



# 2012 Available CFA Resources



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# OVERVIEW

As part of Governor Cuomo's efforts to improve New York's business climate and expand economic growth, in 2011 the governor created ten Regional Economic Development Councils (Regional Councils) and the Consolidated Funding Application (CFA).

The Regional Economic Development Councils developed strategic plans with advice from a broad spectrum of stakeholders taking into account the unique strengths and weaknesses of each region. The strategic plans serve as a 5-year road map guiding each region's efforts to stimulate economic growth.

The CFA has been designed to give economic development project applicants expedited and streamlined access to a combined pool of grant funds and tax credits from dozens of existing programs. The CFA is a modern and easy-to-use online application that allows businesses and other entities to apply for multiple agency funding sources through a single, web-based application.

In 2012, the Regional Councils will focus on implementation of each region's strategic plan and continue to identify and invest in significant economic development projects. The governor has directed approximately \$750 million in state resources to be made available in 2012 to support economic development priorities of the strategic plans and job creation across the state. Of this, up to \$530 million from state agency programs will be available to applicants through the CFA to support economic development projects that are in alignment with the Regional Council's strategic plans.

Improvements to the CFA in 2012 have made it an even more business-friendly and productive tool for economic development. It will remain the primary portal for businesses to access state agency resources, including resources for community development, direct assistance to business, waterfront revitalization, energy and environmental improvements, sustainability, workforce development, agricultural economic development and low-cost financing.

State agencies and authorities making resources available in the 2012 CFA include: Empire State Development (ESD); NYS Canal Corporation (Canals); NYS Energy Research and Development Authority (NYSERDA); Environmental Facilities Corporation (EFC); Homes and Community Renewal (HCR/OCR); Department of Labor (DOL); Parks, Recreation and Historic Preservation (Parks); Department of State (DOS); New York Power Authority (NYPA); Agriculture and Markets (Ag & Markets); Department of Environmental Conservation (DEC); and the Council on the Arts (NYSCA).

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 minority-and women-owned business enterprises ("M/WBE") contract goals. Governor Cuomo has established a goal of expanding M/WBE participation in state contracting to 20%. For more information with regard to the M/WBE requirements, please contact the appropriate Regional Council in your project area for assistance.

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

### **Available resources through the Consolidated Funding Application process:**

#### **Direct Assistance to Businesses: Up to \$247 million**

##### ***Empire State Development***

- Up to \$ 150 million for Regional Council Capital Fund
- Up to \$ 70 million for Excelsior Jobs Tax Credits
- Up to \$ 20 million for Empire State Economic Development Fund
- Up to \$ 4 million for Urban and Community Development Program
- Up to \$ 3 million for Regional Tourism Marketing Grant Initiative (I LOVE NEW YORK Fund)

#### **Community Development: Up to \$61.2 million**

##### ***Homes and Community Renewal***

- Up to \$ 28 million in Community Development Block Grant (CDBG) Funding
- Up to \$ 5.2 million for the New York Main Street Program
- Up to \$ 4 million Urban Initiatives Program
- Up to \$ 4 million Rural Assistance Revitalization Projects

##### ***Office of Parks, Recreation and Historic Preservation***

- Up to \$ 16 million for Municipal Parks, Historic Preservation, and Heritage Area Projects

##### ***New York State Council on the Arts***

- Up to \$ 4 million New York State Council on the Arts Grant Program

#### **Agricultural Economic Development: Up to \$3 million**

##### ***Agriculture and Markets***

- Up to \$ 3 million Agriculture Development Program

#### **Waterfront Revitalization: Up to \$16 million**

##### ***Department of State***

- Up to \$ 15 million for Local Waterfront Revitalization

##### ***Canal Corporation***

- Up to \$ 1 million for the Canalway Grants Program

#### **Environmental Improvements: Up to \$3 million+**

##### ***Environmental Facilities Corporation***

- \$ TBD million Green Innovation Grant Program

##### ***Department of Environmental Conservation***

- Up to \$ 2 million for Clean Water State Revolving Fund Engineering Planning Grant Program  
***Empire State Development***
- Up to \$ 1 million Environmental Investment Fund

**Energy Improvements: Up to \$50 million**

***Energy Research and Development Authority***

- Up to \$ 50 million Energy Efficiency and Renewable Energy Projects and Programs  
***New York Power Authority***
- ReCharge New York

**Sustainability: Up to \$12 million**

***Energy Research and Development Authority***

- Up to \$12 million for Regional Economic Development and Greenhouse Gas Reduction Program

**Workforce Development: Up to \$5 million**

***Department of Labor***

- Up to \$ 5 million for Workforce Investment Act-related training and workforce development activities

**Low-Cost Financing: Up to \$350 million**

- Up to \$ 350 million for government tax-exempt bonds for private projects with a public purpose

# DIRECT ASSISTANCE TO BUSINESS

## Empire State Development Grant Funds (Up to \$174 Million)

### DESCRIPTION:

ESD has several grant programs that together make available \$174 million of capital grant funding 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"). The programs that are included under this category are:

- **Regional Council Capital Fund (Up to \$150 million)**
- **Empire State Economic Development Fund (Up to \$20 million); and**
- **Urban and Community Development Program (Up to \$4 million)**

Capital grant funding will be allocated among the ten regions, each represented by a Regional Council, based on the implementation of the Strategic Plan and will be allocated to priority projects identified by the Regional Councils as significant, regionally supported and capable of stimulating economic investment.

Funding is available for capital-based economic development initiatives intended to create or retain jobs; prevent, reduce or eliminate unemployment and underemployment; and/or increase business activity in a community or region. Based on project type and location, ESD will determine which grant fund is the best fit for a project. Capital grant funding will be awarded by the New York State Urban Development Corporation (d/b/a Empire State Development) at its discretion.

Funding will be allocated among the state's ten regions, each represented by a Regional Council, through a process that includes each Regional Council's development and implementation of a five-year strategic plan ("Strategic Plan") for its region that sets out a comprehensive vision for economic development and specific strategies to implement that vision.

### 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.

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

## **ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

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 (or 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 beneficiary to potential recapture of assistance.

### **2. Infrastructure Investment:**

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

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

### **3. Economic Growth Investment:**

An Economic Growth Investment initiative fosters economic growth through cultural activity, higher education activity, regional revolving loan and grant programs, other local or regional initiatives, agribusiness initiatives, commercial revitalization activities in central business districts or commercial strips, or other projects that may not have direct job creation goals. Economic growth investment projects that are able to provide direct job commitments will be viewed favorably.

### **FUNDS MAY BE USED FOR:**

- Acquisition or leasing of land, buildings, machinery and/or equipment;
- Acquisition of existing business and/or assets;
- 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 capital project.



**PRE-APPLICATION REQUIREMENTS:**

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.

**SUCCESSFUL APPLICANT REQUIREMENTS:**

Applicants must complete a Consolidated Funding Application (CFA) for review by ESD and Regional Councils.

**SPECIFIC FUNDING REQUIREMENTS:**

ESD generally seeks to provide no more than twenty percent (20%) of the financing for any particular project and generally requires ten percent (10%) equity in all projects. Applicants must always disclose whether they are pursuing or intend to pursue multiple ESD funding sources, including loans, grants and tax incentives.

**INELIGIBLE ACTIVITIES:**

The following types of expenses may be included in budgets but shall not be eligible for payment:

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

**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 business enterprises.

**AWARD CRITERIA DETAILS:**

- Funding awards will be documented in the form of an incentive proposal outlining the terms of the proposed assistance, which is conditioned upon approval of the ESD Directors and compliance with applicable laws and regulations. Funds may only be used for expenses incurred after an ESD incentive offer letter has been countersigned by the Applicant.
- 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 generally are disbursed in arrears, as reimbursement for expenses undertaken.
- Projects generally are presented to the ESD Directors once all project expenditures have been undertaken and disbursement of ESD assistance is sought.
- In accordance with State law, after approval by the ESD Directors, a public hearing may 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 grant. 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.

#### **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 (Up to \$70 million in tax credits)**

#### **DESCRIPTION:**

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

Firms in the Excelsior Jobs Program may qualify for four new, fully refundable tax credits. Businesses claim the credits over a 10 year period. To earn any of the following credits, firms must first meet and maintain the established job and investment thresholds.

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

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

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

**The Excelsior Real Property Tax Credit:** Available to firms locating in certain distressed areas (see Investment Zone list below) 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:**

**Financial Services Data Centers or Financial Services Customer Back Office Operations:**

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.

**Manufacturing:** The process of working raw materials into products suitable for use or which gives new shapes, new quality or new combinations to matter which has already gone through some artificial process by the use of machinery, tools, appliances, or other similar equipment. "Manufacturing" does not include an operation that involves only the assembly of components, provided, however, the assembly of motor vehicles or other high value-added products shall be considered manufacturing.

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

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

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

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

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

**PRE-APPLICATION REQUIREMENTS:**

N/A

**SUCCESSFUL APPLICANT REQUIREMENTS:**

If the application is approved, then within the available credits each year, ESD will enter into a formal agreement with the firm that clearly states the tax credits as well as the job and investment requirements for each year. A firm may only claim tax credits after demonstrating that it meets the minimum eligibility criteria.

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.

**FUNDING PRIORITIES:**

The Program is limited to firms in strategic industries 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 all firms in targeted industries creating new jobs in New York. Twenty-five percent is set aside for the Investment Track firms who have at least 50 employees and make significant new capital investments in a New York facility and which 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, 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:**

Participation in the Program and the amount of credits authorized is at the discretion of the Commissioner.

**AWARD CRITERIA DETAILS:**

The Program is limited to firms in strategic industries with minimum eligibility criteria. Every firm approved for participation in the program is eligible to apply for the Jobs Tax Credit, the

Investment Tax Credit, and the R&D Tax Credit. Only certain categories of firms located within an Investment Zone or meeting the Regionally Significant project minimum criteria are eligible to also apply for the Real Property Tax Credit.

**ADDITIONAL RESOURCES:**

Program Contact: 518/292-5240

<http://esd.ny.gov/BusinessPrograms/Excelsior.html>

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**EXCELSIOR JOBS PROGRAM**

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**INVESTMENT ZONES****CAPITAL REGION**

TROY  
ALBANY CITY  
SCHENECTADY  
COLUMBIA COUNTY

**FINGER LAKES REGION**

ROCHESTER  
GENEVA

**LONG ISLAND REGION**

ISLIP  
BROOKHAVEN  
NASSAU (VILLAGE AND TOWN OF HEMPSTEAD)

**NEW YORK CITY REGION**

EAST NY  
PORT MORRIS  
SOUTH JAMAICA  
EAST HARLEM  
HUNTS POINT  
SOUTHWEST BROOKLYN  
FAR ROCKAWAY  
NORTH BROOKLYN  
WEST SHORE STATEN ISLAND  
CHINATOWN/LOWER EAST SIDE  
STATEN ISLAND (NORTH SHORE)

**MOHAWK VALLEY REGION**

GLOVERSVILLE  
UTICA  
ROME  
AMSTERDAM  
OTSEGO

**SOUTHERN TIER REGION**

ELMIRA  
NORWICH  
STEBEN COUNTY  
SCHUYLER COUNTY  
BROOME COUNTY  
(VILLAGE OF JOHNSON CITY)  
(CITY OF BINGHAMTON)

**CENTRAL NEW YORK**

SYRACUSE  
AUBURN  
OSWEGO  
FULTON  
CORTLAND

**MID-HUDSON REGION**

YONKERS  
ORANGE COUNTY  
SULLIVAN COUNTY  
MOUNT VERNON  
KINGSTON-ULSTER (CITY OF KINGSTON)  
DUTCHESS (CITY OF POUGHKEEPSIE)  
ROCKLAND  
(WEST HAVERSTRAW/STONY POINT)  
(SPRING VALLEY/NANUET)

**NORTH COUNTRY REGION**

OGDENSBURG  
PLATTSBURGH  
WATERTOWN  
POTSDAM

**WESTERN NEW YORK REGION**

LACKAWANNA  
NIAGARA FALLS  
FRIENDSHIP  
JAMESTOWN  
BUFFALO  
DUNKIRK/SHERIDAN  
TONAWANDA  
CATTARAUGUS (CITY OF SALAMANCA)

## **Regional Tourism Marketing Grant Initiative (I LOVE NEW YORK Fund) (Up to \$3 million)**

For the 2012-2013 Fiscal Year, \$3 million has been appropriated by the Legislature for Regional Tourism Marketing Grant projects which promote regionally themed marketing projects and promote tourism destinations, attractions, events and other tourism-related activities that work to support the Regional Council long term strategic plans for economic growth in their regions, as well as to attract visitors to New York State.

**There is no match requirement for this program.**

Upon application, the applicant must be able to provide proof of their financial capacity to perform the project.

### Eligible Entities

Entities that may apply for the Regional Tourism Marketing Grant Initiative awards are non-profit organizations, municipalities and public benefit corporations.

ESD will be accepting applications for business attraction marketing campaigns or regionally-themed marketing projects which promote tourism destinations, attractions, events and other tourism-related activities that will attract visitors to New York State.

The regional tourism marketing project must demonstrate working with region wide partners and/or how an event will work to forward the strategic goals of the overall Regional Council's strategic plan. Plans should also present an integrated thematic approach to marketing/promotion that looks to align with I LOVE NEW YORK and its current marketing campaign. Any use of the I LOVE NEW YORK logo must be approved by ESD and conform to ESD guidelines.

### Payment

Payment will be on a reimbursement basis, up to the total award amount. Reimbursement requests are required to be made on a periodic basis per the schedule in the "Reporting" section of these guidelines.

### Non-Binding Authority

These guidelines do not apply to or have binding authority on the State's already existent Tourism Matching Funds Grant program.

### Reporting

Progress reports and requests for reimbursement will be submitted on a periodic basis. Reporting dates will be established in the contract. Even if there is no action or cost incurred



for the project for a specific reporting period a report must be submitted stating that no action or cost has been incurred in that reporting period. Reports are due no later than:

## **TOURISM MARKETING PROJECT OVERVIEW**

### Marketing Plan

A project marketing plan, to be digitally attached to online CFA application, is encouraged to include, but is not limited to:

- information about target audience/geographic/demographic data;
- a timeline of the overall project, including specific dates of milestones;
- a detailed budget;
- a brief summary of the specific roles/duties of all partners;
- any information, metrics and/or research demonstrating success of similar projects and/or to show that the project is tourism or business attraction driven and based on Regional Council priority projects and/or strategic goals;
- a description and/or illustration of how the project proposes to market regionally thematically related assets/activities in a region or multiple region wide campaign that works to support the Regional Council long term strategic plans in their regions, as well as align with I LOVE NEW YORK's current marketing campaign;
- any additional information necessary to illustrate that the marketing project will:
  - introduce a new approach/product;
  - offer a competitive advantage;
  - offer a unique product of New York State or the region;
  - demonstrate an effective implementation;
  - utilize unique tools to carry out this project.

### I LOVE NEW YORK Alignment

The project marketing plan should include how the marketing elements will work to align with the overall I LOVE NEW YORK program and/or the current I LOVE NEW YORK marketing campaign.

Goals: This program should increase tourism dollars by improving customer engagement and/or promote regional assets to help build a sustainable economy based on the Regional Council(s) goals and/or priority projects.

### Eligible Expenses

Eligible costs are generally those incurred by personnel engaged in development and delivery of a regionally-based tourism marketing project and non-personnel costs in support of the project. These may include but not be limited to: the purchase of recognized media advertising; production costs of audio/visual; licensing/talent fees to ensure ownership of

finished product; personnel costs (ex. social media, consultants, etc.); tourism center marketing costs (ex. displays, updates, etc.); website design/updates; mailing project for fulfillment of program collateral, costs of direct mail campaigns, costs of brochure and film distribution services and mailing house costs; research projects designed to stimulate and increase the volume of tourist travel, resort, vacation, culture, and convention activities within New York State; travel that is related to the project and approved by ESD prior to incurring any travel related costs; and the cost of the necessary administrative functions (administrative costs) which the grantee incurs as a result of operation of a Regional Tourism Marketing Grants project and which are not customarily paid by the organization or another grant program. Administrative costs are eligible for up to a maximum of 10% of the total project cost.

#### Ineligible Expenses

- State funds granted under this program may not be used for food, alcohol, entertainment, or other expenses deemed ineligible by ESD.
- Costs incurred prior to the date of application approval that is referenced in the written Regional Tourism Marketing Grants Initiative award commitment letter are not eligible and cannot be included in the project budget.
- Expenses reimbursed from any other source or agency may not be claimed for reimbursement.

#### **Review/Scoring**

A CFA will be scored by each Regional Council in which the proposed project will take place. In cases where an applicant is proposing a project covering multiple regions, the Councils from each region will provide scores.

In addition to review and scoring by the Regional Councils (which will account for 20% of an applicant's score), applications will undergo due diligence and technical review by State agencies (which will account for 80% of an applicant's score) administering the grant programs included in the 2012 CFA.

ESD will establish an internal technical review committee that will score each eligible application based on the following criteria:

#### Regionally Thematic Alignment

(Category Total 35 pts)

- How well does the theme and/or scope of this project look to support the Regional Economic Development Council strategic plan for the region the project is taking place? **[15pts]**
- How well does the project propose to market regionally thematically related assets/activities in a campaign or tourism region that aligns with I LOVE NEW YORK's current marketing campaign? How well does it illustrate that the project is results driven? How sufficient is the evidence of quantified results? **[10pts]**

- Would the theme/project drive overnight tourism? Does the project encourage visitors to drive 50+ miles? Bring in visitors from outside New York State? **[10pts]**

Budget/ Marketing Capability / Ability to Deliver

(Category Total: 35 pts)

- How clear/detailed was the budget in demonstrating detailed anticipated or actual costs? Does the allocation of funds support the deliverables in the allocation? Does the applicant demonstrate the fiscal capacity to deliver if an award is made? **[20pts]**
- How realistic was the timeline provided, did it include milestones of the overall project, including specific dates milestones are to take place? How detailed/clear was the marketing plan? How appropriate is the mix of partners? How well are the specific roles/duties of the partners outlined? Does each partner benefit from the promotion proposed in the grant application? **[10 pts]**
- Did the project provide any information and/or research to show past success of similar projects? Does the application provide clear metrics to determine impact quantitatively or qualitatively for the overall project? Does it provide target audience/geographic/demographic data? **[5 pts]**

Innovation/Effectiveness

(Category Total: 30 pts)

- How well does the applicant demonstrate an effective implementation? Are unique tools utilized to carry out this project? And how appropriate are these methods or tools? Is there sufficient supporting evidence of how the project will effectively be executed? Does the applicant use various other technologies and linkages to other social networks (i.e. Twitter, Facebook, Google and YouTube) **[15 pts]**
- Did the project introduce a new approach/product? Will the project offer a distinct/differentiated product? Or offer a competitive advantage? Does the project offer a unique product or compelling message of New York State or the region? **[15 pts]**

**Awards**

Subject to final approval by the funding agency, awards will be based on a composite of the State agency technical review and the Regional Council endorsement. Each agency has in place an approval and disbursement process, which may require applicants to sign contracts or letters of commitment and submit supporting documents such as verifications of eligibility, tax status, and municipal resolutions.

**MORE INFORMATION/ASSISTANCE**

For more information or clarification regarding these guidelines or the Regional Tourism Marketing Grant Initiative (I LOVE NY Fund) please contact the New York State Division of Tourism staff at [RegionalTourism@esd.ny.gov](mailto:RegionalTourism@esd.ny.gov) and/or 518.292.5360.

## COMMUNITY DEVELOPMENT

### Homes and Community Renewal – Community Development Block Grant Program (Up to \$28 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 New York State Housing Trust Fund Corporation (HTFC).

NYS CDBG funds provide **small** communities and counties in New York State with a great opportunity to undertake activities that focus on community development needs such as creating or expanding job opportunities, providing safe affordable housing, and/or addressing local public infrastructure and public facilities issues. The primary statutory objective of the CDBG program is to develop viable communities by providing decent housing and a suitable living environment by expanding economic opportunities, principally for persons of low and moderate income.

#### 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) Economic Development, (2) Small Business Assistance, (3) Public Infrastructure, or (4) Public Facilities.

##### 1) Economic Development:

The NYS CDBG Economic Development program consists of two funding activities: Economic Development and Small Business Assistance. 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 Economic Development funds include, but are not limited to: acquisition of real property; financing of machinery, furniture, fixtures and equipment; building construction and renovation; working capital; inventory; and employee training expenses. Funds awarded under the NYS CDBG Small Business program may not be used for new construction activity.

#### Economic Development:

Eligible non-entitlement units of local government must apply on behalf of the business seeking NYS CDBG funds. Funding is provided for traditional economic development activities such as business attraction, expansion, and retention projects to provide financial assistance to for-profit businesses for an identified CDBG eligible activity. The project must result in the creation or retention of permanent job opportunities principally benefitting low and moderate income persons.

- NYS CDBG can fund up to 40% of a total project cost.
- A minimum of one (1) full-time equivalent job must be created or retained for every \$15,000 in NYS CDBG funds.
- NYS CDBG funds should be used as gap funding to induce project completion.

**Small Business Assistance:**

Eligible non-entitlement units of local government must apply on behalf of the small business seeking NYS CDBG funds. Funding is provided to eligible communities to foster small business development and growth while providing job opportunities for persons from low and moderate income families. For the purposes of the NYS CDBG Small Business Assistance program, a small business is defined as a commercial enterprise that is independently owned, operated, and controlled, and has twenty five (25) or fewer full-time equivalent employees at the time of application.

- NYS CDBG can fund up to 40% of a total project cost.
- A minimum of one (1) full-time equivalent job must be created or retained for every \$25,000 in NYS CDBG funds.
- A minimum of 20% owner equity contribution to the project is required. However, the required equity contribution may be reduced to 10% if the project qualifies as “Green”. The CDBG Green Incentive Checklist must be completed and submitted in the CFA.

**2) Public Infrastructure (water/sewer/stormwater):**

The NYS CDBG Public Infrastructure program consists of, but is not limited to, water source development, storage, and distribution; sanitary sewage collection and treatment; flood control and storm water drainage. Projects may include ancillary public works components such as sidewalks, streets, parking, open space, and publicly-owned utilities. Eligible projects 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. Applications requesting funding solely for residential water and sewer lateral connections are considered for funding under the NYS Homes and Community Renewal Unified Funding, CDBG Housing Funding Category, which is not part of the CFA. For information on HCR's Unified Funding and eligible funding activities see the OCR website at <http://nysdhcr.gov/AboutUs/Offices/CommunityRenewal/FundingOpportunities.htm>.

**3) Public Facilities:**

The NYS CDBG Public Facility program activities include, but are not limited to, structures to house or serve special-needs populations; senior services; child care centers; removal of architectural barriers for the disabled (installing lifts, automatic doors, ramps, etc.); and multi-purpose buildings housing several qualifying activities where benefits are provided principally to low and moderate income persons. NYS CDBG funds can be used for construction or renovation of facilities, but cannot be used to cover the day-to-day operational costs, nor can funds be used for buildings that are primarily for the general conduct of government business (e.g. town halls). Any public facility funded with NYS CDBG funds must be maintained in the same capacity as funded for a period of five (5) years after the project is formally closed out by OCR. OCR reserves the right to inspect such facilities during the five (5) year period to substantiate compliance.

**ACTIVITY FUNDING LIMITS:**

**Town, Cities or Villages:**

Economic Development

**\$100,000 - \$750,000**

Small Business Assistance

**\$25,000 - \$100,000**

Public Infrastructure (water/sewer/stormwater only)

**\$600,000**

Public Facilities

**\$400,000**

**Counties:**

Economic Development

**\$100,000 - \$750,000**

Small Business Assistance

**\$25,000 - \$100,000**

Public Infrastructure/Public Facilities (including public works)

**\$750,000**

**Joint Applicants:**

Public Infrastructure (water/sewer/stormwater only)

**\$900,000**

**ELIGIBLE TYPES OF APPLICANTS:**

Eligible applicants include non-entitlement villages, cities, towns or counties throughout New York State, 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. For Economic Development projects, eligible applicants must apply on behalf of the business seeking CDBG funds. Awards are made to the applicant community and not directly to businesses. For a list of eligible communities, please visit:

<http://nysdhcr.gov/Programs/NYS-CDBG/EligibleCommunities.htm>.

#### **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, as amended, which can be viewed here:

<http://www.nyshcr.org/Publications/ConsolidatedPlan/ConsolidatedPlan2011.pdf>. These require applicants to follow a citizen participation plan providing for a minimum of one public hearing held prior to the submittal of an application and making the application available to the public for inspection at the municipal office(s). Upon award, a recipient of CDBG funds must hold a minimum of one public hearing to report project accomplishments.

#### **SUCCESSFUL APPLICANT REQUIREMENTS:**

Applications must include the documents listed below. Depending on the specifics of the project, additional information and documentation may be required.

#### **For Economic Development & Small Business Applications**

##### Business Information:

- Business plan, with resumes of principals, market analysis, marketing strategy, and impact on local competitors.
- A written commitment from the business that it will make at least 51% of the jobs on a FTE basis available to LMI persons as well as a commitment of the equity contribution proposed in the budget.
- A description of the hiring process when indicating that at least 51% of the jobs will be taken by LMI persons.

##### Business Financial Information:

- Business financial statements for each of the past three years (balance sheets and income statements), including all notes and disclosures.
- Past three years business federal income tax returns, complete copies.
- Current business financial statements (less than 60 days old).
- Current business debt schedule (corresponds to current balance sheet).
- Projected business debt schedule (with CDBG and other new debt).
- Monthly cash flow projections for two years, with and without CDBG.
- Projected balance sheet and profit and loss statement for three years with and without CDBG.

##### Personal Financial Information:

- Current personal financial statement of principal(s) with 20 percent or more ownership (less than 60 days old).

- Past three year's personal federal tax return (complete copies) for each principal with 20 percent or more ownership.

Source Documents:

- Commitment letter(s) from all other funding sources, including proposed terms.
- Third party cost estimates, including documentation of the cost of real property, acquisition, construction/rehabilitation, and/or equipment costs.

Documentation of State Environmental Quality Review (SEQR) Compliance:

- Exhibit 2-3A Certificate of SEQRA Classification.
- Short Environmental Assessment Form if classified as an Unlisted Action or Full Environmental Assessment Form (Long EAF) for Type I Actions.

Compliance with Citizen Participation requirements:

- Copy of public hearing notice(s).

**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.

Source Documents:

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

Documentation of State Environmental Quality Review (SEQR) Compliance:

- Exhibit 2-3A Certificate of SEQRA Classification.
- Short Environmental Assessment Form if classified as an Unlisted Action or Full Environmental Assessment Form (Long EAF) for Type I Actions.

Compliance with Citizen Participation requirements:

- Copy of public hearing notice(s).



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. 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 pursuant to the National Environmental Policy Act of 1969 (NEPA).** Recipients incur costs prior to the Release of Funds at their own risk. In addition, 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://nysdhcr.gov/Programs/NYS-CDBG/GrantAdministration.htm>.

#### **FUNDING PRIORITIES:**

Priority will be provided to projects that demonstrate a clearly defined need, address specific community and economic development priorities, and meet the objectives of the New York State Community Development Block Grant Program.

#### **INELIGIBLE ACTIVITIES:**

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

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.

With the exception of the NYS CDBG Economic Development Program, the purchase of equipment with CDBG funds is generally ineligible. Recurring expenses associated with repairing, operating or maintaining public facilities, improvements and services are also ineligible.

#### **SELECTION CRITERIA:**

##### **Economic Development and Small Business Assistance:**

Applications within the funding categories of Economic Development and Small Business Assistance are rated and scored using the criteria below. Applications are evaluated and ranked against all applications within the Economic Development 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 or retain permanent, full-time equivalent jobs for persons from low- to moderate-income families.

### **Implementation – 20 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 reasonableness of the project costs.

### **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.

### **Performance Measures – 20 Points**

- The number of jobs created/retained in relation to CDBG investment (CDBG cost per job created/retained).
- 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.
- The demonstrated viability of the business.
- The project’s alignment with green principles and sustainable development practices.
- The overall quality of the jobs to be created/retained, and the ability for future advancement of the employees.

## **Public Infrastructure (water/sewer/storm water) and Public Facilities:**

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

## **Criteria – 100 Points**

### **Total Vision and REDC Strategies – 20 points**

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

### **Municipal Poverty Score - 20 Points**

- Absolute number of persons in poverty (10 points)

Available Census data will be used to determine the absolute number of persons in poverty residing within the Applicant’s unit of general local government. Applicants which are county governments are rated separately from all other Applicants. Individual need scores are obtained by dividing each Applicant’s absolute number of persons in poverty by the greatest number of persons in poverty of any Applicant and multiplying by 10.

- Percent of persons in poverty (10 points)

Available Census data will be used to determine the percent of persons in poverty residing within the Applicant's unit of general local government. Individual need scores are obtained by dividing each Applicant's percentage of persons in poverty by the highest percentage of persons in poverty of any Applicant and multiplying by 10.

**Project Assessment Points – 60 Points**

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

**Public Infrastructure:**

**Need** - 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** - 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; and
- 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** - 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** - The degree to which the applicant has demonstrated:

- a need and market for the project and the services to be provided; and
- 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** - 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; and
- the project design includes components accommodating mobility, visual, and auditory handicaps where relevant.

**Financial Capacity** - 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; and
- 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 - 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; and
- the ability to complete the proposed project/program within the 24-month term of the grant agreement.

**Prior Performance** - The degree to which the applicant has demonstrated:

- 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); and
- the ability to resolve grant administration issues in a timely manner and to address the issues for all grants and Program Years.

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.

#### **AWARD CRITERIA DETAILS:**

##### **Eligible Area, City, County Population Limits Or Population Target Types:**

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

##### **Limitations:**

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

##### **Long Range Goals:**

Based on the HUD approved 2011-2015 Consolidated Plan, New York State outlined long-term goals for the NYS CDBG program over the five-year period as outlined in the plan. For the NYS CDBG Economic Development program, the goal is to assist 150 businesses with creating 5,000 jobs. For the NYS CDBG Public Infrastructure program, the goal is the completion of 100 public infrastructure projects serving 250,000 people. For the NYS CDBG Public Facilities program, the goal is the completion of 25 public facilities projects serving 50,000 people.

##### **Project Term Completion Dates:**

Recipients of CDBG 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.

#### **MATCHING FUND REQUIREMENTS / DEADLINES:**

##### Economic Development

Up to 40% of a total project cost can be funded with CDBG funds for projects seeking Economic Development and Small Business Assistance program funds. Additionally, a minimum of 20% owner equity contribution is required for projects seeking funding through the Small Business Assistance program. For the Small Business Assistance program, the equity contribution may be reduced to 10% if the project qualifies as “Green” per the Office of Community Renewal criteria contained on the Green Incentive Checklist.

#### **ADDITIONAL RESOURCES:**

For more information, eligible applicants should contact New York State Homes and Community Renewal, 38-40 State St, Albany, New York 12207, call (518) 474-2057 or visit:

<http://nysdhcr.gov/AboutUs/Offices/CommunityRenewal/FundingOpportunities.htm>.

## **New York Main Street Program (Up to \$5.2 million)**

#### **DESCRIPTION:**

The New York Main Street (NYMS) Program was created by the New York State Housing Trust Fund Corporation (HTFC) in 2004 to provide resources for the purpose of assisting New York’s communities with Main Street and downtown revitalization efforts. Article 26 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 New York State Housing Trust Fund Corporation.

NYMS endeavors to stimulate reinvestment in properties located within mixed-use commercial districts and adjacent neighborhoods by providing resources with the goal of establishing sustainable downtown and neighborhood revitalization and investing in projects that provide economic development and housing opportunities.

#### **ELIGIBLE ACTIVITIES:**

Applicants may request between \$50,000 and \$250,000 for two eligible activities:

Building Renovation: Matching grants to building owners for renovation of mixed-use buildings. Recipients of NYMS funds may award up to \$50,000 in grant funds to building owners. Building renovation grant funds are used to renovate facades, storefronts and commercial interiors, with an additional \$10,000 per residential unit up to a per building maximum of \$100,000.

Streetscape Enhancement: Up to \$15,000 in grant funds for streetscape enhancement activities, such as: planting trees, installing street furniture and trash cans; providing appropriate signs in accordance with a local signage plan; and performing other supportive activities to enhance the NYMS target area. A streetscape enhancement grant will only be awarded as an activity ancillary to a building renovation project and cannot be applied for on its own.

**ELIGIBLE TYPES OF APPLICANTS:**

Eligible applicants for the NYMS Program include cities, towns, villages or counties throughout New York State, and not-for-profit corporations that are incorporated under the NYS Not-for-Profit Corporation Law, which includes community-based organizations, business improvement districts, and other similar entities that have been providing relevant service to the community for at least one year prior to application.

Applicants are encouraged to identify well-defined Main Street areas to maximize the impact that the local program will have on the community. There is a preference for funding proposals where contiguous buildings will be assisted, maximizing the impact of the investment. 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.

The Target Area Eligibility: Project must be located in an eligible target area. 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 of low income, or which is designated by a state or federal agency to be eligible for a community or economic development program.

**PRE-APPLICATION REQUIREMENTS:**

Each municipality in which the proposed program will function must approve a formal resolution supporting an application for the proposed NYMS program. The resolution must be on official stationary 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.

**FUNDING PRIORITIES:**

A proposed 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.

**INELIGIBLE ACTIVITIES:**

Ineligible uses of funds include: acquisition costs; new construction (including in-fill buildings); capitalizing a revolving loan fund; improvements to churches, synagogues, and other religious structures and improvements to municipally-owned buildings used for municipal purposes.

NYMS funds cannot be used for demolition of an entire structure. Necessary interior demolition may be permitted.

Non-permanent fixtures, furnishings, appliances and business equipment are not eligible uses of NYMS funding.

NYMS funds may not be used for site work or ancillary activities on a property including septic systems or laterals, grading, parking lots, sidewalks, landscaping, fences, free standing signs or general maintenance.

**SELECTION CRITERIA – UP TO 100 POINTS****Total Vision and REDC Strategies –20 points**

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, as this will form the basis for the impact score in the following section. Each application will be rated in comparison with all other applications received.

- Residential need (up to 5 points) - Evaluates the severity of need for affordable housing or rehabilitation of the existing housing stock and vacant buildings in the proposed target area. Included in this analysis should be housing availability for median-income residents and the extent of substandard housing in the target area, based on measures such as age, extent of known deficiencies, and health, safety, and code violations.
- Commercial need (up to 5 points) - Evaluates the extent of need for commercial investment in the proposed target area that the private sector alone has been unable to provide. This evaluation will be based on objective measures of need, such as commercial vacancy rates, degree and history of disinvestment, unemployment, and other socio-economic and labor market data provided by the applicant. Applicants that empirically demonstrate substantial need for public investment in the proposed target area will receive maximum points.

**Impact - 30 Points**



Measures the extent to which the activities described in the application will have a positive public benefit and sustainable positive impact on the target area and surrounding community and neighborhoods. In part, this rating is based on the proposed strategy of using NYMS resources to stimulate private investment to revitalize the targeted commercial area and nearby residential neighborhoods.

- Residential impact (up to 8 points) - Evaluates the likelihood that investment of NYMS funds will preserve or improve housing units in the Main Street district. Projects or programs that propose meeting affordable housing needs in the target area through the creation of residential units on upper floors of mixed use buildings are strongly encouraged. Applications determined to have the greatest impact on increasing the availability of quality, affordable housing, when compared with all other applications, will receive the highest scores.
- Commercial impact (up to 8 points) - Evaluates the likelihood that investment of NYMS funds will improve the aesthetics of the Main Street commercial corridor, spur investment of private resources, and mobilize additional resources to sustain Main Street physical and commercial assets. Applications determined to have the greatest impact on business conditions, when compared with all other applications, will receive the highest scores.
- Local Initiative (up to 5 points) - 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. The existence of active community-based downtown revitalization efforts will enhance an applicant's score in this area.
- Design (up to 4 points) - Applicants must outline a process for project design review in the NYMS Program application. The highest scores will be awarded to proposals in communities that have existing design standards and have identified the necessary resources to work with building owners to enhance the physical appearance of the commercial area by preserving historic buildings and developing sensitive design management systems.
- Business Strategy & District Promotion (up to 5 points) - 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. Applicants that demonstrate the capacity to grow the district's existing economic base to find new opportunities, while meeting the challenges of commercial sprawl, will receive the highest scores. Consideration is also given to applicants who demonstrate a strong understanding of current economic conditions in the district, identify opportunities for market growth, and provide plans for monitoring the economic performance of the district.

### **Leveraging - 10 Points**

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

### **Implementation Capacity - 30 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 (up to 5 points) - Up to 5 points for performance history are available to applicants who are administering an open NYMS contract where substantial expenditure or funding commitments have been achieved and sufficient progress has been made. These points are also available to applicants who have successfully and effectively completed previous NYMS contract obligations. Applicants who have not previously participated in the NYMS program but who have a successful record of achievement within the community where the proposed Main Street target area is located, and have assembled a team with experience in community development, housing rehabilitation, or commercial revitalization in mixed-use districts on a scale comparable to the proposed program or projects will be eligible for up to five points as well.
- Implementation Capacity (up to 25 points) – Proposals that have identified specific projects, obtained local approvals, and have necessary organizational structures and procedures in place to implement the proposed projects or programs, without delay, will be eligible for up to twenty-five points.

### **AWARD CRITERIA DETAILS:**

**Past Performance and Timeliness:** The OCR reserves the right not to issue an award 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.

### **Limitations:**

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

### **Project Term Completion Dates:**

Recipients of NYMS funding enter into a two-year (24 Month) grant agreement in which all funds must be expended and all proposed accomplishments met. Any funds remaining at the end of the two-year period are subject to de-obligation and reallocation.

### **Matching Fund Requirements / Deadlines:**

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 project costs for general building renovations up to a maximum of \$50,000 per building, or up to \$100,000 for a building renovation project involving direct assistance to residential units.

Projects that cannot be completed within a 24-month contract term will not be reimbursed.

**ADDITIONAL RESOURCES:**

For more information, eligible 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 or visit:

<http://nysdhcr.gov/Programs/NYMainStreet/>.

## **Urban Initiatives Program (Up to \$4 million)**

**DESCRIPTION:**

The Urban Initiatives (UI) Program was established in Article 16-A of New York State Private Housing Finance Law. The Urban Initiatives program is administered by the Office of Community Renewal (OCR) under the direction of the New York State Housing Trust Fund Corporation (HTFC).

The purpose of the Urban Initiatives program is to provide financial/technical resources to New York communities for the restoration and improvement of housing, commercial areas and public/community facilities in urban neighborhoods. This program will provide grants to not-for-profit community based organizations and charitable organizations that have a direct interest in improving the health, safety and economic viability of a distressed urban neighborhood or other aspects of the area environment that are related to community preservation or renewal activities. The UI program provides applicants flexibility in determining the exact nature of their revitalization efforts and program priorities.

**ELIGIBLE ACTIVITIES:**

Applicants may request between \$50,000 and \$200,000 to undertake housing preservation and community renewal activities in distressed neighborhoods by preserving existing housing units, generating new housing units, upgrading commercial and retail areas and by creating innovative approaches to neighborhood and community revitalization which improve cultural and community facilities.

UI funds may be used for project expenses incurred subsequent to contract execution including: renovation, rehabilitation, demolition, and/or clearance and sealing of any building or other structure, provided that such funds may not be used for planning of any such activity or for operating an office to be used by the qualified applicant and, provided further that no funds

shall be used for acquisition unless such acquisition is in conjunction with the renovation, rehabilitation, demolition, clearance, or sealing of any building or structure. Applicants must specifically demonstrate how the project contributes to local planning and development efforts.

UI funds may be used for fees to consultants retained by the qualified applicant to provide the eligible services identified above.

Eligible occupants of UI projects are persons and families whose income does not exceed 80% of the area median income for the metropolitan statistical area (MSA) or county in which the project is located. Non-residential projects must benefit municipalities in which at least 50% of the population has incomes of 80% or less of the area median income for the MSA or county in which the project is located.

**ELIGIBLE TYPES OF APPLICANTS:**

Eligible applicants include not-for-profit corporations or charitable organizations, which are either incorporated under the not-for-profit corporation law (together with any other applicable law) or, if unincorporated, are not organized for the private profit or benefit of its members. The applicant must have been engaged primarily in relevant community preservation activities for at least one year prior to application. The applicant's officers, directors and members must be representative of the residents and other legitimate interests of the neighborhood.

**ELIGIBLE AREAS:**

Eligible areas for Urban Initiatives projects are neighborhoods within units of local government in New York State. Eligible units of local government include cities, towns or villages with a population of 20,000 or more.

An eligible neighborhood for UI projects shall mean an area: (a) that has experienced sustained physical deterioration, decay, neglect, or disinvestment; (b) has a number of substandard buildings or vacant residential or commercial units; **and** (c) in which more than fifty percent of the residents are persons whose incomes do not exceed eighty 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.

Projects demonstrating a direct benefit to persons and families whose incomes do not exceed eighty percent of the area median income for the county or MSA in which a project is located are not required to meet the criterion (c) above.

**PRE-APPLICATION REQUIREMENTS:**

Each municipality in which the proposed program will function must approve a formal resolution supporting an application for the proposed Urban Initiatives project. 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.

**FUNDING PRIORITIES:**

UI was established to improve distressed urban neighborhoods by preserving existing housing units, generating new housing units, upgrading commercial and retail areas, and by creating innovative approaches to neighborhood and community revitalization which improve cultural and community facilities. Applicants able to successfully demonstrate broad local support and linkages between the proposed project and local planning and development efforts will receive priority consideration. Applicants documenting high percentages of committed matching and leveraged funds will receive the highest scores.

**INELIGIBLE ACTIVITIES:**

UI funds can be used for renovation of facilities, but cannot be used to cover the day-to-day operational costs, nor can funds be used for buildings that are primarily for the general conduct of government business (i.e. town halls).

**SELECTION CRITERIA – UP TO 100 POINTS**

**Total Vision and REDC Strategies –20 points**

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 UI project activity, 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, as this will form the basis for the impact score in the following section. Each application will be rated in comparison with all other applications received.

- Residential need (up to 5 points)  
Evaluates the severity of need for affordable housing or rehabilitation of the existing housing stock and vacant buildings in the proposed target area.
- Commercial need (up to 5 points)  
Evaluates the extent of need for commercial investment in the proposed target area that the private sector alone has been unable to provide.

**Impact - 25 Points**

Measures the extent to which the activities described in the application will have a positive public benefit and sustainable positive impact on the target area and surrounding community and neighborhoods. In part, this rating is based on the proposed strategy of using Urban Initiatives resources to stimulate private investment to revitalize the targeted commercial area and nearby residential neighborhoods.

- Residential impact (up to 5 points) - Evaluates the likelihood that investment of UI funds will preserve or improve housing units in the neighborhood. Projects that propose

meeting affordable housing needs through the creation of residential units on upper floors of mixed use buildings are strongly encouraged. Applications determined to have the greatest impact on increasing the availability of quality, affordable housing, when compared with all other applications, will receive the highest scores.

- Commercial impact (up to 5 points) - Evaluates the likelihood that investment of UI funds will improve the aesthetics of the commercial corridor, spur investment of private resources, and mobilize additional resources to sustain commercial assets. Applications determined to have the greatest impact on business conditions, when compared with all other applications, will receive the highest scores.
- Program Support (up to 15 points) – Evaluates local support and linkages between the proposed project and local planning and development efforts.

### **Leveraging - 15 Points**

Measures the extent to which the UI resources will result in additional investments committed to the projects. Applicants documenting high percentages of committed matching and leveraged funds will receive the highest scores.

### **Implementation Capacity - 30 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 HCR 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.

- Experience (up to 5 points) - Up to 5 points are available to applicants who have a successful record of achievement within the community where the proposed project is located, and have assembled a team with experience in community development, housing rehabilitation, and/or commercial revitalization in mixed-use districts on a scale comparable to the proposed program or projects.
- Implementation Capacity (up to 25 points) – Proposals that have identified specific projects, obtained local approvals, and have necessary organizational structures and procedures in place to implement the proposed projects or programs, without delay, will be eligible for up to twenty-five points.

### **AWARD CRITERIA DETAILS:**

#### **Past Performance and Timeliness:**

The OCR reserves the right not to issue an award 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.

#### **Limitations:**

The regulatory term for a project with UI funds is a minimum period of five years.

**Project Term Completion Dates:**

Recipients of UI funding enter into a two-year (24 Month) grant agreement in which all funds must be expended and all proposed accomplishments met. Any funds remaining at the end of the two-year period are subject to reallocation.

**Matching Fund Requirements / Deadlines:**

UI operates as a reimbursement program. Applicants documenting high percentages of committed matching and leveraged funds will receive priority consideration. Projects that cannot be completed within a 24-month contract term will not be reimbursed.

**ADDITIONAL RESOURCES:**

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

## Rural Area Revitalization Projects (Up to \$4 million)

**DESCRIPTION:**

The Rural Area Revitalization Projects (RARP) Program was established in Article 17-B of New York State Private Housing Finance Law. The RARP program is administered by the Office of Community Renewal (OCR) under the direction of the New York State Housing Trust Fund Corporation (HTFC).

The purpose of the RARP program is to provide financial/technical resources to New York communities for the restoration and improvement of housing, commercial areas and public/community facilities in rural areas of the state. This program will provide grants to not-for-profit community based organizations and charitable organizations that have a direct interest in improving the health, safety and economic viability of a rural area or other aspects of the area environment that are related to community preservation or renewal activities. RARP provides applicants flexibility in determining the exact nature of their revitalization efforts and project priorities.

**ELIGIBLE ACTIVITIES:**

Applicants may request between \$50,000 and \$200,000 to undertake housing preservation and community renewal activities in distressed rural areas by preserving existing housing units, generating new housing units, upgrading commercial and retail areas and by creating innovative approaches to neighborhood and community revitalization which improve cultural and community facilities.

RARP funds may be used for project expenses incurred subsequent to contract execution including: renovation, rehabilitation, demolition, and/or clearance and sealing of any building or other structure, provided that such funds may not be used for planning of any such activity

or for operating an office to be used by the qualified applicant and, provided further that no funds shall be used for acquisition unless such acquisition is in conjunction with the renovation, rehabilitation, demolition, clearance, or sealing of any building or structure. Applicants must specifically demonstrate how the project contributes to local planning and development efforts.

RARP funds may be used for fees to consultants retained by the qualified applicant to provide the eligible services identified above.

Eligible occupants of RARP projects are persons and families whose income does not exceed 90% of the area median income for the metropolitan statistical area (MSA) or county in which the project is located. Non-residential projects must benefit municipalities or rural areas in which at least 50% of the population has incomes of 90% or less of the area median income for the county or MSA in which the project is located.

**ELIGIBLE TYPES OF APPLICANTS:**

Eligible applicants include not-for-profit corporations or charitable organizations, which are either incorporated under the not-for-profit corporation law (together with any other applicable law) or, if unincorporated, are not organized for the private profit or benefit of its members. The applicant must have been engaged primarily in relevant community preservation activities for at least one year prior to application. The applicant’s officers, directors and members must be representative of the residents and other legitimate interests of the rural area.

**ELIGIBLE AREAS:**

Eligible areas for Rural Area Revitalization Projects are cities, towns and villages having a population of less than twenty-five thousand.

An eligible area for Rural Area Revitalization Projects shall mean a city, town or village: (a) that has experienced sustained physical deterioration, decay, neglect, or disinvestment; (b) has a number of substandard buildings or vacant residential or commercial units; **and** (c) 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 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.

Projects demonstrating a direct benefit to persons and families whose incomes do not exceed ninety percent of the area median income for the county or MSA in which a project is located are not required to meet the criterion (c) above.

**PRE-APPLICATION REQUIREMENTS:**

Each municipality in which the proposed project will function must approve a formal resolution supporting an application for the proposed Rural Area Revitalization Project. The resolution must be on official stationery and should hold the official seal.



**FUNDING PRIORITIES:**

RARP was established to encourage community preservation and improvement in the rural area of the state. Applicants able to successfully demonstrate broad local support and linkages between the proposed project and local planning and development efforts will receive priority consideration. Applicants documenting high percentages of committed matching and leveraged funds will receive the highest scores.

**INELIGIBLE ACTIVITIES:**

RARP funds can be used for renovation of facilities, but cannot be used to cover the day-to-day operational costs, nor can funds be used for buildings that are primarily for the general conduct of government business (i.e. town halls).

**SELECTION CRITERIA – UP TO 100 POINTS****Total Vision and REDC Strategies – 20 points**

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 RARP activity, 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, as this will form the basis for the impact score in the following section. Each application will be rated in comparison with all other applications received.

- Residential need (up to 5 points) - Evaluates the severity of need for affordable housing or rehabilitation of the existing housing stock and vacant buildings in the proposed target area.
- Commercial need (up to 5 points) - Evaluates the extent of need for commercial investment in the proposed target area that the private sector alone has been unable to provide.

**Impact - 25 Points**

Measures the extent to which the activities described in the application will have a positive public benefit and sustainable positive impact on the target area and surrounding community and neighborhoods. In part, this rating is based on the proposed strategy of using RARP resources to stimulate private investment to revitalize the targeted commercial area and nearby residential neighborhoods.

- Residential impact (up to 5 points) - Evaluates the likelihood that investment of RARP funds will preserve or improve housing units in the neighborhood. Projects that propose meeting affordable housing needs through the creation of residential units on upper floors of mixed use buildings are strongly encouraged. Applications determined to have the greatest impact on increasing the availability of quality, affordable housing, when compared with all other applications, will receive the highest scores.

- Commercial impact (up to 5 points) - Evaluates the likelihood that investment of RARP funds will improve the aesthetics of the commercial corridor, spur investment of private resources, and mobilize additional resources to sustain commercial assets. Applications determined to have the greatest impact on business conditions, when compared with all other applications, will receive the highest scores.
- Program Support (up to 15 points) – Evaluates local support and linkages between the proposed project and local planning and development efforts.

### **Leveraging - 15 Points**

Measures the extent to which the RARP resources will result in additional investments committed to the projects. Applicants documenting high percentages of committed matching and leveraged funds will receive the highest scores.

### **Implementation Capacity - 30 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 HCR 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.

- Experience (up to 5 points) - Up to 5 points are available to applicants who have a successful record of achievement within the community where the proposed project is located, and have assembled a team with experience in community development, housing rehabilitation, and/or commercial revitalization in mixed-use districts on a scale comparable to the proposed program or projects.
- Implementation Capacity (up to 25 points) – Proposals that have identified specific projects, obtained local approvals, and have necessary organizational structures and procedures in place to implement the proposed projects or programs, without delay, will be eligible for up to twenty-five points.

### **AWARD CRITERIA DETAILS:**

Past Performance and Timeliness: The OCR reserves the right not to issue an award 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.

### **Limitations:**

The regulatory term for a project with RARP funds is a minimum period of five years.

### **Project Term Completion Dates:**

Recipients of RARP funding enter into a two-year (24 Month) grant agreement in which all funds must be expended and all proposed accomplishments met. Any funds remaining at the end of the two-year period are subject to reallocation.

**Matching Fund Requirements / Deadlines:**

RARP operates as a reimbursement program. Applicants documenting high percentages of committed matching and leveraged funds will receive priority consideration. Projects that cannot be completed within a 24-month contract term will not be reimbursed.

**ADDITIONAL RESOURCES:**

For more information, applicants should contact New York State Homes and Community Renewal, 38-40 State St, Albany, New York 12207, call (518) 474-2057 or visit:

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

**Office of Parks, Recreation & Historic Preservation – Environmental Protection Fund Municipal Grant Program (Up to \$16 Million)****DESCRIPTION:**

Title 9 NYSCRR sections 439.1 – 443.4 implement the Environmental Protection Fund (EPF) Act of 1993 (title 9 of article 54 of the Environmental Conservation Law) and created OPRHP's Municipal Grant Program.

Funding is available under the EPF Municipal Grant Program for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas.

Municipalities and not-for-profit organizations with an ownership interest in the property are eligible to apply. Historic properties must be listed on the State or National Registers of Historic Places. Properties not currently listed but scheduled for nomination review at the State Review Board meeting of June 14, 2012 or September 20, 2012 are eligible to apply. Heritage Areas projects must be identified in the approved management plans for Heritage Areas designated under section 33.01 of the Parks, Recreation and Historic Preservation Law. All grant awards under this program come with long term protections, either through parkland alienation law, conservation easements or covenants recorded against the deeds.

**ELIGIBLE TYPES OF APPLICANTS:**

- Municipalities;
- State Agencies;
- Public Benefit Corporations;
- Public Authorities;
- 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, proof of tax-exempt status under the IRS code, and be current with pertinent filings under Section 501 of the United States Internal Revenue Code, and either Article 7-A of the New York Executive Law, or Section 8-1.4 of the New York Estates, Powers and Trusts Law, or Section 1508 of the New York Not-for-Profit Corporation Law, or Section 215 of the New York Education Law .

To be eligible for this funding category, the following documentation is required and must be submitted by the application deadline (see “Additional Resources” below for more information).

**For All Applicants:**

1. **Signed authorizing resolution** passed at an official meeting of the governing body of the applicant that names the contact for the grant and authorizes that contact to apply for the grant. A sample is located at <http://www.nysparks.com/grants>.
2. **SEQR compliance documentation** – Not-for-profits must fill out the Environmental Review Form available at <http://www.nysparks.com/grants>. Municipalities must document or describe where they are in the SEQR process.
3. **Photos showing the project area**
4. **1:24,000 scale topographic or planimetric map with the subject property circled**
5. **Schematic Site Plan**

**For Municipal Applicants:**

Legislative authorization of alienation, if applicable

**For Not-for-Profit Applicants Applying under the Parks Program:**

The endorsement of the municipality in which a park project is located. A sample of an acceptable Municipal Endorsement is located at <http://www.nysparks.com/grants>.

**For Heritage Area Applicants:**

Written approval/endorsement of the project by the local heritage area management entity is required with the application if it is not the project sponsor.

**For Partner Groups of State Parks or Historic Sites:**

Documentation of affiliation AND a letter of support from the facility manager.

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:** Funding under the EPF Municipal Grant program is available for the following grant categories and project elements:

- **Park Acquisition, Development and Planning Program** - for the acquisition, development and planning of parks and recreational facilities to preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes and for structural assessments and/or planning for such projects. Examples of eligible

projects include: playgrounds, courts, rinks, community gardens, and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities. To ensure the public benefit from the investment of state funds, 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 park acquisition projects undertaken by not-for-profit corporations. Any park project undertaken by municipalities is subject to the State's Parkland Alienation Law. The Parkland Alienation Handbook is available at <http://www.nysparks.com/grants>.

- **Historic Property Acquisition, Preservation and Planning Program** - to improve, protect, preserve, rehabilitate, restore or acquire properties listed on the State or National Registers of Historic Places and for structural assessments and/or planning for such projects. Properties not currently listed but scheduled for nomination review at the State Review Board meeting of either June 14, 2012 or September 20, 2012, are eligible to apply for funding. Questions about or proposals for listing on the State or National Register should be directed to the OPRHP National Register Unit at (518) 237-8643. All work must conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties. To ensure the public benefit from the investment of state funds, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.
- **Heritage Areas System Acquisition, Development and Planning 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 33.01 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 below. For exact Heritage Area boundaries, contact the Heritage Area or call (518) 473-7787.
  - \* Albany
  - \* Buffalo
  - \* Kingston
  - \* Harbor Park (NYC)
  - \* Ossining
  - \* Rochester
  - \* Sackets Harbor
  - \* Schenectady
  - \* Saratoga Springs
  - \* Seneca Falls
  - \* Syracuse
  - \* Whitehall
  - \* Hudson-Mohawk (Cohoes, Colonie, Green Island, Troy, Waterford Town/Village, Watervliet)
  - \* Lake Erie Concord Grape Belt (portions of Chautauqua County)
  - \* Long Island North Shore Heritage Area (Nassau and Suffolk Counties north of Rte. 25/I-495)
  - \* Mohawk Valley Heritage Corridor (Oneida, Herkimer, Montgomery, Fulton, Schenectady, Schoharie, Saratoga, and Albany Counties, excluding Adirondack Park)
  - \* Susquehanna (Broome and Tioga Counties)
  - \* Western Erie Canal Heritage Corridor (Erie, Niagara, Orleans, Monroe and Wayne Counties)

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. Consultant contracts in excess of \$25,000 must be awarded on a competitive basis. If you use a consultant selected on a non-competitive basis, the cost of that contract will not be eligible for grant reimbursement. In general, pre-development costs should not exceed fifteen percent of the construction costs.

- Archeology includes field work, report writing, curation of artifacts and interpretation. If your project includes any ground-disturbing activity (e.g., trenching, grading, demolition, new construction, etc.), it is very likely that an archeological survey will be required unless you can provide adequate documentation of prior ground disturbance. Your budget should take into account the need for an archeological survey. Contact your regional grants administrator (RGA) to determine the need and anticipated costs for archeology.

Construction - Include only work items related to this grant application.

#### Acquisition

- Provide a breakdown for each parcel showing the type of interest 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) as determined by a qualified appraiser. A written estimate of value (windshield appraisal/market valuation) for each parcel must be included. Include the value of any land that will be acquired through donation to the project or converted from other purposes. Acquisition costs must be incurred during the project term or up to one year prior to the application deadline. If a grant is awarded, the value of each parcel must be established by a full, self-contained appraisal, the standards for which can be found at <http://www.nysparks.com/grants> (under Grants, click on Forms & Resources). For any parcel valued at \$300,000 or more, two full, self-contained appraisal reports are required.
- Associated acquisition costs should also be included under this category. Eligible items include the cost of appraisals, 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.

#### Administration

- Construction Supervision costs are those associated with the coordination, supervision and scheduling of work and may be provided by a qualified member of the applicant's staff, the design professional who prepared the construction documents, or a clerk of the works.
- Grant Administration costs include expenses associated with administering the grant after it is awarded, such as preparing the project agreement, affirmative action, MWBE, and payment request documentation. The cost of preparing this application is NOT eligible. In general, these costs should not exceed ten percent of the grant amount.
- 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: Upon completion of the project, an accounting of expenditures and revenues is required. Based on the grant award and complexity of the project, this will be in the form of either an independent audit or agreed upon procedure review performed by a Certified Public Accountant, or an expense summary audit. Prior to final reimbursement, the audit must be submitted to and approved by OPRHP.
- Project Sign: All grant-funded projects must have a project sign noting the funding assistance. Signs are available for purchase through the State for approximately \$120.

#### **PRE-APPLICATION REQUIREMENTS:**

The checklist for required and supporting documentation is provided below under “Additional Resources” and is also available at OPRHP’s website <http://www.nysparks.com/grants>.

#### **SUCCESSFUL APPLICANT REQUIREMENTS:**

Successful applicants are advised NOT to begin work until a project contract has been fully executed. Certain conditions of award must be met before a contract can be executed. These will include environmental and historic preservation reviews (including archeological review) and OPRHP acceptance of plans and specifications, bidding documents, competitive bidding, and solicitation of Minority and Women-owned Business Enterprises (MWBES), etc. Proceeding without advance OPRHP approval will jeopardize grant reimbursement.

Archeology is required in any project that will result in any ground disturbance and must be included in the project budget. An audit of project expenditures and revenues is required and must be included in the budget in order to be reimbursed. Title insurance is required for acquisition projects, whether funded by the grant or as part of the match, and must be included in the project budget in order to facilitate Attorney General review of clear title documentation. The State will share in these expenses.

All parties with an ownership interest in the property will be required to sign the project agreement. All lien holders must subordinate their interests to those of the State, and may be required to sign the project agreement.

Long term protections are required under this grant program. Any work involving a historic resource will require that a preservation covenant be conveyed to OPRHP. Any not-for-profit corporation undertaking a park development project will be required to convey a public access covenant to OPRHP. Any not-for-profit acquiring land for recreation or conservation purposes must grant the State a permanent conservation easement to the property. All park projects undertaken by municipalities are subject to State alienation law. The Alienation Handbook is available at <http://www.nysparks.com/grants> for more information.

Project costs will be eligible for reimbursement only if grant work meets State standards and the expenditures are made in compliance with State requirements, including Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity. Grant recipients will be required to solicit MWBES before commencing work and to document efforts involving MWBES during the project term. Municipalities must comply

with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. All reimbursements for historic preservation projects must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done to the Secretary of the Interior Standards. Failure to comply with these requirements could jeopardize full reimbursement.

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

#### **FUNDING PRIORITIES:**

Priority projects are those that clearly demonstrate and document:

- Impact – For park projects, the importance of the project to the community in terms of economic stimulus, impetus to community renewal, revenue generation, visual appeal, health and vitality to the community and community involvement and support of the project. For historic preservation, describe the extent to which the project will contribute to preservation of a historically significant property. For Heritage Areas, describe the extent to which the project will contribute to the local Heritage Area.
- Community support and consistency with state/region/community plans, including and especially the State Comprehensive Outdoor Recreation Plan (SCORP).
- Sound administrative infrastructure/reasonableness of costs, including demonstration of project planning, administrative structures and a budget that reflects fiscal prudence and readiness to proceed.
- The Commissioner’s priorities for the grant program:
  - Projects that include “green” improvements that restore, improve and maintain park lands, historic properties and heritage area resources and infrastructure, and in doing so promote sustainability, increase energy conservation and/or efficiency and decrease long term maintenance and management costs.
  - Projects that enhance the public’s access to parks and their environmental and recreational resources (including landscape and trail improvements to facilitate connections and special features or signage to improve programming and interpretation), create physical and functional connections among, or provide or enhance public access to, already-protected state and local lands, historic sites, greenways, trails and waterways to bring visitors back.
  - Projects that are undertaken by partner groups in State Parks and Historic Sites.

#### **INELIGIBLE ACTIVITIES:**

Work completed prior to award is not eligible for reimbursement or for match. There are two exceptions: 1) 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 and 2) Acquisition costs retroactive no more than one year prior to the application deadline are eligible costs.

#### **SELECTION CRITERIA:**



Each application will be reviewed for eligibility and, if determined eligible, will be rated according to the Grant Selection Criteria. Within each region, applications are ranked according to project category, competing only against others in their region and category. The Grant Selection Criteria are:

**I. Poverty Level (0-5 predetermined, based on zip code)**

**II. Resource Impact (0-25)**

For Parks Projects:

1. Community Impact (0-10)
2. Local Commitment and need (0-15)

For Historic Preservation Projects:

1. Level of Significance (0-10)
2. Severity/Immediacy of Threat (0-15)

For Heritage Area Projects:

1. Addresses current Heritage Area programs (0-10)
2. Addresses Heritage Area goals (0-15)

For Acquisition Projects:

1. Environmental and Recreational Contribution (0-10)
2. Surrounding Area Contribution and Impact and Protection of Historic Resources (0-15)

**III. Planning Initiatives (0-10)**

For Parks Projects:

1. Statewide Index of Need (0-5 predetermined by SCORP)
2. Consistent with Plans (0-5)

For Historic Preservation and Heritage Area Projects:

1. Community Support
2. Consistent with Plans

For Acquisition Projects:

1. Community Support
2. Consistent with Plans

**IV. Reasonableness of Cost (0-20)**

1. Budget
2. Readiness
3. Feasibility

**V. OPRHP Commissioner Priorities (0-10)**

1. Green improvements
2. Enhanced access, connections, resources
3. Partners to State Parks

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

**VII. Statewide Assessment (0-10)**

1. Geographic Distribution
2. Maximize Use and Accessibility
3. Special Engineering, Environmental, Preservation Benefits
4. Past Performance

**TOTAL (0-100)**

**VIII. PROJECT IN A HUDSON RIVER GREENWAY COMPACT COMMUNITY (5% bonus)**

**AWARD CRITERIA DETAILS:**

Eligible Area, City, County Population Limits Or Population Target Types: \$6.5 million of the \$16 million appropriation must be awarded to projects located in Inner City/Underserved areas. {Note: \$725,000 is directed to Buffalo-area Parks and Niagara/Erie Historic Preservation, leaving \$15,275,000 available for the competitive award program.}

- Limitations: 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 more than three open grants with OPRHP should not receive additional awards. There is an administrative cap of \$500,000 for 2012-13 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 State Comprehensive Outdoor Recreation Plan (SCORP). Additional consideration should be given to projects that are included in other state and local planning initiatives. The Commissioner's priorities for this grant program are:
  - Projects that include "green" improvements that restore, improve and maintain park lands, historic properties and heritage area resources and infrastructure, and in doing so promote sustainability, increase energy conservation and/or efficiency and decrease long term maintenance and management costs.
  - Projects that enhance the public's access to parks and their environmental and recreational resources (including landscape and trail improvements to facilitate connections and special features or signage to improve programming and interpretation), create physical and functional connections among, or provide or enhance public access to, already-protected state and local lands, historic sites, greenways, trails and waterways to bring visitors back.
  - Projects that are undertaken by partner groups in State Parks and Historic Sites.

- **Project Term Completion Dates:** All conditions of award must be met before OPRHP can execute a contract with successful applicants. This includes environmental and historic preservation reviews (including archeological review) and OPRHP acceptance of plans and specifications, bidding documents, competitive bidding and solicitation of Minority and Women-owned Business Enterprises (MWBES), etc. When these materials are provided and are deemed satisfactory, OPRHP can develop a contract with the applicant. Once a contract is executed, all projects must be completed within five years from 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 applicants are expected to raise their full share within one year of the grant award. Failure to do so could result in the recapture of the grant award in order to fund viable, ready projects.
- **Matching Fund Requirements / Deadlines:** Successful applicants are reimbursed for 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 most recent Census data), the reimbursement can be up to 75 percent of the 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.

**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. Unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise must be computed at the minimum wage. (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the same lawyer donating time painting walls must calculate the value using minimum wage).

**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:

**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.

**ADDITIONAL RESOURCES:**

For more information, eligible applicants should contact Melinda Scott, Chief of Grants at the Bureau of Grants Management, New York State Office of Parks, Recreation and Historic Preservation, Albany, NY 12238, call (518) 474-0427 or visit <http://www.nysparks.com/grants>. Or contact the OPRHP Regional Grant Administrator for your county:

Allegany Region

Lynn LeFeber  
Allegany State Park  
ASP Rte 1, Salamanca, NY 14779  
(716) 354-9101, FAX (716) 354-2255  
COUNTIES: Allegany, Cattaraugus and Chautauqua

Central Region

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

Finger Lakes Region

Laurie Moore  
2221 Taughanock Park Road  
Trumansburg, NY 14886  
(607) 387-7041, FAX (607) 387-3390  
COUNTIES: Cayuga, Chemung, Ontario, Seneca, Schuyler, Steuben, Tioga, Tompkins, Wayne and Yates

Genesee Region

Lynn LeFeber (see Allegany Region)  
COUNTIES: Livingston, Wyoming  
  
Noelle Kardos (see Niagara Region)  
COUNTIES: Genesee, Monroe, Orleans

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

Niagara Region

Noelle Kardos  
Niagara Reservation State Park  
PO Box 1132  
Niagara Falls, NY 14303-0132  
(716) 278-1761, FAX (716) 278-1744  
COUNTIES: Erie and Niagara

New York City Region

Merrill Hesch  
NYS OPRHP  
Adam Clayton Powell, Jr. State Office Building  
163 West 125<sup>th</sup> Street, 17<sup>th</sup> Floor  
New York, NY 10027  
(212) 866-2599, FAX (212) 866-3186  
COUNTIES: Bronx, Kings, New York, Queens and Richmond

Palisades and Taconic Regions

Erin O'Neil  
NYS OPRHP  
Taconic Regional Office  
9 Old Post Road  
Staatsburg, NY 12580  
(845) 889-3866, FAX (845) 889-8321  
COUNTIES: Orange, Rockland, Sullivan, Ulster Columbia, Dutchess, Putnam, Westchester

Saratoga/Capital District Region

Thousand Islands Region

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

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

**Attachments listed below in boldface are required of every application; applications lacking these attachments (or an acceptable explanation) will be deemed incomplete.** Depending upon the particular circumstances of your project, **other attachments may be required.** Still **other attachments, while not required, may be essential to support rating points.** All documents should be current to this grant cycle. See below for additional guidance.

#### **REQUIRED DOCUMENTATION:**

##### **For ALL Applicants:**

- **SEQR compliance documentation** - Not-for-profits must fill out the Environmental Review Form available at <http://www.nysparks.com/grants>. Municipalities must document or describe where they are in the SEQR process.
- **Signed Authorizing Resolution** passed at an official meeting of the governing body of the applicant that names the contact for the grant and authorizes that contact to apply for the grant. A sample of an acceptable resolution is available at: <http://www.nysparks.com/grants>.
- **Photos showing the project area**
- **1:24,000 scale topographic or planimetric map with the subject property circled**
- **Schematic Site Plan**

##### **For Municipal Applicants:**

- **Legislative authorization of alienation, if applicable.**

##### **For Not-for-Profit Applicants applying under the Parks program:**

- **A Signed Municipal Endorsement.** A sample of an acceptable endorsement is available at: <http://www.nysparks.com/grants>.

##### **For Heritage Area Applicants:**

- **Written approval/endorsement of the project by the local heritage area management entity is required with the application if it is not the project sponsor.**

##### **For partner groups of State Parks or Historic Sites:**

- **Documentation of affiliation AND a letter of support from the facility manager**

## **SUPPORTING DOCUMENTATION:**

- Ownership documentation;
- Evidence of local historic preservation or landmark designation;
- Highlighted excerpts from project-specific planning documents;
- Highlighted excerpts from federal, statewide, regional or local planning documents;
- Written documentation clearly identifying community involvement, including resolution that local plan was adopted or reaffirmed within 5 years, if in a formally adopted plan;
- Documentation from State agencies regarding remediated brownfields, protected species, habitats, etc.;
- Documentation of pre-construction planning, procurement of services, consultant qualifications, etc.;
- Ground disturbance documentation;
- Written estimate of fair market value (market valuation), for any property that will be acquired or used as match;
- Permits;
- Canal Corporation approval;
- All official project endorsements, partnerships and letters of support;
- For stand alone planning projects, submit documentation of components of final product and justification of budget estimate;
- For Not-for Profit Applicants: A copy of the certificate of incorporation, IRS determination letter, and proof that NFP is current with pertinent filings under Section 501 of the United States Internal Revenue Code, and either Article 7-A of the New York Executive Law, or Section 8-1.4 of the New York Estates, Powers and Trusts Law, or Section 1508 of the New York Not-for-Profit Corporation Law, or Section 215 of the New York Education Law.

### Ownership Documentation:

Provide a clear and legible copy of the current recorded deed to the property, showing Liber and Page number or electronic filing number of recording. In addition, if the applicant has less than fee simple ownership in the property, a clear and legible copy of the documentation showing such interest in the property (i.e., lease, management agreement, etc.) must be provided. If there are any restrictions on the use or ownership of the property, provide documentation of such liens or restrictions (e.g., Title Policy Schedule B). If acquisition is proposed, describe the status of purchase negotiations and document the owner's intent to sell (signed purchase contract, option agreement, or letter of intent).

### State Environmental Quality Review Act Compliance (SEQR):

*NOT-FOR-PROFIT CORPORATIONS:* Complete the Environmental Review Form available online at <http://www.nysparks.com/grants>, Grants, Forms & Resources. 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 (photographs or digital print-outs; photocopies are not acceptable substitutes) showing the overall project area and documenting existing conditions. Include photos of any structures more than 50 years old within, or immediately adjacent to, the project area. Provide views to these features from the project site, as well as views of the project site from them. Key all images to a schematic site plan (see below).

**Map:**

Submit a 1:24,000 scale USGS or DOT planimetric map with the subject property circled. An 8½" x 11" section, copy, or printout is acceptable, so long as it shows at least 1:24,000 scale and is clearly marked as to scale and source, including Quad Name and/or Code. Go to the NYS GIS Clearinghouse [www.nysgis.state.ny.us/gisdata/quads/](http://www.nysgis.state.ny.us/gisdata/quads/) for downloadable, printable maps.

**Schematic Site Plan:**

Provide a plan and/or elevations that depict the project site and its immediate surroundings identifying both existing conditions and proposed project elements as described in the project narrative.

**Project-specific Planning Documents:**

Provide highlighted excerpts in support of the project narrative, clearly citing date and source, or a link if posted online.

**Local, State and Federal Planning Documents:**

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

public meetings, events, fundraising campaign plans). Provide copies of official project endorsements, partnerships and letters of support.

Permits:

Depending on the project scope, some grant projects will require permits from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE). Contact the permitting agencies directly to determine if any permits are needed, especially if your project is located in or adjacent to a water body (e.g., stream, river, lake, wetland, canal).

Canal Corporation Approval:

Any project that is approved for funding and is located on land under the jurisdiction of the Canal Corporation must receive all necessary approvals of the Canal Corporation prior to the final execution of a project agreement.

Stand Alone Planning Grants:

If the grant proposal is for a planning project other than the preparation of contract documents (plans and specifications), identify in detail the components of the final product. Submit a draft table of contents or equal.

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

<http://www.nysparks.com/grants>

## **New York State Council on the Arts – Grant Program (Up to \$4 million)**

**DESCRIPTION:**

Funds are available under Article 3 of the Arts and Cultural Affairs Law for the study of and presentation of the performing and fine arts; surveys to encourage participation in the arts; to encourage public interest in the cultural heritage of the state, and to promote tourism by supporting arts and cultural projects.

**ELIGIBLE APPLICANTS:**

The Council on the Arts awards grants to nonprofit organizations incorporated in New York State, Indian tribes, and units of local government. The mission of the applicant or the lead applicant in a partnership must be primarily related to arts and culture.

Please click here to review applicant and project eligibility:

[http://www.nysca.org/public/grants/who\\_is\\_eligible.htm](http://www.nysca.org/public/grants/who_is_eligible.htm)



**ELIGIBLE PROJECT TYPES:**

The awards are for support of art activities and services to the field provided by one or more organizations whose primary mission is in arts and culture. The Art Project Grants will assist organizations and communities to:

- Broaden and encourage greater public participation in the arts through promotion and presentation of a wide range of projects and services (local, regional, and statewide) that build and strengthen collaborative relationships among new partners (inclusive of arts and non-art non-profits, local governments and businesses)
- Revitalize and improve neighborhoods
- Strengthen and stimulate cultural development and the leadership role of arts and cultural organizations within the community
- Create and/or retain jobs and expand business opportunities through community based arts development and resources
- Support projects that respond to clearly articulated needs of a community and/or enhance the appreciation of local cultural activities through creatively designed participatory arts programs
- Develop catalytic projects that enhance the resources and visibility of the arts
- Develop cultural tourism initiatives which promote and provide public education about a region's arts institutions, cultural events, architecture, folk life, history and/or local heritage resources
- Engage in creative place making projects which bring together partners from the public, private, non-profit sectors along with community members to strategically shape the physical and social character of a neighborhood, town, city, or region around arts and cultural activities.

**AWARD CONDITIONS & REQUIREMENTS:**

The minimum grant award is \$50,000. This is a matching grant program: the applicant may not apply for more than 50% of the project's cost. The match for the remaining 50% of the budget can be comprised of up to 25% in-kind support and other revenue (Council on the Arts grants nor any other state revenue may be used as a revenue match). The period of support is November 2012 through October 2013. Capital Projects and Regrant Projects are not eligible for funding.

**SELECTION CRITERIA:**

The following statutory requirements are utilized by the Council on the Arts, program staff and panelists to evaluate all grant applications.

**Service to the Public**

As a public funder, the Council on the Arts 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 supported 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:** an 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 public 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 that support is being sought for 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:**

The Council on the Arts 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 Council on the Arts 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 how 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 more widely, 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, the Council on the Arts must ensure that funded organizations are capable of carrying out their proposals and will be ethical and effective stewards of public funds.

The Council on the Arts 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 general 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 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; and
- Engaging in cost-effective fundraising activities.

Written financial policies exist that govern:

- Investment of assets, internal control procedures, purchasing practices, reserve funds, compensation expense account reporting, and earned income;

- Internal financial processes are monitored, including handling of checks, petty cash, cash disbursements, and payroll management, in order to prevent errors and misuse of funds;
- The use of restricted funds is monitored;
- Reports comparing Adopted Budget to actual revenue and expense are made available to appropriate staff in a timely manner;
- There is a fund development plan that ensures a diversified funding base
- Financials demonstrate diversified funding base;
- Budget variances of more than 10% are noted and explained; and
- Operating deficits are explained and there is 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 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.

**REVIEW PROCESS:**

The Council on the Arts uses a multi-step process involving program staff, peer review panels, a committee of Council on the Arts’ members, and the full Council on the Arts, as described in more detail below.

**Staff Review:**

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

**Peer Review Panels and the Rating System:**

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

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

**Rating System**

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

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

**Moderate Weakness:** A weakness that lessens impact.

**Major Weakness:** A weakness that severely limits impact.

**Regional Economic Development Council Review and Evaluation:**

After the Council on the Arts' staff and peer panels review and rate applications for Art Project funding, a group of applications will be recommended and advanced to the Regional Economic Development Councils for additional review, rating and final recommendations for funding.

Review and rating by the Regional Economic Development Councils will be based on the degree to which an application advances strategies of the Regional Economic Development Councils.

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

**Council on the Arts' Committees and the Council on the Arts:**

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

After review and discussion, the Committees make funding recommendations to the full Council on the Arts. All Council on the Arts' Committee meetings and Council on the Arts' meetings are open to the public and are *webcast*. The Council on the Arts' meeting agenda is posted at <http://www.nysca.org/> in advance of all meetings and is available for review by the public.

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

**CONTACT/ADDITIONAL PROGRAM INFORMATION:**

For more information, eligible applicants should contact: [specialprojects@nysca.org](mailto:specialprojects@nysca.org).

Please click [About NYSCA Grants \(http://www.nysca.org/public/grants/index.htm\)](http://www.nysca.org/public/grants/index.htm) for information on NYSCA's grant process, requirements and evaluative criteria. Also, please click [regional priorities \(http://nyworks.ny.gov/\)](http://nyworks.ny.gov/) to view the information about the Regional Economic Development Councils.

## **AGRICULTURE**

### **Agriculture and Markets - Agriculture Development Program (Up to \$3 million)**

**DESCRIPTION:**

The Agriculture Development Program provides grants on a competitive basis to eligible applicants to assist in reducing the cost of financing the construction, expansion or renovation of agriculture project(s) that have a direct benefit to New York producers and significance to the region served by the eligible applicant. The program will be administered by the New York State Department of Agriculture and Markets (NYSDAM).

Funding provided by the NYSDAM will be used for a project or projects designed and intended for the purpose of establishing, maintaining, or expanding agricultural operations, or for providing facilities and/or markets for the production, manufacturing, processing, warehousing, or distribution or sale of New York crops, livestock and livestock products.

The goal of this program is to promote agricultural economic development through funding a project or projects that will increase New York farm viability through expansion, value added production, diversification, or long term reduction of operating costs.

The minimum amount of program funds that may be applied for is \$30,000. The maximum amount of program funds that may be applied for is \$500,000. The program will generally provide up to 50% of the total cost of an eligible project. The program may provide additional funding to a project if a compelling financial need is identified. Direct grant administration costs shall not exceed 10% of the grant request.

In order to align their project(s) with regional goals and priorities, applicants are strongly encouraged to consult with their Regional Council Strategic Plans.

#### **ELIGIBLE TYPES OF APPLICANTS:**

Applicants must be one of the following:

1. Counties and Municipalities
2. Local Development Corporations
3. Regional Development Corporations
4. Public Benefit Corporations
5. Industrial Development Agencies
6. Farm Credit institutions
7. Not-for-profit corporations

An eligible entity that is a not-for-profit corporation must be registered or exempt from registration by the NYS Office of the Attorney General Charities Bureau. A charities registration number or exemption certificate must be submitted with the application.

#### **ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS**

##### **Eligible Project:**

An eligible project is a project designed and intended for the purpose of establishing, maintaining, or expanding an agricultural operation, or for providing facilities and/or markets for the production, manufacturing, processing, warehousing, distribution or sale of crops, livestock and livestock products as defined in subdivision 2 of section 301 of the Agriculture and Markets Law.

##### **Eligible Project Costs:**



Eligible project costs include but are not limited to:

1. machinery and equipment;
2. construction;
3. acquisition or expansion of buildings;
4. working capital;
5. processed or partially processed agricultural commodities;
6. root stock;
7. architectural and engineering costs;
8. consultants; or
9. administration directly related to the execution of an eligible project (not to exceed 10% of the grant amount)

### **Matching Requirements**

The program will generally provide up to 50% of the total cost of an eligible project. The program may provide additional funding to a project if a compelling financial need is identified. Qualifying match types include, but are not limited to, cash, in-kind services, federal funds, other state funds, donated or volunteer services, force account, etc.

### **PRE-APPLICATION REQUIREMENTS:**

The following documents are required with the submission of the application if applicable and available:

1. Farm or Business Plan;
2. Part or Parts of County or Municipal Agricultural and Farmland Protection Plan as prescribed by §324(3) and §324-a(3) of the Agriculture and Markets Law; and
3. NYS Office of the Attorney General Charities Bureau Registration or Exemption.

### **SUCCESSFUL APPLICANT REQUIREMENTS:**

Awardees will be required to execute a contract with the New York State Department of Agriculture and Markets.

Awardees will be required to comply with the New York State Workers' Compensation Law sections 57 and 220 require that the Department not enter into a contract unless proof of Workers' Compensation and Disability Insurance in a form satisfactory to the New York State Workers' Compensation Board. Recipients of grants under this RFP will be required to produce proof of Workers' Compensation and Disability Insurance in a form satisfactory to the New York State Workers' Compensation Board prior to the execution of the contract.

Appendix A, which is posted on the Department's web site at [www.agriculture.ny.gov](http://www.agriculture.ny.gov) , contains standard clauses that are required in all State contracts. Appendix A will be a part of any contract awarded, and successful applicants will be responsible for complying with the terms and conditions contained therein.

Some projects may be subject to review under the New York State Environmental Quality Review Act (SEQRA). Municipalities should go to the New York State Department of Environmental Conservation web site [www.dec.ny.gov](http://www.dec.ny.gov) for further information regarding applicability.

The Department and State Comptroller's Office reserve the right to audit the Applicant's books and records relating to the performance of the project during and up to six years after the completion of the project.

Successful applicants will be required to submit a current New York State Vendor Responsibility Form. See [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm).

All proposals submitted and all related contracts and reports may be subject to disclosure under the Freedom of Information Law.

Successful applicants will be required to comply with all applicable Federal statutes, regulations and policy requirements.

Projects which include ground disturbing activities, construction of new buildings, or modification of buildings over 50 years old will be subject to further review by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The Department reserves the right to request such additional information as is necessary to allow OPRHP to make a determination regarding the potential impacts of the project on historical sites or artifacts and possible alternatives which avoid or mitigate adverse impacts.

#### **FUNDING PRIORITIES:**

Priority will be given to projects whose objectives are to accomplish the following:

1. Increase New York farm profitability through expansion, value added production, diversification, or long term reduction of operating costs;
2. Implement activities, programs and strategies of a County or Municipal Agricultural and Farmland Protection Plan as prescribed by §324(3) and §324-a(3) of the Agriculture and Markets Law and submitted for approval to or approved by the Commissioner of Agriculture and Markets;
3. Implement part or parts of a business plan;
4. Leverage private investment;
5. Create or retain jobs;
6. Increase agricultural business activity in a community or region; or
7. Be responsive to the goals and objectives stated for agriculture in Regional Council Strategic Plans.

#### **INELIGIBLE ACTIVITIES:**

Ineligible activities include, but are not limited to:

1. Feasibility studies;

2. Planning studies;
3. Research; and
4. Educational programs

Ineligible costs (including matching funds) include, but are not limited to:

1. Cost not directly related to the implementation of an eligible project
2. Indirect or overhead expenses
3. Cost of preparing an application
4. Cost incurred prior to the award of a grant

## **SELECTION CRITERIA**

The Department of Agriculture and Markets will score and select projects based on the following criteria.

1. Degree to which the project meets the goals and objectives stated in the Regional Council Strategic Plan. **20 Points**
2. Benefit potential of the project to New York farms including but not limited to the prospect of improved agricultural business profitability through increased competitiveness, enhanced productivity, diversification or expansion of production, or market retention or expansion. **20 points**
- 3.
4. Degree of demonstrated public benefit, including but not limited to, new private capital investment, job creation and retention, inputs or services from other New York State businesses. **20 points**
5. Reasonableness of the cost relative to the work to be performed and extent to which match exceeds the minimum required. **20 points**
6. Degree to which the project addresses a specific need, problem or opportunity. **10 points**
7. Degree of demonstrated and direct support for, and involvement in, the project by local government and the agricultural business community. **10 points**

## **AWARD CRITERIA DETAILS:**

**Eligible area, city, county, populations target types:** The Department encourages applications from every region of the State. The Department will consider regional distribution in the determination of awards to the extent practicable and within available funds.

**Limitations:** The Department reserves the right to:

1. waive, modify or correct minor irregularities in proposals received after prior notification and concurrence of the applicant;
2. request from an applicant additional information as deemed necessary to more fully evaluate its proposal;
3. select only certain portions of proposals for state funding
4. negotiate the terms of the budget;
5. make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant; and
6. utilize any or all ideas submitted in the proposals received unless those ideas are covered by legal patent or proprietary rights

**LONG RANGE GOALS:**

Not applicable.

**PROJECT TERM COMPLETION DATES:**

Projects should be complete within 18 months of the award of a grant.

**MATCHING FUND REQUIREMENTS / DEADLINES:**

The program will generally provide up to 50% of the total cost of an eligible project. The program may provide additional funding to a project if a compelling financial need is identified. Qualifying match types include, but are not limited to, cash, in-kind services, federal funds, other state funds, donated or volunteer services, force account, etc.

**ADDITIONAL RESOURCES:**

Questions regarding the program must be submitted in writing to:

Stephen McGrattan  
New York State Department of Agriculture and Markets  
[steve.mcgrattan@agriculture.ny.gov](mailto:steve.mcgrattan@agriculture.ny.gov)

## **Waterfront Revitalization**

### **New York Department of State - Local Waterfront Revitalization Program (Up to \$15 million)**

**DESCRIPTION:**

The Local Waterfront Revitalization Program provides matching grants on a competitive basis to revitalize communities and waterfronts. This is a reimbursement program.

**ELIGIBLE TYPES OF APPLICANTS:**

Eligible applicants are villages, towns, cities and counties and counties with the consent and on behalf of one or more town, village, or city located along New York's coasts or inland waterway designated pursuant to Executive Law, Article 42. A list of coastal water bodies and designated inland waterways is available at <http://www.dos.ny.gov/funding/>.

Applicants may also partner with other organizations; however, only applications from eligible applicants will be evaluated for funding.

Applications submitted by not-for-profit organizations (including, but not limited to, community-based organizations, neighborhood groups) and for-profit organizations are ineligible and will not be scored.

Applicants working in partnership with neighboring municipalities to address regional land use, community development, and resource and/or environmental issues or opportunities are encouraged to apply. One eligible applicant must be identified as the applicant with whom the contract will be executed.

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

Local Waterfront Revitalization Program Grant Funding will be available for program planning, feasibility, design, or marketing of specific projects, construction projects, to advance any of the following grant categories:

- Preparing or Implementing Regional and Local Strategies for Community and Waterfront Revitalization;
- Redeveloping Hamlets, Downtowns and Urban Waterfronts;
- Planning or Constructing Land and Water based Trails; and
- Preparing or Implementing a Watershed Management Plan.

**GRANT FUNDS MAY BE USED FOR THE FOLLOWING ELIGIBLE COSTS:**

- Direct salary costs -including wages, salaries, fringe benefits, and supplemental compensation paid to employees of the municipality for personal services; and
- Direct non-salary costs -including costs for printing, travel, equipment, materials, supplies, consultant and contractual services, and other goods and services directly associated with the project.

NOTE: Land acquisition may only be used as part of the local share for construction projects (i.e. not to exceed 50% of the total cost of the project).

**PRE-APPLICATION REQUIREMENTS:**

None (However, Informational Public Workshops will be held. See below under additional resources).

**SUCCESSFUL APPLICANT REQUIREMENTS:**

**Standard Cost Reimbursement Contract**

Each successful applicant must enter into a standard cost reimbursement contract with the Department of State which includes this Request for Applications, the successful applicant's proposal, an agreed upon work program, any other attachments or exhibits, and the standard clauses required by the NYS Attorney General for all state contracts including Appendix "A" along with Article 15-A of the New York Executive Law. All necessary municipal resolutions and certifications must be received prior to entering into contracts. The contract will: 1) be subject to approval by the Attorney General and State Comptroller; require submission of final products in both hard copy and electronic format; 2) 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 Appendix "A" and Article 15-A is available from the Department.) There will be no contract advance available to grantees.

### **Compliance with Procurement Requirements**

The municipal attorney, chief legal officer, or financial administrator for the municipality shall certify to the Department of State that applicable public bidding procedures of General Municipal Law §103 were followed for all purchase contracts involving more than \$20,000. In the case of purchase contracts involving not more than \$20,000, and contracts for professional services, 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.

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.

### **Satisfactory Progress**

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

### **Other Grant Requirements for Construction**

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. Project design and construction is required to 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. Construction sites must be in public ownership or have public-access easements. In addition to responsibility for compliance with local regulations, the grant recipient is responsible for complying with applicable State and Federal regulations

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

**FUNDING PRIORITIES:**

Projects that revitalize communities and waterfronts and also advance the strategies of Regional Economic Development Councils

**INELIGIBLE ACTIVITIES:**

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

- Indirect or overhead costs of the municipality, such as rent, telephone service, and general administrative support.
- 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.
- Federal assistance.
- Other Environmental Protection Fund awards.
- Costs that are not adequately justified or that do not directly support the project. These costs will be eliminated from the final grant award.

**SELECTION CRITERIA:**

Applications will be reviewed for eligibility and scored according to specific criteria listed below. A successful proposal is not expected to meet all of these criteria.

**PROGRAM CRITERIA:**

Applications will be evaluated to assess the degree to which they meet the following program criteria (with total available points) are:

- Vision (4 points)
- Process (8 points)
- Strategies (28 points)
- Implementation (12 points)

Leveraging (12 points)  
Performance Measures (16 points)  
Evaluation of Budget and Cost (20 points)

**REGIONAL ECONOMIC DEVELOPMENT COUNCIL ENDORSEMENT (20 POINTS):**

Up to an additional 20 points may be awarded based on the degree to which an application advances strategies of the Regional Economic Development Councils.

**AWARD CRITERIA DETAILS:**

A total of 100 points is possible for any application, of which up to 80 percent would derive from program criteria and up to 20 percent from Regional Economic Development Council endorsement.

An unadjusted maximum score of 100 points is possible based on programmatic criteria. Averaged scores will be multiplied by .8 to arrive at an 80% programmatic score, or up to 80 points. To this programmatic score, up to 20 points will be added based upon Regional Economic Council Endorsement score.

The Department of State will fund the highest scored applications until the allocated funds are exhausted. In addition, the geographic distribution of grant proposals, information from interagency discussion, the level of funding available, and consistency with the Smart Growth Public Infrastructure Policy Act will be factors used in determining successful grant proposals.

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

Not less than \$5,750,000 will be spent for projects which are in or primarily serve areas where demographic and other relevant data demonstrate that the areas are: densely populated and have sustained physical deterioration, decay, neglect, or disinvestment, or where a substantial proportion of the residential population is of low income or is otherwise disadvantaged and is underserved with respect to the existing recreational opportunities.

**PROJECT TERM COMPLETION DATES:**

The initial contract term shall not exceed three years from the start of the project, with the provision to extend for two, twelve month periods if necessary.

**MATCHING FUND REQUIREMENTS:**

Local Match: State assistance awarded and paid shall not exceed 50% of the total eligible costs for the project. The total cost of the project is the total eligible costs set forth in the grant application, less any federal assistance and other state assistance from the Environmental Protection Fund. State assistance payments will be made to grant recipients based on actual expenditures for eligible costs up to the amount of the grant awarded. A local match of 50% of the project cost must be demonstrated at the time of application. Explicit demonstration of



50% match, within the budget narrative and budget categories of the application, is required. Failure to do so will result in application disqualification.

**ADDITIONAL RESOURCES:**

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

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

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

<http://www.dos.ny.gov/funding>/[http://www.dos.ny.gov/funding/kenneth.smith@dos.ny.gov](mailto:kenneth.smith@dos.ny.gov)  
[kenneth.smith@dos.ny.gov](mailto:kenneth.smith@dos.ny.gov)

## **Canalway Grants Program (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. The minimum grant request amount is \$50,000. The maximum grant request is \$150,000. Grant administration and pre-development costs shall not exceed 10% of the grant award amount.

Projects are intended to meet the objectives of the Regional Economic Development Councils Strategic Plans and the NYS Canal Recreationway Plan. Projects should preserve and rehabilitate canal infrastructure, enhance recreational opportunities for water-based and land-side users, promote tourism, economic development, and revitalization of the canal corridor. Funding can be used to expand public access, increase recreational use, improve services for motorized and non-motorized boaters, increase tourism, and stimulate private investment along the canal. Canal projects are also expected to offer a greater appreciation and understanding of canal and community history, and to promote the protection of environmental and historic canal resources.

**ELIGIBLE TYPES OF APPLICANTS:**

- Municipalities
- State Agencies
- Public Authorities
- Not-for-profit Corporations

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

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

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

**PRE-APPLICATION REQUIREMENTS:**

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

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 Thruway Authority/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 the 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 any 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 procedures 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. (See <http://www.dec.ny.gov/permits/357.html>)

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, but reimbursement will ***only*** be provided for portions of the project initiated ***after*** the date of the award letter. No Reimbursement payments will 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:

- 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 or is it located on or near an existing harbor, service port or lock project or the Canalway Trail?
- Does the project demonstrate sensitivity to the environmental/cultural/ historic nature of the Canal System?
- Is the project budget clearly defined and reasonable, are cost saving strategies identified?
- Is the project consistent with regional or inter-municipal plans such as NYS Department of State “Local Waterfront Revitalization Program” (LWRP) Plans, Erie Canalway National Heritage Corridor Management Plan, or other regional and local plans?
- Are multiple funding sources and project stakeholders identified?
- Can the project help attract and serve new canal users including those outside the community?
- Does the proposal reflect a reasonable and achievable timeframe for completion?
- Is there a strategy identified to monitor project performance?
- Is there a strategy for the long-term operation and maintenance of the project?

\*Carries 20% weight

## **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. 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 will 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. Trail projects must be built according to the AASHTO guidelines for the development of bicycle facilities (1999).

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.

All work undertaken as part of a grant-assisted project that involves properties listed or eligible for the State/National Historic Register must conform to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. (See [www.nysparks.state.ny.us/shp](http://www.nysparks.state.ny.us/shp) [www.nysparks.state.ny.us/shp](http://www.nysparks.state.ny.us/shp) [www.nysparks.com/shop](http://www.nysparks.com/shop))

All projects must comply with all applicable local, state and federal laws, rules, regulations, requirements, ordinances and codes.

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

# Environmental Improvements

## Environmental Facilities Corporation -- Green Innovation Grant Program – TBD<sup>1</sup>

### 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 NYS Environmental Facilities Corporation (EFC) through the Clean Water State Revolving Fund (CWSRF) and is funded through a grant from the US Environmental Protection Agency (EPA).

At the heart of green infrastructure is the goal to manage rain where it falls, reducing runoff volume and the need to treat it through grey infrastructure – much of which is already at or near capacity. Stormwater runoff can overwhelm sewer systems and other clean-water infrastructure, leading to pollution of our waterways. Traditional grey infrastructure is also expensive to maintain. Green infrastructure includes decentralized, site-specific projects that manage stormwater and provide a myriad of additional benefits such as increasing property values, revitalizing communities, improving air quality, sequestering carbon and other greenhouse gases, creating green jobs, improving the walkability of communities, reducing the urban heat island effect, and providing natural habitats, to name a few. Working in parallel with traditional grey, clean-water infrastructure, green infrastructure is a cost effective and efficient tool for meeting the goals of the Clean Water Act.

The amount of funding available for Round 4 of GIGP (GIGP 4) is to be decided. Competitive projects will:

- Create and maintain green, wet-weather infrastructure
- Spur innovation in the field of stormwater management
- Build capacity locally and beyond, to construct and maintain green infrastructure
- Facilitate the transfer of new technologies and practices to other areas of the State

GIGP 4 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. Funding will be provided to selected projects to the extent that funds are available.

### ELIGIBLE TYPES OF APPLICANTS:

- Municipalities

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<sup>1</sup> Federal authorization similar to last year's amount is anticipated to be available for this program shortly. This and all related documents will be updated to reflect the available amount as soon as possible.

- State Agencies
- Public Benefit Corporations
- Public Authorities
- Not-for-profit Corporations
- For-profit Corporations
- Individuals
- Firms
- Partnerships
- Associations
- Soil and Water Conservation Districts

In accordance with the laws, rules, and regulations governing the Clean Water State Revolving Fund (CWSRF), projects defined as point source projects under Section 212 of the Clean Water Act (CWA) must be publicly-owned. Green infrastructure projects which are specifically required under Long Term Control Plan, administrative / judicial order, or a draft<sup>2</sup> or final State Pollution Discharge Elimination System (SPDES) permit for a MS4, a Combined Sewer System, or for Stormwater Discharges from Construction Activity are considered point source projects for SRF funding. Therefore, they must be publicly owned. Public ownership is not a requirement for nonpoint source (CWA Section 319) and national estuary (CWA Section 320) projects. If the applicant is a non-municipal entity the project must not be specifically required as part of a Long Term Control Plan, administrative / judicial order or a SPDES Permit for a MS4, a Combined Sewer System, or for Stormwater Discharges from Construction Activity.

Non-municipal applicants such as school districts, private or not-for-profit organizations, individuals, firms, partnerships, associations, and soil and water conservation districts should contact the Green Innovation Grant Program Team at 1-800-200-2200 to verify project eligibility, as certain conditions may apply to non-municipal applicants.

Eligible applicants may submit more than one grant application, however, EFC reserves the right to limit GIGP 4 funding to one grant award per applicant.

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

Funding will be available for the following types of projects:

Permeable pavement, e.g. porous asphalt, concrete, or pavers

Permeable pavement is designed to convey rainfall through the pavement surface into an underlying reservoir where it can infiltrate, thereby reducing stormwater runoff from a site. Given appropriate soil and subsurface conditions, permeable pavements can be used in any type of development, for example: roads, parking lots, sidewalks, basketball and tennis courts, playgrounds, and plaza surfaces. Permeable pavement includes pervious asphalt and concrete and pervious pavers such as reinforced turf, interlocking modules and pavers.

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<sup>2</sup> According to usage in 6 NYCRR Part 624.2(m), the term "Draft Permit" refers to the final proposed permit issued by NYS DEC that goes into effect, barring a request for an adjudicatory hearing.

### Bioretention, e.g. rain gardens or bioswales

Bioretention systems are shallow vegetated depressions often referred to by a variety of names such as bioinfiltration areas, biofilters, rain gardens, bioswales, or recharge gardens. They are very effective at removing pollutants and reducing stormwater runoff. These systems are designed to collect water in the depression where it ponds on the surface. This water is then used by the vegetation in evapotranspiration and infiltrated into the soil. Larger volume systems are designed to include stone storage underneath the soil to provide additional stormwater capacity. Properly designed bioretention techniques mimic natural ecosystems through species diversity, density and distribution of vegetation, and the use of native species, which results in a system that is resistant to insects, disease, pollution, and climatic stresses.

### Green roofs or green walls

Green roofs consist of vegetation, growing media, and a drainage layer installed on top of a conventional flat or sloped roof. The rooftop vegetation soaks up rainwater. Some of this water evaporates off the surface, some is used by the plants in evapotranspiration, and in larger storms a portion of the water will runoff. Through storage of water in the plants, the soils and the drainage layer, the green roof reduces stormwater runoff volumes and attenuates peak flows.

*Green Walls* are typically vertical systems which consist of a modular container to hold growing media and vegetation. Vegetation can be rooted in the ground, or in modular containers, growing blocks or growing mats located at various heights along the face of the structure. In addition, green walls provide air quality and stormwater benefits, reducing energy usage.

### Street trees or urban forestry programs designed to manage stormwater

Urban Forestry Programs use a detailed inventory and map of existing and proposed trees to manage and maintain their urban forest. These tools help determine planting sites, select appropriate species, schedule maintenance, and evaluate the most effective practices to ensure tree health and stormwater capacity. By using these tools, an urban forestry program provides water quality benefits in addition to numerous other benefits including: reduced energy usage by shading buildings in the summer to reduce thermal loads and blocking winter winds, providing wildlife habitat, sequestering carbon dioxide and other greenhouse gases, intercepting and absorbing pollutants through their leaves and branches; increasing property values and revenues, reducing crime, engaging residents in creating safer neighborhoods, improving walkability of communities, calming traffic, and promoting smart growth.

### Construction or restoration of wetlands, floodplains, or riparian buffers

*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.

*Floodplains* are a natural water right-of-way that provide temporary storage for large flood events, keeping people and structures out of harm's way and preserving riparian ecosystems and habitats. Over time, people have filled-in and built on floodplains thereby reducing nature's ability to cope with large rain events. Restoring floodplains helps provide safe storage of excess water in large storm events, reduce volume through infiltration and evaporation, and filter sediment and nutrients from the water before it reaches or re-enters the larger waterbody.

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

#### Stream daylighting

Stream daylighting includes the removal of natural streams from artificial pipes and culverts to restore a natural stream morphology that is capable accommodating a range of hydrologic conditions while also providing biological integrity. Stream daylighting improves habitat, promotes infiltration, helps reduce pollutant loads and can provide better runoff attenuation because it increases the storage size of the natural system. The historic enclosure of rivers and streams often took place in urbanized areas to accommodate development. Stream daylighting re-establishes stream banks where culverts once existed. This often requires updating of existing grey stormwater infrastructure. When the operation is complete, what was once a linear pipe of heavily polluted water becomes a meandering stream with dramatic improvements to both aesthetics and water quality. Stream daylighting is not only an important water quality practice, but it is also a powerful economic development and community revitalization tool.

#### Downspout disconnection

Downspout disconnection is the removal of roof runoff from a direct connection to the combined or storm sewer. Historically, many communities required that roofs have stormwater connected to the sewer to rapidly convey the water away from the structure. However, by redirecting the rain to a designated vegetated pervious area, runoff volume can be greatly reduced and water quality benefits can be achieved. When disconnecting a downspout, the runoff is directed to a vegetated and pervious area where plants and soil can filter and infiltrate the water.

#### Stormwater harvesting and reuse, e.g. rain barrel and cistern projects

Rain barrels are rooftop catchment storage systems typically utilized in residential settings while cisterns are large-scale rain barrels used in commercial and industrial settings. Rain barrels and cisterns capture and store stormwater runoff to be used later for lawn and landscaping irrigation, or water can be filtered and used for non-potable activities such as car washing or filling swimming pools. Rain barrels and cisterns may be constructed of any water-retaining material; their size varies from hundreds of gallons for residential uses to tens of



thousands of gallons for commercial and/or industrial uses. The storage systems may be located either above or below ground and may be constructed of on-site material or pre-manufactured.

#### **PRE-APPLICATION REQUIREMENTS:**

All applicants must submit a conceptual site plan, a feasibility study, site photographs, and a map of the project location with their Consolidated Funding Application (CFA). Minimum content requirements for the feasibility study, conceptual site plan, and map are included in the CFA and can also be found at: <http://www.nysefc.org/gigp>

#### **SUCCESSFUL APPLICANT REQUIREMENTS:**

Recipients must provide documentation of the following before entering into a grant agreement:

- Legal right to own, operate and maintain the project for the duration of its useful life
- Compliance with the Smart Growth Infrastructure Act of 2010 and the State's M/WBE requirements
- Successful completion of all State environmental and historic preservation reviews i.e. SEQR and SHPO
- Detailed final budget and plan of finance including all third party funding agreements, intermunicipal agreements, and satisfaction of the minimum 10% local match requirement
- Designation of an Authorized Representative for the project
- EFC Approved Final Feasibility Study

#### **FUNDING PRIORITIES:**

GIGP 4 will provide funding for green stormwater infrastructure projects with a clear water quality benefit. Projects must provide metrics on benefits to water quality in New York State. All projects must meet or exceed the standards set forth in the New York State Stormwater Management Design Manual <http://www.dec.ny.gov/chemical/29072.html>.

#### **INELIGIBLE ACTIVITIES:**

Projects that *Do Not Meet the Definition of Green Infrastructure* and which are **NOT ELIGIBLE** for GIGP funding include:

- Stormwater controls that have impervious or semi-impervious liners and provide no compensatory evapotranspirative or harvesting function for stormwater retention
- Stormwater ponds that serve an extended detention function and/or extended filtration, including dirt-lined detention basins
- In-line and end-of-pipe treatment systems that only filter or detain stormwater
- Underground stormwater control and treatment devices such as swirl concentrators, hydrodynamic separators, baffle systems for grit, trash removal/floatables, oil and grease, inflatable booms and dams for in-line underground storage and diversion of flows

- Stormwater conveyance systems that are not soil/vegetation based (swales) such as pipes and concrete channels
- Hardening, channelizing or straightening streams and/or stream banks
- Street sweepers, sewer cleaners, and vector trucks, unless they support green infrastructure projects
- Water meters

**SELECTION CRITERIA:**

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

- Measurable improvement or protection of water quality, including applicant’s proposal for generating water quality metrics (44 points)
- Alignment with the goals and priorities of its Regional Council Strategic Plan (20 points)
- The extent to which the project spurs innovation in the area of green stormwater infrastructure, through development or adoption of new technologies and/or sustainable development (7 points)
- Leveraging of additional resources through removing barriers to collaboration, developing new partnerships, utilizing staff and in-kind resources, and securing other funding and investments (5 points)
- Likelihood of project success, based on project development at time of application (4 points)
- Applicant’s plan for the long-term operation, maintenance, and monitoring of the project (8 points)
- Public stakeholder engagement in the development of the project (2 points)
- 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 (6 points)
- Development of workforce through use of new technologies and providing training for the use of new technologies (1 point)
- Revitalization of communities - building projects in municipal centers, utilizing land recycling, retrofits, and/or infill (1 point)
- Fostering safe, healthy, walkable neighborhoods through improved access to affordable multimodal transportation choices as part of green street projects (1 point)
- Reducing dependence on oil (1 point)

**AWARD CRITERIA DETAILS** (i.e. include any factors or targets that must be met to be considered eligible)

- ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES: EFC encourages applications from every region of the State, from any type of project applicant. EFC must consider regional distribution in the determination of awards, to the extent practicable.

- **LIMITATIONS:** Water quality projects whose primary purpose is water protection are eligible for the entire cost of the project. Projects with a primary purpose other than water quality may be partially eligible for GIGP funding for the portion of the projects that are clearly related to the improvement or protection of water quality
- **LONG RANGE GOALS:** N/A
- **PROJECT TERM COMPLETION DATES:** Recipients must complete all requirements to enter into a grant agreement by October 1, 2013
- **MATCHING FUND REQUIREMENTS / DEADLINES:** Grants will be available for up to 90% of the total eligible project costs set forth in the application. A minimum 10% match from state or local sources is required. Prior to entering into a Grant Agreement with EFC, the Applicant will be required to demonstrate that funding is available to complete the project.

**ADDITIONAL RESOURCES:**

For more information, visit <http://www.nysefc.org/gigp>

## **Department of Environmental Conservation - CWSRF Engineering Planning Grant (Up to \$2 million)**

**EFC / DEC CWSRF Engineering Planning Grant**

**ELIGIBLE USES OF CFA ECONOMIC DEVELOPMENT FUNDS**

**Description:**

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

The CWSRF Engineering Planning Grant will assist municipalities facing economic hardship with the engineering and planning costs of CWSRF-eligible water quality projects. Grants of up to \$30,000 (with a 20% required local match) will be provided to finance activities including engineering and/or consultant fees for engineering and planning services for the production of an engineering report.

Successful applicants will use the engineering report when seeking financing through the CWSRF program to further pursue the identified solution.

**Key Definitions:**

**Municipality** - means any county, city, town, village, district corporation, county or town improvement district, Indian reservation wholly within New York State, any public benefit

corporation or public authority established pursuant to the laws of New York or any agency of New York State which is empowered to construct and operate a project, or any two or more of the foregoing which are acting jointly in connection with a project. [Reference: 21 NYCRR 2602.2(a)(49) New York State Clean Water Revolving Fund Regulations]

**Planning** - means the orderly development of a project concept from the original statement of need or purpose through the evaluation of alternatives to a final recommendation on a course of action and measures to implement the selected alternative, including completion of the environmental review process. [Reference: 21 NYCRR 2602.2(a)(51) New York State Clean Water Revolving Fund Regulations]

**Engineering Report** - Engineering report means the document or documents, which determines the technical and economic feasibility of a CWSRF eligible project. [Reference: 21 NYCRR 2602.2(a)(22) New York State Clean Water Revolving Fund Regulations] Engineering reports should be prepared in accordance with requirements identified in *Recommended Standards for Wastewater Facilities* (2004 edition), commonly known as the 10-State Standards (<http://10statesstandards.com/waterstandards.html>) or TR-16 Guides for the Design of Wastewater Treatment Works prepared by New England Interstate Water Pollution Control Commission (<http://www.neiwpcc.org/tr16guides.asp>). Engineering reports must include the following sections:

- Problem defined
- Flow and organic load
- Impact on existing wastewater facilities
- Project description
- Drawings/Site Plan
- Engineering criteria
- Site information
- Alternative selection. (Note: Smart Growth alternative(s) and green infrastructure alternative(s) need to be considered and documented in the engineering report.)
- Environmental review<sup>3</sup>.
- A concise summary of any additional pertinent information specific to the project proposal.

Eligible Types of Applicants:

- Municipalities as defined in 21 NYCRR 2602 New York State Clean Water Revolving Fund Regulations; and
- Population of the municipality must be less than 30,000 according to the United States Census 2010 <http://quickfacts.census.gov/qfd/states/36000.html>; and

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<sup>3</sup> Applicants must complete reviews under both the State Environmental Quality Review (SEQR) Act and State Environmental Review Process (SERP) to obtain the funds for the design and construction of their project. Applicants also must have their projects reviewed by the New York State Office of Parks and Historic Preservation's State Historic Preservation Office (SHPO).

- Median household income (MHI) of the municipality is equal to or less than \$55,000 according to the United States Census 2010  
<http://quickfacts.census.gov/qfd/states/36000.html>.

**Eligible Activities/Program Benefit Requirements:**

Funding will be available to municipalities for the development of engineering reports and planning efforts. In accordance with the laws, rules and regulations governing the CWSRF, projects eligible under Section 212 (Publically Owned Treatment Works) of the federal Clean Water Act must be publicly-owned.

Priority will be given to planning projects addressing a documented water quality impairment (i.e., Priority Waterbodies List (PWL), executed Order on Consent, SPDES Permit requirement). Engineering reports should be prepared in accordance with requirements identified in *Recommended Standards for Wastewater Facilities* (2004 edition), commonly known as the 10-State Standards (<http://10statesstandards.com/waterstandards.html>) or TR-16 Guides for the Design of Wastewater Treatment Works prepared by New England Interstate Water Pollution Control Commission (<http://www.neiwppcc.org/tr16guides.asp>). Engineering reports must include the following sections:

- Problem defined
- Flow and organic load
- Impact on existing wastewater facilities
- Project description
- Drawings/Site Plan
- Engineering criteria
- Site information
- Alternative selection.
- Environmental review
- A concise summary of any additional pertinent information specific to the project proposal

Note the following requirements about the alternatives outlined in the engineering report: Smart Growth alternative(s) and green infrastructure alternative(s) must be considered and documented in the engineering report. The following minimum alternatives need to be considered for projects with no existing wastewater infrastructure:

- decentralized systems;
- new sewers and connection to regional wastewater treatment facility; and
- new sewers and a wastewater treatment facility.

The following minimum alternatives need to be considered for projects with existing wastewater infrastructure:

- rebuilding existing wastewater infrastructure; and
- connection to regional wastewater treatment facility.

The ultimate goal of this engineering planning grant program is to assist needy communities to initiate a planning process with follow-up implementation plan to address local water quality problems.

**Ineligible Activities:**

- Projects that do not lead to the restoration or protection of a surface waterbody.
- Projects already listed on the annual CWSRF Intended Use Plan.
- Construction costs for the wastewater treatment and/or collection systems.

**Successful Applicant Requirements:**

**Documentation:** Recipients must provide documentation of the following requirements before entering into a grant agreement for the planning project.

- Legal right to own, operate and maintain the project for the duration of its useful life.
- Compliance with the New York State Smart Growth Infrastructure Policy Act of 2010.
- Compliance with the New York State’s Minority/Woman-owned Business Enterprises (M/WBE) requirements.
- Detailed final budget and plan of finance including all third party funding agreements, and satisfaction of the minimum 20% local match requirement.
- Local resolution authorizing and obligating local match funds. Match can include cash and/or in-kind services. Other grants may not be used for local match.
- Designation of an Authorized Representative for the project.
- Executed Engineering Agreement.
- Completion of Environmental Quality Review (SEQR) Act and State Environmental Review Process (SERP). Please refer to EFC’s “Environmental Review Guidance” on EFC’s website for more information on the SEQR and SERP processes<sup>4</sup>.

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[http://www.nysefc.org//DesktopModules/DNNCorp/DocumentLibrary/Components/FileDownloader/FileDownloaderPage.aspx?tabid=76&did=2674&pid=0&Irf=/DesktopModules/DNNCorp/DocumentLibrary/App\\_LocalResources/DocumentLibrary&cl=enUS&mcs=%2fDesktopModules%2fDNNCorp%2fDocumentLibrary%2f&uarn=Administrator&cd=false&tmid=258&ift=1](http://www.nysefc.org//DesktopModules/DNNCorp/DocumentLibrary/Components/FileDownloader/FileDownloaderPage.aspx?tabid=76&did=2674&pid=0&Irf=/DesktopModules/DNNCorp/DocumentLibrary/App_LocalResources/DocumentLibrary&cl=enUS&mcs=%2fDesktopModules%2fDNNCorp%2fDocumentLibrary%2f&uarn=Administrator&cd=false&tmid=258&ift=1)

- Acknowledgement of project review by the New York State Office of Parks and Historic Preservation’s State Historic Preservation Office (SHPO).

**Timeframe:** Grant recipients must submit a complete engineering report within 9 months of execution of grant agreement.

**Grant Payment:** The grant will be disbursed in two payments. The municipality will be eligible to receive 50 percent of the grant amount, as an advance payment once the grant agreement is executed. The second half of the award will be paid when the municipality’s engineering report and planning has been completed and approved by DEC and EFC.

Funding Priorities:

The CWSRF Engineering Planning grant program will provide funding for the preparation of an engineering report and planning activities to determine the scope of water quality issues.

Priority will be given to municipalities proposing projects:

- required by an executed Order on Consent;
- required by a SPDES permit;
- to upgrade or replace an existing wastewater system;
- to construct a wastewater treatment and/or collection system for an unsewered area.

**Selection Criteria:**

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

	Points Assigned	Criteria
Regional Economic Development Priority	20 points	Alignment with the goals and priorities of its designated economic region
Strategies	24 points	Proposed project is required by a Consent Order or a SPDES permit
Performance Measures	20 points	Severity of existing water quality impairments
Leveraging	12 points	Project discharges to a SPDES permitted facility or project has a SPDES permit
Implementation	12 points	Capacity of applicant to administer grant
Process	8 points	Local commitment
Vision	4 points	Planning project is identified in a formally adopted plan

**Award Criteria Details:**

- ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:
  - Applicants from every region of the state are encouraged to apply.
  - Municipalities as defined in 21 NYCRR 2602 New York State Clean Water Revolving Fund Regulations;

- Population of the municipality must be less than 30,000 according to the United States Census 2010 <http://quickfacts.census.gov/qfd/states/36000.html>; and
- Median household income (MHI) of the municipality is equal to or less than \$55,000 according to the United States Census 2010 <http://quickfacts.census.gov/qfd/states/36000.html>.

- **LIMITATIONS:**

Grant awards will be limited to \$30,000 per project and require a 20% local match.

- **LONG RANGE GOALS:**

Successful applicants will use the engineering report completed under this grant when seeking financing through the CWSRF program or other financial means to further pursue the recommended solution.

- **PROJECT TERM COMPLETION DATES:**

Grant recipients must submit a complete engineering report within 9 months of their grant agreement being executed.

- **MATCHING FUND REQUIREMENTS / DEADLINES:**

- A minimum 20% local match is required. Match can include cash and/or in-kind services. 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 for up to 80% of the total eligible project costs set forth in the application. The applicant is required to provide the balance of the funds needed to complete the initial planning undertaken with the grant.

**Additional Resources:**

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

## **Environmental Investment Program (Up to \$1 million)**

**DESCRIPTION:**

The Environmental Investment Program (EIP), administered by New York State Empire State Development (ESD) helps businesses capture the economic benefits associated with pollution prevention, waste reduction, re-use and recycling. The program provides capital, technical assistance, and research and development grants that expand the ability to recycle solid and industrial waste into higher value products, or reduce pollution and waste at the point of generation. The program is funded through appropriations from the Environmental Protection Fund.

**ELIGIBLE TYPES OF APPLICANTS:**

Capital Funding:



- Non-profit organization or municipality on behalf of NYS business

Technical Assistance Funding:

- Non-profit organization or municipality providing assistance to groups of NYS businesses

Research Demonstration and Development (RD&D) Funding:

- Small and medium sized NYS business and non-profit organization employing fewer than 500 workers or earn less than \$10 million in gross revenue or annual sales

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

Economic benefits may be achieved by:

- Cost reductions from improved productivity, reduced regulatory, operating or purchasing
- Increased sales revenues, expanded production output and new product development
- Job creation and retention

Environmental improvements may be achieved through:

- Recycling (including Reuse, Remanufacturing and Composting)
- Pollution Prevention and Waste Reduction
- Sustainable Product and Technology Development/Implementation

Eligible Capital project costs:

- Machinery and equipment directly related to the project results, including associated engineering, shipping and installation costs. Eligible transportation equipment is limited to those items used on site.
- Acquisition, construction and improvements to real property when the costs are integral to the project results, reasonable, and increase the likelihood that the project will start and complete in a timely manner. Improvements, alterations or repairs to real property may include site preparation; demolition, installation or relocation of utilities; transportation facilities; construction materials and labor.
- Consulting costs associated with the acquisition of legal, engineering and architectural services directly related to the installation and start-up of the equipment.

Eligible RD&D project costs:

- Test, evaluate and demonstrate the technical and economic feasibility of products or process technologies that recycle, prevent pollution or achieve measurable sustainability outcomes.
- Incremental expenses associated exclusively with the conduct of the test, evaluation, or demonstration. Costs that would be incurred regardless of the project (i.e., rent, overhead and others associated with the normal cost of doing business) are not eligible.
- Rental of equipment needed to conduct project testing.
- Purchase of equipment only when such equipment is essential to the research outcomes and not available for lease/lease-purchase.

Eligible Technical Assistance project costs:

- Technical assistance to support eligible organizations that directly assist groups of New York State businesses to achieve recycling, reuse, pollution prevention or sustainability outcomes.
- Personnel expenses (salaries and fringe benefits) for project employees and support staff engaged in results-based technical assistance delivery.
- Non-personnel expenses in support of the personnel assigned to the project, including supplies and materials; publications; travel; communications; equipment rental or repair; facility rental; telephone and utilities.
- Equipment to implement pollution/recycling results at assisted companies may be eligible. Such equipment may not be disposed of, sold, transferred, leased, or used for any other purpose without written permission from the Department.

**PRE-APPLICATION REQUIREMENTS:**

None

**SUCCESSFUL APPLICANT REQUIREMENTS:**

Successful applicants will develop a project workplan that becomes part of the DED contract. It will include project outcomes and baselines, derivation of outcomes, milestone schedule, a detailed budget with derivations and all forms and information necessary in order to enter into contract with NYS.

**FUNDING PRIORITIES:**

- Building Construction and Demolition (C&D) Debris
  - Increase capacity to divert building C&D material from disposal to reuse/recycling
  - Increase value and value-added uses for recovered material
  - Increase capacity for deconstruction and building material reuse
- Commercial/Industrial-Generated Food Waste
  - Increase capacity to process commercial/industrial food waste for recycling
  - Increase capacity to compost commercial/industrial food waste
  - Enhance collection technology and practices to make food waste diversion cost-effective
  - Expand value-added markets for compost
- Electronic Devices
  - Increase capacity and cost-effectiveness of electronics recycling and remanufacturing
- Glass
  - Expand value-added uses for mixed-color container glass
  - Expand markets for sorted non-container glass, including windshield, window pane, mirror, pyrex and ceramics
- Industrial Process and Hazardous Waste
  - Expand capacity to recycle industrial wastes in value-added uses
- Paper
  - Increase diversion of significant amounts of commercially- and institutionally-generated waste paper for recycling
  - Increase capacity of resident paper mills to use recycled feedstock

- Expand value-added uses for paper mill residuals
- Plastics
  - Increase diversion and value of container plastics for recycling
  - Increase diversion and capacity to recycle plastic films, including bags, agricultural, marine and pallet films
  - Expand value-added uses for recycled films
- Tires
  - Expand value-added uses for recycled tire materials
- Pollution Prevention / Waste Reduction
  - Focus on manufacturing product inputs and process wastes
  - Reduce toxic material inputs and hazardous waste generation
  - Achieve pollution prevention/reduction outcomes at the site where the investment is made
- Sustainable Product and Technology Development/Implementation
  - Create new or reformulated products or and industrial process technologies for sale by New York State companies that enhance environmental sustainability in a measurable way when compared to conventional products or process technologies.
  - Reduce industrial process waste or hazardous waste, employ recycled content feedstocks or improve product lifecycle design so as to increase reuse or recycling.

**INELIGIBLE ACTIVITIES:**

- End-of-pipe pollution control technologies
- Practices and equipment to achieve compliance with NYS environmental conservation laws or regulations
- Shifting waste from one medium to another with no net environmental benefit
- Is for energy recovery (includes refuse derived fuel) or incineration
- Has a primary purpose of clean-up or remediation of contaminated sites
- Recycles, reuses or otherwise processes DEC regulated hazardous waste or hazardous substances that were not used in the company's own process (out of process)
- Projects that focus on storm water run-off
- Has a primary purpose of energy conservation or energy recovery
- Is a municipal waste treatment project, such as a water or sewage treatment facility;
- Is a municipal waste reduction or waste recycling project eligible for funding through NYSDEC;
- Has recycling or pollution prevention outcomes that occur only once;
- Material Recycling Facilities (MRFs) that will only include basic processing of residential recyclables (aggregating, sorting, baling, etc) with no intermediate or advanced processing to prepare the material as a manufacturing feedstock.

**SELECTION CRITERIA:**

Application of selection criteria varies slightly according to funding type (capital, technical assistance, RD&D) and funding priority (recycling, pollution prevention, sustainable product development).

### Strategy

- The strength of the business issues driving the project.
- The project's responsiveness to regional environmental and economic development needs.
- How broadly the project results may apply to other NYS business enterprises.
- The degree to which the project fits EIP priority materials and processes.
- The degree to which the project focuses on the NYS environment and for solid waste projects, the degree to which the project diverts solid waste from New York State disposal capacity.
- The degree to which the project contributes to a strong materials processing/manufacturing capacity in NYS and adds value to the recovered material; significantly contributes to waste/emission reduction in NYS; or significantly contributes to NYS capacity to produce sustainable products.

### Implementation

- The likelihood the project will be started and completed on time.
- The technical and economic feasibility of the project; the clarity of the application.
- The commitment, experience and ability of the key people dedicated to achieving the project results.
- The financial viability of the business.
- The immediate potential to implement or commercialize the project results in New York State without further research.
- The potential cost effectiveness of achieving environmental results as compared to already proven technologies and processes.

### Leverage

- The degree to which the cash and in-kind matching funds exceed the minimum requirements.
- The amount of cash provided by the applicant and the assisted businesses for the services they will receive and implement.
- The demonstrated financial need of the applicant and co- implementer, where applicable, for assistance.

### Performance Measures

- How well the environmental results and economic benefits compare to similar projects that have been competitively reviewed and funded by EIP.
- The magnitude of the environmental results and the cost-effectiveness of DED's investment in achieving those results.
- How well the number of business served compares with other, similar EIP funded projects.
- The economic benefits the project will return to NYS communities thru job creation, investment, operational efficiencies or increased revenues derived from the environmental results and the cost effectiveness of ESD's investment in achieving those results.

**AWARD CRITERIA DETAILS:**

- Awarded projects are generally given six months to provide documents required for a contract.
- AWARD CAPS:
  - Capital – up to 50% of eligible project costs, not to exceed \$500,000
  - Technical Assistance – up to 50% of eligible project costs, not to exceed \$100,000/yr
  - Research Demonstration and Development – up to 80% of eligible project costs, not to exceed \$200,000
- Contracts are generally limited to 2 yrs. Upon extenuating circumstances contract extensions are considered.
- MATCHING FUND REQUIREMENTS:
  - Capital – EIP capital assistance must be matched with cash, in-kind contributions cannot be counted.
  - Technical Assistance – Projects must incorporate cash contributions from assisted businesses as well as the service provider.
  - Research and Development – Projects must contribute at least 20% of project costs in cash. Generally, projects with cash and in-kind matching contributions in excess of the minimum will receive priority consideration.

**ADDITIONAL RESOURCES:**

Please contact the Department for additional details, including a Program Guide. Call 518/292-5340 or e-mail [environment@esd.ny.gov](mailto:environment@esd.ny.gov) Visit [www.esd.ny.gov/environment](http://www.esd.ny.gov/environment) .

# Energy Improvements

## NYS Energy Research and Development Authority - Flexible Technical Assistance (Up to \$6 million)

### FlexTech Program: Cost-Shared Studies

#### **DESCRIPTION:**

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

#### **ELIGIBLE TYPES OF APPLICANTS:**

FlexTech is funded through the Systems Benefit Charge (SBC) and Energy Efficiency Portfolio Standard (EEPS). Eligible applicants are a New York State electricity or gas distribution customer of a participating utility company who pay into the 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 a statewide geographic distribution of needed technical services. This list is currently available on NYSERDA's website:

<http://www.nyserda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program.aspx>

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 operational and management support, and RFP preparation.

**Industrial Process Efficiency** — These studies focus on increasing productivity and improving energy performance. Use them to help your company define and reduce energy use per unit of production.

**Data Centers** — Helps you 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.

**Benchmarking** — Benchmarking and onsite systems and operational assessments recommending low-cost energy-efficiency improvements.

**Retro-commissioning** — This systematic process helps determine how well building systems perform interactively to meet the operational needs of owners and occupants.

**Combined Heat and Power** — Rely on these studies to investigate the feasibility of installing combined heat and power.

**Peak-load Reduction & Load Management** — Develop comprehensive protocols that allow customers to respond to curtailment calls from the New York Independent System Operator (NYISO) during periods of New York electrical system capacity constraints.

**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 application 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 and NYSERDA cost-share will be set aside. 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 amounts are not encumbered 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, that have not been occupied for more than one year are ineligible for funding.
- Whole building or new construction commissioning is not eligible for funding under this program.
- Detailed engineering design is considered an implementation effort and is not eligible for funding under this program.
- Applications seeking funding for single, multifamily, or Publicly Assisted Housing are not eligible under this program, but may apply under NYSERDA's Residential Energy Affordability programs.
- Applications seeking funds to support the sale or distribution of energy are not eligible for funding under this program except as defined in NYSERDA's CHP and Renewable Generation requirements.
- Equipment purchases are not eligible for funding under this program, except for metering equipment, software costs, and other data collection hard costs representing up to 50% of the eligible FlexTech project 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.
- Retro-commissioning studies without the potential for significant energy savings are not eligible for funding. Study costs may be prorated at NYSERDA's discretion with NYSERDA cost-sharing only the energy efficiency components. Funds may be used for evaluation of facilities only and may not be used to correct deficiencies found. Calculations demonstrating the potential energy impacts from repairing each deficiency are



required. NYSERDA reserves the right to determine which projects are classified as Retro-commissioning.

- Organizations which generate, transmit, or distribute energy for sale are not eligible for funding under this component of the program.
- Applications for studies of non-renewable generation without a heat recovery component are not eligible for funding.
- Applications seeking assistance with evaluating systems where the potential renewable generation capacity would be larger than 5 MW 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.

#### **AWARD CRITERIA DETAILS**

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:**  
Customers must be contributing to the Systems Benefit Charge (SBC) on their electric or gas 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. Gas utility customers may also be contributing to the SBC on their gas utility bill.
- **LIMITATIONS:**
  - For most applications, NYSERDA will contribute fifty percent (50%) of the eligible study costs, up to the lesser of either \$1,000,000 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.
  - Commissioning of new equipment or systems within an existing building is eligible, but must focus on the energy aspects of proper operating parameters. Calculations demonstrating the potential energy impacts from repairing each deficiency are required.
  - Service provider travel costs are limited to 3% of the total project cost.
  - Interval metering, sub-metering, software program costs, and other hard costs may be eligible for funding where the added expense is justified through increases in the overall effectiveness of the technical evaluation. The purpose

and type of interval meter along with installation locations must be detailed in the scope of work. Interval meters must be capable of capturing time sensitive data no less frequently than once-per-hour. Data must be accessible no less than once-per-day. Requested funds for these costs cannot exceed 50% of the eligible FlexTech project costs. NYSEDA reserves the right to reduce the allowable metering costs in a study below 50%.

- 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. The FlexTech EEPS resource acquisition goal for 2012-2015 is 445,000 MWh of electric savings and 400,000 MMBtus of natural gas savings.
- **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 NYSEDA FlexTech Consultant, NYSEDA'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 NYSEDA. 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.
  - For eligible Farm customers using a NYSEDA FlexTech Consultant, NYSEDA will contribute the first \$2500 towards the cost of the audit, with no customer cost-share required. Eligible additional assistance above \$2500 will be cost-shared 50% by the customer and NYSEDA.

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. NYSEDA 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 NYSEDA.

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 set to expire December 2015.

#### **ADDITIONAL RESOURCES:**

FlexTech Main Page: <http://www.nyseda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program.aspx>

FlexTech Cost-Shared studies – outline of process: <http://www.nyseda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program/FlexTech-Process.aspx>

## **FlexTech Program: Audits**

**DESCRIPTION:** FlexTech Audits offer eligible customers free walkthrough audits to identify energy efficiency improvements. FlexTech Audits are funded through Green Jobs Green New York (GJGNY), and the American Recovery and Reinvestment Act (ARRA). Facilities must have an average electric demand of 100 kW or less to be eligible for FlexTech Audits.

### **ELIGIBLE TYPES OF APPLICANTS:**

Eligible applicants include nonresidential customers with an average electric demand of 100 kW or less, including but not limited to:

- Not-for-profit Corporations
  - its members, directors, or officers, except as allowed by statute.
- Small Businesses
- Commercial Facilities

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:** FlexTech Audits evaluate standard energy efficiency measures within eligible facilities. These measures include, but are not limited to, lighting, lighting controls, heating, ventilation air conditioning (HVAC), temperature controls, commercial kitchen equipment, and building envelope improvements. At the conclusion of the FlexTech Audit, the customer is presented with a report outlining recommended improvements, energy and cost savings. The intent of the report is to provide the customer with enough information to make an informed energy decision.

**SUCCESSFUL APPLICANT REQUIREMENTS:** Customers should calculate their average electric demand to ensure eligibility. To determine average electric demand, sum the demand (kW) indicated on your electric bill for each of the past 12 months and divide it by 12. Only facilities with an average electric demand of 100 kW or less are eligible to participate.

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

**INELIGIBLE ACTIVITIES:** Energy efficiency measures beyond the standard measures outlined above may be ineligible for study.

### **SELECTION CRITERIA:**

**FlexTech provides funding on a first-come, first served basis until funds have been exhausted.**

### **AWARD CRITERIA DETAILS**

- **ELIGIBLE AREA, CITY, COUNTY POPULATION LIMITS OR POPULATION TARGET TYPES:**  
Free energy audits are available to small businesses and not-for-profits statewide.

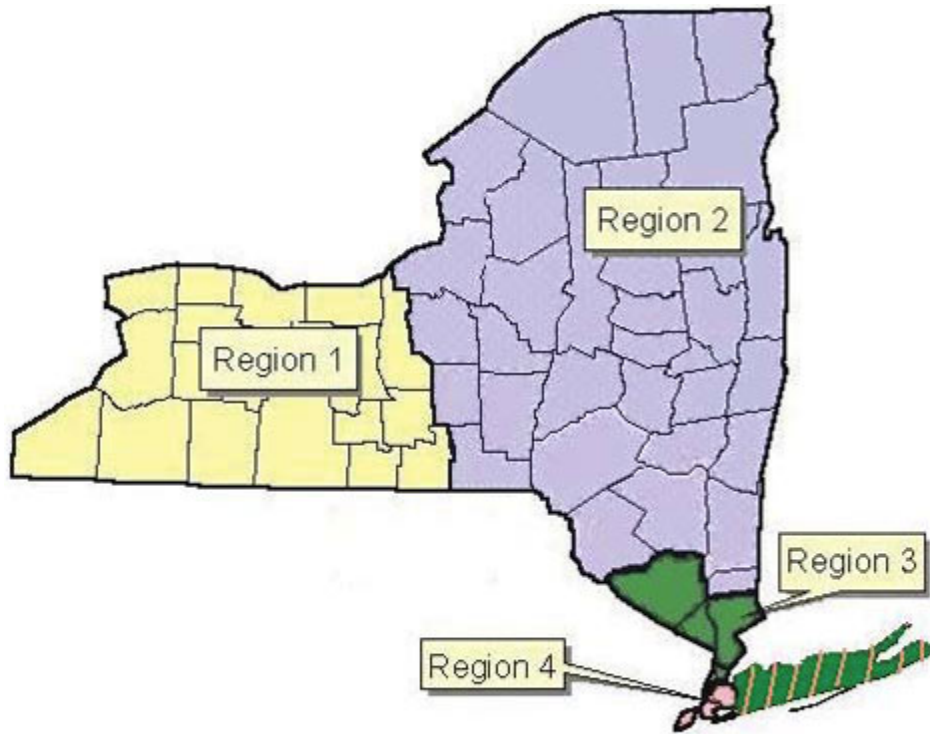
- **LIMITATIONS:**
  - Only facilities with an average electric demand of 100 kW or less are eligible for FlexTech Audits.
- **LONG RANGE GOALS:** In addition to contributing to the goals outlined in the FlexTech: Cost-Shared Studies outline, the FlexTech Audits aim to achieve 2100 audits as a result of the Green Jobs Green New York funding, and 800 audits as a result of the American Recovery and Reinvestment Act.
- **PROJECT TERM COMPLETION DATES:** Individual audit times vary. Typical audits are completed within 4-6 weeks from application.

**ADDITIONAL RESOURCES:**

FlexTech Audits <http://www.nyscrda.ny.gov/en/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program/Energy-Audit-Program.aspx>

FlexTech Audit Contractors:

<p><b>Region 1</b> - C.J. Brown Energy            Contact: Lisa Grabenstatter            Phone: 716-565-9190            FAX: 716-633-5598            Email: <a href="mailto:lag@cjbrownenergy.com">lag@cjbrownenergy.com</a></p>	<p><b>Region 2</b> - L&amp;S Energy Services            Contact: Michelle Wooddell            Phone: 518-383-9405 x223            FAX: 518-383-9406            Email: <a href="mailto:MWooddell@LS-Energy.com">MWooddell@LS-Energy.com</a></p>
<p><b>Region 3</b> - Daylight Savings            Contact: Frank Lauricella            Phone: 845-291-1275            FAX: 845-291-1276            Email: <a href="mailto:flauricella@daylightsavings.us">flauricella@daylightsavings.us</a></p>	<p><b>Region 4</b> - EME Group            Contact: Brendan Liffey            Phone: 212-529-5969            FAX: 212-529-6023            Email: <a href="mailto:bliffey@emegroup.com">bliffey@emegroup.com</a></p>



**Region 1 Counties**

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

**Region 2 Counties**

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

**Region 3 Counties**

Orange, Rockland, Westchester, Bronx, Nassau, Suffolk

**Region 4 Counties**

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

# **NYS Energy Research and Development Authority - Existing Facilities Program (\$12 million)**

## **DESCRIPTION:**

The Existing Facilities Program (EFP) offers Performance-Based incentives to encourage Applicants to implement cost-effective energy efficiency projects that deliver verifiable annual energy savings. EFP also offers Pre-Qualified incentives to encourage Applicants to purchase and install more energy-efficient equipment for small-sized energy projects and equipment replacement projects.

Applications will be accepted on a first-come, first-served basis through 5:00 pm EST on December 31, 2015, or until funds are exhausted.

## **ELIGIBLE TYPES OF APPLICANTS:**

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

All commercial and industrial Facilities that pay the SBC charge are eligible. Incentives are structured to provide payments for natural gas and electric efficiency projects that reduce energy usage. The Program targets certain market sub-sectors such as commercial, industrial, institutional, municipal, not-for-profits and K-12 schools.

Definition: Applicant = The entity that will receive the approved incentive amount upon project completion, and will be responsible for delivering the energy savings. Applicants can include third parties such as Energy Service Companies (ESCOs), facility owners, management companies, and/or tenants with the authority to make efficiency improvements within the facility.

Definition: Facility = The building(s) or structure(s) where the energy efficient measures are being implemented.

## **ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

**Electric and Natural Gas Efficiency** incentives are offered to offset capital costs of cost-effective energy efficiency projects that reduce energy consumption at an eligible facility.

**Natural Gas Efficiency** incentives are offered to offset the capital costs of cost-effective efficiency projects that reduce natural gas consumption at eligible facilities.

**Energy Storage** incentives are offered to support peak demand reductions associated with energy or thermal (ice) storage systems.

**Demand Response (DR)** incentives are offered to offset a portion of the technology costs that enable facilities to participate in Demand Response programs.

**Monitoring-Based Commissioning (MBCx)** incentives are offered to support the implementation of continuous commissioning programs, as well as protocols and systems that promote persistent and measurable operational based energy savings.

### **Overall Equipment Eligibility**

Most ENERGY STAR®-listed equipment is eligible. All other equipment must meet the following criteria:

#### Lighting

- All lighting projects require the [Existing Facilities Program Lighting Form](#).
- All four-foot T8 fixtures must be high performance, or low wattage, as defined by the Consortium for Energy Efficiency (CEE).
- Installation of T12 lighting technology is ineligible for funding.
- Only hardwired and pin-based CFLs are eligible. Screw-in compact fluorescent lighting with any type of adapter is ineligible for funding. Any adapter (i.e. locking devices/discs/pin-based converters/etc...) that secures screw-in compact fluorescent lighting does NOT make screw-in CFLs eligible for incentives.
- Re-lamping projects are ineligible for funding. Re-lamping is defined as the replacement of only the removable lamp(s) in a light fixture.
- De-lamping / lamp removal may contribute to no greater than 20% of a project's total energy savings.
- Applicants implementing Solid State Lighting (SSL) projects should review the most current [EFP SSL \(LED\) policy](#) for eligibility.

#### Motors

All motors must qualify as National Electric Manufacturers Association (NEMA) Premium Efficiency Motors.

#### HVAC



All HVAC equipment must meet the pre-qualified program standards as listed on the EFP's [Pre-Qualified Measure Worksheets](#) or must exceed ASHRAE 90.1 2007 by at least 2%, whichever is more stringent.

#### Super-Efficient Electric Chiller Bonus

Water-cooled electric centrifugal chillers with capacities greater than or equal to 300 tons are eligible for a bonus incentive if the efficiencies of the proposed equipment exceed the associated ASHRAE 90.1 2007 centrifugal chiller full load standard by at least 3% (Path A) or integrated part load value by at least 12.5% (Path B). Bonus incentive calculations are based on nameplate efficiencies. New super-efficient chillers that are installed to accommodate load growth or to replace existing non-electric cooling are eligible for this bonus. Chillers not covered by ASHRAE 90.1 2007 (addendum m) and backup chillers are ineligible for this bonus incentive.

For more information, refer to the [Technical Guidance Document for Chillers](#) and the [Super Efficient Electric Chiller Bonus Estimator](#).

#### Custom Projects

Applicants considering projects other than lighting, HVAC, motors, Variable Frequency Drives (VFDs), or Energy Management Systems (EMS) should contact NYSERDA to discuss eligibility.

#### **PRE-APPLICATION REQUIREMENTS:**

None

#### **SUCCESSFUL APPLICANT REQUIREMENTS:**

To apply to the Existing Facilities Program you must submit a Consolidated Funding Application (CFA). The program is an open enrollment offering that is advertised as a Program Opportunity Notice (PON), and it is offered on a first come, first served basis subject to funding availability. Program Opportunity Notices (PONs) are advertised for a specific time period, and CFAs must be received between the start and finish date of a PON.

To Receive Pre-Qualified Incentives:

- 1) Check the appropriate [Pre-Qualified Measures Worksheets](#) on the Existing Facilities website to make sure that all proposed equipment meets the specified eligibility criteria.
- 2) Complete the project: purchase, install, and commission the proposed equipment.
- 3) Complete and submit the following REQUIRED documentation within 90 days of project completion:
  - Appropriate Pre-Qualified Measure Worksheets
  - Current, complete utility bill documenting the System Benefits Charge
  - Equipment specification sheets supporting applicable eligibility criteria
  - Invoices for equipment verifying purchase and installation

- 4) NYSERDA will evaluate the project using the required program documentation. If approved, incentives will be paid directly to the Applicant.

To Receive Performance-Based Incentives:

- 1) Complete and submit the following REQUIRED documentation before or within 90 days of project contracting, and prior to any demolition or removal of existing equipment or installation of new equipment for the project:
  - Current, complete utility bill documenting the System Benefits Charge
  - Proposed equipment specification sheets supporting applicable eligibility criteria
  - For lighting projects, please include the [Existing Facilities Program Lighting Form](#) found on our website
  - For other projects, please include preliminary calculations that reflect the anticipated energy savings.
- 2) NYSERDA evaluates the project based on the submitted documentation. If deemed eligible, a Purchase Order will be issued to the Applicant. The Applicant will have two years from the issue date of the Purchase Order to complete the project.
- 3) The Applicant submits an Engineering Analysis for NYSERDA's approval. The Engineering Analysis includes, but is not limited to, project description, detailed energy savings calculations, and economic evaluation.
- 4) NYSERDA (or a NYSERDA assigned Technical Consultant) reviews the Engineering Analysis and conducts a pre-installation inspection. NYSERDA may request revisions to the Engineering Analysis as necessary. After the pre-installation site inspection and approval of the Engineering Analysis, NYSERDA will notify the Applicant and facility contact that they can implement the project. (An Applicant proceeding with demolition or installation before NYSERDA conducts a pre-installation inspection and reviews the Engineering Analysis does so at its own risk.)
- 5) The Applicant implements the project and notifies NYSERDA that the project is complete and ready for a post-installation inspection.
- 6) The Applicant revises the Engineering Analysis to reflect post-installation conditions and submits it to NYSERDA's assigned Technical Consultant. NYSERDA conducts a post-installation inspection and collects relevant documentation (including invoices) and any other remaining items.
- 7) Upon approval of all final deliverables, NYSERDA issues the full incentive for projects not requiring Measurement and Verification (M&V) to the Applicant, and partial payment for projects requiring M&V. Those projects requiring M&V must be completed in accordance with the approved Engineering Analysis. When the M&V is complete, NYSERDA reviews the results and releases the remaining funds. Final incentive levels

may be adjusted based on data gathered during post-installation inspection and/or within the M&V results.

**FUNDING PRIORITIES:**

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

**INELIGIBLE ACTIVITIES:**

- 1) Projects with simple payback periods greater than 18 years (excluding NYSERDA incentives) are ineligible.
- 2) Manufacturing, data center, and farm-related projects must have a simple payback period of at least 6 months, while all other projects must have a simple payback period of at least one year to be eligible.  
NYSERDA's incentives will be adjusted to ensure these payback thresholds are adhered to.
- 3) Applicants may not obtain incentives for the same energy efficiency measures through other NYSERDA programs or from programs offered by their local utility.
- 4) Ineligible projects include power quality, power factor improvements, and fuel switching. Residential projects are also ineligible for participation in the program.
- 5) Energy-efficiency measures must be cost effective [Defined as a TRC of one (1) or greater].

**SELECTION CRITERIA:**

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

**AWARD CRITERIA DETAILS:**

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

LIMITATIONS:

Per Facility Incentive Caps:

- Pre-Qualified Incentives
  - \$30,000 – Electric Measures
  - \$25,000 – Natural Gas Measures (National Fuel only)
- Performance-Based Incentives
  - \$500,000 – Monitoring-Based Commissioning Projects
  - \$2,000,000 Electric Efficiency, Energy Storage & Demand Response Projects
  - \$25,000 Natural Gas Projects (National Fuel only)
- LONG RANGE GOALS: EFP will save 799,848 MWH and 311,854 MMBtu of gas by 2015.

- **PROJECT TERM COMPLETION DATES:** All measures must achieve savings for at least five years. See Successful Applicant Requirements for additional information.
- **MATCHING FUND REQUIREMENTS / DEADLINES:** The total incentive cannot exceed 50% of the project cost for most projects. For demand response projects and projects that bundle electric and/or natural gas efficiency and demand response, the total incentive cannot exceed 75% of the project cost. Project cost may include equipment, labor, and engineering expenses.

**ADDITIONAL RESOURCES:**

EFP Website: <http://www.nyserda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/Existing-Facilities-Program.aspx>

EFP Program Manager: Scott Smith  
 (518) 862-1090 x3344 or [sas@nyserda.org](mailto:sas@nyserda.org)

## **NYS Energy Research and Development Authority – Industrial and Process Efficiency Program (Up to \$16 million)**

**DESCRIPTION:** The New York State Energy Research and Development Authority (NYSERDA) 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.

NYSERDA’s Industrial and Process Efficiency (IPE) Program will invest over \$150 million of Energy Efficiency Portfolio Standard (EEPS) funds to provide performance-based incentives to manufacturers and data centers implementing energy efficiency and process improvements.

IPE's goal is to help manufacturers and data centers increase product output and improve data processing as efficiently as possible. Incentives are calculated, when appropriate, based on a reduction in energy usage per unit of production or workload.

**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
  - Example: Telecom and IT Infrastructure projects

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

Applications will be accepted on a first-come, first-served basis through December 31, 2015, or until funds are exhausted.

<b>Industrial and Process Efficiency Incentives</b>			
Incentive Type	Utility	ConEd Territory	All Other Utility Territories
Process and Energy Efficiency	Electric	\$0.16/kWh	\$0.12/kWh
	Natural Gas	\$20/MMBtu	\$15/MMBtu
Operational & Maintenance (O&M)	Electric	\$0.05/kWh	\$0.05/kWh
	Natural Gas	\$6/MMBtu	\$6/MMBtu
Minimum Project Size	at least \$30,000 incentive		
Incentive Caps	50% project cost		
	\$5 million electric \$1 million natural gas		

- Generally, projects that save energy are eligible; however, NYSERDA’s focus is on projects that improve manufacturing process productivity and data center efficiency. For example, projects that increase throughput reduce scrap, improve productivity, and prioritization and optimization 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 such as motors, VFDs, process cooling, compressed air, air flow management (hot isle/cold isle), and UPS system upgrades. O&M incentives are available projects that deliver verifiable annual energy savings resulting from upgrades or initiatives to improve operations. Projects may involve: Compressed air system leak management, replacement of leaking steam traps, installation of cogged styles fan belts, burner tune-up, server power management, air flow controls optimization, or dynamic temperature monitoring and adjustment.
- In order to be considered eligible, a facility must pay into the System Benefits Charge (SBC) as electric and/or natural gas distribution customers through one of the following utility companies:
  - The Brooklyn Union Gas Company d/b/a National Grid NY
  - Central Hudson Gas & Electric Corporation
  - Consolidated Edison Company of New York, Inc.

- KeySpan Gas East Corporation d/b/a National Grid (KEDNY/KEDLI)
  - National Grid Generation d/b/a National Grid
  - National Fuel Gas Distribution Corporation
  - 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 \$30,000.
  - Projects must pass the Total resource Cost test. All measures must achieve savings for at least 5 years.
  - 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 through December 31, 2015, or until funds are exhausted.

**SELECTION CRITERIA:**

**Applications will be accepted on a first-come, first-served basis through December 31, 2015, or 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 \$30,000 incentive  
Multiple projects can be bundled together to reach the minimum  
Project Incentive Cap: 50% of project cost  
Facility Incentive Cap: \$5 million electric  
\$1 million natural gas
- **LONG RANGE GOALS:**  
IPE Program Goals:
  - Electric Savings: 1 million MWh
  - Natural Gas Savings: 3.7 million MMBtu
- **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.org/ipe](http://www.nyserda.org/ipe)

Contact us: [IPEOutreach@nyserda.org](mailto:IPEOutreach@nyserda.org)

## **NYS Energy Research and Development Authority - New Construction Program (Up to \$16 million)**

**DESCRIPTION:**

The New Construction Program (NCP) provides technical assistance and financial incentives to promote the installation of energy-efficient electric equipment in new and substantially renovated commercial and industrial buildings.

**ELIGIBLE TYPES OF APPLICANTS:**

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

**ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:**

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

**PRE-APPLICATION REQUIREMENTS**

- None

**SUCCESSFUL APPLICANT REQUIREMENTS:**

- Submit a Consolidated Funding Application (CFA). The program is offered as 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.
- Working with NYSERDA, identify, analyze and document potential energy efficiency measures and incentives. Technical assistance 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.
- Upon NYSERDA approval of project completion, a check will be issued to the customer. \*

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

**FUNDING PRIORITIES:**

- All applications to the NCP are given equal consideration; and



- To ensure eligibility to participate in all services available through the NCP and to maximize NCP 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;
- Except as specifically noted under NCP eligibility, multi-family residential projects are ineligible for participation in the program;
- 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 NCP incentive offer is issued by NYSERDA;
- Energy-efficiency measures must be cost effective; and
- Energy-efficiency measures involving fuel switching are ineligible.

**SELECTION CRITERIA:**

- The program is offered as 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, multi-family buildings (seeking green building certification), and health care facilities in New York State that are electricity or firm gas customers of a participating utility company, and that pay, or will pay, into the System Benefits Charge, are eligible for incentives.
- **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 NCP offers technical support and financial incentives to effect a permanent transformation in the way buildings are designed and constructed for energy efficiency in New York State.
- **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 all 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. The applicant portion of the cost share is due six months after the applicant's receipt of the NYSERDA offer letter, or six months after NCP project cancellation, whichever is sooner.

#### **ADDITIONAL RESOURCES:**

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

1-866-NYSERDA

<http://www.nyserderda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program.aspx>

<http://www.nyserderda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program.aspx>

<http://www.nyserderda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program.aspx>

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<http://www.nyserderda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/FlexTech-Program/FlexTech-Process.aspx>

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Existing Facilities Program Lighting Form Existing Facilities Program Lighting Form EFP SSL (LED) policy EFP SSL (LED) policy Pre-Qualified Measure Worksheets Pre-Qualified Measure Worksheets Technical Guidance Document for Chillers Technical Guidance Document for Chillers Super Efficient Electric Chiller Bonus Estimator Super Efficient Electric Chiller Bonus Estimator Pre-Qualified Measures Worksheets Pre-Qualified Measures Worksheets Existing Facilities Program Lighting Form Existing Facilities Program Lighting Form

<http://www.nyserderda.ny.gov/Page-Sections/Commercial-and-Industrial/Programs/Existing-Facilities-Program.aspx>

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## **New York Power Authority - ReCharge New York (up to 910 Megawatts)**

### **Description:**

ReCharge New York (RNY) is a new 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 sport or recreation venues, retail businesses, residential buildings, gaming or entertainment businesses, and places of overnight accommodations.

Allocations of ReCharge New York power will be awarded based on a competitive application process based on legislated criteria. Recommended allocation awards must be approved by the New York State 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 will be for a term of up to seven years and will specify employment commitments and other terms and conditions for retaining the lower cost 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](mailto:Recharge.NewYork@nypa.gov).

## **SUSTAINABILITY**

### **NYS Energy Research and Development Authority – Regional Greenhouse Gas Reduction Program (Up to \$12 Million)**

#### **PROGRAM DESCRIPTION:**

The Regional Economic Development and Greenhouse Gas (GHG) Reduction Program (the Program) will award cost-share funding for energy efficiency, renewable energy, and/or carbon abatement projects that address the regional priorities of the Regional Economic Development Councils (REDCs), result in strategic investments, and build the capacity within the region to participate in the State's clean energy economy. Projects must be capable of moving forward within one year, while positioning the region for long-term economic growth and environmental stewardship. The Program will complement other funding available through NYSERDA, but will not supplant funds which are otherwise available from NYSERDA programs. The focus of the Program is on the following end-use sectors: Transportation, Manufacturing and Industrial Process, Buildings, Agriculture, Municipal process, Renewable electric generation, and District Energy. Funds are available in nine Eligible Project Categories as listed below.

#### **FUNDING AND COST-SHARE:**

NYSERDA plans to award up to \$12 million to fund projects. Funds are derived from the Regional Greenhouse Gas Initiative (RGGI) and included in New York State's approved RGGI Operating Plan. A maximum of \$1.5 million will be awarded per project. The minimum amount

that can be requested per project is \$250,000. Cost-share of at least 25% of total project cost is required, however higher cost-shares and leveraging of funds is encouraged and will be considered in evaluating proposals (see Scoring Criteria below). Eligible cost-share can be comprised of cash and/or in-kind contributions and must be derived from sources other than NYSERDA programs.

No single region (as defined by the REDCs) can receive more than 25% of the available funds. NYSERDA expects to make approximately 15 awards. NYSERDA reserves the right to award all or none of the funds based on technical level of the proposals received.

**ELIGIBLE APPLICANTS:**

Applicants must be located in New York State and be one of the following: Business, Agri-business, Municipality (e.g. county, town, city, or village), local development corporation, business or municipal improvement district, public and private institution (e.g. universities, colleges, hospitals, schools), or non-profit organization or entity. Groups of eligible applicants can submit a joint application; however one eligible applicant must be identified as the lead applicant on behalf of the group or consortium.

**PROJECT ELIGIBILITY:**

Projects must be aligned with the Strategic Plan(s) developed by the REDCs for the region in which the project is located. The project must address a key regional sector or objective, and represent an opportunity that develops the capacity for the region to achieve its vision for economic growth. Project funds must be used for energy efficiency, renewable energy, or carbon abatement measures that result in greenhouse gas reductions, in accordance with the RGGI regulations.

In order to qualify, the project (or measures within a project) must not be eligible for current NYSERDA funds which are associated with open or current competitive solicitations which have been issued by NYSERDA (directly or through the CFA), or those which NYSERDA lists on its website as upcoming funding opportunities in the next six months. (Go to [http://www.nyserda.ny.gov/ea/Funding Opportunities.aspx](http://www.nyserda.ny.gov/ea/Funding%20Opportunities.aspx) for a listing of NYSERDA funding opportunities.)

**Specific funding restrictions are noted under each of the nine Eligible Project Categories below.** Most of these restrictions refer to whether or not the applicant pays the System Benefits Charge/Renewable Portfolio Standard (SBC/RPS) on its natural gas and/or electric utility bill, which applies only to customers of Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric and Gas Corporation, National Grid, Orange and Rockland Utilities, and Rochester Gas and Electric Corporation.

Applicants can request supplemental funds available through current NYSERDA programs for other measures within a project that are not otherwise eligible for funding. For parties which have already received NYSERDA funding, applicants can supplement prior funds for other

measures within a project that were not eligible under the original solicitation. NYSERDA will assist applicants to determine if the project, in whole or in part, is eligible for consideration through other NYSERDA programs and solicitations. Applicants should contact REDGHG@nyserda.org with questions.

Project funds can be used for project design and engineering costs, implementation of measures, installation of equipment, infrastructure investments, and for demonstrations of new and emerging technologies and approaches in the Eligible Project Categories listed below. Given the focus on near-term benefits, funds are not available through this program for research and development projects or for product development. Projects must be able to commence within a year of award. Applicants are required to submit a proposed scope of work, budget, and project milestone timeline with their application.

#### **ELIGIBLE PROJECT CATEGORIES:**

An eligible applicant can propose for projects in one or more of the following Eligible Project Categories. A separate application must be submitted through the CFA for each project category. Applications that do not fit one of these project categories or that are not in compliance with the funding restrictions associated with the category under which the application is made will be deemed non-responsive.

1. **Transportation** projects that improve the efficiency and reduce emissions related to the movement of goods and services in and around major commercial centers (e.g. hubs, ports, markets, industrial parks, etc.) within the region, including vehicle idling reduction projects. Projects may also include the installation of equipment to dispense alternative transportation fuels (that reduce greenhouse gas emissions), and/or the incremental purchase cost of vehicles capable of operating on alternative fuels, for fleets that move goods or services around major commercial centers within the region, or that represent one of the key industries or industry clusters identified in the Region's Strategic Plan.

*Funding restrictions:* Applicants cannot seek funds through this Program for the same projects as those submitted or eligible to be submitted under one of NYSERDA's current or upcoming competitive or open enrollment solicitations in the Transportation area.

2. Measures that demonstrate significant improvements in the energy efficiency of **manufacturing, agri-business, or datacenter processes** in current or expanded operations and that result in productivity improvements. Projects can include energy efficiency measures, measures that reduce the use of water through efficiency improvements, and/or fuel switching measures that result in substantial greenhouse gas reductions. Projects must be located at sites that are one of the key industries or part of an industry cluster identified in the Regional Economic Development Strategic Plan. The applicant must present an approach for how it will use the results of the project to demonstrate the benefits to others and build the capability to achieve

replication of efficient process improvements for these key industries within the region.

*Funding restrictions:* For applicants that pay the SBC/RPS on the natural gas and/or electric utility bill for the facility(s) that is the subject of the application, funds through this Program can only be used for measures for which incentives are not available through NYSERDA's Industrial and Process Efficiency Program (available to SBC-paying customers through the CFA). In addition, applicants (whether SBC paying or not) cannot seek funds through this Program for the same projects as those submitted or planned to be submitted under one of NYSERDA's current or upcoming competitive Manufacturing R&D solicitations: Accelerating Commercialization of Industrial Technologies, or the Innovations in the Manufacturing of Clean Energy Technologies Program.

3. Installation or improvement of equipment that allows for **manufacturing and/or testing of materials, systems and products** related to **clean energy technologies** for the transportation, buildings, industrial, and power sectors. The project must be of strategic importance for the region as identified in the Regional Economic Development Strategic Plan and represent a new opportunity to develop a clean energy industry that will benefit the regional economy.

*Funding restrictions:* For applicants that pay the SBC/RPS on the natural gas and/or electric utility bill for the facility(s) that is the subject of the application, funds through this Program can only be used for measures for which incentives are not available through NYSERDA's Industrial and Process Efficiency Program (available to SBC-paying customers through the CFA). Applicants (whether SBC-paying or not) cannot seek funds through this Program for the same projects as those submitted or planned to be submitted under one of NYSERDA's current or upcoming competitive Manufacturing R&D solicitations: Accelerating Commercialization of Industrial Technologies or the Innovations in the Manufacturing of Clean Energy Technologies Program.

4. Energy efficiency measures in one or more **existing buildings** through comprehensive retrofits, system optimization, and/or system upgrades in one of two subcategories:

For customers that **do not** pay the SBC/RPS on the natural gas and/or electric utility bill for the building(s) that are the subject of the application: Projects must improve the energy efficiency of the building by 40% or more (above current consumption), taking into account interaction of measures. Projects can include electricity and/or fossil fuel efficiency measures (e.g. envelope, heating, cooling, lighting, roofs, motors, energy management systems). Fuel switching measures are allowed if they provide efficiency improvements and reduction in greenhouse gas emissions. The applicant must identify how the building energy efficiency project is an innovative and strategic opportunity that is closely aligned with the goals and priorities of the Region's Economic Development Strategic Plan. The applicant must present a plan for how it will use the results of

the project to demonstrate the benefits to others and build the capability to achieve replication of the "deep energy savings" approach for other buildings. Pre and post installation measurement of energy usage must be conducted and monitored. Project savings estimates must be supported by an engineering analysis.

For customers that **do** pay the SBC/RPS on the natural gas and/or electric utility bill for the building(s) that are the subject of the application: Projects are limited to non-electric and non-natural gas measures (e.g. boiler improvements or replacements). Fuel switching measures are allowed if they provide efficiency improvements and reduction in greenhouse gas emissions. The applicant must identify how the building energy efficiency project is an innovative and strategic opportunity that is closely aligned with the goals and priorities of the Region's Economic Development Strategic Plan. Pre- and post-installation measurement of energy usage must be conducted in accordance with International Performance Measurement and Verification (PMVP) protocols. Project savings estimates must be supported by an engineering analysis.

*Funding restrictions:* As noted above, for applicants that pay the SBC/RPS, funds through this program can only be used for measures for which other incentives are not available through NYSERDA's Existing Facilities Program (available to SBC/RPS-paying customers through the CFA ).

5. Project design costs, and/or energy efficiency and renewable measures for one or more **new or substantially renovated** zero-energy commercial buildings or, zero-energy capable commercial buildings, or commercial buildings where the total energy consumption per square foot (measured in MMBTu/SF) is expected to be reduced by 50% or more. (Zero-energy buildings use no more energy in the course of a year than they produce from on-site renewable energy sources. Zero-energy capable buildings demonstrate a similar level of efficiency as a zero-energy building but do not incorporate any or sufficient on-site renewable generation to cover their annual energy use.) The applicant must identify how the new construction energy efficiency project is an innovative and strategic opportunity that is closely aligned with the goals and priorities of the Region's Economic Development Strategic Plan. The applicant must present an approach for how it will use the results of the project to demonstrate the benefits to others and build the capability to achieve replication for other buildings. The projected building energy use must be modeled and supported by an engineering analysis, and the actual energy performance of the building(s) tracked for at least one year following construction.

*Funding restrictions:* For applicants that pay or expect to pay the SBC/RPS on the natural gas and/or electric utility bill for the building(s) that are the subject of the application, funds through this Program can only be used for measures for which incentives are not available through NYSERDA's High Performance New Construction Program (available to

SBC/RPS-paying customers through the CFA ) or through NYSERDA's solar PV, solar thermal, or other customer-sited tier renewable energy programs (available to customers who pay the SBC/RPS). However, an applicant can derive the total savings to achieve the goal from a combination of measures including those for which funds are requested under this Program, as well as those for which incentives are available through the other NYSERDA programs. Applicants that do not pay the SBC/RPS are eligible to apply for any energy efficiency and renewable measures through this Program.

6. **Renewable energy technologies** that generate electricity or produce thermal energy from: solar energy, wind energy, geothermal sources; anaerobic digesters; fuel cells; or biomass. The applicant must identify how the Renewable Energy project is an innovative and strategic opportunity that is closely aligned with the goals and priorities of the Region's Economic Development Strategic Plan. The applicant must demonstrate how the project will help the applicant meet its economic and environmental objectives, and how the project will build the capacity to achieve replication within the region. All projects must meet NYSERDA's performance and installation standards.

*Funding restrictions:* For applicants that pay the SBC/RPS on their utility bill, funding is limited only to anaerobic digester gas-to-heat projects that do not also produce electricity. (Note that customers who pay the SBC/RPS are eligible to apply for NYSERDA incentives through the following programs: Solar PV Program; Solar Thermal Incentive Program; On-Site Wind Turbine Incentive Program; Customer Sited Tier Regional Program; Customer Sited Tier Fuel Cell Program; and the Customer Sited Tier Anaerobic Digester Gas-to Electricity Program.) Applicants that do not pay the SBC/RPS are eligible for all the renewable energy technologies referenced in this Eligible Project Category.

7. **Energy distribution technologies** including district heating and cooling systems, efficient combined heat and power (CHP) systems, and energy storage systems. CHP systems must be capable of generating more than 1.3 MW, and have a fuel conversion efficiency of at least 60 percent. The applicant must identify how the project is an innovative and strategic opportunity that is closely aligned with the goals and priorities of the Region's Economic Development Strategic Plan. The applicant must demonstrate how the project will help the applicant meet its economic and environmental objectives.

*Funding restrictions:* For applicants that do pay the SBC/RPS for the host site of a district heating or cooling system or a CHP system, only non-electric or non-natural gas powered systems are eligible. Applicants that do not pay the SBC/RPS are eligible for all technologies in this Eligible Project Category, regardless of fuel source.

8. Measures that significantly improve the efficiency of **water treatment, or waste-water treatment facilities**. The applicant must identify how the project is an innovative and strategic opportunity that is closely aligned with the goals and priorities of the Region's



Economic Development Strategic Plan. The applicant must demonstrate how the project will help the applicant meet its economic and environmental objectives, and how the project will build the capacity to achieve replication within the region.

*Funding restrictions:* For applicants that pay the SBC/RPS on the natural gas and/or electric utility bill for the facility(s) that is the subject of the application, funds from this Program can only be used for measures for which incentives are not available through NYSERDA's Industrial and Process Efficiency Program (available to SBC/RPS-paying customers through the CFA). In addition, applicants cannot seek funds through this Program for the same projects as those submitted or planned to be submitted under one of NYSERDA's current competitive solicitations in the Environmental R&D area.

9. Installation of equipment, displays and materials that support the training of individuals to enter the **clean energy workforce**. The project must be of strategic importance for the region as identified in the Regional Economic Development Strategic Plan and represent a new opportunity to build capacity to deliver clean energy benefits to energy consumers within the region.

*Funding restrictions:* Applicants cannot seek funding for any project that would otherwise be eligible for funding through NYSERDA's Workforce Development solicitations.

#### **APPLICATION PROCESS:**

Projects will be competitively selected. NYSERDA is accepting applications for the Regional Economic Development and Greenhouse Gas Reduction Program through the Consolidated Funding Application (CFA). NYSERDA expects to conduct only one round of the Program, but reserves the right to reopen the program for additional applications if funds remain available.

#### **SELECTION CRITERIA:**

Proposals will be reviewed by the Regional Economic Development Councils to determine consistency with the REDC Strategic Plan, and the relative level of priority. The REDC's will assign a score of 1-5, with 5 equal to 20 points. The REDC score is 20% of the total score. NYSERDA will convene a Technical Evaluation Panel to review and rank eligible proposals for technical merit pursuant the project selection criteria noted below, and assign the remaining 80% of the score.

##### *Process (5% of possible points)*

- Ability to develop and manage the project and communicate the benefits of the project to the public.
- Completeness and accuracy of application.

##### *Strategies (10% of possible points)*

- Extent to which the project demonstrates leadership within the region in the area of innovative energy efficiency, renewable energy, and/or carbon abatement technologies or approaches.
- Unique public-private partnerships.
- Project need defined as the degree to which project fills a gap for which no other funds are available or represents an unmet need for the region in which the project is located.

*Implementation (60% of possible points)*

- Extent to which the project, when implemented, has the potential to build the capacity to achieve the economic development goals of the region, and to allow the applicant to participate in the State's clean energy economy.
- Number of direct and indirect jobs created or retained within the counties that comprise the Regional Economic Development Council, through implementation of the proposed project.
- Extent to which proposed project will improve energy efficiency, and/or reduce/replace fossil fuel use, and reduce greenhouse gas emissions.
- Cost-effectiveness measured as quantity of carbon equivalents reduced per dollar invested.
- Extent to which the project provides other health and environmental benefits including reducing the disproportionate cost burden and environmental impacts on low income families and environmental justice communities.

*Leverage Resources (15% of possible points)*

- Project cost-share and leveraging with preference for projects that exceed the 25% minimum cost-share.

*Performance measures (10% of possible points)*

- Ability of project to provide near-term benefits.
- Reasonableness of completion schedules and resources to achieve critical path activities and task deliverables.

**ADDITIONAL INFORMATION:**

For additional information regarding the Regional Economic Development and GHG Reduction Program, send email questions to: REDGHG@nyserdera.org; or call 1-800-866-NYSERDA.

## Workforce Development

# Department of Labor – Workforce Investment Act (Up to \$5 million)

## DESCRIPTION:

Provides grants on a competitive basis for occupational skills upgrading and training of employed and unemployed workers to enhance hiring and workforce skills, commensurate with regional economic development strategic plans.

## ELIGIBLE PROJECT TYPES:

Business Hiring and Training Incentives

### **Worker Skills Upgrading – Existing Employee Training**

#### *Program Description:*

This program provides Workforce Investment Act funds to businesses to train their existing employees who, without the training are at risk of being laid off.

### **Worker Skills Upgrading – New Hire (On-the-Job) Training**

#### *Program Description:*

This program provides Workforce Investment Act funds to train newly hired employees who are long term unemployed individuals to perform their job duties. These funds will reimburse the hiring business for up to 50% of the new employee's wages for a period not to exceed six (6) months. Long term unemployed individuals are defined as those who have been unemployed for 26 weeks or more.

Unemployed Worker Training

### **Worker Skills Upgrading – Unemployed Worker Training**

#### *Program Description:*

This program provides Workforce Investment Act funds to train long term unemployed individuals in a customized classroom setting, provided there is a commitment from business(es) to hire individuals who successfully complete the training. Long term unemployed individuals are those who have been unemployed for 26 weeks or more.

## ELIGIBLE APPLICANTS:

- For Existing Employee Training and On-the-Job Training:
  - Private sector for-profit businesses, including corporations, LLCs, LLPs, etc. with four or more employees
  - Private sector not-for-profit businesses
  
- For Unemployed Worker Training:

- Private sector for-profit businesses, including corporations, LLCs, LLPs, etc. with four or more employees;
- Private sector not-for-profit businesses; or
- Training providers.

**AWARD, CONDITIONS & REQUIREMENTS:**

The maximum grant that an applicant may receive if it applies for one, two or all three types of training is \$100,000. The maximum cost per trainee is \$5,000.

**Matching Fund Requirements:**

Existing Employee Training and Unemployed Worker Training programs have no match requirements. On-the-Job Training match must be at least 50% of the trainee’s wages

Contracts resulting from this RFP will be awarded for a period of up to one year and will operate on a reimbursable basis. Only not-for-profit organizations funded under the Unemployed Worker Training program will be eligible for a cash advance of up to 25% upon contract execution at the Department’s sole discretion and subject to the availability of funds appropriated and available for contracts entered into pursuant to this RFP. Any award must be expended on program activities in New York State.

**CONTACT/ADDITIONAL PROGRAM INFORMATION:**

The contact for this program is Andrew Gehr, New York State Department of Labor, Division of Employment and Workforce Solutions, State Office Campus, Building # 12, Room # 440, Albany, New York, 12240, (518) 457-0361. This RFP and any related questions and answers are available on NYSDOL’s web site at <http://labor.ny.gov/cfa/index.shtm>.

## **Low Cost Financing**

### **Federal Industrial Development Bond Cap (Up to \$350 million)**

**DESCRIPTION:**

Up to \$350 million from the Federal IDB Cap allocation will be available for State and local government issuers to sell tax exempt bonds for private projects that demonstrate a public purpose.

**ELIGIBLE APPLICANTS/PROJECT TYPES:**

Qualifying projects must be eligible under the Internal Revenue Code (IRC) sections 142-144, and 1394 which include:

- \* Multi-family and/or elderly rental housing for low income residents;
- \* Residential Rental Facilities;

- \* Small manufacturing Projects;
- \* Local furnishing of electric energy or gas;
- \* Local district heating or cooling facilities;
- \* Sewage facilities and solid waste disposal facilities;
- \* First-time farmer's property, equipment, and other capital improvements;
- \* Utility projects, including water, sewer, electric and gas;
- \* Bonds issued to provide loans for first time homebuyers (homeownership)

**CONTACT/ADDITIONAL PROGRAM INFORMATION:**

For more information eligible applicants should contact George LaPointe at the Empire State Development, call 518 292-5307 or visit

<http://www.empire.state.ny.us/BusinessPrograms.html>.



