

**New York State Department of State
Hudson-Fulton-Champlain Quadricentennial 2009 Eco-docks
Environmental Protection Fund 2009-2010**

REQUEST FOR APPLICATIONS

In honor of the 2009 Hudson-Fulton-Champlain Quadricentennial celebration, \$750,000 is available to local governments under Title 11 of the New York State Environmental Protection Fund for the development of new public docks and/or the improvement of existing public docks for recreational non-motorized boats on the Hudson River and Lake Champlain. These docks will serve as legacy projects of the Hudson-Fulton-Champlain Quadricentennial celebration and provide non-motorized boaters with increased facilities for visiting waterfront communities along these historic waterways. The docks must be located in environmentally acceptable areas, be economically feasible and predominately serve the needs of outdoor recreation.

\$750,000 is available in this solicitation. State assistance awarded and paid shall not exceed 75% of the total eligible project costs set forth in the application and as approved by the Department of State. Grant recipients are responsible for all operating and maintenance costs associated with these facilities.

Information on the Hudson-Fulton-Champlain Quadricentennial celebration is available on the Commission's website at <http://www.explore400.com>.

WHO IS ELIGIBLE?

Any Hudson River or Lake Champlain municipality which has identified through a Local Waterfront Revitalization Program, or other community-based planning process, the need for new or improved public docking facilities to increase non-motorized boating access opportunities along the waterfront.

APPLICATION SUBMISSION

A municipality may submit applications for more than one dock project. Each project must be submitted as a separate application, with separate applications bound individually and clearly labeled as separate applications. Three paper copies (including one signed original) and one electronic copy (in Adobe® Acrobat® Portable Document Format - PDF) of each application must be submitted. PDF documents must be submitted on a labeled CD-R type CD, and contain the complete application, including signature page and municipal resolution. All applications must be delivered to:

LOCAL WATERFRONT REVITALIZATION PROGRAM
Bureau of Fiscal Management, 11th Floor, Suite 1110
New York State Department of State
1 Commerce Plaza
Albany, NY 12231-0001

Application forms are available online at www.dos.state.ny.us, by telephone request to 518-474-6000, or by e-mail request to coastal@dos.state.ny.us. For general questions on this grant program, please call Bonnie Devine at (518) 473-0353 or e-mail bonnie.devine@dos.state.ny.us.

Applications must be RECEIVED BY 4:00 P.M. ON OCTOBER 14TH, 2009 at the address above.

Applications received after the due date and time will not be considered and will be returned.

Fax And E-Mail Transmissions will not be accepted.

ELIGIBLE ACTIVITIES

Funding is available for public docks which provide opportunities for recreational non-motorized boats and smaller craft, such as kayaks. All planning, design, permitting and construction elements associated with public dock development and related infrastructure improvements on public property are eligible for funding.

Docks must be open to the public. Funding is available for fixed docks, as well as semi-permanent docks, which could be removed during the winter months. Funding will also be available for improvements to existing dock facilities and associated infrastructure that would result in expanded use by recreational non-motorized boats.

GRANT SELECTION CRITERIA

Applications will be reviewed according to specific criteria. A successful proposal is not expected to meet all of these criteria. Each element of the grant criteria is rated using the following numerical evaluation to assess the degree that the application meets the criteria:

High - 3 points

Medium - 2 points

Low - 1 point

Does not meet criteria (a resource or factor is present, but the proposal has been evaluated to have no value or to not have an intended benefit) - 0 points

Not applicable (a resource or factor is not present) - NA

Public Value of the Proposal

- Provides a facility which is in or primarily serves areas where demographic and other relevant data for such areas 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 in the area
- Expands or improves public access at publicly owned sites
- Provides facility of greater than local importance
- Provides a public amenity that is an identified priority for the community
- Provides a key component which adds to the vitality of a municipality's downtown area and existing waterfront activities

Project Readiness

- Project designed
- Construction cost estimates prepared
- State Environmental Quality Review completed
- Key required permits are in place or applied for, including Army Corps of Engineers, NYS Department of State Coastal Consistency and NYS Department of Environmental Conservation
- Bid package prepared

Natural Resource Value of the Proposal

- Avoids impacts to critical natural areas and habitats, including submerged aquatic vegetation and wetlands
- Water depths are adequate to accommodate vessels using docks
- Implements management measures of New York State's Coastal Nonpoint Pollution Control Program or otherwise protects or restores water quality
- Compatible with existing shoreline stabilization measures

Economic Value of the Proposal

- Establishes new or expands existing waterfront public access which adds to the economic base of a municipality's downtown area and existing waterfront activities
- Supports and enhances existing water dependent recreational and commercial uses
- Supports and enhances existing water enhanced recreational and commercial uses
- Builds on existing connections or provides suitable connections to mass transit
- Makes efficient use of/protects public investment and infrastructure

Leveraging of Additional Funding/Development of Partnerships

- Necessary to enable community/region to make better use of public funds, including the Environmental Protection Fund, Small Cities funding, the New York Main Street program, and federal grant programs
- Necessary to enable community/region to build private/public partnerships or leverage financial resources to make better use of private funds

Level of Local Commitment

- Advances a community's Local Waterfront Revitalization Program or other community-based planning effort
- Builds on previous grant projects; quality of applicant's performance under previous grants
- Demonstrates a committed local leadership
- Demonstrates strong community support for waterfront planning/redevelopment
- Demonstrates a clear plan for maintenance and location for seasonal storage if necessary

Regional Significance

- Improves access to historic or cultural resources of regional significance
- Revitalizes a regional center
- Advances intermunicipal efforts to resolve shared coastal problems through creative partnerships with other municipalities

Evaluation of Budget and Cost

Additional points will be awarded for the elements below:

- Reasonableness of Cost Certification is adequately and accurately documented (5 points)
- Costs meet eligibility requirements of the program (5 points)
- Budget is cost-effective and project is economically feasible, presents necessary and realistic costs and does not contain extraneous expenses (10 points)
- Costs clearly relate to and support activities in the proposed workplan (5 points)

AWARD METHOD

A maximum total of 112 points is possible for any application. The Department of State will fund the highest scored applications until the funds are gone. In addition, information from interagency discussion and the level of funding available will be factors used in determining successful grant proposals.

FUNDING RESTRICTIONS

Local Share

State assistance awarded and paid shall not exceed 75% 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.

Volunteer Services

Volunteer services included in the local share are limited to those which significantly contribute to the project tasks. Documented volunteer services may be valued up to \$15 per hour. Professional services donated to the project can be valued at a reasonable rate appropriate to the profession.

Eligible Costs

The following costs may be paid with grant funds or used to provide the required local share:

Direct salary costs - including wages, salaries, fringe benefits, and supplemental compensation paid to employees of the municipality for personal services.

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.

The following costs may be used to provide the required local share:

Land acquisition - only as part of the local share for construction projects (i.e. not to exceed 25% of the total cost of the project).

Ineligible Costs

The following costs will not be paid with grant funds nor used to provide the required local share:

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, are not an eligible cost. However, volunteer services contributed by these officials to the project may be used as local share, provided that such

services are outside the performance of their official duties.

CONTRACT 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, any 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: be subject to approval by the Attorney General and State Comptroller, require submission of final products in both hard copy and electronic form, 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 are available from the Department.)

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 \$10,000. In the case of purchase contracts involving not more than \$10,000, 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 chief legal officer or financial administrator for the not-for-profit corporation shall certify to the Department of State that alternative proposals and quotations for professional services were secured by use of written requests for proposals through a publicly advertised process to ensure the prudent and economical use of public funds for professional services of maximum quality at reasonable cost.

Contract Period

Subject to the continued availability of funds in the budget, the contract period shall not exceed 2 years from the start of the project with the provision to extend for one twelve month period if necessary.

SATISFACTORY PROGRESS

It is imperative that the grant recipient complete the project as set forth in the agreed work program. Failure to render satisfactory progress or to complete the project to the satisfaction of the State may be deemed an abandonment of the project and may cause the suspension or termination of any 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, completing plans, designs, permit applications, reports, and construction, or other tasks identified in the work program within the time allocated for their completion. The DOS 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 cannot expect to initiate the project within a reasonable time period after receiving an executed contract and be able to complete the project within the equivalent time period cited in the application.

OTHER GRANT REQUIREMENTS FOR CONSTRUCTION PROJECTS

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 supervision 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.

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

- State Environmental Quality Review Act
- State Freshwater and Tidal Wetlands Acts
- US Army Corps of Engineer Permits
- Coastal Erosion Hazards Areas Act
- Floodplain Management Criteria
- State and Federal laws and regulations for Historic Preservation

INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

Part A. Applicant Information

1. **Project Applicant:** The applicant must be an eligible county, city, town, or village located on the Hudson River or Lake Champlain.
2. **Project Applicant's Address:** Provide the mailing address of the eligible applicant.
3. **Federal Tax Identification Number:** Provide the applicant municipality's tax ID number.
- 4-6. **Contact Person, Telephone, and Address:** Provide the name, affiliation, telephone number, and address of the person to contact regarding the proposed project.

Part B. General Project Information

1. **Project Name:** Provide a brief but descriptive name for your project.
2. **Project Location:** Attach one or more 8½ x 11" map(s), to scale, identifying the applicant municipality and the project location on the Hudson River, Champlain Canal or Lake Champlain. The map or maps will be used to determine the project's relationship to other activities.

Part C. Project Timing and Cost

- 1-2. **Schedule:** Provide the proposed starting date and the estimated completion date of the project. Only project costs incurred after April 1, 2009 are eligible for consideration. The contract term for the project may not exceed three years.
- 3-5. **Project Cost:** Provide an estimate of the total project cost and the amount of Environmental Protection Fund dollars requested to help fund the project. State assistance awarded and paid shall not exceed 75% of the total eligible project cost. The dollar amounts entered should match what is calculated in the budget page(s), Part L.

Part D. Project Summary

Provide a brief summary statement that describes the proposed project. Briefly describe the proposed project, including a description of the objectives to be achieved, problem(s) to be addressed, and anticipated benefits of the proposed project. If the project is a construction project, describe, as appropriate, what will be constructed, the management practices or technology to be employed, and land ownership. Attach site plans and design drawings, if available, and include photographs of existing site conditions.

Part E. Municipal Resolution and Certification

The applicant must submit a formal resolution of the governing body designating, by title (Mayor, Town Supervisor, Manager, etc.), the representative authorized to act on behalf of that body in all matters related to this financial assistance. The applicant authorized by the Municipal Resolution must certify the information contained in this application. If possible Municipal Resolutions should be submitted with the grant application forms, but they will be accepted up until November 30th, 2009 in order to

accommodate municipal meeting schedules. Failure to submit a Municipal Resolution by this deadline may render the application ineligible for funding.

Part F. Work Program

Identify the project's component tasks or stages and their costs, and provide a schedule for their completion. Clearly identify the nature of the local funding share.

Provide a project site map with enough detail to accurately determine the project site. Provide general information of the waterfront area uses and natural resources in which the dock will be located, as well as any potential impacts on these natural resources or waterfront uses. Provide a description of the water depth and a characterization of the existing or proposed shoreline stabilization, if any.

Provide a description of the anticipated boating uses associated with the proposed dock. List the items that will be constructed or rehabilitated with the grant and the reasons why the improvements are necessary. Any engineering or feasibility analysis already completed related to the project should be provided.

Part G. Complementary Projects

Describe (if applicable) how the project proposed for funding complements related activities funded or proposed for funding under the Environmental Protection Fund, other New York State grant programs, federal grant programs, or other sources of funds. (You may attach a chart or other material that shows how the proposed project is part of a larger plan of action.)

Part H. Waterfront Revitalization Program Implementation

Describe how the proposed project is consistent with the applicant's Local Waterfront Revitalization Program or other community-based planning process.

Part I. Project Personnel

Identify the key personnel who will work on the project and describe their qualifications.

Part J. Permits and Approvals

For construction projects, indicate the status of compliance with the State Environmental Quality Review Act (SEQRA) and all permits and approvals required to undertake the project. Construction projects should be achievable during the contract period, which may not exceed three years.

Part K. Operation and Maintenance

For construction projects, describe and provide a schedule for how the project will be operated and maintained over its life, including responsible entities and the source(s) of continuing financial support. If docks are to be removed seasonally, provide a description of who will be responsible for removing the docks and where they will be stored.

Part L and M. Budget Summary and Detail

1. For each person assigned to this project, indicate the position, title, annual salary including fringe benefits, and dollar amount to be charged to the project. (Fringe benefits include social security,

workers' compensation, unemployment insurance, health insurance, and any other benefits).

2. State the cost and describe briefly the supplies, materials, and equipment to be purchased.
3. State the cost and describe briefly the extent and purpose of contractual services.
4. State the dollar value and describe the nature of volunteer services in terms of tasks; number of people; their profession(s), if applicable; and the time to be devoted to the project. (Professional volunteers' services may be charged at a reasonable professional rate; non-professional service may be charged at a rate of \$15/ hour.)
5. Clearly describe the funding sources of the local share.
6. Provide the information requested documenting your determination on reasonableness of cost.