



# Division of Local Government Services

## 2015-2016 Local Government Efficiency Grant Program Request for Applications RFA # 15-LGE-2 Grant Application and Instructions

### Local Government Efficiency Grant Program

#### KEY DATES

<b>Release Date:</b>	<b>Friday, May 1, 2015</b>
<b>Questions Due Date:</b>	<b>June 26, &amp; July 10, 2015</b>
<b>Updates &amp; Responses to Questions Posted Date:</b>	<b>July 2, &amp; July 17, 2015</b>
<b>Application Due Date:</b>	<b>4:00pm, Friday, July 31, 2015</b>
<b>Applications must be submitted through the web-based Consolidated Funding Application.</b>	

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**Application Submission:** Applications are being solicited through the New York State Consolidated Funding Application (CFA).  
Applications are available at:  
<https://apps.cio.ny.gov/apps/cfa/>

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**DEPARTMENT OF STATE**

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# I. Local Government Efficiency Grant Program (LGE)

## Introduction

The Local Government Efficiency (LGE) Grant program assists local leaders with identifying best practices and implementing actions focused on reducing municipal expenses and increasing efficiencies in service delivery. In the 2015-2016 program year, up to \$4 million in LGE funds are available to local governments through the New York State Consolidated Funding Application (CFA).

**All Local Government Efficiency projects must demonstrate new opportunities for financial savings and operational efficiencies. Studies and plans for a local government re-organization are also eligible for funding under the New York Department of State (DOS) Local Government Citizens Re-Organization Empowerment Grant (CREG).** Information on that program can be found at <http://www.dos.ny.gov/funding/rfa-11-creg/index.html>.

## Local Government Efficiency Program Overview

The evaluation of potential local government efficiency actions should include: assessing the current services provided, understanding the future needs of the community, developing a cost-benefit assessment that includes residents' perceived value of services and their ultimate costs, and the final effects of implementation of the selected options. Local Government Efficiency Program funding, as well as staff assistance, is available to support these efforts. Information on completed projects is available on the DOS website: <http://www.dos.ny.gov/lg/lge/index.html>.

## II. LGE Application Information

### Application Workshop

Application workshops will be held throughout the State. The workshop schedule and further information is available at <http://nyworks.ny.gov>.

### Eligible Applicants

Eligible local government entities are counties, cities, towns, villages, special improvement districts, fire districts, public libraries, association libraries, public library systems if they advance a joint application on behalf of its member libraries, water authorities, sewer authorities, regional planning and development boards, school districts, and Boards of Cooperative Educational Services (BOCES) only to the extent they advance certain joint applications.

Applicants must have demonstrated responsible contracting in any past or current DOS contracts to be eligible for an award from this procurement.

### Eligible Projects

Local governments may apply for both planning and implementation funding. Sample projects include:

- school district consolidations;
- functional consolidations of police services;
- city or county charter revisions if needed to implement a functional consolidation;
- cooperative service agreements to share employees or facilities; or
- the regionalization of services.

Single local governments that have had an operating deficit in each of the last three fiscal years or a deficit of over 10% in the last fiscal year may also apply for funding to implement internal reorganizations or service delivery modifications.

Eligible projects are evaluated based on the potential municipal tax levy impact, project need, service delivery benefits, operational changes, comprehensiveness and specificity of work plan, appropriateness of the project budget, local linkages and capacity, and local and regional support. Consideration will also be given to proposals which advance the regional strategies developed by the Regional Economic Development Councils.

### Project Funding

Approximately \$4 million is available for awards. It is the goal of the LGE program to award up to \$3.6 million for implementation and approximately \$400,000 for implementation planning projects.

- The maximum funding for implementation planning is \$12,500 for each local government involved in the project, not to exceed \$100,000.
- The total maximum cumulative funding for an implementation project is \$200,000 for each local government involved in the project, not to exceed \$1,000,000.
- All grants are reimbursement grants.

## Project Match

Applicants are required to provide matching funds for all projects.

- For a re-organization **planning project**, matching funds equal to at least 50% of the total project cost shall be required.
- For a re-organization **implementation project**, matching funds equal to at least 10% of the total project cost shall be required.

**Example:** The following chart shows what the state and local shares would be for different sized projects

Calculation of Match as per Local Government Efficiency Program				
Total Project Cost	Implementation Project		Implementation Planning Project	
	10% Local Share	90% State Share	50% Local Share	50% State Share
\$20,000	\$2,000	\$18,000	\$10,000	\$10,000
\$50,000	\$5,000	\$45,000	\$25,000	\$25,000
\$100,000	\$10,000	\$90,000	\$50,000	\$50,000
\$222,222	\$22,222	\$200,000		
\$400,000	\$40,000	\$360,000		
\$444,444	\$44,444	\$400,000		
\$1,111,111	\$111,111	\$1,000,000		

For grants implementing a project that the applicants developed through a previously funded planning grant under the Local Government Efficiency (LGE) Grant program or the Shared Municipal Services Incentive (SMSI) program, the grant awarded from this RFA will be increased by an amount up to 100% of the local matching funds originally provided by the applicants for the implementation planning grant not to exceed the total project cost for implementation. (Thus, the match amounts for applicants that successfully complete a funded planning project and a funded implementation project ultimately may be as little as 10% of the total project costs.)

## Eligible Expenses

Local Government Efficiency Grants may be used to cover costs including, but not limited to:

- legal and consultant services;
- capital improvements and certain equipment purchases that are integral to implementation of a functional consolidation; and
- transitional personnel costs, not to exceed three years, only where such expenses are integral to project implementation.

## Ineligible Expenses

- Recurring expenses such as salaries and overhead, except for certain essential transitional personnel costs.
- Approved operating expense of the school district as defined in Education Law § 3606(1)(t).
- Any expenses not fully justified may be deemed ineligible and removed from the budget, thereby reducing the award amount.

- Additional ineligible expenses also include, but are not limited to: alcohol, out-of-state or out-of-country travel, prizes and awards, honoraria, lobbying expenses, fund-raising events/expenses, grant writing costs, fines and penalties, taxes, deficit funding, religious activities and refreshments for meetings.

## Smart Growth Impacts

The Department of State is considered an “infrastructure agency” for the purposes of Article 6 of the Environmental Conservation Law, the State Smart Growth Public Infrastructure Policy Act. Under this Act, no state infrastructure agency shall approve, undertake, support or finance a public infrastructure project, including providing grants, awards, loans or assistance programs, unless, to the extent practicable, the project is consistent with the relevant smart growth criteria specified in Article 6.

## III. Preparing a LGE Application

### Getting Started

Applicants should review eligibility requirements and program criteria, and give careful consideration to the scope and goals of the project to be undertaken, as well as the processes involved with completing the project.

Applications are solicited through the New York State Consolidated Funding Application (CFA). Applications are available at: <https://apps.cio.ny.gov/apps/cfa/>. Only electronic submission through the CFA process is allowed for this grant program.

### Questions

Submit all substantive questions in writing to:

Kyle Wilber, Program Manager  
Local Government Efficiency Grants, RFA # 15-LGE-2  
New York State Department of State  
One Commerce Plaza, 10th Floor, Suite 1015  
99 Washington Avenue  
Albany, NY 12231  
[LGEprogram@dos.state.ny.us](mailto:LGEprogram@dos.state.ny.us)

To the extent possible, each inquiry should cite the RFA section and paragraph to which it refers. Written questions will be accepted until the due date stated on the cover of this guidance.

Questions of a technical nature may be submitted in writing or via telephone by calling the Local Government Efficiency Program at (518) 473-3355 or (800) 367-8488. **Questions are of a “technical nature” if they are related exclusively to the process of preparing the application (e.g., formatting) rather than relating to the substance of the application.**

This guidance has been posted on the Department of State’s website at: <http://www.dos.ny.gov/funding/>.

Questions and answers, as well as any updates and/or modifications, will be posted by the due date stated on the cover of this guidance.

### Grant Due Date

**The due date for 2015-2016 Local Government Efficiency Grant Program is listed on the cover sheet of this RFA.**

<https://apps.cio.ny.gov/apps/cfa/>

## IV. Application Review

### Review Process

Failure to complete all sections of the Consolidated Funding Application (CFA) will prevent applicants from submitting the form through the online application portal. If a project or application is deemed ineligible during the CFA process, please contact the Local Government Efficiency program for a review of eligibility. Within one week of the receipt of a completed CFA application, the Department of State shall review it to ensure the applicant has filed the appropriate application; the Department will notify the applicant in the event of an incorrect submission. After notification of an incorrect submission, an applicant may submit a correct application to the appropriate LGE grant program by the due date for such program.

### Application Scoring

An application is eligible to receive a total score of 100. DOS allocates 80 points and the REDC allocates 20 points.

Application of LGE program score by DOS

- Each application will receive three independent scores based on a scale of 100, which will be averaged to determine the LGE base program score.
- The LGE program base score will then be multiplied by 0.8 for calculation of DOS allocations of up to 80 points for each project.

Application of Regional Economic Development Council score

- The REDC may award up to 20 points for each project, based upon the project's consistency with regional priorities.

### Second Level Review

DOS reserves the right to re-evaluate the applications in a second level of review to determine whether additional priority points are warranted. The Secretary of State, or designee, may award up to a total of ten (10) additional points per application, after calculation of initial DOS allocation, but any such additional award may not cause any application to exceed the LGE possible 80 points.

Consideration of awarding such additional priority points will take into account:

- the geographic distribution of other fundable projects in this application period; in order to provide a distribution of grants throughout the state, points may be awarded by region;
- the uniqueness of the project; and
- the ability of the project to be replicated.

### Smart Growth Impact

Prior to making any commitment of state funds to a public infrastructure project, the Department of State must determine that the project, to the extent practicable, accommodated smart growth criteria itemized in

Article 6 of the Environmental Conservation Law, “The New York State Smart Growth Public Infrastructure Act.” Inconsistency with relevant criteria may result in a project being deemed ineligible for funding.

## V. LGE Project Evaluation

The review of a local government efficiency project application is based upon a local government's responses to the questions in the Consolidated Funding Application (CFA). The CFA includes threshold questions, basic questions, attachments and program specific questions. It is very important to clearly answer all questions and fully describe how the project meets the intent of the Local Government Efficiency program.

### Threshold Questions

The Threshold Questions determine minimum eligibility qualifications for the programs you have selected. These questions are not scored, but are key factors in determining an applicant's eligibility. Threshold questions for the LGE program include:

- Are you an eligible NYS local government entity for the Local Government Efficiency program? (CFA Question 1956)
- Will the project help local governments reduce expenditures, add revenues, streamline government management or operations, or improve service delivery? (CFA Question 4185)
- Is the applicant able to provide the required matching funds for the project? (CFA Question 1960)
- Are you developing a plan for a local government consolidation or dissolution under General Municipal Law, Article 17-A? If so, please contact the Department of State directly for other available funding opportunities. (CFA Question 1957)

### Basic Questions

The Basic Questions are associated with all programs in the Consolidated Funding Application. This is where an applicant describes the project in detail and summarizes the local government's need to complete the project. These questions are only asked once, but must address every goal and intent for each applicable program.

#### **Project Description** (CFA Question 575)

The project description should tell the reviewers about the project. This description should be concise and indicate the project's location, what is planned, designed, or constructed, and the expected outcomes and deliverables.

Please remember, if you are applying for multiple grants using this single application, the Project Description should relate to all grant opportunities.

#### **Statement of Need** (CFA Question 976)

The statement of need should provide a clear overview of the local government's reasons for undertaking the project. For a Local Government Efficiency project, this must include an explanation of the financial, management, or service delivery challenges that the project will address.

Please remember, if you are applying for multiple grants using this single application, the Statement of Need should relate to all grant opportunities.

## Attachments

The Attachments section of the CFA enables project applicants to upload information crucial to describing the project benefits and the use of program funds. The format of the Consolidated Funding Application stipulates that Attachment questions: are grouped together, may refer to multiple types of information required throughout the application, and are used to evaluate the applicant's project. The Attachment Questions will form the basis for some of the scoring criteria.

Please remember only one attachment is permitted for each question. If you attach multiple documents, only the last document attached will remain. All others will be deleted. If you need to attach multiple documents, merge them into a single document, and then upload.

### Required Attachments

#### 1. LGE Tax Levy Impact (CFA Question 3475)

In order to determine the long term tax levy impact of a local government efficiency project, applicants must upload the Excel worksheet provided in the application. The worksheet may be accessed from the DOS website at <http://www.dos.ny.gov/funding/> or through the link in the CFA help section. The worksheet is intended to provide an objective analysis of the anticipated financial impact of the project, including reductions in expenditures and/or increased revenues and tax levy impact resulting from the project, exclusive of any grant funding. Worksheets must be completed for each applicant, saved as a PDF file and uploaded. Projected cost savings shall not include unexpended fund balances, other grant funding or State incentives. Cost savings may include capital costs avoided by not having to acquire or replace equipment or infrastructure with an expected useful life of 10 years or more. For a complete listing of equipment or infrastructure that may be depreciated for tax purposes, go to Appendix B of Internal Revenue Service Publication 946 at: <http://www.irs.gov/pub/irs-pdf/p946.pdf>.

When applying for a study, please use the best estimate of potential future cost savings and additional revenues if the project is implemented. To assist in estimating future cost savings generated by a project, past studies and project information may be found at the Department of State's website: <http://www.dos.ny.gov/lg/lge/projects.html>

#### 2. Financially Stressed Local Governments (CFA Question 3476)

The LGE program also prioritizes assistance to local governments that are experiencing financial stress. This is defined as those that have incurred operating deficits for each of the last three fiscal years, or had an operating deficit of greater than 10% in the last fiscal year. A spreadsheet to calculate this information is available on the Department of State's website at <http://www.dos.ny.gov/funding/>.

#### 3. Multi-year Financial Planning (CFA Question 3892)

The LGE program prioritizes multi-year financial planning as vital to local government sustainability and the future success of a project. Applicants will receive points only if planning documents are uploaded with application.

#### 4. Project Budget and Work Plan (CFA Question 3478)

LGE applicants are asked to upload a work plan and budget document that establishes a clear project timeline, tasks, and deliverables with the specific cost(s) for each.

For each task, include:

- a budgeted cost, including personal and non-personal services, travel and other expenses; and,
- a proposed start date and a schedule for completion for the project and each task.

Indicate the estimated costs for each task and discuss why such costs are considered reasonable. All purchases must comply with Article 5A of the General Municipal Law. A LGE work plan template and budget document are available at: <http://www.dos.ny.gov/funding/>. Make a PDF copy of the completed worksheet and upload with the CFA submission.

#### 5. **M/WBE Utilization Plan** (CFA Question 3538)

Applicants are required to submit a Plan for Certified Minority-And Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women as part of this application. The State of New York has set new MWBE Utilization goals of 30% for all contracts. The Utilization Plan-Form A and Staffing Plan-Form B must be completed and attached for the application to be considered. To download the M/WBE Forms, go to: <http://www.dos.ny.gov/funding/rfa-13-lge-11/MWBE.doc>

**Optional Attachments** These attachments may also be submitted with a LGE application, and can help reviewers understand the project and the applicants' commitment to it.

#### 1. **Resolutions and Local Agreements** (CFA Question 1978)

LGE applicants should upload any municipal resolutions or intermunicipal agreements executed to implement the project. These illustrate local support and capacity to implement the project.

#### 2. **Additional Information** (CFA Question 3652)

This question provides applicants with an opportunity to upload additional information to support the application, including maps and reports.

## LGE Standard Questions

Standard Questions are specific to an individual program and are designed to help reviewers evaluate the specific programmatic benefits.

#### **Project Partners** (CFA Question 3369)

Funding amounts and project eligibility are directly related to the number of project partners. Please list all the partners involved and describe their role in the project. Provide contact information for each partner local government.

#### **Points for LGE Priorities**

In order to promote specific priorities, applications will receive 5 points for meeting each of the following criteria.

#### 1. **Functional Consolidation** (CFA Question 4023 & Question 4024) - Possible 5 Points

For the LGE application, functional consolidation means one local government entity completely providing a service or function for another local government entity that no longer engages in that service or function. Functional consolidations may occur at the department level or at a budget line

item level between municipalities. If applicable, please describe how the application advances a functional consolidation.

**2. Local Government Efficiency Plan Implementation** (CFA Question 2961 & Question 2963) – Possible 5 Points

The LGE program prioritizes the implementation of previously completed local government efficiency planning projects. If applicable, please describe how the application implements a previously funded plan.

**3. Multi-year Financial Planning** (CFA Question 2955 & Question 2956) – Possible 5 Points

The LGE program prioritizes multi-year financial planning as vital to local government sustainability and the future success of a project. Please indicate how the involved local governments utilize financial planning for operations and/or capital improvements. Applicants will receive points only if planning documents are uploaded with application. (CFA Question 3892).

**4. Multi-Agency Funding** (CFA Question 2959, Question 2960 & Question 3656) – Possible 5 Points

This question is intended to provide the applicant with the ability to describe whether the project has been able to leverage other state community and infrastructure development programs. These programs include NY Rising Community Reconstruction Program Plan, green infrastructure or nature-based water systems, veterans programs, Countywide Resiliency Plans or Opportunity Agenda projects.

### Points for LGE General Criteria

In this section, the applicant should describe the project and how it fits within the Local Government Efficiency program. The answers provided here provide the application reviewers with the information to evaluate and score the project.

**1. Project Need** (CFA Basic Question 976) - Up to 5 points

The Department of State will review the need for the project, which may include changing financial or operational conditions, such as unplanned increases in local expenditures or requirements to modify existing service delivery.

**2. Financial Impacts – Up to 20 points**

**a) Cost Savings** (CFA Question 3370) - Up to 5 points

This question is intended to review the method used to estimate the savings that will be generated by the project. A narrative should explain how the savings identified in the tax levy impact sheets (CFA Attachment Question 3475) were determined. When applying for planning assistance, you may use similar projects from other local governments to estimate future cost savings if the project is implemented.

**b) Tax Levy Impact** (Question 4177) - Up to 5 points

This question gives applicants an opportunity to describe how the project may potentially affect the property tax levy.

**c) Performance Measurement** (Question 3373) - Up to 5 points

This question is intended to evaluate the financial performance of the project after implementation. For example, what measures will the local government utilize to monitor the cost of service delivery? Does your multi-year financial plan have any cost savings estimates

included? How are these performance measures consistent with your analysis done to determine project need? (CFA Basic Question 976)

**d) Future Investment** (CFA Question 4028) - Up to 5 points

This question is intended to evaluate the extent to which the local governments will invest in additional local government efficiency initiatives.

**3. Operational Impacts** (CFA Question 4178) – Up to 5 Points

This question is intended to review the impact the project will have on existing management or operations. For example, will a consolidation of services with an adjacent local government result in existing staff being reassigned to provide another service?

**4. Service Delivery Impact** (CFA Question 3376) – Up to 5 Points

This question is intended to assess how the project will change the delivery of services and affect the public.

**5. Project/Partner Readiness** (CFA Question 4029) – Up to 5 Points

This question is intended to determine how prepared the applicants are to work together to complete the project. For example, is the project part of actions already agreed to under an intermunicipal agreement or does the project constitute a specific action of a long-term capital plan? (Have you already attached a copy in question 3892?) Are there any existing shared services or collaborations with the project partners, including routine established dialog with the partners? Have there been any legal disputes or significant conflicts between the project partners in the past 5 years? Describe any actions taken to address these conflicts.

**6. Project Sustainability** (CFA Question 3378) – Up to 5 Points

This question describes the mechanism/process that the local governments will undertake to institutionalize the organizational and/or service delivery changes produced by the project. This might include intermunicipal agreements, local laws, contracts or performance measures to ensure the project is maintained over time.

**7. Public Engagement** (CFA Question 4179) – Up to 5 Points

This question is intended to review the approach and process that will be followed to ensure ongoing transparency, public participation and stakeholder engagement during project development and implementation.

## **Work Plan and Budget**

**Work Plan Analysis** (CFA Question 3478) – Up to 10 Points

**1. Work Plan Detail** (CFA Question 3478)

The Department of State will evaluate the clarity and detail of the work plan and associated tasks, including the project timeline, task descriptions, identity of vendors (if known), and task deliverables.

**2. Work Plan Feasibility** (CFA Question 3478)

The Department of State will evaluate the local government's ability to satisfactorily complete the project within the proposed scope and timeline.

**Evaluation of Budget and Costs – Up to 20 Points**

**1. Budget and Costs Determination** (CFA Question 1572)

This question is intended to evaluate how the budget and costs were determined, including the method/approach used to arrive at estimates.

The response should include a narrative of how budget items were determined and projected expenses calculated.

**2. Budget Detail** (CFA Question 1575)

This question is intended to evaluate whether the budget includes adequate detail for all project components.

The response should include a narrative explaining how each budget line item clearly supports the project.

**3. Budget Relationship with Work Plan** (CFA Question 1574, Question 3478 & Question 1575)

This question evaluates whether the proposed budget is sufficient to complete the tasks in the work plan, does not contain extraneous expenses, and is cost-effective.

The response should include a narrative explaining how the tasks in the work plan are supported by the budget.

**4. Expense Eligibility** (CFA Question 1573)

This question evaluates if expenses meet eligibility requirements of the program.

The response should include a narrative documenting how the projected costs are eligible for the grant program.

**Application Certification** (CFA Question 1038)

The lead applicant shall agree to the Certification of the information in the CFA application. Applications containing false or inaccurate information may be disqualified upon DOS verification.

## Smart Growth Questions

The Department of State is considered an “infrastructure agency” for the purposes of Article 6 of the Environmental Conservation Law, the State Smart Growth Public Infrastructure Policy Act. Under this legislation, no state infrastructure agency shall approve, undertake, support or finance a public infrastructure project, including providing grants, awards, loans or assistance programs, unless, to the extent practicable, the project is consistent with statutory smart growth principles. Smart Growth encourages community planning and development in priority economic growth areas where water and sewer infrastructure are available; encourages redevelopment of existing community centers; and protects important natural and historic resources, including water quality. If any funds received from a LGE grant would be used for any public infrastructure project that supports local government reorganization, applicants must describe how the project would meet the Smart Growth criteria listed in the application.

Smart Growth Questions are a series of questions that are required to be answered by all applicants. Each question requires a Yes, No or Not Relevant response and an explanation of that response. While not individually scored by the LGE program, responses will help determine if a project can be funded.

- 1. Does the proposed project use, maintain, or improve existing infrastructure?** (CFA Question 1059)
- 2. Is the proposed project located in a municipal center?** (CFA Question 1060)
- 3. Is the proposed project located in a developed area or an area designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan?** (CFA Question 1061)

4. **Will the proposed project protect, preserve and enhance the State’s resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources?** (CFA Question 1062)
5. **Will the proposed project foster mixed land uses and compact development, downtown revitalization, Brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups?** (CFA Question 1063)
6. **Will the proposed project provide mobility through transportation choices including improved public transportation and reduced automobile dependency?** (CFA Question 1064)
7. **Will the proposed project involve coordination between state and local government and inter-municipal and regional planning?** (CFA Question 1065)
8. **Will the proposed project involve participation in community based planning and collaboration?** (CFA Question 1066)
9. **Will the proposed project ensure predictability in building and land use codes?** (CFA Question 1067)
10. **Will the proposed project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation?** (CFA Question 1068)

## **VI. Awards and Grant Administration**

### **Awards**

Awards will be based upon an application's total final score. Funding will be awarded to the highest scoring applications until funds are exhausted. A contract will be executed with the lead applicant of each funded project.

Applications will be divided into 'planning' and 'implementation' categories. The Department of State is focused on awarding projects that implement efficiency efforts. Approximately \$4 million is being made available for awards. Up to \$3.6 million will be awarded for implementation projects, and approximately \$400,000 will be awarded for planning projects. At the Department's discretion, DOS reserves the right to award additional planning grants if an insufficient number of acceptable applications are received for implementation projects, and to award additional implementation grants if an insufficient number of acceptable applications are received for planning projects.

Depending upon the availability of funds, the Department of State may provide only partial funding to projects. Applicants will be notified directly of awards. Award decisions are final and are not subject to appeal.

In the event that any awardee fails to satisfactorily negotiate a proper contract, funding may be awarded to the next highest-scoring application.

Unsuccessful applicants may request a debriefing. Requests must be made in writing within 15 days of notification of decision.

### **Contracts**

The Department of State requires that all successful applicants enter into a contract with the State of New York. The state contract details the obligations of the applicant/contractor. Contracts will be a multi-year agreement and will be dated April 1, 2015 – March 31, 2019. Awardees must return state contracts to the Department of State within ninety (90) days from receipt to ensure that funds go to applicants that are ready to move forward. The Department of State may cancel an award if the state contract is not returned in a timely manner.

### **Contract Administration**

Awardees must manage projects in accordance with the terms and conditions of the state contract. Contractors must follow state and local procurement policies. Failure to render satisfactory progress or to complete the project to the satisfaction of the state may cause the suspension or termination of the state's financial obligation. Satisfactory progress includes, but is not limited to, execution of the state contract and submission of all necessary documents for execution by the state, submitting timely payment requests in accordance with the payment schedule in the state contract, completing satisfactory work products, and other tasks negotiated and agreed to in the executed state contract.

### **Schedule of Payments**

The Local Government Efficiency Grant program is a "reimbursable" program. Expenses incurred after April 1, 2015 are eligible for reimbursement provided that the applicant has executed a contract with the

Department of State. Expenses incurred prior to the start date of the state contract cannot be reimbursed. The grant contractor will be required to submit payment requests quarterly. Payments will be made for eligible costs incurred until the cumulative amount of such payments totals 90% of the State Share Funding Amount. Payment of the remaining 10% of the State Share Funding Amount will not be made until the project is completed, as determined by the Department of State.

## Required Reports

Each project must achieve results that substantially meet the objectives outlined in the contract's work plan. Recipients of grants must submit project status reports along with quarterly requests for payment. Project close-out requires completion of terms and activities outlined in the state contract, and including all deliverables identified in the work plan.

## Project Performance

Division of Local Government Services LGe staff monitors each project, and conducts site visits during the course of project execution to assess the rate and quality of progress. Notification of contract related meeting schedules, and submission of photos and other media are required. Some projects may be selected for more extensive review, and used as a resource for providing technical assistance.

## General Specifications

1. By signing the "Application Form", each applicant attests to the express authority to sign on behalf of the local government and to the accuracy of the information contained in the application.
2. Grantees will possess, at no cost to the State, all qualifications, licenses, insurance and permits to engage in the required business as may be required within the jurisdiction where the work specified is to be performed. Workers to be employed in the performance of this contract, including subcontractors, will possess the qualifications, training, licenses, insurance and permits as may be required within such jurisdiction.
3. Submission of any application indicates the applicant's acceptance of all conditions and terms contained in this RFA, including terms and conditions of the contract.
4. Provisions upon default:
  - a. The services to be performed by the applicant shall be, at all times, subject to the direction and control of the Department of State as to all matters arising in connection with or relating to the contract resulting from this RFA;
  - b. In the event that the applicant fails to perform any of the terms, covenants or promises of any contract resulting from this RFA, the Department of State, acting for and on behalf of the State, shall thereupon have the right to terminate the contract by giving notice of the fact and date of such termination to the applicant;
  - c. If, in the judgment of the Department of State, the applicant acts in such a way which is likely to or does impair or prejudice the interests of the State, the Department of State, acting on behalf of the State, shall thereupon have the right to terminate any contract resulting from this RFA by giving notice of the fact and date of such termination to the contractor. In such case, the contractor shall receive equitable compensation for such services as shall, in the judgment of the Department of State, have been satisfactorily performed by the contractor up to the date of the termination of this agreement.

## Reserved Rights

The Department of State reserves the rights, including but not limited to:

1. Reject any or all applications received in response to this RFA.
2. Withdraw the RFA at any time, at the agency's sole discretion.
3. Make an award under the RFA in whole or in part.
4. Disqualify any applicant whose conduct and/or application fails to conform to the requirements of the RFA.
5. Seek clarifications and revisions of applications.
6. Use proposal information obtained through site visits, management interviews and the state's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFA.
7. Prior to the application due date, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available.
8. Prior to the application due date, direct applicants to submit proposal modifications addressing subsequent RFA amendments.
9. Change any of the scheduled dates.
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders.
11. Waive any requirements that are not material.
12. Negotiate with applicants responding to this RFA within the scope of the RFA to serve the best interests of the state.
13. If unsuccessful in negotiating a state contract with the selected applicant within an acceptable time frame, the Department may begin state contract negotiations with the next ranked qualified applicant(s) in order to serve and realize the best interests of the state.
14. Utilize any and all ideas contained in proposals received.
15. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant's proposal and/or to determine an applicant's compliance with the requirements of the solicitation.
16. Waive or modify minor irregularities in received applications.
17. Not fund an application that fails to submit a clear and concise work plan or budget.
18. Adjust or correct cost figures with the consent of the applicant if errors exist and can be documented to the satisfaction of the Department of State and the State Comptroller.
19. Award grants based on geographic or regional considerations to serve the best interests of the state.
20. Award more than one contract resulting from this RFA.
21. In its sole discretion, determine the total number of awards to be granted pursuant to this RFA.

## **Attachments:**

Appendix A: Definitions

Appendix B: Instructions – Tax Levy Impact Statement

Appendix C: Minority and Women-Owned Business Enterprises (MWBE)

# Appendix A

## Definitions

As used in these applications, the following words and terms shall mean:

**Asset Class** means a category of equipment or infrastructure that may be depreciated for tax purposes and may be found in Appendix B of Internal Revenue Service Publication 946 at <http://www.irs.gov/pub/irs-pdf/p946.pdf>.

**Capital Cost** means the cost of an asset that an applicant would have to acquire or replace in the event that a project is not implemented and that has a Useful Life of ten years or longer.

**Consolidation** means either (a) the combination of two or more local government entities resulting in the termination of the existence of each of the entities to be consolidated and the creation of a new local government entity which assumes jurisdiction over all of the terminated local government entities, or (b) the combination of two or more local government entities resulting in the termination of the existence of all but one of the local government entities which shall absorb the terminated local government entity or entities.

**Cost Savings** means reductions in expenses that result directly from the implementation of a project and are expected to continue on an ongoing basis.

**Cooperative Agreement** means an agreement entered into by two or more local government entities pursuant to Article 5-G of the General Municipal Law or other authorizing statutes for the performance among themselves or one for the other of their respective functions, powers and duties on a contract or cooperative basis.

**Dissolution** means the termination of the existence of a local government entity.

**Full Value** means the equalized assessed value of real property as reported by the Office of the State Comptroller (OSC). Full value assessments can be found online at [www.osc.state.ny.us/localgov/datanstat/](http://www.osc.state.ny.us/localgov/datanstat/) under "Financial Data for Local Governments."

**Functional Consolidation** means one local government entity completely providing a service or function for another local government entity that no longer engages in that service or function. Functional consolidations may occur at the Department level or at a budget line item level between municipalities; the applicant is required to describe this in the narrative.

**Governing Board** means the body in which the general legislative, governmental and/or public powers of a local government entity are vested and by authority of which the official business of such entity is conducted.

**Increased Revenues** means increases in revenues that result directly from the implementation of a project and are expected to continue on an ongoing basis.

**Local Government Entity** means a county, city, town, village, special improvement district, fire district, public library, association library, public library systems if they advance a joint application on behalf of its member libraries, water authority, sewer authority, regional planning and development board, school district, or board of cooperative educational services. A board of cooperative educational services will be considered a municipality only in instances where such board of cooperative educational services advances a joint application on behalf of school districts and other municipalities within the board of cooperative educational services region but any agreement with a board of cooperative educational services:

1. Will not generate additional state aid;
2. Will be deemed not to be a part of the program, capital and administrative budgets of the board of cooperative educational services for the purposes of computing charges upon component school districts pursuant to Education Law § 1950(1),(4)(b)(7) or § 1951 (1); and
3. Will be deemed to be a cooperative municipal service for purposes of Education Law § 1950(4)(d)(2).

**Operating Deficit** means gross municipal revenues (including transfer activity) less gross municipal expenditures (including transfer activity) at fiscal year-end divided by gross expenditures in the same fiscal year.

**Reasonableness of Cost** is an assurance that the state is receiving good value for its investment. All purchases must follow Article 5-A of the General Municipal Law. Travel rates cannot exceed the current Internal Revenue Service rate or the current state rate and salaries must adhere to municipal bargaining rates.

**Regional** means an area that is not typically defined by municipal boundaries, consisting of a large area that shares specific characteristics, possibly in more than one county.

**Regionalized Service Delivery** means public service functions undertaken by multiple local government entities in an area that is not typically defined by municipal boundaries, consisting of a large area that shares specific characteristics, possibly in more than one county.

**Return on Public Investment** means annual cost savings and/or increased revenues expressed as a percentage of all public funding to be utilized in the project, calculated by dividing the anticipated annual cost savings and/or increased revenues by the amount of the expected public funding, including the LGE grant.

**Shared Services** means the joint provision, performance or delivery of a service, facility, activity, or undertaking by two or more local government entities that each may lawfully undertake separately.

**Smart Growth** means sensible, planned, efficient growth that integrates economic development and job creation with community quality-of-life by preserving and enhancing the built and natural environments. Smart Growth encourages growth in developed areas with existing infrastructure to sustain it, particularly municipal centers, downtowns (“Main Streets”), urban cores, historic districts and older first-tier suburbs.

**State Community and Infrastructure Development Programs** means New York State programs provided by agencies defined by Article 6 of the Environmental Conservation Law; “The New York State Smart Growth Public Infrastructure Act.”

**State Contract** means the agreement between the Department of State and the applicant/contractor that details the obligations of each party, including the approved budget and work plan.

**Straight Line Method** is a way to figure depreciation for an asset that deducts the same amount for each year based upon the Useful Life of the asset.

**Tax Impact** means the annual cost savings and/or increased revenues per \$1,000 of full value, calculated by dividing cost savings and/or increased revenues by the result of full value divided by 1,000.

**Total Project Cost** is the total estimated cost of activities, including those expected to be funded with both grant money and other funds that are eligible for funding under this grant program.

**Transitional Personnel** means any additional employees required to implement the approved program work plan of the project. The employee(s) must be integral to the coordinated or consolidated service delivery. (*The Department of State reserves the right to approve the reasonableness of the need for the staff and the salary amount.*)

**Useful Life** means an estimate of how long an asset can be expected to be usable in trade or business or to produce income.

# Appendix B

## Instructions for Tax Levy Impact Worksheet

1. Open the Tax Levy Impact worksheet provided with this application. Go to the Applicant Information sheet (tab on the bottom left of the page) and enter the names of the Lead Applicant and all Co-Applicants.
2. Go to [www.openbooknewyork.com](http://www.openbooknewyork.com) and click on "Search Local Government Spending".
3. Click on "Revenues" or "Expenditures" under Data Categories and "Comparison" under Type of Report and then click "Submit".
4. Select the class of local government for all Applicants and the year for which the most recent data are available. "No Data" indicates that data for the year selected are not yet available. Note: Up to four units of local government may be selected at a time. If there are more than four Applicants, clear the selected local governments and select up to four additional Applicants.
5. Click "Submit" and you will be taken to a Comparison Report for the local governments selected.
6. Find the "Real Property Taxes and Assessments" for each Applicant and enter into the Applicant Information worksheet (Worksheet A).
7. Click on the "+" icons in the Comparison Report to find the budget codes for all relevant revenue and expenditure data. Enter the budget code, its description and amount into the "Before " column for each relevant line item for each Applicant into the Fiscal Impact worksheet (Worksheet B).
8. Enter estimated revenues and expenditures upon completion of the project into the "After " column for each line item for each Applicant. Higher revenues and lower expenditures after completion of the project will appear as positive fiscal impacts. Lower revenues and higher expenditures will appear as negative fiscal impacts.
9. The worksheet will automatically calculate the Fiscal and Tax Levy Impacts for each Applicant. These appear at the top of the Applicant Information worksheet (Worksheet A).
10. Save the worksheet as a PDF file using the "Export Worksheets to PDF" button on the Applicant Information worksheet or the "Save as" function in Excel. If using the 1997-2003 version of Excel, click on "Entire Worksheet" under Options. If using a more recent version of Excel, include the Applicant Information and Fiscal Impact sheets when prompted.
11. Upload the saved PDF into the CFA (Question 3475).

## 2015-2016 Local Government Efficiency Grant Tax Levy Impact Worksheet A

**Instructions:**

1. In the **GREEN** area below, enter the name of the lead and co-applicants, the fiscal year for the data used, and the total real property taxes and assessments (tax levy).
2. Once the entire workbook is completed, export the entire workbook as a PDF to attach to the CFA.  
Export as a PDF using your program's menus.

<b>EXAMPLE</b>						
	<u>Name</u>	<u>Fiscal Year</u>	<u>Tax Levy</u>	<u>Fiscal Impact</u>	<u>Tax Levy Impact</u>	
Lead Applicant	County	2014	\$ 75,000,000	\$ (90,000.00)		-0.12%
Co-Applicant 1	City A	2014	\$ 6,500,000	\$ 135,000.00		2.08%
Lead Applicant				\$ -		-
Co-Applicant 1				\$ -		-
Co-Applicant 2				\$ -		-
Co-Applicant 3				\$ -		-
Co-Applicant 4				\$ -		-
Co-Applicant 5				\$ -		-
Co-Applicant 6				\$ -		-
Co-Applicant 7				\$ -		-
Co-Applicant 8				\$ -		-
Co-Applicant 9				\$ -		-



*If your project impacts more than 10 eligible municipalities, please contact the Department of State to ensure that the proper adjustments are made to this form to maintain accuracy.*





# Appendix C

## MINORITY-AND WOMEN-OWNED BUSINESS ENTERPRISES (MWBE)

### CONTRACTOR REQUIREMENTS AND PROCEDURES FOR BUSINESS PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN

#### NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A, the Department of State (hereinafter “DOS”) recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of DOS contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" (“Disparity Study”). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that DOS establishes goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

#### Business Participation Opportunities for MWBEs

For purposes of this solicitation, DOS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that DOS may withhold payment pending receipt of the required MWBE documentation. The directory of New York State Certified MWBEs can be viewed at: <http://www.esd.ny.gov/mwbe.html>.

For guidance on how DOS will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

#### I. MWBE Utilization

By submitting a bid or proposal, a bidder on the Contract (“Bidder”) agrees to submit the following documents and information as evidence of compliance with 5 NYCRR §142.8:

- A. Bidders are required to submit a MWBE Utilization Plan on Form A with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to DOS.
- B. DOS will review the submitted MWBE Utilization Plan and advise the Bidder of DOS acceptance or issue a notice of deficiency within 30 days of receipt.
- C. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to the DOS:

Office of Affirmative Action Programs  
99 Washington Avenue, Albany, New York 12231  
Phone: (518) 473-3401; Fax (518) 402-3656

A written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by DOS to be inadequate, DOS shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

- D. DOS may disqualify a Bidder as being non-responsive under the following circumstances:
  - a) If a Bidder fails to submit a MWBE Utilization Plan;
  - b) If a Bidder fails to submit a written remedy to a notice of deficiency;
  - c) If a Bidder fails to submit a request for waiver; or
  - d) If DOS determines that the Bidder has failed to document good faith efforts.

Contractors shall attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to DOS, but must be made no later than prior to the submission of a request for final payment on the Contract.

## II. Non-Compliance

- A. In accordance with 5 NYCRR §142.13, Contractor acknowledges that if it is found to have willfully and intentionally failed to make good faith efforts to meet the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and DOS may withhold payment from the Contractor as liquidated damages. Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.
- B. In addition, failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

## Equal Employment Opportunity Requirements

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of Section III (J) of the Master Grant Contract, "Equal Employment Opportunities for Minorities and Women; Minority and Women Owned Business Enterprises." The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor, shall undertake or

continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Bidder further agrees, where applicable, to submit with the bid a staffing plan (Form B) identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to the DOS, a workforce utilization report identifying the workforce actually utilized on the Contract if known.

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

For questions on filling out the forms required with this application, please contact:

Office of Affirmative Action Programs  
99 Washington Avenue, Albany, New York 12231  
Phone: (518) 473-3401; Fax (518) 402-3656



## FORM A M/WBE UTILIZATION PLAN

**INSTRUCTIONS:** This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan represents the anticipated MWBE usage for the contract and must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Attach additional sheets if necessary.

Offeror's Name:

Federal Identification No.:

Address:

Project/Contract No.:

City, State, Zip Code:

Telephone No.:

M/WBE Goals in the Contract: MBE 15% WBE 15%

Region/Location of Work:

1. Projected Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, and Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/ Supplies/Services and intended performance dates of each component of the contract.
A.	<b>NYS ESD CERTIFIED</b> <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
B.	<b>NYS ESD CERTIFIED</b> <input type="checkbox"/> MBE <input type="checkbox"/> WBE			

**6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER.**

My firm proposes to use the M/WBEs listed above.

PREPARED BY (Signature):

DATE:

NAME AND TITLE OF PREPARER (Print or Type):

TELEPHONE NO.:

EMAIL ADDRESS:

**FOR M/WBE USE ONLY**

REVIEWED BY:

DATE:

UTILIZATION PLAN APPROVED:  YES  NO Date:

Contract No. \_\_\_\_\_ Project No. (if applicable): \_\_\_\_\_

Contract Award Date:

Estimated Date of Completion:

Amount Obligated Under the Contract:

Description of Work:

NOTICE OF DEFICIENCY ISSUED:  YES  NO Date: \_\_\_\_\_

NOTICE OF ACCEPTANCE ISSUED:  YES  NO Date: \_\_\_\_\_

SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.



## FORM B STAFFING PLAN

**Submit with Bid or Proposal – Instructions on page 2**

*Complete this form only for the anticipated work force to be utilized on the State contract.*

<b>Solicitation No.:</b>	<b>Reporting Entity:</b>	<b>Report includes Contractor's/Subcontractor's:</b> <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Total work force
<b>Offeror's Name:</b>		<input type="checkbox"/> Offeror <input type="checkbox"/> Subcontractor <b>Subcontractor's name</b> _____
<b>Offeror's Address:</b>		

Enter the total number of employees for each classification in each of the EEO-Job Categories identified.

EEO-Job Category	Total Work force	Work force by Gender		Work force by Race/Ethnic Identification														
		Total Male (M)	Total Female (F)	White (M) (F)		Black (M) (F)		Hispanic (M) (F)		Asian (M) (F)		Native American (M) (F)		Disabled (M) (F)		Veteran (M) (F)		
Officials/Administrators																		
Professionals																		
Technicians																		
Sales Workers																		
Office/Clerical																		
Craft Workers																		
Laborers																		
Service Workers																		
Temporary /Apprentices																		
Totals																		

<b>PREPARED BY (Signature):</b>	<b>TELEPHONE NO.:</b> <b>EMAIL ADDRESS:</b>	<b>DATE:</b>
<b>NAME AND TITLE OF PREPARER (Print or Type):</b>		<b>Submit completed with bid or proposal</b>

**General instructions:** All Offerors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (FORM B) and submit it as part of the bid or proposal package. Where the work force to be utilized in the performance of the State contract can be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form only for the anticipated work force to be utilized on the State contract. Where the work force to be utilized in the performance of the State contract cannot be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form for the contractor's and/or subcontractor's total work force.

**Instructions for completing:**

1. Enter the Solicitation number that this report applies to along with the name and address of the Offeror.
2. Check off the appropriate box to indicate if the Offeror completing the report is the contractor or a subcontractor.
3. Check off the appropriate box to indicate work force to be utilized on the contract or the Offerors' total work force.
4. Enter the total work force by EEO job category.
5. Break down the anticipated total work force by gender and enter under the heading 'Work force by Gender'
6. Break down the anticipated total work force by race/ethnic identification and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the DOS Permissible contact(s) for the solicitation if you have any questions.
7. Enter information on disabled or veterans included in the anticipated work force under the appropriate headings.
8. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

**RACE/ETHNIC IDENTIFICATION**

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this form, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

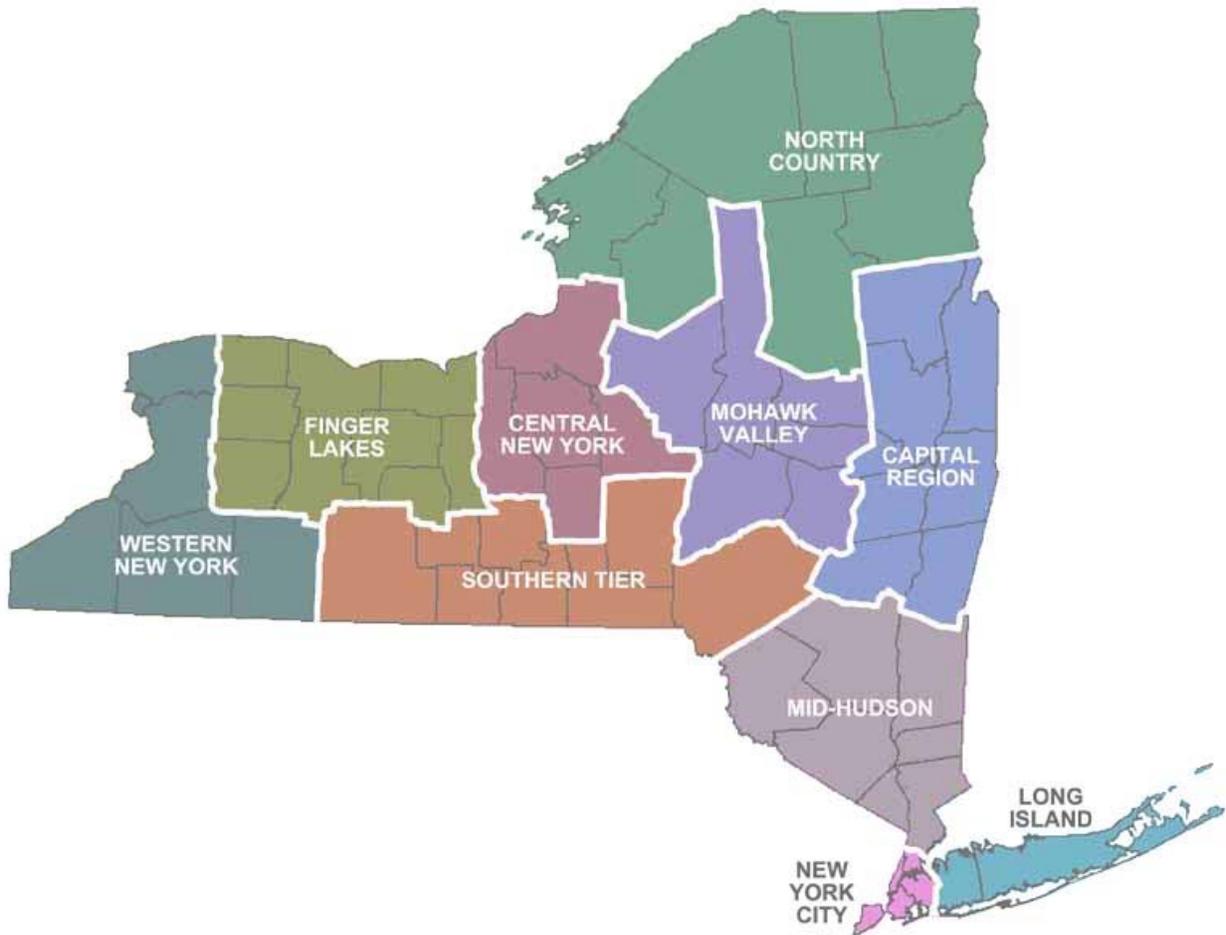
- **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.
- **NATIVE INDIAN (NATIVE AMERICAN/ ALASKAN NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

**OTHER CATEGORIES**

- **DISABLED INDIVIDUAL** any person who:
  - has a physical or mental impairment that substantially limits one or more major life activity(ies)
  - has a record of such an impairment; or
  - is regarded as having such an impairment.
- **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.
- **GENDER** Male or Female



## New York State Regional Economic Development Council Regions



ANDREW M. CUOMO  
GOVERNOR

CESAR A. PERALES  
SECRETARY OF STATE