



**Division of Local  
Government Services**

# **Welcome!**

## **Secretary of State Rossana Rosado**

**A Division of New York Department of State**

February 15, 2017



**Division of Local  
Government Services**

# **Municipal Consolidation and Efficiency Competition**

## **Phase II Applicants Conference**

**A Division of New York Department of State**

February 15, 2017

# Conference Agenda

Municipal Consolidation and Efficiency Competition Overview

Phase I - Intent to Propose Review

Phase II - Municipal Consolidation and Efficiency Plan (MCEP)

Development

Break

MCEP Analysis and Review Process

Contract Development and Best Practices

Wrap-up Questions

(Questions will be captured throughout the afternoon.)

(All answers are not final until they are posted.)

February 15, 2017

4

# MCEC - Overview

A Division of New York Department of State



# Program Overview

The Municipal Consolidation and Efficiency Competition (MCEC) is designed to empower counties and other local governments to **reduce the number of local governments**, pursue opportunities for **increased shared services** and implement **local government modernizations** that **reduce the property tax burden**.

## Where we came from

- Property Tax Initiatives
- Government Efficiency Initiatives



## Where we are going (Goals)

- Lower property taxes in the awarded consortium of local governments
- Modernize and reduce the number of local governments to achieve a more efficient and adaptable structure for providing local government services
- Create an incubator for Local Government Innovation that will test and share government consolidation and efficiency best practices



# Past Local Government Efficiency Projects

- Saugerties Police Consolidation
- Erie County Water
- Tompkins County Health Consortium
- Regional 911/PSAPs
- Countywide EMS
- Government Reorganization
- Fire District Consolidation



# Princeton, NJ - Example



- **Princeton Township**  
population: ~18,000  
  
Budget: \$36.6m
- **Princeton Borough**  
population: ~12,000  
  
Budget: \$28.5m

Chad Goerner, Former Mayor – Princeton Township – Tale of Two Tigers, November 18, 2016

# Princeton Example – Can be a long road

Multiple attempts at consolidation of Princeton Township and Princeton Borough

1953 – Voted down in both the Borough and the Township

1965 – Divergent tax rates concluded that consolidation not practical

1969 – School funding formula prevented it

1979 – Voted down in the Borough by 33 votes

1991 – Voted down in the Borough.

1996 – Voted down in the Borough.

2013 – Consolidation implemented

Chad Goerner, Former Mayor – Princeton Township – Tale of Two Tigers, November 18, 2016

A Division of New York Department of State



**Division of Local  
Government Services**

# Princeton Example – Committee Structure

2 Elected Officials from each municipality

3 citizen representatives from each town, appointed by the governing body through an open call for applications

Chair and co-chair format

Subcommittees to drive workload: Finance, Consolidation, Police, Public Works and Public Outreach subcommittees

Commitment to Transparency: all meetings open to the public, meeting minutes and documents posted online

Chad Goerner, Former Mayor – Princeton Township – Tale of Two Tigers, November 18, 2016

A Division of New York Department of State

# Princeton Example – Results

The Commission provided a clear recommendation to consolidate with 9 of the 10 members supporting the recommendation

Annual gross savings of \$3.2 million

A combined police department would eliminate middle management positions and re-instate the safe neighborhoods unit

Municipal trash collection would expand to include all township residents

Chad Goerner, Former Mayor – Princeton Township – Tale of Two Tigers, November 18, 2016

A Division of New York Department of State

# Moving Forward – Lessons from Princetons

- Getting Started
- Impacts of “Home Rule”
- Establish A Clear Process
- Be Flexible
- Public Outreach
- Utilize State Resources

Chad Goerner, Former Mayor – Princeton Township – Tale of Two Tigers, November 18, 2016

A Division of New York Department of State

# Building off your intent to propose

- Your Intent to Propose submissions are starting points for your MCEP
  - Plans may change
  - Plans should expand
- Impact of the Consolidation Project
  - Full explanation of operational efficiencies
  - Full explanation of cost savings
- Inclusion of multiple restructuring efforts
  - Explanation of each project in the proposal

# Awarding the winning plan

## Your winning plan will

- **Reduce** the overall number of local governments
- Show **innovation**
- Be **expansive** in breadth and scope
- Impact the **most people** possible
- **Save taxpayers money**

# No Losers, we are funding great projects

## Municipal Structure and Organization

- Municipal Restructuring Fund - \$25 million
- Local Government Efficiency Program - \$4 million
- Citizens Reorganization and Empowerment Grant and Citizens Empowerment Tax Credit

## Community Development

- Appalachian Regional Commission – \$2 million
- Northern Border Regional Commission - \$1.75 million

# Summary of Phase I

February 15, 2017

18

# Introduction of Applicants

A Division of New York Department of State



## Phase I – 9 Applications, 6 Move on

- Otsego County Municipal Transportations and Efficiency Plan
- Town of Brookhaven – Operational and Cross Jurisdictional Efficiencies, and a Dissolution
- Montgomery County Local Government Plan for 22 Municipalities
- Madison County Consolidation and Efficiency Plan
- Chautauqua County Regional Solutions Commission
- Ulster County Services and Municipal Plan

## Phase I – Unprecedented Start

- 72 Local Government Entities Participating in the 6 accepted applications
- Huge savings being explored
- Diversity from around the state
- Many different types of projects

February 15, 2017

21

# MCEC – Phase II

A Division of New York Department of State



## MCEC Phase II Timeline

- Release of the Phase II Guidance Document February 14, 2017
  - Mandatory Applicants Conference, Albany, NY February 15, 2017
  - MCEP's Due to the Department of State June 28, 2017
  - Possible presentations to DOS July 18 – 19, 2017
- 
- Winner Announced --- September 2017

# MCEC Phase II – Plan Development and Application Instructions



**Division of Local  
Government Services**

## 2016-2017 Municipal Consolidation & Efficiency Competition

### Phase II – Plan Development and Application Instructions

#### #16-LGE-34

##### KEY DATES

<b>Release Date:</b>	February 13, 2017
<b>Mandatory Applicant Conference:</b>	February 15, 2017
<b>Questions Due Date:</b>	March 8, April 5, May 3 & May 31, 2017
<b>Updates &amp; Responses to Questions Posted Dates:</b>	March 15, April 12, May 10 & June 7, 2017
<b>Plan Due Dates:</b>	June 28, 2017, 4:00 PM
<b>Anticipated Applicant Presentations:</b>	July 18-19, 2017

<b>Contact:</b>	Kyle Wilber, Program Manager New York State Department of State Division of Local Government Services, #16-LGE-34 One Commerce Plaza 99 Washington Avenue, Suite 1015 Albany, New York 12231 <a href="mailto:MCECprogram@dos.ny.gov">MCECprogram@dos.ny.gov</a> Chet Fiske
<b>Plan Submission:</b>	New York State Department of State Bureau of Fiscal Management Municipal Consolidation and Efficiency Competition One Commerce Plaza 99 Washington Avenue, Suite 1110 Albany, New York 12231

STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
[WWW.DOS.NY.GOV](http://WWW.DOS.NY.GOV)

ANDREW M. CUOMO  
GOVERNOR  
ROSSANA ROSADO  
SECRETARY OF STATE



**Division of Local  
Government Services**

# MCEC Phase II – Plan Development and Application Instructions

**DEPARTMENT OF STATE**  
ANDREW M. CUOMO, GOVERNOR ROSSANA ROSADO, SECRETARY OF STATE

Home Individuals Businesses Divisions Commissions & Committees A to Z Index Search DOS Website Search

### Request for Applications

**RFA #16-LGE- 34**  
2016-17 Municipal Consolidation and Efficiency Competition, Phase II

Schedule of Events	
<b>Phase II</b>	
Release Date	February 13, 2017
Mandatory Applicant Conference	February 15, 2017
Questions Due to Department of State	March 8, April 5, May 3 & May 31, 2017
Updates and Questions Posted	March 15, April 12, May 10 & June 7, 2017
Due Date	June 28, 2017, 4:00 PM
Anticipated Applicant Presentations	July 18-19, 2017

Division of Local Government Services, #16-LGE-34  
MCECprogram@dos.ny.gov

**Contact Information**  
New York Department of State  
Kyle Wilber  
Local Government Services  
Albany, NY 12231-0001  
Phone: (518) 473-3355

[2016 MCEC Phase II Guidance Document](#) (pdf)

**Fillable Forms:** \*  
Fiscal Impact Worksheet (excel xlsx file)  
Smart Growth Questionnaire (doc)  
Work Plan and Budget (excel xlsx file)

**MWBE Requirements, Procedures & Forms**  
Form A - EEO Policy Statement 2016 (doc)  
Form B - Staffing Plan (doc)  
Form D - Utilization Plan (doc)  
Form E - Waiver Request (doc)  
MWBE Goals Calculation Temp.(excel xlsx file)

About DOS  
Newsroom & Webcasts  
Calendar of Events  
Grant Opportunities  
Current Grant/Funding/Bid Opportunities  
Contact Us  
Governor's Office  
Listing of NY State Agencies  
Subject Matter List of Available Records (doc)

@NYSDOS

DOS Home A to Z Index Applications Accessibility Privacy Policy Disclaimer Contact Us Freedom of Information Law (FOI) PDF READER

February 15, 2017

25

# MCEP – Development

A Division of New York Department of State



# MCEP Outline and Content – RFA

## Appendix A

### Executive Summary

- 1) Identify lead local government and all consortium partner.
- 2) Concise overview of:
  - The goals of the MCEP.
  - The level of collaboration between the MCEP's partners
  - How the MCEP was developed.
  - How each project implement the MCEP.
  - How the MCEP will help the project partners achieve their goals.

## MCEP Outline and Content

Each project or proposal contained in the MCEP shall be described as part of the narrative of each the following sections.

# MCEP Outline and Content

## Local Government Design

- The number of proposed local governments to be consolidated or dissolved and their impact
- The impact on local government services in the region
- How will the local government design foster long-term property taxpayer savings
- The level of innovation in the projects of the MCEP
- Replicability of the MCEP or projects within the MCEP
- Transformational nature of the MCEP or projects within the MCEP

# MCEP Outline and Content

## Fiscal Impact

- Review of local government budgets for the next five years
- Financial projections illustrating how the proposed funding will be utilized for efficiency and reorganization actions
- Total projected savings for all involved partner's property tax payers after the full implementation of the MCEP
- Estimated combined reduction in the tax levy of each involved local government after full implementation of the MCEP
- Return on investment from the award from the total projected savings for tax payers

# 1. Review Instructions

- Worksheets for:
  - Tax Levy/User Fees
  - Projects
  - Revenues
  - Expenditures
- Estimate results before and after completion of each project
- Create worksheets for each project and consolidate information into single Fiscal Impact worksheet

Instructions for Fiscal Impact Worksheet	
1	Open the Applicant Information tab on the bottom left of the page (Worksheet A) and enter the names of the Lead Applicant and all Co-Applicants into Column B.
2	Open the Projects tab on the bottom left of the page (Worksheet B) and enter the project name for each project or proposal into Column B.
3	Go to <a href="http://www.openbooknewyork.com">www.openbooknewyork.com</a> and click on "Search Local Government Spending".
4	Click on "Revenues and Expenditures" under Report and "Comparison" under Type of Report, then click "Submit".
5	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: <i>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.</i>
6	Click "Submit" and you will be taken to a Comparison Report between the municipalities selected. In the upper right hand corner of the Comparison Report click on "Download to Excel Spreadsheet" and open the file.
7	Find the "Real Property Taxes and Assessments" for each Applicant and enter under "Tax Levy or User Fees" in the Applicant information worksheet (Worksheet A).
8	Go to the Revenue tab (Worksheet C). Find the budget codes for all relevant revenues and enter with the amounts in the Open Book New York Excel spreadsheet into the "Before" column for each Applicant and Project, there should be a dropdown when you click in the "Applicant" or "Project" columns (scroll up in dropdown for list). Repeat for the "Expenditures" tab (Worksheet D) using all relevant expenditures.
9	Using your best estimates of the changes to revenues and expenditures upon completion of the projects or proposals, enter into the "After" column for each line in the "Revenues" and "Expenditures" tabs. Note that some projects or applicants may not have changes.
10	The worksheet will automatically calculate the Fiscal and Tax Levy Impacts for each Applicant and for each Project. These appear in the gray boxes in the Applicant Information worksheet and the Projects worksheet.
11	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.
12	Please provide the PDF and the Excel file in an electronic format with the submission.

## 2. Tax Levy/User Fees

- Enter name of lead applicant and each co-applicant
- Enter tax levy or user fees for most recent fiscal year
- Worksheet automatically calculates Fiscal Impact for each applicant and for all applicants in the aggregate

<b>EXAMPLE</b>					
	<b>Name</b>	<b>Fiscal Year</b>	<b>Tax Levy or User Fees</b>	<b>Fiscal Impact (\$)</b>	<b>Fiscal Impact (%)</b>
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%
	<b>Name</b>	<b>Fiscal Year</b>	<b>Tax Levy or User Fees</b>	<b>Fiscal Impact (\$)</b>	<b>Fiscal Impact (%)</b>
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				\$ -	
Co-Applicant 10				\$ -	
Co-Applicant 11				\$ -	
Co-Applicant 12				\$ -	
Co-Applicant 13				\$ -	
Co-Applicant 14				\$ -	
Co-Applicant 15				\$ -	
Co-Applicant 16				\$ -	
Co-Applicant 17				\$ -	
Co-Applicant 18				\$ -	
Co-Applicant 19				\$ -	
Co-Applicant 20				\$ -	
<b>Total</b>			\$ -	\$ -	

### 3. Projects

- Enter name of each project into the worksheet
- Savings before and after project completion are automatically calculated from Revenues and Expenditures worksheets
- Savings calculated as dollar and percentage difference between before and after project completion

EXAMPLE					
	Name	Before	After	Savings (\$)	Savings (%)
Project	911 Consolidation	\$ 1,225,000.00	\$ 1,360,000.00	\$ 45,000.00	3.67%
	Name	Before	After	Savings (\$)	Savings (%)
Project 1		\$ -	\$ -	\$ -	-
Project 2		\$ -	\$ -	\$ -	-
Project 3		\$ -	\$ -	\$ -	-
Project 4		\$ -	\$ -	\$ -	-
Project 5		\$ -	\$ -	\$ -	-
Project 6		\$ -	\$ -	\$ -	-
Project 7		\$ -	\$ -	\$ -	-
Project 8		\$ -	\$ -	\$ -	-
Project 9		\$ -	\$ -	\$ -	-
Project 10		\$ -	\$ -	\$ -	-
Project 11		\$ -	\$ -	\$ -	-
Project 12		\$ -	\$ -	\$ -	-
Project 13		\$ -	\$ -	\$ -	-
Project 14		\$ -	\$ -	\$ -	-
Project 15		\$ -	\$ -	\$ -	-
Project 16		\$ -	\$ -	\$ -	-
Project 17		\$ -	\$ -	\$ -	-
Project 18		\$ -	\$ -	\$ -	-
Project 19		\$ -	\$ -	\$ -	-
Project 20		\$ -	\$ -	\$ -	-



# MCEP Outline and Content

## Need

- Need(s) for each project or proposal within the MCEP based on the existing conditions in the area
- Severity of need(s) for the projects or proposals in the MCEP
- Extent the MCEP or projects within the MCEP resolve or address the need(s)

# MCEP Outline and Content

## Implementation Capacity/Political Will

- Identification of resources to complete the proposal and achieve the goals and objectives in a manner that is timely, effective, and on-budget
- Previous experience in intergovernmental cooperation
- Support for the MCEP and the projects within the MCEP
- Feasibility of each project or proposal included in the MCEP

# MCEP Outline and Content

## Leveraging of Other Assets

- Review of the impact MCEC funds will have to help to leverage additional outside funds
- Economic impact of leveraged resources in the community/communities involved in each project or proposal included in the MCEP

# MCEP Outline and Content

## Community Involvement and Outreach

- How citizen input and involvement were utilized to develop the MCEP
- Outreach to all minority and disenfranchised populations
- How additional outreach will be conducted to implement the MCEP or projects within the MCEP

# MCEP Outline and Content

## Project Budgets and Work Plans – Appendix F

- Cost Determination
- Budget Detail
- Budget Relationship with Work Plan

## MCEP Budget Summary

- Total Costs

## Budget & Work Plan

- Break down each project into individual tasks
- Each task should have:
  - Name
  - Start Date
  - Anticipated Completion
  - Deliverables
  - Task Narrative
  - Budget
- Budget amounts and description for each expenditure category
- Worksheet will total all project costs

A Division of New York Department of State

MCEC Project WORK PLAN and BUDGET		
<b>Project Title</b>		
<b>Task 1</b>	<b>Task Name:</b>	
	<b>Anticipated Start Date:</b>	
	<b>Anticipated Completion Date:</b>	
	<b>Deliverable:</b>	
<b>Task Narrative:</b> See Instructions		
<b>BUDGET CATEGORIES:</b>	<b>BUDGET AMOUNT:</b>	<b>DESCRIPTION</b> (include information on what grant funds are requested)
Personal Services, Salary & Fringe		
Non Personal Services,		
Contractual Services		
Travel		
Equipment		
Other		
<b>TOTAL</b>	\$	-



## Budget Summary

- Enter information on each project from individual project worksheets
- Summary will calculate overall MCEC budget by category
- MCEC award is lesser of \$20M (minus Phase I awards) or budget for all projects in Budget Summary

MCEC BUDGET SUMMARY		
<b>Project List</b>		
<b>Project 1</b>	Project Name:	
	Anticipated Start Date:	
	Anticipated Completion Date:	
	Deliverable:	
<b>Project Description</b>		
<b>BUDGET CATEGORIES:</b>	<b>BUDGET AMOUNT:</b>	<b>DESCRIPTION</b> (include information on what grant funds are requested)
Personal Services, Salary & Fringe		
Non Personal Services,		
Contractual Services		
Travel		
Equipment		
Other		
<b>TOTAL</b>	\$	-

# MCEP Outline and Content

## Identifying Project Expenses

- Reimbursements
- Performance Payments

# MCEP Outline and Content

## Appendices

- Resolutions from all partner local governments, for each project or proposal
- Work Plan and Budget for each project or proposal included in the MCEP *Submitted on the work plan form (Appendix F)*
- Tax Levy and Fiscal Impact Sheet(s) *(Appendix B)*
- Smart Growth Questionnaire
- MWBE Utilization Plan
- Other documentation as necessary

February 15, 2017

43

# MCEP – Submission

A Division of New York Department of State



# Municipal Consolidation and Efficiency Plan Submission

## MCEP PDF Files

- Table of Contents, Executive Summary, and
- Municipal Consolidation and Efficiency Plan
  - PDF file identifier: Lead Applicant MCEP.pdf
- Appendices – each Appendix is a separate pdf file
  - PDF file identifier: MCEP Appendix (name).pdf
  - PDF files for individual Work Plans identifier: MCEP Appendix Work Plan Project (names).pdf

# Municipal Consolidation and Efficiency Plan Submission

1. One original hard copy of your plan
2. Two copies of the original plan
3. One compact disc of the original plan in Adobe Acrobat Portable Document Format(PDF)
4. Bind hard copy application materials in 3 ring, 2 inch binders or press board covers
5. Maps must measure 8 ½ inches by 11 inches.
6. Fold 8 ½ inch x 14 inch maps and 11 inch x 17 inch maps to measure 8 ½ inches by 11 inches.
7. Resolutions from all partner local governments

# Plans must be submitted and received by 4:00 PM on June 28, 2017

Submit to:  
Chet Fiske

New York Department of State  
Bureau of Fiscal Management

Municipal Consolidation and Efficiency Competition, #16-LGE-34  
11<sup>th</sup> Floor

One Commerce Plaza  
99 Washington Avenue  
Albany, New York 12231

February 15, 2017

47

# MCEP Analysis and Review

A Division of New York Department of State



# MCEP Analysis and Review

Each Municipal Consolidation and Efficiency Plan will be evaluated against all other submitted plans.

Applicants may be asked to present their MCEP at an event hosted in Albany during the review period.

Presentations will be used to better understand the impact of the projects on local government design, innovation and transformation.

# MCEP Analysis and Review

## Pass/Fail Criteria

Applicants must be a consortium of local governments receiving funding under Phase I of the Municipal Consolidation and Efficiency Competition.

The MCEP includes responses to all evaluation criteria.

The MCEP includes at least one proposed county, city, town or village consolidation.

# MCEP Analysis and Review

All MCEPs evaluated on a scale of 100 points, must receive a minimum of 60 points to be considered for funding.

The Scoring is divided into two sections

- Up to 80 points for Local Government Design, Need, Capacity/Will, Leverage, Involvement and Outreach, and Budget
- Up to 20 points for Fiscal Impact

# MCEP Analysis and Review

**Local Government Design, Need, Capacity/Will, Leverage, Involvement and Outreach, and Budget (80 Points)**

Final scores will be based on an average of reviewer scores.

As part of the review of Local Government Design, applicants may be required to present their MCEP at an event hosted in Albany.

# MCEP Analysis and Review

## Local Government Design (up to 30 Points)

- Impact on the structure of local governments and services
- Impact of plan on long-term property taxpayer savings
- Innovation and transformation

## Need (up to 5 Points)

- Need based upon existing conditions
- The severity of identified needs
- How the plan and projects will resolve the need

# MCEP Analysis and Review

## Implementation Capacity (up to 10 Points)

- Resources are identified and available to complete the proposal
- Prior intergovernmental experience
- Plan support and feasibility

## Leverage (up to 5 Points)

- Impact the funds will have to leverage additional funds

# MCEP Analysis and Review

## Community Involvement and Outreach (up to 10 Points)

- Level of citizen input and involvement utilized to develop the plan
- Outreach to all resident populations
- Process for continued outreach during implementation

## Budget (Up to 20 Points)

- Cost determination of budget estimates
- Budget Detail and Expense Eligibility
- Budget Relationship with Work Plan

# MCEP Analysis and Review

## Fiscal Impact (Up to 20 Points Total)

### Tax Levy Impact – Up to 15 Points

The Plan with the highest percentage of total combined reduction in the tax levy, over a five-year period starting after the full implementation of the MCEP, will receive the maximum number of points. The other applicants will receive a proportional score.

# MCEP Analysis and Review

## Fiscal Impact (Up to 20 Points Total )

Ratio of Return on Investment – Up to 5 Points

The applicant with the highest projected Ratio of Return on Investment will receive the maximum number of points. The other applicants will receive a proportional score.



**Division of Local  
Government Services**

# **Application and Contracting Best Practices**

**A Division of New York Department of State**

February 15, 2017

# NYS Grant Contract Overview

## New York State's Master Contract

- Face Page
- Signature Page
- Attachment A, NYS Master Grant Contract Terms
- Attachment A-1, DOS & Program Specific Terms
- Attachment B, Budget
- Attachment C, Work Plan
- Attachment D, Payment and Reporting
- Attachment E, Other

February 15, 2017

59

# Contract Development

A Division of New York Department of State



# MCEC Phase I

A Division of New York Department of State

## Phase I Contracts

- All contracts are for \$50,000
- Work Plans will all be similar
- Budgets to be based on anticipated expenditures
- Contract dates – 2/1/17 through 7/31/17

# Work Plans

- The Department of State has developed a standard Work Plan for these Phase I Contracts.
  - Attendance at this Conference
  - Creation of the MCEP
  - Submission of Plan
  - Possible presentation

## MCEP in the Work Plan

- Plan
  - Follows the Format in the Guidance – See Appendix A also
  - Intent to Propose Application to be attached – minimum requirements of the Plan
- Possible Presentation
  - Focuses on Local Government Design

# Budget

- Legal and consultant services necessary to implement a project;
- Direct expenses of the development and implementation of the MCEP, including personal service and non-personal service costs integral to project implementation and development.

**ATTACHMENT B-1 - EXPENDITURE BASED BUDGET SUMMARY**

PROJECT NAME: \_\_\_\_\_

CONTRACTOR SFS PAYEE NAME: \_\_\_\_\_

CONTRACT PERIOD: From: \_\_\_\_\_  
To: \_\_\_\_\_

CATEGORY OF EXPENSE	GRANT FUNDS	MATCH FUNDS	MATCH %	OTHER FUNDS	TOTAL
<b>1. Personal Services</b>					
a) Salary			\$		\$0.00
b) Fringe			\$		\$0.00
Subtotal	\$0.00	\$0.00		\$0.00	\$0.00
<b>2. Non Personal Services</b>					
a) Contractual Services			\$		\$0.00
b) Travel			\$		\$0.00
c) Equipment			\$		\$0.00
d) Space/Property & Utilities			\$		\$0.00
e) Operating Expenses			\$		\$0.00
f) Other			\$		\$0.00
Subtotal	\$0.00	\$0.00		\$0.00	\$0.00
<b>TOTAL</b>	\$0.00	\$0.00		\$0.00	\$0.00

Contract Number: # \_\_\_\_\_  
Page 1 of 5, Attachment B-1 - Expenditure Based Budget

## MWBE

- Anticipate the 30% MWBE goal
- The Department of State has requested a MWBE 0% goal for Phase I only
- If used, please provide the Utilization information in the Quarterly Reporting

February 15, 2017

66

# Face Page and Original Signature Page

A Division of New York Department of State



# Master Contract Face Page & Signature Page

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY (Name & Address):  	BUSINESS RECEIPT ID: _____
CONTRACT NUMBER: _____	CONTRACT TYPE: <input type="checkbox"/> Multi-Year Agreement <input type="checkbox"/> Single/Final General Agreement <input type="checkbox"/> Final Term Agreement
CONTRACTOR'S PAYEE NAME:  	TRANSACTION TYPE: <input type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Amendment
CONTRACTOR'S DISBURSEMENT NAME:  	PROJECT NAME:  
CONTRACTOR IDENTIFICATION NUMBERS: NYS Vendor ID Number: _____ Federal Tax ID Number: _____ EIN/SSN Number (if applicable): _____	AGENCY IDENTIFIER: CPDA NUMBER (Federally Funded (check only)) _____
CONTRACTOR'S PRIMARY MAILING ADDRESS:  	CONTRACTOR'S STATE: <input type="checkbox"/> For Profit <input type="checkbox"/> Municipality, Cook <input type="checkbox"/> Tribal Nation <input type="checkbox"/> Individual <input type="checkbox"/> Not For Profit Charities Registration Number: _____ Exemption Status Code: _____ <input type="checkbox"/> Nonexempt (000)
CONTRACTOR'S PAYMENT ADDRESS: <input type="checkbox"/> Check if separate primary mailing address	
CONTRACTOR'S MAILING ADDRESS: <input type="checkbox"/> Check if separate primary mailing address	

Contract Number # \_\_\_\_\_  
Page 1 of 2  
Master Grant Contract, Face Page

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM: From: _____ To: _____	CONTRACT FUNDING AMOUNT: (Multi-year - note total projected amount of the contract. Fixed Term/Single/Final/Amendment - note current period amount.)																														
CURRENT CONTRACT PERIOD: From: _____ To: _____	CONTRACTOR: _____																														
AMENDED TERM: From: _____ To: _____	AMENDED: _____																														
AMENDED PERIOD: From: _____ To: _____	FUNDING SOURCE(S): <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Other																														
FORMERLY YEAR AGREEMENTS ONLY - CONTRACT PERIOD AND FUNDING AMOUNT: (Out years represent projected funding amounts)																															
<table border="1"> <thead> <tr> <th>#</th> <th>CURRENT PERIOD</th> <th>CURRENT AMOUNT</th> <th>AMENDED PERIOD</th> <th>AMENDED AMOUNT</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>		#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT	1					2					3					4					5				
#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT																											
1																															
2																															
3																															
4																															
5																															
ATTACHMENTS PART OF THIS AGREEMENT: <input type="checkbox"/> Attachment A: <input type="checkbox"/> Attachment B: <input type="checkbox"/> Attachment C: Work Plan <input type="checkbox"/> Attachment D: Proposal and Reporting Schedule <input type="checkbox"/> Other: _____																															
<input type="checkbox"/> A-1 Program Specific Terms and Conditions <input type="checkbox"/> A-2 Federally Funded Grants <input type="checkbox"/> B-1 Disposition Based Budget <input type="checkbox"/> B-2 Performance Based Budget <input type="checkbox"/> B-3 Capital Budget <input type="checkbox"/> B-3(A) Disposition Based Budget (Amendment) <input type="checkbox"/> B-3(A) Performance Based Budget (Amendment) <input type="checkbox"/> B-3(A) Capital Budget (Amendment)																															

Contract Number # \_\_\_\_\_  
Page 2 of 2  
Master Grant Contract, Face Page

IN WITNESS WHEREOF, the parties hereto have executed or approved this Master Contract on the date herein first expressed.

CONTRACTOR:  By: _____ Printed Name Title: _____ Date: _____	STATE AGENCY: New York State Department of State 19 Westcott Avenue Albany, New York 12242  By: _____ Printed Name Title: _____ Date: _____
---	---

STATE OF NEW YORK  
County of \_\_\_\_\_  
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known, who being by me duly sworn, did depose and say that he/she certifies that \_\_\_\_\_ is the contractor described herein which executed the foregoing instrument, and that he/she signed he/she certifies as authorized by the contractor named on the face page of this Master Contract.  
(Notary) \_\_\_\_\_

ATTORNEY GENERAL'S SIGNATURE:  Printed Name Title: _____ Date: _____	STATE COMPTROLLER'S SIGNATURE:  Printed Name Title: _____ Date: _____
--	---

Contract Number # \_\_\_\_\_  
Page 1 of 1, Master Contract On Grant Signature Page

# MCEC Phase II

A Division of New York Department of State



## Phase II Contract

- We anticipate a single contract for the award
  - Initial Contract and Contract Renewal
    - Initial Contract - 1 year and \$100,000 for assistance with consolidation
    - Contract Renewal – Funds available for reimbursement of expenses. Negotiated End Date and Remaining Funds (added to contract with an amendment/renewal process)

## Phase II Contract

- Initial Contract for Consolidation or Dissolution
  - Approximately \$100,000
  - Work Plan - outlines process to achieve a positive vote on consolidation or dissolution
  - Deliverable – Consolidation or Dissolution Approved by vote



## Phase II Contract Renewal

- Contract for other proposals/projects
  - Remainder of the funds approximately \$19,600,000
  - Same start date as original contract, so we can reimburse for eligible projects already started
  - Projects started without the Approved Consolidation or Dissolution are done at your own risk

## Phase II Contract Renewal

- Work Plan
  - Each project will have a work plan and budget developed based on the submitted work plans and budgets
  - Each project will be treated as a Phase of the Municipal Consolidation and Efficiency Plan
  - The work plan shall include a timeline with all of the projects in that timeline – Gantt Chart

## Phase II Contract Renewal

- Budget
  - Each project will have a budget developed based on the submitted work plans and budgets, with funds allocated by task
  - The contract Budget will be a combination of all of the individual project budgets

# MWBE Requirements



**Division of Local  
Government Services**

# **Division of Affirmative Action Programs Minority and Women Business Enterprises (MWBE) Program**

## **INTRODUCTION TO THE MWBE PROGRAM**

**A Division of New York Department of State**

February 15, 2017

# Overview

- **DOS MWBE Policy**
- **Summary of Article 15-A of the Executive Law**
- **MWBE and Other Important Definitions**
- **How Does MWBE Apply to You?**
- **Your Responsibilities Under Article 15-A**
- **Determining and Meeting the MWBE Goals**
- **Information on NYS Contract System**
- **MWBE Waiver Request**
- **DOS Grantees Contract Forms**
- **Information Resources**
- **Q/A**

## Minority and Women-Owned Business Enterprises (MWBE) Program at the Department of State (DOS)

- DOES supports the statewide requirement to provide procurement opportunities for MWBE. The **Office of Affirmative Action Programs** administers the agency's **MWBE Program**.
- All Department's contracts, including GRANTS must be assessed for MWBE goals and comply with the MWBE participation goal established in the contract. DOS grantees must comply with all contractual obligations related to MWBE, such as reporting.
- All community based organizations and sub grantees affiliated with the Department of State are required to cooperate with our joint effort to strengthen and expand our Minority and Women-Owned Business Enterprise Program

# New York State MWBE Law: Article 15-A

Article 15-A of the NYS Executive law was enacted on **July 19, 1988**. The goal is to promote equality of economic opportunities for MWBEs and to eliminate barriers to their participation in state contracting.

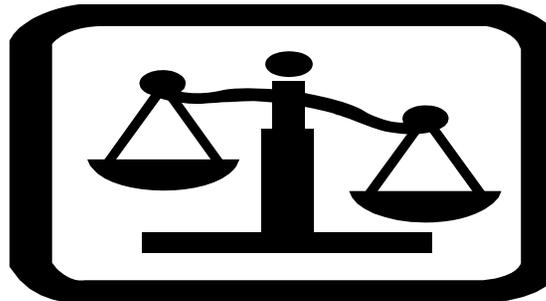
Under this law, state agencies are charged with **Promoting:**

- 1) Equal employment opportunity;**
  - 2) Procurement opportunity**
- on all state contracts for minorities and women.



# 2010 Disparity Study

Identified that there was a significant disparity between the availability of MWBEs in the marketplace and the number and value of state contracts awarded to MWBEs in NYS



## Minority-owned Business Enterprise (MBE)

A business enterprise that is at least 51 percent owned, operated and controlled by US citizens or permanent resident aliens who are members of a minority group.

- **Black** persons having origins in any of the Black African racial groups;
- **Hispanic** persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race;
- **Asian and Pacific Islander** persons having origins in any of the Far East countries, Southeast Asia, the Indian subcontinent or the Pacific Islands; or
- **Native American or Alaskan Native** persons having origins in any of the original peoples of North America.

A Division of New York Department of State

## Women-owned Business Enterprise (WBE)

A business enterprise that is at least 51 percent owned, operated and controlled by US citizens or permanent resident aliens who are **women**.



NEW YORK  
STATE OF  
OPPORTUNITY.  
Division of Local  
Government Services

# Important Definitions

- **Grantee/Contractor:** an individual, a business enterprise including, a partnership, a corporation, a not-for-profit organization, or any other party to a State contract.
- **State Contracts:** A written agreement or purchase order instrument providing for a total expenditure of more than \$25,000 by a contracting agency in return for labor, services, supplies, equipment and or materials or any combination thereof.
- **Certified enterprise or business:** a business which has been approved by the Division as a Minority or a Woman owned business enterprise.
- **Expenditure:** Any payment by a state agency, including but not limited to payments made pursuant to a state contract, purchase order, invoice or non-personal services.
- **Subcontract:** Any agreement between the contractor and a subcontractor to provide services, including non-staffing expenditures, supplies or materials of any kind.
- **Equal Employment Opportunities:** A contractor and subcontractor's conscientious and active efforts to afford employment opportunities to minority group members and women without discrimination because of their membership in a protected class.
- **Goal (30%):** The percentage of MWBE applicable budget amount for participation of certified MWBE, sought to be included in state procurement opportunities as prime contractors, subcontractors, suppliers, consultants or other similar arrangements.

# How Does MWBE Apply to You?

DOS closely monitors contracts for compliance with Article 15-A

Contractors/Grantees' need to keep in mind these Requirements:

- Under 5 NYCRR §142.8, contractors are required to make “**Good Faith Efforts (GFE)**” to provide meaningful participation to MWBEs as subcontractors or suppliers in the performance of their contracts.
- Currently, NYS Contracts have an aspirational goal of **30%** of the MWBE applicable amount.
- Identify your established goal in the RFA and/or Contract.
- Section 316-a of Article 15-A and 5 NYCRR §142.13: Failure to comply with the MWBE participation goal set forth in the contract, or to demonstrate the GFE to do so, constitutes a breach of contract and **the contractor could be found liable to the Department for liquidated or other appropriate damages.**

# Your Responsibilities Under Article 15-A

## – NYSCS –

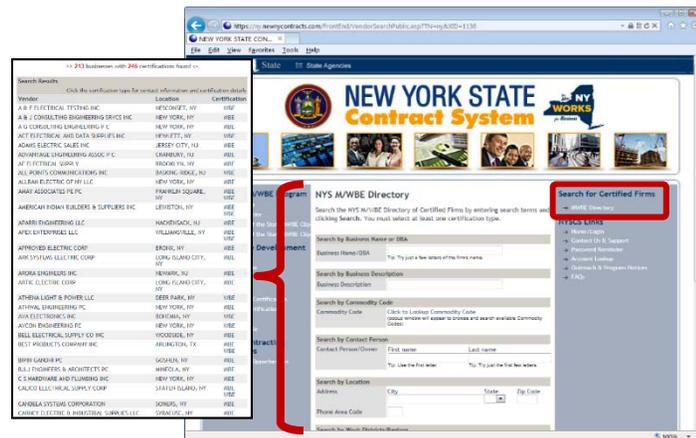
- If you are awarded a contract, you are required to:
  - Create an account in the New York State Contract System (System) at: <https://ny.newnycontracts.com>
  - Submit your MWBE utilization plans through the System
  - Report through the System:
    - Record payments to MWBE subcontractors as soon as you pay them
    - Communicate with your contract's program manager
- At the end of each state quarter (June, September, December, April) you must verify that all payments to MWBE vendors were entered into the System.
- **Only if you are not able to report MWBE utilization in the System, paper reports will be accepted.**

# Determining The MWBE Goal %

- **Contracts Executed up to December 2014, have MWBE Goal of 20% (10% MBE and 10% WBE) of the total contract value.** The following are exempted items:
  - Personal services (i.e. payments to staff for labor), Staff benefits
  - Travel reimbursements
  - Utilities, postage, telephones
  - Sole source contracts
  - Certain rentals and repairs
  - Unemployment insurance and tuition reimbursement
- **Contracts Executed on or after January 2015, have MWBE Goal of 30% (15% MBE and 15% WBE) of MWBE applicable amounts.**
- **As of 2016, new Contracts and Contract Amendments funding with additional funding will require to keep the 50-50% allocation for MBE and WBE. Waivers will be required if goals are not met.**

# Meeting The MWBE Goals

- Only the use of New York State-certified M/WBEs counts towards meeting your goals!
- Find eligible businesses by searching the NY State M/WBE Directory located at: <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>



- **If they are not certified MWBE vendors you cannot get credit for payments!!!**

# New York State Contract System (NYSCS)

NYSCS is a web-based tool managed by ESD that provides:

- Online Certification Applications
- Access to M/WBE Directory
- Prime online reporting of subcontractor utilization
- Subcontractor payment confirmation
- Online M/WBE application and management
- Vendors can manage their own accounts
- Multiple user accounts for each vendor
- Substantial time saving for staff
- Data is collected in a standard format

# TO SET-UP AN ACCOUNT WITH NYSCS

## *GETTING STARTED!*



Once you are awarded a grant, DOS will provide you step-by-step guides and informational memos with instructions on how to use NYSCS.

# Applying for a Waiver Request

M/WBE Waiver = Reduction or elimination of the M/WBE goals already established on a contract or prior to contract execution. No automatic approval. **Waivers are the last resource.**

- A waiver request requires the grantee to submit to the DOS:
  - A detailed description of the contract program or project
  - A documented justification of “Good Faith Efforts” → GFE
  - A completed Form E – M/WBE Waiver Request
- If Grantees do not meet their contractual MWBE goal % are **required to submit documented waiver justification demonstrating GFE.**
- Documented justification of the GFE must follow instructions on page 2 of waiver form → **Incomplete requests will be returned unprocessed!**
- Waiver requests, full or partial, are **not approved until Executive Chamber agrees with DOS determination.**

# Contractor's Good Faith Efforts

- Screenshots and printouts of the search for certified MWBEs in the Directory.
- Copies of its solicitations of certified MWBEs and responses thereto.
- Specific reasons that MWBE was not selected.
- Copies of advertisements.
- Attending pre-bid, pre-award or other meetings.
- Information describing the specific steps undertaken to reasonably structure the contract scope for the purpose of subcontracting.

# DOS Grantees Contract Forms

- **EEO Statement** (Form A)- Contractor must submit EEO policy statement, at the time of contract execution or when requested, to ensure that minority groups and women are afforded equal employment opportunity without discrimination within their organization.
- **Staffing Plan** (Form B)- As part of the bid or proposal, a contractor must submit a staffing plan to document the composition of the proposed workforce.
- **Workforce Employment Utilization Report** (Form C)- a component of the Staffing Plan which requires quarterly updates be provided on the actual workforce utilized in performance of contract.
- **MWBE Utilization Plan** (Form D)- Contractor must submit an MWBE Utilization plan with any bid or proposal to list the certified MWBEs it intends to use to perform on the contract. The plan shall also be submitted online through the New York State Contract System (System).
- **Request for Waiver** (Form E)- may be granted with Governor's Office approval, if a contractor is unable to comply with MWBE goals after documenting good faith efforts.
- **Quarterly MWBE Contractor Compliance Report** (Form F)- documents the progress made towards achievement of the MWBE contract goals. *Applicable only if the contractor cannot access the internet for online reporting purposes or is not able to complete online reporting through the System during a quarter.*

# Takeaways

- ✓ Article 15-A of the NYS Executive Law regulates the MWBE Program
- ✓ All Department's contracts must include the MWBE participation goal. Grantees must comply with all contractual obligations related to MWBE. Current MWBE Goal 30% (15% MBE and 15% WBE).
- ✓ Grantees are required to create an account in the New York State Contract System, submit their MWBE utilization plan and report their MWBE utilization through the system
- ✓ Waiver of MWBE goals needs documented GFE
- ✓ No automatic waiver approval
- ✓ **Waivers are the last resource**



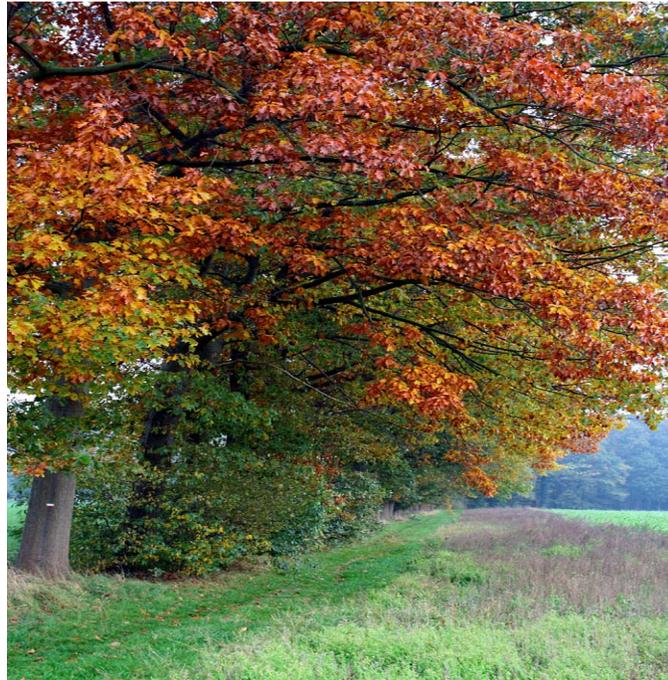
# Information/Contact Resources

- Access to the System: <https://ny.newnycontracts.com/>
- Locate NYS Certified MWBEs at: <https://ny.newnycontracts.com/?TN=ny>
- Sign up for a training class:  
<https://ny.newnycontracts.com/FrontEnd/EventList.asp?TN=ny&XID=1296>
- Complete information on the NYS MWBE certification process:  
[http://esd.ny.gov/MWBE/Data/MWBE\\_CertMadeEasy.pdf](http://esd.ny.gov/MWBE/Data/MWBE_CertMadeEasy.pdf)
- Questions regarding the MWBE Program at DOS, assistance with compliance with MWBE goals, processing MWBE waiver requests, understanding Grantees/Contractors' responsibilities, or for any assistance with the MWBE Program, contact the Division of Affirmative Action:

Maria C. Herman  
Director, Affirmative Action Programs  
Phone: 518-473-3401  
[Maria.Herman@dos.ny.gov](mailto:Maria.Herman@dos.ny.gov)

Api Ohouo  
Minority Business Specialist 1,  
Phone: 518-473-2298  
[Api.Ohouo@dos.ny.gov](mailto:Api.Ohouo@dos.ny.gov)

# Questions?





**Division of Local  
Government Services**

# **NYS Smart Growth Public Infrastructure Policy Act of 2010 (Chapter 433 of the Laws of 2010)**

Paul Beyer – Director of Smart Growth, NYS Department of State

**A Division of New York Department of State**

February 15, 2017

## The Act in a Nutshell

State Infrastructure Agencies are responsible for ensuring that funding and approval decisions for “public infrastructure” are consistent with the “relevant” Smart Growth criteria in the law, “to the extent practicable.”

# State Infrastructure Agencies

The specific “State Infrastructure Agencies” covered by the law include:

The Departments of Education, Environmental Conservation, Health, State and Transportation; Environmental Facilities Corporation (sewer and water); NYS Housing Finance Agency and Housing Trust Fund; Empire State Development Corporation; Urban Development Corporation; Thruway, Dormitory and Port Authorities

Subsidiaries of, or corporations with the same members or directors as, any of these entities

All other New York authorities

A Division of New York Department of State

# The Land Use/Transportation Infrastructure Connection

## A 'CHICKEN-AND-EGG' DEBATE

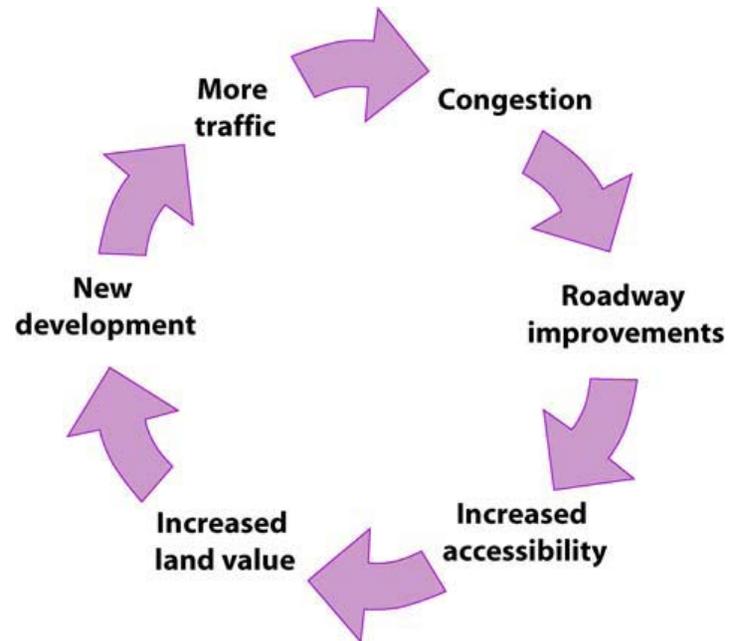
On the relationship between land use and transportation, the late Senator Moynihan said:

- “Highways determine land use, which is another way of saying they settle the future of the areas in which they are built.”

The American Planning Association went a step further:

- “No single force has had a greater impact on the pattern of land development in American cities in this century [Twentieth] than highways.”

# The Land Use-Transportation Cycle



(Source: Syracuse Metropolitan Transportation Council Long Range Plan 2011)

# SMART GROWTH CRITERIA

## TEN CRITERIA -- TWO BROAD CATEGORIES

- **“WHERE”** – LOCATION
- **“HOW”** – DESIGN; PROCESS; ENVIRONMENTAL FACTORS; SUSTAINABILITY

# WHERE/LOCATION

## EXISTING INFRASTRUCTURE

- “Fix-it-First”

## MUNICIPAL CENTERS

“areas of concentrated and mixed land uses that serve as centers for various activities”

- Environmental Justice Areas
- Transit-Oriented Development (TOD)
- Hardship Areas
- Brownfield Opportunity Areas
- Local Waterfront Revitalization Program Areas
- Downtowns/Main Streets
- Central Business Districts
- Areas Adjacent to Municipal Centers

## DEVELOPED AREAS/INFILL

- Municipal Plans, BOAs, LWRPs

# HOW - NEIGHBORHOOD DESIGN/PLANNING

- Mixed-Use
- Compact (Density)
- Downtown Revitalization
- Brownfields Re-Development
- Public Spaces
- Diverse, Affordable Housing near Work, Recreation, Commercial Activities
- Age and Income Diversity

# HOW - MOBILITY CHOICES

- Reduced Auto Dependency (Walkable, Bikable)
- Public Transportation
- Complete Streets

# HOW - ENVIRONMENTAL STEWARDSHIP

“preserve and enhance the state’s resources”

- Agricultural Land, Forests, Recreational Areas
- Surface and Ground-Water– Green Infrastructure
- Air Quality
- Scenic Areas
- Historic, Archeological Resources
- Sustainability—Greenhouse Gases/Climate Change/Energy

## HOW - PROCESS

- Community-Based Planning
- Inter-Municipal and Regional Planning/State and Local Coordination
- Public/Community Outreach – “solicit input from and consult with various representatives of affected communities and organizations”

## “Community Risk and Resiliency Act”

K. To mitigate future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable.

# Fiscal Benefits of Smart Growth

## Return on Investment

- *The Buffalo-Niagara Report: The Dollars and Sense of Development Patterns*, Joe Minicozzi/Urban3 LLC

## Infrastructure Cost Management

- *Building Better Budgets: A National Examination of the Fiscal benefits of Smart Growth Development*, Smart Growth America

# Questions?

February 15, 2017

109

**Thank you for  
your time**

[www.dos.ny.gov](http://www.dos.ny.gov)  
[MCECprogram@dos.ny.gov](mailto:MCECprogram@dos.ny.gov)

A Division of New York Department of State



# New York Department of State

(518) 473-3355      Division of Local Government Services

(518) 474-6740      Counsel's Office

(800) 367-8488      Toll Free

Email:            [localgov@dos.ny.gov](mailto:localgov@dos.ny.gov)

Website:        [www.dos.ny.gov](http://www.dos.ny.gov)

[www.dos.ny.gov/lg/index.html](http://www.dos.ny.gov/lg/index.html)