> <p style="text-align: center;">Points: 30</p>	<p>Land Acquisition Projects: Projects that target protection of land parcels adjacent to tributaries that directly drain into a surface waterbody used as an active public drinking water supply</p> <p style="text-align: center;">OR</p> <p>Parcels within 1,001 – 1,500 feet from a water supply wellhead permitted as an active public drinking water source</p> <p>Land Acquisition Programs: Programs that demonstrate that some level of planning has taken place creating tools or methods to prioritize acquiring lands to protect public water supplies or inclusion of source water protection in comprehensive plans, municipal resolutions, etc. of the majority of municipalities in the HUC 12 watersheds being proposed</p> <p style="text-align: center;">OR</p> <p>Watersheds specifically identified for drinking water protection in the New York State Open Space Plan</p> <p style="text-align: center;">Points: 20</p>	<p>Land Acquisition Projects: Projects that target protection of land parcels within the HUC 12 watershed of a surface waterbody used as an active public drinking water supply</p> <p style="text-align: center;">OR</p> <p>Parcels greater than 1,500 feet from a water supply wellhead permitted as an active public drinking water source and are identified in a protection plan as needing protection.</p> <p style="text-align: center;">Points:10</p>	<p>Land Acquisition Projects: Projects that target protection of land parcels outside the HUC 12 watershed of a surface waterbody used as an active public drinking water supply</p> <p style="text-align: center;">OR</p> <p>Parcels greater than 1,500 feet from a water supply wellhead permitted as an active public drinking water source.</p> <p style="text-align: center;">Points:0</p> <p>Applications that fall into this category will not be funded.</p>
Reasonableness of Cost	Budget clearly details costs related to implementation of a land acquisition project or program; project or program costs provide exceptional value as	Budget provides some detail on costs related to implementation of a land acquisition project or program; project or program costs provide reasonable value as it	Budget does not clearly detail costs associated with a land acquisition project or program; costs do not provide a good value as it applies to achieving source water protection	

	it applies to achieving source water protection Points: 20	applies to achieving source water protection Points: 10	Applications that fall into this category will not be funded. Points: 0	
Source Water Protection Prioritization	<p>Land Acquisition Projects: At least 50% of the parcel is located within an area designated for the protection of source water identified in a conservation overlay district, wetlands protection plan, Nine Element Watershed Plan, TMDL, DEC HABs Action Plan or other plan produced by a licensed geologist, Rural Water authority or Regional Planning authority.</p> <p style="text-align: center;">OR</p> <p>At least 50% of the parcel is designated as wetlands, forested land, open space, or grasslands by the 2011 National Land Cover Dataset.</p> <p>Land Acquisition Programs: Program prioritizes parcels based on a scientific methodology or tool that ranks parcels based on greatest impact to water quality (i.e. steep slopes, lack of riparian buffers, intensive development) Points: 15</p>	<p>Land Acquisition Projects: At least 50 percent of the parcel is designated as agriculture or low/medium intensity developed area as by the 2011 National Land Cover Dataset.</p> <p style="text-align: center;">OR</p> <p>35% - 49% of the parcel is located within an area designated for source water protection or classified as wetlands, forested land, open space or grasslands as by the 2011 National Land Cover Dataset.</p> <p>Land Acquisition Programs: Program prioritizes parcels based on proximity to the drinking water source.</p> <p>Points: 10</p>	<p>Land Acquisition Projects: At least 50 percent of the parcel is designated as high density developed area by the 2011 National Land Cover Dataset.</p> <p style="text-align: center;">OR</p> <p>35% - 49% of the parcel is designated as agriculture or low/medium intensity developed area by the 2011 National Land Cover Dataset.</p> <p>Land Acquisition Programs: Program prioritizes parcels based on vacancy or availability for acquisition.</p> <p>Points: 5</p>	
Project or Program Readiness	Land Acquisition Projects: Parcels have been identified and landowner endorsement is demonstrated by a	Land Acquisition Projects: Parcels have been identified but landowner endorsement has not been demonstrated; applicant has provided	Land Acquisition Projects: Specific parcels have not been clearly identified OR applicant has not provided protocols for monitoring and	

	<p>letter of commitment; applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix B.</p> <p>Land Acquisition Programs: Watershed parcels have been identified and prioritized; landowner endorsements are demonstrated by letters of commitment; applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix B; for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant. Points: 10</p>	<p>protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix B.</p> <p>Land Acquisition Programs: Watershed parcels have been identified but landowner endorsement has not been demonstrated; applicant has provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix B; for projects involving personal service costs, applicant has demonstrated the ability to maintain the level of effort funded by this grant. Points: 5</p>	<p>enforcement of properties meeting all requirements listed in Appendix B.</p> <p>Land Acquisition Programs: Drinking water supply watershed targeted for protection has not been clearly identified OR applicant has not provided protocols for monitoring and enforcement of properties meeting all requirements listed in Appendix B; for projects involving personal service costs, applicant has not demonstrated the ability to maintain the level of effort funded by this grant. Applications that fall into this category will not be funded. Points: 0</p>	
Experience and Ability	<p>Applicant possesses the knowledge, skills and ability to complete the program, and has prior experience with DEC grants, and completed all tasks in a timely manner</p> <p style="text-align: center;">OR</p> <p>Applicant is accredited through the Land Trust Accreditation Commission Points: 5</p>	<p>Applicant possesses the knowledge, skills and ability to complete the program, but does not have prior experience with DEC grants Points: 3</p>	<p>Applicant does not possess the knowledge, skills and ability to complete the program and does not have prior experience with DEC grants or has previous experience with DEC grants within the last 2 years and did not complete all tasks in a timely manner. 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
-----------------------------	------------

Salt Storage Scoring Rubric

	Maximum Points				Minimum Points
Performance Measures	<p>Projects to construct a new structure:</p> <p>To enclose an exposed salt or salt/sand mixture storage pile which is currently located less than 300 feet from a groundwater drinking water source or surface water used for a public water system</p> <p style="text-align: center;">OR</p> <p>Within a primary aquifer</p> <p style="text-align: center;">OR</p> <p>Within a sole source aquifer</p> <p style="text-align: right;">Points: 10</p>	<p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:</p> <p>300 feet or more but less than 1,000 feet from a groundwater drinking water source or surface water used for a public water system</p> <p style="text-align: center;">OR</p> <p>Less than 500 feet from a private well</p> <p style="text-align: right;">Points: 7</p>	<p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:</p> <p>1,000 feet or more but less than 2,000 feet from a groundwater drinking water source or surface water used for a public water system</p> <p style="text-align: center;">OR</p> <p>500 feet or more but less than 1,000 feet from a private well</p> <p style="text-align: right;">Points: 5</p>	<p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:</p> <p>2,000 feet or more but less than 4,000 feet from a groundwater drinking water source or surface water used for a public water system</p> <p style="text-align: center;">OR</p> <p>1,000 feet or more but less than 1,500 feet from a private well</p> <p style="text-align: right;">Points: 3</p>	<p>Projects to build a structure that replaces an existing structure.</p> <p style="text-align: center;">OR</p> <p>Projects to construct a new structure to enclose an exposed salt or salt/sand mixture storage pile which is currently located:</p> <p>4,000 feet or more from a groundwater drinking water source or surface water used for a public system</p> <p style="text-align: center;">OR</p> <p>1,500 feet or more from a private well</p> <p style="text-align: right;">Points: 1</p>
Impact Factor	<p>See Salt Storage section for definition</p> <p style="text-align: right;">Points: 4</p>	<p>See Salt Storage section for definition</p> <p style="text-align: right;">Points: 3</p>		<p>See Salt Storage section for definition</p> <p style="text-align: right;">Points: 2</p>	<p>See Salt Storage section for definition</p> <p style="text-align: right;">Points: 1</p>
Vision	<p style="text-align: center;">Vision will be calculated by multiplying Performance Measures times Impact Factor. Performance Measures points and Impact Factor points will not be included in the total score, only the combined Vision points.</p>				

Reasonable-ness 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 not reasonable for this type of project. Points: 0
Classification Points Factor	AA, SA, GA (primary water supply aquifer, sole source aquifer), AA special Points: 10	A, A special, GA (other), GSA Points: 5	B, SB, C(T), C(TS) Points: 1	C, SC, I Points: 1	D, SD, GSB Points: 1
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 Scoring Rubric

	Maximum Points				Minimum Points
Performance Measures (Statewide Projects)²⁵	<i>Species Miles²⁶</i> : 5 or more <i>Barrierity²⁷</i> : Significant or greater Points: 40	<i>Species Miles</i> : 3 or more <i>Barrierity</i> : Significant or greater Points: 30	<i>Species Miles</i> : 1 or more <i>Barrierity</i> : Moderate 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
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	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.	Project is not ready to proceed with construction but has some of the necessary approvals and is expected to lead to	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		

²⁵ Projects that do not achieve 5 or more points within Performance Measures will not be funded.

²⁶ Species Miles: See explanation at the end of this matrix.

²⁷ Barrierity: See explanation at the end of this matrix.

	Points: 5	construction without delay. Points: 3	
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		

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 North Atlantic Aquatic Connectivity Project (NAACC) found at <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 NAACC.

Severe	Less than 0.19
Significant	0.20 – 0.39
Moderate	0.40 – 0.59
Minor	0.60 – 0.79
Insignificant	0.80 – 0.1

Municipal Separate Storm Sewer System (MS4) Projects Scoring Rubric

	Maximum Points			Minimum Points
Performance Measures	<p>Project addresses Basic Comprehensive Map (red column) items that will impact a waterbody that is listed on the Priority Waterbodies List (PWL) as “precluded” or “impaired” or has a TMDL, Nine Element Watershed Plan or DEC HABs Action Plan.</p> <p style="text-align: center;">OR</p> <p>Project is to purchase vacuum truck equipment to be used in an area that is impacting a waterbody listed on the Priority Waterbodies List (PWL) as "precluded" or "impaired" and mapping includes all basic comprehensive mapping (red column) and required mapping (yellow column) items.</p> <p>Points: 30</p>	<p>Project addresses Basic Comprehensive Map (red column) items that will impact a waterbody that is not listed on the Priority Waterbodies List (PWL) as “precluded” or “impaired” and does not have a TMDL, Nine Element Watershed Plan, or DEC HABs Action Plan</p> <p>Points: 20</p>	<p>Project addresses Required Elements Map (yellow column) items.</p> <p style="text-align: center;">OR</p> <p>Project is to purchase vacuum truck equipment to be used in an area that is impacting a waterbody that is not listed on the Priority Waterbodies List (PWL) as "precluded" or "impaired" and mapping includes all basic comprehensive mapping (red column) and required mapping (yellow column) items</p> <p>Points: 15</p>	<p>Project addresses Additional Elements Map (green column) items.</p> <p style="text-align: center;">OR</p> <p>Project is to purchase vacuum truck equipment to be used in an area that is impacting a waterbody not listed on the Priority Waterbodies List (PWL) as "precluded" or "impaired" and mapping does not include all basic comprehensive mapping (red column) and required mapping (yellow column) items.</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>Points: 20</p>	<p>Cost is good as it applies to both achieving the project objectives and being a fiscally sound project.</p> <p>Points: 10</p>	<p>Cost is reasonable as it applies to both achieving the project objectives and being a fiscally sound project.</p> <p>Points: 5</p>	<p>Cost is not reasonable for this type of project.</p> <p>Points: 0</p>

Vision	85% or more of regulated MS4s in a county or Urbanized Area working on one or more of the items listed in Table 1: Required Items for Comprehensive System Mapping/Program Mapping Points: 20	40% - 84% of regulated MS4s in a county or Urbanized Area working on one or more of the items listed in Table 1: Required Items for Comprehensive System Mapping/Program Mapping Points: 10	Less than 40% of regulated MS4s in a county or Urbanized Area working on one or more of the items listed in Table 1: Required Items for Comprehensive System Mapping/Program Mapping Points: 5	
Project Readiness	Project has all necessary pieces in place to purchase vacuum truck equipment and/or complete system mapping. Points: 5	Project has some of the necessary pieces in place to purchase vacuum truck equipment and/or complete system 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. 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			

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 90-120 days of a grant award.
- Consider regional distribution in the determination of awards, to the extent practicable.
- 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.
- Reject any or all applications in response to the RFA at the agency's sole discretion.
- Reduce an award from the amount requested in the application, should the project budget contain costs considered ineligible under this grant program.
- Reduce an award from the amount requested in the application, so long as the reduced funding does not jeopardize the viability of the project to proceed at the reduced funding level.

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 Master Contract for Grants (MCG) and as specified in the MCG 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 Environmental Protection Fund 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.

Permit Requirements (if applicable)

Contractor agrees 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 go 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 – up to 20%

Commodities – up to 20% Services/Technologies – up to 20%

Equal Employment Opportunity (EEO) Participation Goals

EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 0%

EEO Female Workforce Participation Goals (DEC Regions 1-9) 0%

- 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 the Department, 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

The Department prefers contract terms of 2 -3 years in length. However, in rare cases, the Department 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 extensions 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 must be incurred between the start and end dates of the contract to be considered eligible for reimbursement and towards meeting project type match requirements. The start date of the contract can be no earlier than May 1, 2018.

Application Limits

Only 1 application may be submitted per project in any given Round. Projects that receive funding in one Round will not receive additional funding in a subsequent Round, even if project costs were higher than originally anticipated. The only exception is projects that are being completed in phases which can receive funding for multiple phases of the same project. If an applicant applies for funding and does not receive an award, they may apply again for the same project in a subsequent Round. 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. Department 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.

RFA Appendix A

WQIP Required Green Infrastructure Documentation Guidance

1. Feasibility Study

Applicants are required to submit sufficient information to demonstrate that the proposed green infrastructure project is feasible to construct at their project location. The Feasibility Study is a written document which must be submitted along with an online application. Based on a design professional's site evaluation, the Feasibility Study provides the basis and justification for your proposed design.

The Feasibility Study must be signed and stamped by a Qualified Professional licensed or certified to practice in New York State. A qualified professional is an individual who is knowledgeable in the principles and practices of stormwater management and treatment, such as a Professional Engineer or Registered Landscape Architect.

Required Elements

NOTE: The Feasibility Study must primarily address the green infrastructure practice(s), even if it is a portion of a larger project.

The recommended outline below contains the required elements which must be included when preparing your Feasibility Study.

I. Cover Page (project title, owner, prepared by, professional's stamp, and date)

II. Executive Summary (Overview of the project's purpose)

III. Project Objective(s) (*Describe goals for Green Infrastructure elements. Indicate whether the green infrastructure elements are a portion of a larger project.*)

NOTE: Only the green practices constructed that exceed the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity are eligible for WQIP funding.

IV. Existing Conditions: Include an analysis of the proposed project site which addresses the following elements:

- a. Current Land Use
- b. Depth to Bedrock
- c. USGS Soil Classification at green infrastructure practice location(s) (see [*USDA Web Soil Survey mapping tool*](#))
- d. Depth to water table at green infrastructure practice location(s)
- e. Discussion of any other site considerations (*wetlands, flood plain elevations, hotspots, brownfield remediation or other potential design issues at the site*)
- f. Results of any boring logs, infiltration tests, or other subsurface investigations. If your project is selected, these will be required as part of the design process.

NOTE: If site conditions are not conducive to implementing green infrastructure practices, you should consider alternative funding sources that can support these other activities.

V. Project Description

- a. **Recommended Green Infrastructure Practice(s):** Provide a narrative that explains the proposed project and green infrastructure practices and why they were selected. Please see the New York State Stormwater Management Design Manual for a catalog of green infrastructure practices.
- b. Provide an estimate of the water quality volume to be managed through infiltration, evapotranspiration, and / or use on site. The [NYSDEC Runoff Reduction Worksheets](#) may be used as a reference in calculating estimates.

VI. Anticipated Regulatory Approval and Permits *(list all that will apply -- e.g., NYSDEC, NYSDOT, etc.)*

2. Existing Conditions Graphic

A plan or diagram of the existing project site is required. It should include:

- a. Engineer / Landscape Architect name; date and project title
- b. North arrow / legend
- c. Graphical scale
- d. Site features (wetlands, streets, buildings, etc.)
- e. Location map
- f. Site topography
- g. Project location / address (including nearest cross street)
- h. Stormwater flowpath (also consider adjacent sites)
- i. Nearest receiving waterbody
- j. Location relative to the 100-year floodplain
- k. Other site considerations (hotspots, brownfield remediation or other potential design issues at the site)
- l. Location of any available boring logs, infiltration tests, or other subsurface investigations.

3. Conceptual Site Plan

A plan or diagram of the project's conceptual design is required. It must include:

- a. Engineer / Landscape Architect name; date and project title
- b. North arrow / legend
- c. Graphical scale (1 " = 10', 20', 30', 40', 50', 60' or 100')
- d. Location map
- e. Site features (wetlands, nearest waterbody, streets, buildings, etc.)
- f. Proposed GI practice location / layout showing stormwater flowpath (arrows)
- g. Estimated drainage area (indicate area(s) to be managed by each practice)
- h. Site grading (proposed conditions)
- i. Other design considerations

4. Site Photographs

Please submit photographs that are representative of existing site conditions.

RFA Appendix B

WQIP Required Land Acquisition for Source Water Protection Documentation Guidance **1. Monitoring and Enforcement Protocol Required Elements**

Applicants are required to submit protocols to demonstrate proper enforcement and monitoring of properties or easements acquired with funding through this grant opportunity. The Monitoring and Enforcement Protocol is a written document which must be submitted along with an online application. Applicants that do not upload a detailed Enforcement and Monitoring Protocol with an online application will be deemed ineligible for funding.

- I. Monitoring Procedure
 - a. Frequency (i.e. annual)
 - b. Contact with landowners (only applicable to conservation easements)
 - c. Type of monitoring (i.e. boundary survey)
 - d. Monitoring documentation (i.e. updated site photos, maps)
 - e. Parties responsible for monitoring (i.e. staff, volunteers, contractor)

- II. Enforcement Procedure
 - a. Violation definitions (i.e. minor, major)
 - b. Potential violation response
 - c. Violation documentation
 - d. Resolving violations

2. Project or Program Map Required Elements

Applicants that do not upload map(s) with an online application will be deemed ineligible for funding. Examples of maps meeting all required elements can be found at:
<https://www.dec.ny.gov/pubs/4774.html> .

- a. Applicant name, date, project title
- b. North arrow/legend
- c. Graphical Scale (i.e. 1" = 20')
- d. Public water supply location (including system ID number)
- e. Parcel location(s) (required for project applications, optional for program applications)
- f. Surface waterbody, tributaries and HUC 12 watershed boundary (surface waterbody applications only)
- g. Groundwater wellhead location(s), 1,000-foot boundary line, 1,500-foot boundary line, groundwater re-charge zone (groundwater wells only)
- h. Existing riparian buffer or wetland areas, if applicable (surface waterbodies only)
- i. Proposed riparian buffer or wetland restoration sites (surface waterbodies only)
- j. Land use as defined by the National Land Cover Dataset (2011) -
https://www.mrlc.gov/arcgis/rest/services/LandCover/USGS_EROS_LandCover_NLCD/MapServer

Environmental Facilities Corp. - Green Innovation Grant Program

Funding Available: \$15 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).

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 have multiple benefits, which include restoring habitat, protecting against flooding, providing cleaner air, and beautifying our streets to spur economic development and community revitalization.

Projects selected for funding go beyond offering a greener solution. They maximize opportunities to leverage the multiple benefits of green infrastructure, spur innovation in the field of stormwater management, build capacity to construct and maintain green infrastructure, and/or facilitate the transfer of new technologies and practices to other areas of the State.

PROGRAM PRIORITIES:

GIGP 10 will give priority to larger transformative projects that improve water quality through the incorporation of green stormwater infrastructure. Priority will also be given to projects that demonstrate the effectiveness of green infrastructure in a natural environment, such as floodplains, riparian buffers, streams, and wetlands.

GIGP 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 from a minimum of 40% up to a maximum 90% of the total eligible project costs set forth in the application. A minimum of 10% up to 60% match from state or local sources is required. Funding will be provided to selected projects to the extent that funds are available.

ELIGIBLE APPLICANTS INCLUDE:

- Municipalities
- Two or more municipalities with a shared green infrastructure project
- Interstate Agencies
- State Agencies
- Private Entities
- Soil and Water Conservation Districts

Eligible applicants may submit more than one grant application. However, EFC reserves the right to limit GIGP 10 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

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 practices 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.

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, or catchment system 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.

Establishment or Restoration of, Floodplains, Riparian buffers, Streams or Wetlands

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, reduces volume through infiltration and evaporation, and filters 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.

Stream bank stabilization uses bioengineering and soft redirected methods to rehabilitate streams to a more natural flow with an overarching goal of reducing erosion and destructive flows. Stream stabilization typically consists of vegetative improvements as well as the use of lock logs, stones, vanes, weirs and j-hooks where appropriate.

Stream daylighting includes the removal of natural streams from artificial pipes and culverts to restore a more natural stream morphology that is capable of accommodating a range of hydrologic conditions while improving biological integrity. Stream daylighting provides 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 is not only an important water quality practice, but it is also a powerful economic development and community revitalization tool.

Wetlands and Constructed Wetlands are shallow marsh systems planted with emergent vegetation that are designed to treat stormwater runoff. They are extremely effective for pollutant removal and 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.

Green Roofs

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

Green Walls are vertical systems which consist of a modular container to hold growing media and vegetation. Plants can be rooted in the ground, or installed in modular containers, growing blocks or growing mats along the face of the structure. In addition, green walls provide air quality and stormwater benefits, and can help to reduce energy usage.

Permeable Pavements

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. These storage systems may be located either above or below ground.

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 canopy. These tools help determine planting sites, select appropriate species, schedule maintenance, and evaluate the most effective practices to ensure tree health and stormwater capacity. Implementing an Urban Forestry Program can provide water quality benefits in addition to numerous other benefits including: reducing 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.

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:

- Capital equipment costs such as street sweepers, sewer cleaners, and vector trucks
- Costs not directly attributable to water quality including: asbestos abatement and site amenities e.g. bus shelters, benches, light poles, traffic devices, etc.
- 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)
- Hardening, channelizing or straightening streams and/or stream banks
- In-line and end-of-pipe treatment systems that only filter or detain stormwater
- Potable water irrigation systems
- Stormwater controls that have impervious or semi-impervious liners and provide no compensatory evapotranspirative or harvesting function for stormwater retention
- Stormwater conveyance systems that are not soil/vegetation based (swales) such as pipes and concrete channels
- Stormwater ponds that serve an extended detention function and/or extended filtration, including dirt-lined detention basins
- 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
- 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

SELECTION CRITERIA:

EFC will score and select projects based on the following criteria:

- Addressing or demonstrating solutions to Regional water quality issues
- Alignment with the goals and priorities of its Regional Council Strategic Plan
- Builds capacity through the incorporation of green stormwater infrastructure as key components of larger transformative projects
- Establishing or restoring natural features, ecology and hydrology
- 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
- Likelihood of project success, based on project development at time of application

- Measurable improvement or protection of water quality, including applicant's proposal for generating water quality metrics
- 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
- Plan for the long-term operation, maintenance, and water quality of the project
- Spurs innovation in the area of green stormwater infrastructure through the development and/or adoption of new technologies

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

SUCCESSFUL APPLICANT REQUIREMENTS:

Grant 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
- 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 bond resolutions to show that sufficient funding has been secured to provide for the local match requirement and total project cost
- EFC Approved Final Feasibility Study
- Compliance with Minority Women Based Enterprises (MWBE) requirements

ADDITIONAL RESOURCES:

For more information, visit <http://www.efc.ny.gov/gigp>

Sustainability Planning and Implementation

Climate Smart Communities Grant Program

Funding Available: Up to \$8,789,000

Program Description

Funding is available for inventory, assessment, planning, and implementation projects that advance the work of municipalities to address climate change. Priorities for the 2018 round include adaptation actions that reduce flood risk and increase preparedness for future extreme-weather conditions, greenhouse-gas mitigation activities related to transportation and reduction of food waste, and specific Climate Smart Communities certification actions that advance a municipality's ability to implement adaptation and mitigation projects.

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, 625 Broadway, Albany, NY 12233-1030, 518-402-8448, cscgrants@dec.ny.gov or see <https://www.dec.ny.gov/energy/76483.html>.

Eligibility

All municipalities in the State of New York are eligible to apply for funding in response to this request for applications (RFA). For the purpose of this RFA, a municipality is defined as a county, city, town, village, or borough of the City of New York. Political subdivisions such as municipal corporations, school districts, district corporations, boards of cooperative educational services, fire districts, public benefit corporations, industrial development authorities and similar organizations are not eligible to serve as lead municipal applicants in response to this RFA.

A municipality applying through this RFA must commit to providing at least 50 percent of the project cost. Neither state nor federal funds may be the source of the municipal match. If the demonstrated eligible match is less than 50 percent of the requested grant, the grant award will be reduced to be no more than the documented eligible municipal match. Applications not demonstrating adequate match to ensure project completion or to qualify for applicable minimum award amounts will be disqualified and not considered for funding.

Both implementation and certification projects will be considered for funding, as follows:

Implementation Projects

Implementation projects must advance specific climate adaptation and greenhouse gas (GHG) mitigation activities in one of the categories described under sections A or B below.

Total available - up to \$8,239,000.

Minimum award - \$10,000.

Maximum award - \$2,000,000.

Design & engineering - limited to a maximum of 15% of the grant request

No more than fifty (50) percent of the total available funds for implementation projects will be awarded to municipalities with populations greater than 100,000 or to any single municipality.

Adaptation Category

Eligible projects in the adaptation categories will be evaluated for their potential to provide a meaningful response, at the municipal level, to anticipated future conditions resulting from climate change. Scores will be based on the anticipated effectiveness of the project to reduce risk to residents, infrastructure or natural resources under projected climate conditions. Applications must include the source of data used in the analysis, current climatic conditions (e.g., flood or flow levels, number of extreme-heat days), anticipated changes to relevant climatic conditions, anticipated risk-reduction associated with the project (e.g., value of property protected, population served), and methods used to estimate anticipated risk reduction. The evaluation criteria and scoring for implementation projects can be found below.

Adaptation Project Types

Eligible adaptation project types include any project designed to reduce risk associated with climatic hazards projected to become more severe or frequent as the result of climate change. Such projects include, but are not limited to, reduction of future flood risks and improving preparedness for extreme events, such as heat waves.

Examples of eligible project types include the following:

- Increasing or preserving natural resilience, including, but not limited to, construction of living shorelines and other nature-based landscape features to decrease vulnerability to the effects of climate change, and to improve or facilitate conservation, management, and/or restoration of natural floodplain areas and/or wetland systems, based on assessment of projected future conditions.
- Flood-risk reduction, including, but not limited to, strategic relocation or retrofit of climate-vulnerable critical municipal facilities or infrastructure to reduce future climate-change induced risks to those facilities, or programs to support homeowner risk reduction.
- Replacing or right-sizing flow barriers, including, but not limited to, right-sizing bridges or culverts, or improving flow barriers to facilitate emergency response or protection of population centers, critical facilities, infrastructure, and/or natural resources, based on assessment of projected future conditions.
- Extreme-heat preparation, including, but not limited to, establishment of cooling centers, construction of permanent shade structures, and implementation of other cooling features or programs.
- Emergency preparedness, including, but not limited to, establishment of emergency warning systems or implementation of emergency preparedness and/or response programs (excluding radio communications).

Mitigation Category

Eligible projects in the mitigation category will be evaluated for their potential to provide a meaningful reduction in greenhouse gas (GHG) emissions. Applications should describe the source of GHG emissions data, current GHG emissions, future GHG

emissions due to project implementation, and the methods used to estimate GHG reductions.

Mitigation Project Types

Mitigation projects shall be one of the following project types:

- Reduction of vehicle miles traveled (VMT), including but not limited to, the following:
 - Construction of on-road or off-road facilities for non-motorized forms of transportation for the purpose of facilitating access to daily needs and/or commutes (i.e., non-recreational uses)
 - Implementation of transit improvements that have the potential to substantially increase ridership or access to daily needs, and/or increase commuting by mass transit
 - Implementation of projects or programs to reduce the distance commuted in individual gas-powered vehicles, such as densification, or implementation of smart-growth strategies

- Organic waste reduction for the purpose of diverting food waste and other organic material from landfills (where it produces methane), including, but not limited to, the following:
 - Establishment or expansion of food-donation programs, including purchase and installation of cooling or storage equipment for food, purchase and use of edible-food collection vehicles, and infrastructure for the storage and management of edible food
 - Establishment or expansion of residential education and outreach programs concerning food donation, food purchasing practices, home composting, and other related topics
 - Construction or installation of equipment to facilitate acceptance of food waste at existing anaerobic digesters at wastewater treatment facilities or existing composting facilities
 - Implementation or piloting of a food-waste pick-up service for residents and/or commercial establishments, prior to delivery to an organics recycling facility
 - Implementation of food donation and food-waste collection in municipal buildings
 - Implementation of onsite composting or anaerobic digestion at municipal facilities

- Enhanced landfill gas capture to reduce methane leakage at landfills, including, but not limited to, the following:
 - Installation of new methane capture systems or switching from passive to active capture
 - Installation of methane leak-detection equipment and programs to improve monitoring as part of a greenhouse gas mitigation plan

- Reduction of refrigerant leakage to reduce emissions of hydro-fluorocarbons (HFCs) from refrigeration and air-conditioning equipment, and convert to non-HFC alternatives, including, but not limited to, the following:
 - Replacement or retrofit of refrigeration, chillers, or air-conditioning equipment (e.g., food-storage or ice-rink equipment) to use low global-warming-potential refrigerants
 - Installation of refrigerant leakage monitoring equipment, and establishment of a monitoring and repair plan
 - Establishment of enhanced disposal programs to recover and recycle refrigerants or properly dispose of equipment to minimize leakage
 - Adoption of codes or standards to encourage the use of alternative refrigerants

Certification Projects

Certification projects focus on assessments, inventories and planning activities that are part of becoming a Certified Climate Smart Community. Such assessments should also provide the basis for future grant applications for implementation projects. Certification projects must align with one or more of the Climate Smart Communities (CSC) certification actions listed below.

Total available - up to \$550,000.

Minimum award - \$10,000, except that up to five grants of between \$2500 and \$9999 each may be awarded to municipalities of population sizes less than 40,000.

Maximum award - \$100,000.

No more than 50 percent of the total available funds for certification projects will be awarded to municipalities with populations greater than 100,000 or to any single municipality.

Projects will be scored based on the effectiveness of the project or plan to address future climate conditions and/or support greenhouse gas reduction. Applications must identify all CSC certification actions to be completed and how the products will be used by the municipality in the future. Any project designed to satisfy the requirements of one or more of the certification actions listed below is eligible for this funding. The evaluation and scoring criteria for certification projects can be found below. More information about certification actions and requirements for certification approval and documentation can be found at the Climate Smart Communities certification portal ("the portal"), <https://www.ClimateSmart.ny.gov>.

Work plans for projects funded in the certification category must include completion of the minimum requirements for the selected certification actions. Work plans must also include submittal to the portal of the required documents for each action.

Certification Actions

Eligible projects include completion of any of the following CSC certification actions. See the CSC certification portal for individual certification action descriptions and requirements. Proposals based on a plan to complete several actions and that demonstrate a commitment to achieving CSC certification will be preferred.

- PE2 Action: Government Operations Greenhouse Gas Inventory
- PE2 Action: Community Greenhouse Gas Inventory
- PE2 Action: Government Operations Climate Action Plan
- PE2 Action: Community Climate Action Plan
- PE3 Action: Fleet Inventory
- PE3 Action: Fleet Efficiency Policy
- PE5 Action: Construction and Demolition Waste Policy
- PE6 Action: Comprehensive Plan with Sustainability Elements
- PE6 Action: Complete Streets Policy
- PE6 Action: Planning and Infrastructure for Bicycling and Walking (planning only)
- PE6 Action: Natural Resource Inventory
- PE7 Action: Climate Vulnerability Assessment
- PE7 Action: Climate-Smart Resiliency Planning
- PE7 Action: Climate Adaptation Strategies
- PE7 Action: Heat Emergency Plan
- PE7 Action: National Flood Insurance Program Community Rating System

Eligible Expenses

The following expenses will be eligible for reimbursement:

- personal services (salary and fringe)
- contractual services
- in-kind services directly related to the project, including value of volunteer time
- supplies and materials
- equipment
- project-related travel

Ineligible Expenses

The following expenses will not be eligible for reimbursement:

- costs for purchase of zero-emission vehicles and/or installation of electric vehicle service equipment or other charging or re-fueling infrastructure
- indirect or overhead costs of the municipality, such as rent, telephone service, general administrative support, general-use 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 expenses
- taxes, insurance, fines, deficit funding, bond interest and associated fees
- contingency costs
- federal and other New York State funds

Requirements

Match Requirements

Per New York State Environmental Conservation Law §54-1511(3), a local match equal to 50 percent of total eligible project costs is required.

All eligible expenses listed above may be used as match, with approval by the Department of Environmental Conservation (DEC), with the exception of costs that are supported by other New York State or federal funding. The applicant must identify all sources of match at the time the application is submitted. *Projects for which a complete 50-percent match is not identified will have the award reduced to the eligible match amount, or may be deemed ineligible if available funding is unlikely to ensure successful completion of the project.*

The cost of acquisition of land that is necessary for, and directly related to, the proposed project may be used as match but cannot be supported with the grant itself. The applicant must submit all requested acquisition documentation, including a map identifying the property, current appraisal report, and copy of the recorded deed conveying title at the time the application is submitted. *Projects for which complete land-acquisition documentation is not submitted, where applicable, will be deemed ineligible.*

Resolution

A municipal resolution, adopted by the legislative body of the lead municipal applicant, authorizing application submittal and documenting the availability of local match in the event of grant award must be submitted at the time of application.

Partnerships

Two or more municipalities, or one municipality and a quasi-governmental entity or non-profit organization, may collaborate on a project. However, only one eligible municipality, designated as the lead applicant, may submit the application for grant funding. Letters or other written agreements substantiating the collaboration of each partner are required at the time of application. 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.

Climate Change Mitigation Easement

For development, improvement, restoration, and/or rehabilitation projects, the applicant must own the property or obtain, pursuant to the requirements of Title 15 of the Environmental Protection Fund, a climate change mitigation easement from the owner of the project site. At the time of application, the applicant will be required to submit proof of property ownership and/or landowner agreement as follows:

- If the property owner is a municipality – a certified resolution by the municipal property owner in support of the project, indicating an agreement to enter into a climate change mitigation easement with the applicant.
- If the property owner is not a municipality – a notarized written statement from the property owner in support of the project, indicating an agreement to enter into a climate change mitigation easement with the applicant.

During the term of any Climate Smart Communities grant award contract for development, improvement, restoration, and/or rehabilitation projects, the municipality must develop, execute, and file with the appropriate county clerk's office a climate change mitigation easement that ensures the following:

- The property shall be accessible to the municipality for any necessary work to achieve the funded purpose throughout the anticipated life of the project.
- The property shall provide the identified public benefit throughout the anticipated life of the project.

- The property shall be used to achieve climate protection and mitigation goals pursuant to ECL Article 54 Title 15 “Climate Smart Community Projects” throughout the anticipated life of the project.
- The property owner shall provide information and data to the municipality, or will provide access to the municipality for collection of data, as specified in the grant contract.
- A ten-year minimum term for the easement is required to adequately reflect the expected useful life of the project.

Application Review and Scoring

Minimum Eligibility (Pass/Fail Criteria)

A failure to meet any one criterion below will disqualify the application from further consideration:

- The applicant is a county, city, town or village of the State of New York, or a borough of New York City.
- A copy of a municipal resolution authorizing application submittal and 50-percent match has been included.
- The application directly addresses one of the eligible project categories.
- The application clearly describes the need for the project based on an assessment of future climate conditions derived from scientifically supported climate projections.
- The applicant provides a completed expenditure budget in the requested format that itemizes costs and an eligible match.
- The applicant provides a detailed work program and timeline for work, outlining individual work tasks and their sequence, from initiation through completion.
- If applicable, documentation of land ownership and/or the necessary land access and use agreement(s) are provided.

Selection Criteria

Each eligible application will be scored by an evaluation team consisting of technical reviewers from DEC. Using information provided by the applicant, reviewers will score each eligible project according to the selection criteria outlined below. Technical reviewer scores will be averaged, and regional economic development council priority points will be incorporated to develop a numerical score and ranking for all eligible projects. An application must score a minimum of 40 points, out of a possible 100 points. Funding will be recommended based on highest to lowest ranks within each funding category, within the expressed funding limits for municipalities with population sizes over 100,000 and/or any single municipality, and accommodating amounts set aside for grants of less than \$10,000 for municipalities of less than 40,000 population size, as described in this RFA, until available funding has been exhausted.

In the event of a tie score, in which two or more applicants for funding are judged on the basis of their written applications to be equal in quality, the applicant with the highest combined scores on project criticality and effectiveness of proposal will receive the award. In the event of a tie on combined scores on project criticality and effectiveness of proposal, the applicant with the highest score on implementation readiness will receive the award. In the event of a tie score on project readiness, the applicant with the highest score on reasonableness of cost will receive the award.

Scoring Overview for Implementation Project Categories

	Max. Points				Min. Points
Financial Hardship (4)	4	2	0	-	0
CSC Status (8)	8	6	3	0	0
Potential Environmental Justice Area (2)	2	0	-	-	0
Significant Statewide Initiatives (1)	1	0	-	-	0
Project Criticality (15)	15	8	3	0	0
Effectiveness of Proposal (14)	14	10	5	0	0
Planning Context (6)	6	3	0	-	0
Implementation Readiness (5)	5	3	2	0	0
Reasonableness of Cost (20)	20	15	7	3	0
Quality of Application (5)	5	3	1	0	0
Regional Economic Development Priority (20)	20	<i>To be awarded by the regional economic development council</i>			
Total Available Points	100				

Implementation - Scoring Criteria and Values

Scoring Criterion	Point Values
Financial Hardship (4)	<p>a) Applicant is a community with a Median Household Income (MHI)²⁸ less than 80% of the 2016 Statewide MHI (<i>i.e.</i>, MHI less than \$48,593). 4 points</p> <p>b) Applicant is a community with a MHI less than the 2016 Statewide MHI but not less than 80% of the 2016 MHI (<i>i.e.</i>, MHI greater than or equal to \$48,593 but less than \$60,741). 2 points</p> <p>c) Applicant is not a financial-hardship community, as defined above. 0 points</p>
CSC Status (8)	<p>a) Applicant is a certified silver Climate Smart Community. 8 points</p> <p>b) Applicant is a certified bronze Climate Smart Community. 6 points</p> <p>c) Applicant is a registered Climate Smart Community. 3 point</p> <p>d) All other applicants. 0 points</p>
Potential Environmental Justice Area (2)	<p>a) Project site is located in a DEC potential environmental justice area. 2 points</p> <p>b) Project site is not located in a DEC potential environmental justice area. 0 points</p>
Significant Statewide Initiatives (1)	<p>a) The proposed project is part of one of the following initiatives (see Significant Statewide Initiatives below):</p> <ul style="list-style-type: none"> • Downtown Revitalization Initiative • Opportunity Agenda Related Projects • Veterans' Related Projects 1 point

²⁸ Median Household Income (MHI) may be established using publicly available census data and does not require detailed demographic and economic data from the municipality. Per the U.S. Census American Community Survey (<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2016/>), the 2016 Statewide MHI for New York State is \$60,741.

Project Criticality (15)	<p>a) Application identifies</p> <ul style="list-style-type: none"> • specific <u>climate vulnerabilities</u>, including populations and resources at risk, and describes, <u>quantitatively</u>, the scientifically supported projections of future local or regional climate conditions²⁹ that will create or exacerbate those vulnerabilities; <i>or</i> • the results of local and/or regional <u>greenhouse gas emissions inventories</u>³⁰ and the greenhouse gas emissions to be targeted by this project. 15 points <p>b) Application generally</p> <ul style="list-style-type: none"> • identifies climate vulnerabilities, including populations and resources at risk, and generally describes the scientifically supported projections of future climate conditions at any scale that will create or exacerbate those vulnerabilities; <i>or</i> • describes information or data on greenhouse gas emissions at any scale and the greenhouse gas emissions to be targeted by this project. 8 points <p>c) Application generally</p> <ul style="list-style-type: none"> • describes a relationship between climate change and vulnerable populations or resources; <i>or</i> • describes the value of greenhouse gas emission reduction. 3 points <p>d) Application does not provide sufficient information to demonstrate a climate vulnerability expected to be exacerbated by climate change or expected greenhouse gas emission reduction. 0 points</p>
Effectiveness of Proposal (14)	<p>a) Application specifically identifies and provides quantifiable evidence (e.g., model results, calculations, data) that demonstrates the value of the project in improving local or regional climate resilience, minimizing local or regional effects of climate change, <i>or</i> achieving a meaningful reduction in greenhouse gas emissions. 14 points</p> <p>b) Application generally and credibly identifies and describes the value of the project in improving local or regional climate resilience, minimizing local or regional effects of climate change, <i>or</i> achieving a meaningful reduction in greenhouse gas emissions. 10 points</p> <p>c) The proposed project may lead to indirect, secondary, or partial benefits associated with local or regional resilience <i>or</i> the minimization of climate-change effects, or may indirectly facilitate reduction of greenhouse gas emissions. 5 points</p> <p>d) The proposed work will not lead to an identifiable climate change resilience benefit <i>or</i> reduce greenhouse gas emissions; <i>or</i> the application does not provide sufficient information to evaluate the effectiveness of the proposed project. 0 points</p>

²⁹ See, e.g., New York State “ClimAID” report (<https://www.nyserda.ny.gov/climaid>), National Climate Assessment (<http://nca2014.globalchange.gov/>) and New York State Climate Change Science Clearinghouse (<https://www.nyclimatescience.org>).

³⁰ See NYS regional greenhouse gas emissions inventories and other inventory information at <http://www.dec.ny.gov/energy/57170.html>.

<p>Planning Context (6)</p>	<p>a) The proposed project is specifically recommended by an adopted local or regional plan or is a documented initiative of a climate, energy or greenhouse gas task force or committees. 6 points</p> <p>b) The proposed project identifies and is consistent with the purpose of, or provides indirect benefit related to, a local or regional plan or documented initiative of a climate, energy or greenhouse gas task force or committee. 3 points</p> <p>c) The application does not describe a local or regional planning context, or does not provide sufficient information to evaluate the relationship of the proposed project with local or regional plans, task forces or committees. 0 points</p>
<p>Implementation Readiness (5)</p>	<p>a) Application clearly describes <u>all of the following</u>:</p> <ul style="list-style-type: none"> • the planning used for identification, prioritization, selection, and design of the project as proposed • a realistic schedule for obtaining all necessary permits or approvals • an available source of eligible match • project participants and their roles • necessary project partnerships and agreements • ownership of and/or permission to use the property or facilities proposed for work 5 points <p>b) Application clearly describes <u>at least 4 of the above factors, including the following</u>:</p> <ul style="list-style-type: none"> • the planning used for identification, prioritization, selection, and design of the project as proposed • a realistic schedule for obtaining all necessary permits or approvals • an available source of eligible match 3 points <p>c) Application clearly describes <u>at least 3 of the above factors, including the following</u>:</p> <ul style="list-style-type: none"> • a realistic schedule for obtaining all necessary permits or approvals. • an available source of eligible match. 2 points <p>d) Application does not identify an available source of eligible match, has not outlined a realistic schedule for obtaining all necessary permits or approvals, and/or does not clearly describe the factors listed above. 0 points</p>
<p>Reasonableness of Cost (20)</p>	<p>To determine the reasonableness of cost, the following ten questions will be considered:</p> <ol style="list-style-type: none"> 1. Have costs been thoroughly explained and estimated using specifically identified, typical, historical, or published supplier costs? 2. Does the project demonstrate a new technology or innovative approach? 3. Will the work or the approach be transferable to other communities or replicable in other sectors? 4. Will the project catalyze additional action related to the project's purpose that will not require state funding? 5. Are the size and scope of the project suitable to accomplish the desired outcome?

	<p>6. Will the completed project provide a meaningful climate mitigation or adaptation benefit relative to anticipated project costs?</p> <p>7. Does the project build on previous investment and/or advance or otherwise improve previous projects or initiatives?</p> <p>8. Where appropriate, does the applicant leverage municipal staff or other non-contractual services or other resources to accomplish the proposed work?</p> <p>9. Are the proposed costs comparable to costs for similar projects in the same geographic area and/or comparable to market prices and/or comparable to previously-funded projects?</p> <p>10. Does the applicant provide at least 10% more than the required 50% in local matching funds?</p> <p>a) Projects that meet 8 or more of the criteria listed above, including criterion 1. 20 points</p> <p>b) Projects that meet at least 6 of the criteria listed above, including criterion 1. 15 points</p> <p>c) Projects that meet at least 4 of the criteria listed above, including criterion 1. 7 points.</p> <p>d) Projects that meet at least 3 of the criteria listed above. 3 points</p> <p>e) Projects that meet fewer than 3 of the criteria listed above. 0 points</p>
Quality of Application (5)	<p>a) The application is complete, including an anticipated schedule and a detailed budget breakdown, and all necessary questions have been answered. The purpose of the project and the work proposed are clearly and specifically described and all supporting information and documentation are included. 5 points</p> <p>b) The application generally describes the purpose of the project and the work proposed, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories. 3 points</p> <p>c) The application does not clearly describe the purpose of the project or the work proposed for funding, and/or there are discrepancies in the proposal or between the work proposed and the included budget. 1 point</p> <p>d) The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project categories, and/or does not provide sufficient budget information to understand the amount of funding requested. 0 points</p>
Regional Economic Development Priority (20)	<i>To be awarded separately by the Regional Economic Development Councils</i>
Total Available Points:	100 Points

Scoring Overview for Certification Project Categories

	Max. Points				Min. Points
Financial Hardship (6)	6	2	0	-	0
CSC Status (8)	8	7	6	0	0
Certification Readiness (12)	12	10	6	4	2
Project Criticality (6)	6	4	2	0	0
Effectiveness of Proposal (12)	12	6	2	0	0
Planning Context (6)	6	3	0	-	0
Implementation Readiness (5)	5	3	2	0	
Reasonableness of Cost (20)	20	15	7	3	0
Quality of Application (5)	5	3	1	0	0
Regional Economic Development Priority (20)	20	<i>To be awarded by the regional economic development council</i>			
Total Available Points	100				

Certification - Scoring Criteria and Values

Scoring Criterion	Point Values
Financial Hardship (6)	<p>a) Applicant is a community with a Median Household Income (MHI)³¹ less than 80% of the 2016 Statewide MHI (<i>i.e.</i>, MHI less than \$48,593). 6 points</p> <p>b) Applicant is a community with a MHI less than the 2016 Statewide MHI but not less than 80% of the 2016 MHI (<i>i.e.</i>, MHI greater than or equal to \$48,593 but less than \$60,741). 2 points</p> <p>c) Applicant is not a financial hardship community, as defined above. 0 points</p>
CSC Status (8)	<p>a) Applicant is a certified silver Climate Smart Community. 8 points</p> <p>b) Applicant is a certified bronze Climate Smart Community. 7 points</p> <p>c) Applicant is a registered Climate Smart Community. 6 points</p> <p>d) All other applicants. 0 points</p>
Certification Readiness (12)	<p>a) The application includes a detailed work plan and schedule for completion of the requirements for six or more of the certification actions listed below. 12 points</p> <p>b) The application includes a detailed work plan and schedule for completion of the requirements for five of the certification actions listed below. 10 points</p> <p>c) The application includes a detailed work plan and schedule for completion of the requirements for four of the certification actions listed below. 6 points</p> <p>d) The application includes a detailed work plan and schedule for completion of the requirements for three of the certification actions listed below. 4 points</p>

³¹ Median Household Income (MHI) may be established using publicly available census data and does not require detailed demographic and economic data from the municipality. Per the U.S. Census American Community Survey (<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2016/>), the 2016 Statewide MHI for New York State is \$60,741.

e) The application includes a detailed work plan and schedule for completion of the requirements for fewer than three of the certification actions listed below. 2 points

- PE2 Action: Government Operations Greenhouse Gas Inventory
- PE2 Action: Community Greenhouse Gas Inventory
- PE2 Action: Government Operations Climate Action Plan
- PE2 Action: Community Climate Action Plan
- PE3 Action: Fleet Inventory
- PE3 Action: Fleet Efficiency Policy
- PE5 Action: Construction and Demolition Waste Policy
- PE6 Action: Comprehensive Plan with Sustainability Elements
- PE6 Action: Complete Streets Policy
- PE6 Action: Planning and infrastructure for Bicycling and Walking (planning only)
- PE6 Action: Natural Resource Inventory
- PE7 Action: Climate Vulnerability Assessment
- PE7 Action: Climate-Smart Resilience Planning
- PE7 Action: Climate Adaptation Strategies
- PE7 Action: Heat Emergency Plan
- PE7 Action: National Flood Insurance Program Community Rating System

Project Criticality (6)	<p>a) Application identifies</p> <ul style="list-style-type: none"> • specific <u>climate vulnerabilities</u>, including populations and resources at risk, and describes, <u>quantitatively</u>, scientifically supported projections of future local or regional climate conditions³² that will exacerbate these vulnerabilities; <i>or</i> • the results of local and/or regional <u>greenhouse gas emissions inventories</u>³³ and how the proposed project addresses identified priorities for emissions reduction identified from those results. 6 points <p>b) Application generally</p> <ul style="list-style-type: none"> • identifies climate vulnerabilities, including populations and resources at risk, and generally describes scientifically supported projections of future climate conditions at any scale that will exacerbate these vulnerabilities; <i>or</i> • describes information or data on greenhouse gas emissions at any scale and how the proposed project addresses identified priorities for emissions reduction. 4 points <p>c) Application generally</p> <ul style="list-style-type: none"> • describes a relationship between climate change and vulnerable populations or resources; <i>or</i> • describes the value of greenhouse gas emission reduction. 2 points <p>d) Application does not provide sufficient information to demonstrate a climate vulnerability expected to be exacerbated by climate change or expected <u>greenhouse gas emission reduction</u>. 0 points</p>
Effectiveness of Proposal (12)	<p>a) Application identifies and describes how <u>the proposed project will lead to specific implementation projects</u> that improve local or regional resilience in the community and/or natural systems, minimize local or regional impacts of climate change, or achieve a meaningful reduction in greenhouse gas emissions. 12 points</p> <p>b) Application describes how <u>the proposed project will generally lead to additional efforts</u> that improve local or regional resilience in the community and/or natural systems, minimize local or regional impacts of climate change, or achieve a meaningful reduction in greenhouse gas emissions. 6 points.</p> <p>c) The proposed project <u>may lead to indirect, secondary, or partial benefits</u> for local or regional resilience or the minimization of climate change impacts, or may indirectly support or facilitate reduction of greenhouse gas emissions. 2 points</p> <p>d) The proposed project will not lead to an identifiable climate change resilience benefit or reduce greenhouse gas emissions; or the application does not provide sufficient information to evaluate the effectiveness of the proposed project. 0 points</p>
Planning Context (6)	<p>a) The proposed project is specifically recommended by an adopted local or regional plan or is a documented initiative of a climate, energy or greenhouse gas task force or committees. 6 points</p>

³² See, e.g., New York State “ClimAID” report (<https://www.nyserda.ny.gov/climaid>), National Climate Assessment (<http://nca2014.globalchange.gov/>) and New York State Climate Change Science Clearinghouse (<https://www.nyclimatescience.org>).

³³ See NYS regional greenhouse gas emissions inventories and other inventory information at <http://www.dec.ny.gov/energy/57170.html>.

	<p>b) The proposed project identifies and is consistent with the purpose of, or provides indirect benefit related to, a local or regional plan or documented initiative of a climate, energy or greenhouse gas task force or committee. 3 points</p> <p>c) The application does not describe a local or regional planning context, or does not provide sufficient information to evaluate the relationship of the proposed project with local or regional plans, task forces or committees. 0 points</p>
Reasonableness of Cost (20)	<p>To determine the reasonableness of cost, the following ten questions will be considered:</p> <ol style="list-style-type: none"> 1. Have costs been thoroughly explained and estimated using specifically identified, typical, historical, or published supplier costs? 2. Does the project demonstrate a new technology or innovative approach? 3. Will the work or the approach be transferable to other communities or replicable in other sectors? 4. Will the project catalyze additional action related to the project's purpose that will not require state funding? 5. Are the size and scope of the project suitable to accomplish the desired outcome? 6. Will the completed project provide a meaningful climate mitigation or adaptation benefit relative to anticipated project costs? 7. Does the project build on previous investment and/or advance or otherwise improve previous projects or initiatives? 8. Where appropriate, does the applicant leverage municipal staff or other non-contractual services or other resources to accomplish the proposed work? 9. Are the proposed costs comparable to costs for similar projects in the same geographic area and/or comparable to market prices and/or comparable to previously-funded projects? 10. Does the applicant provide at least 10% more than the required 50% in local matching funds? <p>a) Projects that meet 8 or more of the criteria listed above, including criterion 1. 20 points</p> <p>b) Projects that meet at least 6 of the criteria listed above, including criterion 1. 15 points</p> <p>c) Projects that meet at least 4 of the criteria listed above, including criterion 1. 7 points</p> <p>d) Projects that meet at least 3 of the criteria listed above. 3 points</p> <p>e) Projects that meet fewer than 3 of the criteria listed above. 0 points</p>
Implementation Readiness (5)	<p>a) Application clearly describes <u>all of the following</u>:</p> <ul style="list-style-type: none"> • the planning used for identification, prioritization, selection, and design of the project as proposed • a realistic schedule for obtaining all necessary approvals • an available source of eligible match • project participants and their roles • necessary project partnerships and agreements • ownership of and/or permission to use the property or facilities proposed for work 5 points

	<p>b) Application clearly describes <u>at least 4 of the above factors, including the following:</u></p> <ul style="list-style-type: none"> • the planning used for identification, prioritization, selection, and design of the project as proposed • a realistic schedule for obtaining all necessary permits or approvals • an available source of eligible match 3 points <p>c) Application clearly describes <u>at least 3 of the above factors, including the following:</u></p> <ul style="list-style-type: none"> • a realistic schedule for obtaining all necessary permits or approvals. • an available source of eligible match. 2 points <p>d) Application does not identify an available source of eligible match, has not outlined a realistic schedule for obtaining all necessary permits or approvals, and/or does not clearly describe the factors listed above. 0 points</p>
Quality of Application (5)	<p>a) The application is complete, including an anticipated schedule and a detailed budget breakdown, and all necessary questions have been answered. The purpose of the project and the work proposed are clearly and specifically described and all supporting information and documentation are included 5 points</p> <p>b) The application generally describes the purpose of the project and the work proposed, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories 3 points</p> <p>c) The application does not clearly describe the purpose of the project or the work proposed for funding, and/or there are discrepancies in the proposal or between the work proposed and the included budget. 1 point</p> <p>d) The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project categories, and/or does not provide sufficient budget information to understand the amount of funding requested. 0 points</p>
Regional Economic Development Priority (20)	<i>To be awarded separately by the Regional Economic Development Councils</i>
Total Available Points:	100 Points

Significant Statewide Programs

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.

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.

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 this 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 several application submittals for a single project or for portions 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 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;
- not fund projects that are determined not to be consistent with the New York State Smart Growth Public Infrastructure Policy Act (Environmental Conservation Law Article 6).

Project Location

Eligible projects for grant funding must be located in the State of New York.

Application Limit

Applicants may submit several applications, but no more than one application may be submitted 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 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 New York State grant opportunity,
- enter into a grant contract,
- amend an existing contract,
- apply for grant payments.

*Registration is NOT an online process.
Register now to allow time for processing and postal mail.*

Grants Gateway Registration Instructions

- 1) Visit the Grants Gateway website at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx and click on the “Request Access Now” link in the bottom right of the web page, then click on #2 Grants Gateway Registration Form.
- 2) Complete the form according to the instructions provided. The completed form must be signed and notarized.
- 3) Mail the original hard copy, signed and notarized to the Division of Budget at the address provided in the instructions.
- 4) After the form is received and reviewed, the “Grantee Delegated Administrator” will be provided with a username and password allowing access the Grants Gateway.
- 5) Log in to the Grants Gateway at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx. Change the password at the bottom of the profile page when prompted. Enter a new password and click the SAVE button located on the top, right-hand side of the page.
- 6) The Grantee Delegated Administrator must create roles for the “Grantee” and “Grantee Contract Signatory.” The “Grantee” is often the project manager or consultant who will upload all the required documentation and edit the work plan and budget. The “Grantee Contract Signatory” is the municipal CEO that is legally authorized to sign the state assistance contract. 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.

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.

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 ECL §0107, 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 the Consolidated Funding Application process.

Notification of Award

Applicants selected to receive grant awards will be notified by email and in an official Department award letter.

Program-specific Contract Terms and Conditions

- For climate mitigation projects, including the Clean Transportation and Reduction and Recycling of Food Waste categories, the grant recipient shall provide estimates of emissions reduction in the final project report as required by the Department.
- For certification actions funded in the Climate Smart Communities Certification Project category, the grant recipient shall adhere to the relevant requirements and standards described in the Climate Smart Communities Certification Portal at <https://www.ClimateSmart.ny.gov>.
- Work plans for certification actions funded in the Climate Smart Communities Certification Project category must include submittal of documentation required for certification approval through the Climate Smart Communities Certification Portal at <https://www.ClimateSmart.ny.gov>.
- If the grant recipient develops, improves, restores, or rehabilitates real property that is not owned by the Grantee as part of the funded project, the grant recipient shall obtain a climate change mitigation easement from the owner of the real property. Enforcement of climate change mitigation easements shall adhere to applicable enforcement provisions described in ECL §49-0305.
- Construction projects require the installation of an Environmental Protection Fund funding acknowledgement sign. An approved sign design will be provided to the grantee upon full execution of the contract.

State of New York Master Contract for Grants

Applicants selected to receive a grant award will be required to execute a master contract for grants (MCG) within 90 days of the time of their award notifications. Failure to submit timely required MCG documents could cause a grantee to lose its grant award. Applicants should review and be prepared to comply with all MCG terms and conditions if grant funding is awarded. The MCG and attachments can be reviewed and/or downloaded on DEC's website at <http://www.dec.ny.gov/energy/109181.html>.

The MCG and attachments include the following:

- MCG Grants Face Page
- Standard Terms and Conditions (*New York State 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*)

Important Note: The contract start date for all contracts awarded through this request for applications will be March 15, 2019. Project costs must be incurred on or after March 15, 2019 to be considered eligible for reimbursement or match. 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, and work has been completed under the contract. Advance payments are not authorized as part of the Climate Smart Communities program.

Applicants should be prepared to comply with the following MCG requirements:

- **Insurance Requirements**
Grantees will be required to carry appropriate insurance as specified in the MCG Attachment A-1 Program Specific Terms and Conditions and to agree that each project consultant, project contract, and project subcontractor secures and delivers to the Grantee appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the Grantee as an additional insured, with appropriate limits, covering Grantee's public liability and property damage insurance, Grantee's contingency liability insurance, "all-risk" insurance and workers' compensation and disability coverage for the project.
- **Permit Requirements (if applicable)**
Grantees 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 Grantee agrees that all work performed in relation to the project by the Grantee or its agents, representatives, or Grantees 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 Grantee certifies that it has complied, and shall continue to comply, with all requirements of the State Environmental Quality Review Act (SEQRA). The Grantee has notified, and shall continue to notify, the Department of all actions proposed for complying with the environmental review requirements imposed by SEQRA. The Grantee agrees to provide all SEQR documentation, and other environmental documents as may be required by the Department, to the Department upon their completion and/or approval.
- **Vendor Responsibility Questionnaire**
Not-for-profit grantees and/or subcontractors are subject to a vendor responsibility review by the state to ensure public dollars are being spent appropriately with responsible Grantees. A vendor responsibility review may require a grantee and/or subcontractor to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the New York State VendRep System, the Grantee can consult the VendRep System instructions available at http://www.osc.state.ny.us/vendrep/info_vrsystem.htm, or access the VendRep System directly 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 Grantee 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 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. Applicants should not submit applications in response to this RFA if they do not anticipate they can complete their projects within five years of the contract start date, i.e., by March 14, 2024.

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 Office of Parks, Recreation and Historic Preservation (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 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 Grantee 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

Pursuant to State Finance Law, municipalities are not eligible to receive advance payments. Project costs eligible for reimbursement and project match must be incurred between the MCG 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 submittal 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 each quarter, beginning with the first full quarter after contract execution. Quarterly reports must summarize project progress toward meeting project objectives and deliverables during the quarter. Expenditure reports (section VI Financial Status of the quarterly report), detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly reports.

A final report must be submitted and approved by the Department prior to the release of the final contract payment to the Grantee. The Grantee 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, include photographs and copies of media promotion, detail how grant funds were utilized in achieving the goals set forth in the work plan, and summarize the obstacles experienced and how they were overcome. For Clean Transportation, and Reduction and Recycling of Food Waste projects, an estimate of greenhouse gas reduction must be included. Draft copies of appropriate deliverables (e.g., inventory and/or management plan) must be submitted by the Grantee and approved by the Department before a final draft is produced.

An onsite inspection by the Department 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 §§ 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 approved eligible project costs.

Department of State - Local Government Efficiency Program

Funding Available: Approximately \$4 Million

DESCRIPTION

The Local Government Efficiency (LGE) Grant program provides funding to local governments to 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 consolidation and shared services, city or county charter revisions that include functional consolidation, and establishment of regional service delivery.

Local government efficiency projects must implement new opportunities for financial savings or exhibit potential to modernize existing services. Additional benefits may include improving organization or management structures or improving public access to services.

ELIGIBLE APPLICANTS

Counties, cities, towns, villages, special improvement districts, fire districts, public libraries, association libraries, public library systems - if they advance a joint application on behalf of member libraries, water authorities, sewer authorities, regional planning and development boards, school districts, and Boards of Cooperative Educational Services (BOCES) only to the extent they advance certain joint applications.

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 planning and implementation projects.

- The maximum funding for planning is \$12,500 for each local government involved in the project, not to exceed \$100,000.
- The maximum funding for implementation 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, the local cost share must be at least 50% of the total project cost.
- For an implementation project, the local cost share must be at least 10% of the total project cost. (For projects that implement a planning grant previously funded under the LGE program, the grant award for implementation will be increased by the amount of the local matching funds provided for the planning grant).

All grants are reimbursement grants. To receive full funding, awardees must demonstrate that the project has received all appropriate public consideration and referenda where required.

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, 2018 – March 31, 2022. 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, 2018 are eligible for reimbursement. 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 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 funding pursuant to the New York Department of State Local Government Citizens Re-Organization Empowerment Grant (CREG). CREG assists local governments with planning and implementation actions for consolidation or dissolution pursuant to General Municipal Law 17-A. Applications for CREG funding can be submitted monthly. Please visit <http://www.dos.ny.gov/funding/> for more information on submitting a CREG application.

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) for concurrency of the project with the regional priorities.

LGE Program Scoring Criteria (Up to 80 points)**Priorities (Possible 10 points)**

- The project implements a planning project completed with prior LGE funding. (5 points)
- The project is part of an adopted County-Wide Shared Services Initiative Plan. (5 points)

Project Need (Possible 5 points)

- Description of the project need based upon existing conditions, including financial challenges, requirements to modify existing services, changes in the municipal workforce or other local government management need.

The Local Government Efficiency program funds both implementation and planning projects and asks different questions based upon the type of application.

Implementation Questions

Determination of Cost Savings - (Possible 5 points)

- Description of the analysis and methods used to estimate cost savings to be realized through project implementation. (Applicants must use the Fiscal Impact Worksheet provided in the Request for Application.)

Fiscal Impact on the Taxpayer (Possible 5 points)

- Description of the potential impact on the property tax levy or user rates from the implementation of the project.

Operational Impact (Possible 5 points)

- Description of the changes expected to occur to current business practices or management operations due to project implementation.

Service Delivery Impact (Possible 5 points)

- Description of the changes to service delivery and public impact from project implementation.

Measuring Future Performance (Possible 5 points)

- Description of the methods that will be used to monitor the long-term performance of the project after implementation.

Project Readiness and Sustainability (Possible 5 points)

- Description of the actions that commit the local governments to complete the project and institutionalize the organizational and/or service delivery changes.

Public Engagement (Possible 5 points)

- Description of the process to be used to ensure transparency, public participation and stakeholder engagement during project development and implementation.

Planning Questions

Type of Planning (Possible 10 points)

- General Shared Services Study - 3 points
- Functional Consolidation Study - 6 points
- Implementation Plan – 10 points

Fiscal Impact on the Taxpayer (Possible 5 points)

- Description of how the project's potential to impact the property tax levy or user rates.

Operational Impacts (Possible 5 points)

- Description of potential changes to business practices or management operations associated with the impacted services.

Service Delivery Impact (Possible 5 points)

- Description of the prospective impacts on the delivery of services and how the public will be affected by the project.

Project/Partner Readiness (Possible 5 points)

- Description of actions taken to commit the local governments to complete the project.

Public Engagement (Possible 5 points)

- Description of the process to ensure ongoing transparency, public participation and stakeholder engagement.

Work Plan Questions**Work Plan Detail (Possible 5 Points)**

- Evaluation of the clarity and detail of the work plan, including the project timeline, specific phases and associated tasks, and deliverables.

Work Plan Feasibility (Possible 5 Points)

- Evaluation of the sequencing and scope of the work plan to complete the project.

Budget Questions**Cost Determination (Possible 10 Points)**

- Evaluation of the method and approach used to generate budget estimates.

Budget Detail (Possible 5 Points)

- Evaluation of how funding will be used to complete individual tasks for all work plan objectives.

Budget Relationship with Work Plan (Possible 5 Points)

- Evaluation of 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, underemployed and unemployed individuals, commensurate with Regional Economic Development Council (REDC) priorities.

Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with the skills required to perform a specific job or group of jobs needed by a business.

ELIGIBLE PROJECT TYPE DESCRIPTIONS

Two project types are described:

1. Existing Employee Training (EET) Program; and
2. Unemployed Worker Training (UWT) Program.

1. Existing Employee Training (EET) Program

This program provides \$2 million in WIOA funds to train existing employees in specific occupational skills leading to attainment or retention of middle-skills occupations. Eligible bidders include private for-profit or private not-for-profit businesses or a lead bidder for a consortium of businesses that has two or more employees and are physically located in New York State.

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; and
- 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 EET Program will be tabulated separately from the other NYSDOL program available under the 2018 Consolidated Funding Application. EET 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. Unemployed Worker Training (UWT) Program

This program provides \$3 million in WIOA funds to provide occupational skills training to unemployed and/or underemployed workers, with additional points in scoring for proposals indicating a plan for training unemployed and/or underemployed individuals in priority populations, to qualify them for full-time (35-hours per week or more) or part-time employment or higher level of employment. Priority populations include but are not limited to: veterans, individuals with disabilities, formerly incarcerated individuals, long-term unemployed, and TANF and SNAP recipients. The complete list of priority populations under this program is presented in Attachment 11 of the solicitation.

Training is to be provided in a classroom setting, and there must be a commitment from business(es) to interview individuals who successfully complete the training. Program proposals that focus on priority populations will receive additional points in the scoring process.

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; and
- 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 UWT program have been exhausted.

ELIGIBLE BIDDERS

EET 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.

UWT Program

- Private sector for-profit businesses, including corporations, LLCs, LLPs, etc. with two or more employees, or the equivalent of two full-time employees;
- Private sector not-for-profit businesses with two or more employees, or the equivalent of two full-time employees;
- Public sector not-for-profit business with two or more employees, or the equivalent of two full-time employees;
- 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. Private sector for-profit businesses, private and public sector not-for-profit businesses and 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 bidders 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.
- Private 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 private not-for-profit organizations before the contract execution of successful bidders. Failure to do so will mean that their contracts will not be executed. Private not-for-profit organizations will be able to submit their responses online, and, once reviewed and approved by a state agency prequalification specialist, the private not-for-profit organization will be able to complete the contracting process, and all information will be stored in a virtual, secured vault. Private not-for-profit organizations must keep their information current throughout the three-year period, including uploading annual documents (990, etc).

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 bidder. Please note that there are two NYSDOL Workforce Development programs available under this solicitation: the EET Program and the UWT Program. Eligible bidders may apply for funding under one or both of these programs. However, the maximum award that a bidder may receive is \$100,000 regardless of the number of NYSDOL programs for which it applies.

For those bidders applying for both of the NYSDOL programs under this CFA, funds for both programs cannot be combined to use on the same trainees. For example, a bidder may not use UWT funds to train an underemployed worker on-the-job and then use EET 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 NYSDOL CFA Programs have no match requirements, but leveraged funds will factor in the scoring of proposals.

Contracts:

The start date for all contracts resulting from this solicitation may be no earlier than the date of the award letter issued by NYSDOL.

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 solicitation 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 solicitation will be awarded for a period of up to one year and will operate on a cost reimbursement basis. Only private or public not-for-profit organizations and LWDBs funded under the UWT Programs and private not-for-profit organizations under the EET program 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 solicitation. 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 successful bidder on a cost reimbursement basis, meaning that a grantee must first pay the expenses 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 Krista Barringer, 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- 8392.

Bidders may submit questions via electronic mail (CFA@labor.ny.gov). Questions regarding this solicitation will be accepted no later than July 18, 2018. 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 20, 2018.

The full Request for Proposals (RFPs) 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 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 2018 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. In addition, special consideration shall be given to projects supporting Regional Economic Development Council Opportunity Agenda priorities and Downtown Revitalization Initiative projects.

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