

NYS Department of State

Division of Local Government Services

Municipal Consolidation and Efficiency Competition

Request for Applications 16-LGE-34

Questions & Answers

The responses to questions included herein are the official responses by the State to questions submitted by potential applicants and are hereby incorporated into RFA # 16-LGE-34 issued on February 14, 2017. In the event of any conflict between the RFA and these responses, the requirements or information contained in these responses will prevail.

March 15, 2017 Responses:

Q1: Regarding the requirement of Smart Growth; if a Municipal Consolidation and Efficiency Plan (MCEP) has multiple projects and some of the projects are infrastructure projects which would be subject to the Smart Growth Law, would one of the infrastructure projects not complying with Smart Growth eliminate the entire Plan?

A1: Since all projects funded by the Department of State must meet the requirements of Smart Growth, if one or more of the projects included in a MCEP does not meet Smart Growth requirements the Department of State cannot fund it. If such a project is integral to the implementation of the MCEP, the applicant needs to identify how that project would be completed without State funding. If that information is not provided, we would remove the project's impact of the project from the Tax Levy and Fiscal Impact Sheet, thus possibly lowering the fiscal impact and the return on investment.

Q2: In the review of the fiscal impact sheet, will the Department of State evaluate the legitimacy of the impacts provided?

A2: All of the Tax Levy and Fiscal Impact Sheets will be reviewed in conjunction with the narrative provided for the Fiscal Impact section of the MCEP. The narrative should clarify how the savings were determined illustrating the legitimacy of the impact.

May 10, 2017 Responses:

Q3. Are letters of support or resolutions required?

A3. As stated on Page 6 of the RFA, resolutions from all partner local governments in support of the Municipal Consolidation and Efficiency Plan must be provided with the final plan submission.

Q4. Are the projects in the Intent to Propose required, or can one of the projects drop out for the final submission?

A4. The Intent to Propose process asked applicants to identify a local government consolidation for implementation, as well as other projects to be implemented with up to \$20 million in state assistance. While the original identified projects should be in the final Municipal Consolidation and Efficiency Plan it is expected that additional projects will be added. Original projects may be amended or not included, with justification as to why the change was made. However, the original proposed local government consolidation must be included.

Q5. If a project is in the Municipal Restructuring Fund (MRF) funding stream, would an MCEC award cover those items not covered in the MRF funding, or would all of the remaining unspent items in the MRF award be transferred to the MCEC award. Would MCEC be used as GAP funding or account for unspent MRF funds?

A5. Projects that are already being supported by existing Department of State Local Government Efficiency Programs, including the MRF, are all eligible for continued funding as projects identified in a Municipal Consolidation and Efficiency Plan. However, all projects must meet the requirements of the MCEC and funding cannot reimburse items that have been reimbursed through other Programs.

Q6. Are the MWBE goals for the entire contract amount and not just specific to each project? In other words, would over utilization on one project count towards underutilization on other projects?

A6. MWBE goals are for the entire contract and you would not be held to a project specific accounting for MWBE fulfillment.

Q7. With the Governor's Initiative for the County Shared Service Plan that would be on the ballot in November, are there changes proposed to GML 17-A?

A7. The final County Wide Shared Services Initiative does not require a ballot initiative. At this time there are no changes being proposed to the General Municipal Law 17-A.

Q8. Is there a required start date for the plan?

A8. No, there is no required start date for the plan. However, before the selected awardee is provided additional MCEC funding, the identified local government consolidation must have been approved by residents of the impacted local government(s). The dates of the Contract for reimbursement will be established during contract negotiations and shall run concurrent with the state fiscal year, with the contract starting no sooner than 4/1/2017 or later than 4/1/2018. Expenses eligible for reimbursement cannot be incurred outside of the contract dates.

Q9. What are you considering the effective date of consolidation?

A9. The effective date for consolidation is the date of the final vote of the residents to approve the consolidation date. For a consolidation plan developed by motion of the involved local legislative bodies, this would be after the vote of the residents. For a consolidation plan developed in response to a petition of residents, this would be after the time frame established for a permissive referendum on the consolidation plan has passed.

Q10. Can there be a 2nd consolidation proposed in the plan, and is that also required to occur?

A10. Yes, there can be other consolidations proposed. However, only one consolidation will need to be approved to release the remaining funding for the selected Municipal Consolidation and Efficiency Plan.

Q11. What level of commitment do you need to leverage additional funding?

A11. As stated on Page 5 of the RFA, "Leveraging of Other Assets", additional funding needed for implementation of projects listed in a Municipal Consolidation Plan should be specifically identified in each project proposal as well as the likelihood of securing the funds. If possible, the approval of the supporting entity/entities should be provided with the plan. However, some projects may be identified for out years, for which specific commitments may not be available.

Q12. How accurate do cost savings estimates need to be?

A12. Cost estimates should be as accurate as possible. It is recommended that applicants use the outcomes of other similar actions to determine the cost savings, as well as other best practices or comparable processes.

Q13. What is needed in lieu of a resolution from a non-profit?

A13. As entities that are not specifically listed as local governments, formal resolutions of the governing boards are recommended, but not be required. A letter from the Executive Director would be appropriate to show support for the Municipal Consolidation and Efficiency Plan or project.

Q14. Must consolidation be done within the year?

A14. No, the full implementation of the consolidation does not have to be completed within the year. For the purposes of this award, a completed consolidation is the effective date of the final vote of the residents approving the consolidation. For a consolidation plan developed by motion of the involved local legislative bodies, this would be after the vote of the residents. For a consolidation plan developed in response to a petition of residents, then this would be after the time frame established for a permissive referendum on the consolidation plan has passed.

Q15. Will the \$100,000 need to be repaid to the State if the consolidation fails?

A15. No.

Q16. What happens if the winner's consolidation fails?

A16. The Municipal Consolidation and Efficiency Consolidation Phase II Guidance states that in the event that the local government consolidation or dissolution is not approved by voter referendum, within the initial contract period, the Department of State may award any remaining funds to the next highest scoring Municipal Consolidation and Efficiency Plan.

Q17. Can we use other programs such as the Citizens Reorganization Empowerment Grant (CREG) for consolidation planning?

A17. Yes, however other programs will not pay for the same expenses. Care must be taken in the management of grant contracts to ensure that there is adequate separation of work programs and no possible duplication of expenses across contracts.

Q18. Is the \$100,000 for any consolidation/dissolution, or for County, City, Town or Village only?

A18. Yes, the \$100,000 will be provided for costs associated with the consolidation/dissolution of a County, City, Town or Village.

Q19. Do resolutions carry more weight than letters of support?

A19. Yes. Resolutions from all partner local governments in support of the Municipal Consolidation and Efficiency Plan must be provided with the final plan submission.

Q20. The Phase II Guidance states that Local Government Design will be allotted 30 points for review. This is significant and the information states that Local Government Design is intended to evaluate the overall transformational impact of the MCEP implementation and the level of innovation in the MCEP. Can you provide more detail on how you define transformation and innovation?

A20. Transformation has been defined as a thorough or dramatic change in form that orientates an organization in a new direction and takes it to a different level of effectiveness. It also implies a basic change in character with little or no resemblance to past configuration or structure. While innovation is the application of better solutions to meet new requirements, unarticulated needs or existing market conditions. Innovation involves deliberate application of information, imagination and initiative in delivering greater or different values from resources.

June 7, 2017 Responses:

Q21. When asking for the current services budget for the next five years, is the first year going to be the current fiscal year, or is it going to be the latest fiscal year available in Openbookny.com? I.E., one of our villages has a June 1 start for their fiscal year, so does current, for the purposes of this application, mean the fiscal year that started today, or the latest fiscal year data available from the State Comptroller?

A21. In describing the fiscal impact of the plan, applicants are asked to submit a current services budget for the next five years estimating costs without implementation of projects identified in the MCEP, and then a comparative projection for the same five years illustrating how the \$20 million award will be utilized for efficiency and reorganization actions. For this purpose, the first fiscal year utilized for these estimates does not need to be the most recent information from OpenBook New York and can be more recent local information.

Q22. Also regarding format, is there a particular uniform format that the DOS would like for us to use for the services budget, i.e. an export from openbookny.com or something like that?

A22. The format that the MCEC program will use for Fiscal Impact discussion is the worksheet attached as Appendix B to the 2016-2017 Municipal Consolidation & Efficiency Competition Phase II – Plan Development and Application Instructions - #16-LGE-34 that can be found at <http://www.dos.ny.gov/funding/rfa-16-lge-34/index.html>. There is no proscribed format for the narrative that is required to be

submitted in conjunction with Appendix B.