

**New York Community  
Greenworks Initiative  
Request for Applications  
# 18-OPD-52  
Grant Application Instructions**

**KEY DATES**

<b>Release Date:</b>	<b>June 12, 2019</b>
<b>Questions Due Date:</b>	<b>June 28, 2019</b>
<b>Updates &amp; Responses to Questions Posted Date:</b>	<b>July 10, 2019</b>
<b>Application Due Date:</b>	<b>August 7, 2019 <del>July 24, 2019</del> at 4:00pm</b>
<b>Anticipated Contract Start Date:</b>	<b>September 1, 2019</b>

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# New York Community Greenworks Initiative

## REQUEST FOR APPLICATIONS – Greenworks Leaders

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### I. Introduction

Across the state, low-income New Yorkers struggle to find quality affordable housing in attractive, livable neighborhoods with welcoming public spaces. Many of the communities where low-income New Yorkers now live are riddled with abandoned homes and other forms of vacant and/or underutilized properties that contribute to neighborhood destabilization. In addition, these communities are disconnected from the public health and other co-benefits that accompany the recent surge in public/private investment in clean energy and green infrastructure. This disconnect can manifest itself in missed opportunities for individuals in these neighborhoods to find employment in this growing sector.

The New York Community Greenworks Initiative has been developed to bridge the gap between low-income New Yorkers and their participation and work in the green technology sector.

The Community Greenworks Initiative seeks to provide training to:

- Strengthen low-income communities through empowering neighborhood leaders to have influence in the development process and play a key role in future neighborhood planning.
- Revitalize unutilized areas such as vacant lots, abandoned homes, and/or underused properties by providing green solutions such as community gardens, green infrastructure, energy efficient technology, etc.
- Empower a low-income local workforce development program to equip workers with the training necessary to secure employment in the green technology/construction sector.
- Address potential environmental justice concerns and promote equity in areas that may be disproportionately burdened by negative environmental impacts.

The Community Greenworks Initiative will provide technical assistance in the development of a community-based Greenworks Action Plan for a potential environmental justice neighborhood that links community needs and priorities with redevelopment and/or placemaking opportunities. The Action Plans will position revitalization of low-income neighborhoods through sustainable development practices and will provide improved living conditions, as well as a potential pathway for community members to employment in the green technology sector.

Through this Request for Applications (RFA), the Department of State (DOS) will select up to six (6) not-for-profit community-based organizations (CBOs) to participate in Phase I of the New York Community Greenworks Initiative. Phase I is completion of the Greenworks Training Institute to develop New York Community Green Leaders (Green Leaders). The Training Institute is comprised of two weeklong training workshops, culminating in completion of a Greenworks Action Plan and identification of a “first mover” project. Successful completion of the Training Institute and identification of a “first mover” project provides eligibility to apply for a Phase II grant to support project implementation. A first mover project will utilize methods and practices that develop or redevelop structures using the Greenworks Action Plan created under this program. It will be an implementable project actionable during Phase II of the program. Phase II will become available in a separate Request for Applications.

## The Green Leaders Training Institute – PUSH Buffalo and The Hester Street Collaborative

Up to Six Green Leaders, established non-profit organizations selected through this competitive RFA process, will come together in the fall of 2019 to participate in a one-week Green Leaders Training Institute led by New York Community Greenworks Trainers, PUSH Buffalo and The Hester Street Collaborative. The Institute, which will be held in Buffalo, will give the Green Leaders the opportunity to explore pathways to cultivate sustainable communities through bottom-up organizing, utilizing techniques for inclusive engagement in planning and design, and creating/leveraging partnerships for collective impact.

The second weeklong Institute will be held in winter 2019-2020 in Albany or another central location to be determined. Participants will receive more in-depth training in one of the three following tracks, based on community need, opportunity, and potential revitalization projects:

- redevelopment of vacant urban land
- green construction and energy-efficient renovations
- green infrastructure and community-based renewable energy solutions

Additionally, all Green Leaders will receive training on financing for sustainable development and green workforce development during the second week and will begin to develop individual Greenworks Action Plans.

### Greenworks Action Plan for Phase I

**1. Design:** Green Leaders will use the techniques and information from the Training Institute to design a community-based Greenworks Action Plan for a neighborhood in a potential environmental justice area as defined by NYS DEC Environmental Justice Policy CP-29 (<https://www.dec.ny.gov/public/36929.html>). The Plan will identify community needs and priorities and link these with redevelopment and/or placemaking opportunities to build social and physical resiliency and lead to a more sustainable community. The New York Community Greenworks Trainer will provide technical assistance during the Institutes, during a two-day on-site training with each Green Leader community, and through monthly training modules to help each Green Leader create and adaptively refine their Greenworks Action Plan. Each Greenworks Action Plan will include at least one model green construction, renovation, or green infrastructure project. Following completion of the Action Plans, Green Leaders will undertake one or more community development projects to provide opportunities for low-income residents.

**2. Goals:** The Greenworks Action Plan developed and delivered by each New York Community Greenworks Leader must describe a comprehensive model for the redevelopment of vacant or deteriorated properties that uses clean, energy-efficient solutions and brings about a positive and sustainable change to a selected low-income community in a potential environmental justice area. The Plan will be designed to deliver economic and environmental improvements that include, at minimum:

- A method of public engagement that is inclusive and accommodating of diverse perspectives and will engender community and stakeholder buy-in and/or participation. The Green Leaders should coordinate with the [Department of State's Office for New Americans Community Navigators](#) to facilitate outreach and engagement with underrepresented populations and community organizations.
- Identification of at least one “first mover” project. The “first mover” project can either be a:

- Green construction project to redevelop vacant homes, abandoned lots, and/or other forms of deteriorated properties with clean, energy-efficient features; or
- Revitalization project that uses the technology/scientific principles of green projects, such as rain gardens, retrofits, bioswales, solar panels, etc.
- Identification of local partnerships with academic institutions, government, and/or other not-for-profits that Green Leaders can work with to implement the Action Plan and identify “first mover” project(s).
- An outline of a financial model necessary to implement a proposed green revitalization “first mover” project in the distressed community.
- A method for developing a sustainable workforce, which teaches skills in green construction and technology to residents.

Successful completion of the Greenworks Action Plan and identification of a “first mover” project (Phase I), confirmed by the Greenworks Trainers and DOS, will qualify the successful participant to apply for a Phase II grant. This will be through a subsequent RFA to support implementation of a “first mover” project, with continued technical assistance provided by Greenworks Trainers.

## Funding Opportunity

DOS is making available a total of \$90,000 to award, on a competitive basis, up to six (6) not-for-profit community-based organizations a reimbursable grant of up to \$15,000 each for travel to facilitate participation in the Training Institute activities described in this Request for Applications (RFA).

## Eligible Applicants

Eligible applicants are New York State community-based organizations (CBOs) that meet the following criteria:

- Applicant is a not-for-profit corporation under Section 501(c)(3) of the Internal Revenue Code at the time of application;
- Organization’s stated mission must include a focus on community redevelopment, workforce development, and/or community revitalization;
- Organization must have been established no less than one year prior to the release of this RFA;
- Organization must have an established presence in a community with demonstrated financial need, which is the targeted community that is the focus of the application; and
- Targeted community is located in, or contains, a potential Environmental Justice Area as established by [DEC CP-29 on Environmental Justice and Permitting](#) (maps showing Potential EJ Areas can be found at the following address: <https://www.dec.ny.gov/public/911.html>).

Applicant organizations are encouraged to form partnerships with other community- or issue-based organizations, including land banks, workforce development organizations, non-profit housing development corporations, local development corporations, etc., for the purposes of this RFA.

Candidates must have staff capacity to attend two weeklong Training Institutes and have a strong interest in incorporating sustainability, green building, energy efficiency, environmental justice, and workforce development in their organization’s work.

## II. Required Activities

This section describes the required activities and the documentation that should be provided to DOS by the New York Community Greenworks Initiative awardee.

### Attend the Green Leaders Training Institute

Each CBO selected as a New York Community Greenworks Leader will be required to participate in two one-week sessions of the Green Leaders Training Institute, which will provide practical training in community-engaged planning and design; green construction and energy-efficient renovations; redevelopment of vacant urban land for green infrastructure; community-based renewable energy solutions; urban agriculture strategies; and public and private financing. Participants will learn about sustainable models of inclusive community development using green technology principles and how to create workforce development opportunities for residents.

Each Greenworks Leader will receive guidance during the training institute to help support the development of a Greenworks Action Plan for their community. A community-specific profile will be developed with and provided to each Green Leader during the Training Institute to help guide the program.

Grant monies may be used for travel expenses for up to three (3) employees, volunteers, or partners from each selected Green Leaders organization. If determined by the State to be feasible, additional people may participate in the training sessions remotely.

### Timeframe

All activities described in this RFA will take place for and during the two weeklong Training Institutes, specific dates to be determined, and will commence upon execution of a contract between the state and each awardee.

# III. GREENWORKS APPLICATION

## Minimum Criteria

All applications must meet the following criteria. Failure to meet all four (4) criteria will result in immediate disqualification of the application, which will not be further evaluated.

1. Complete application must be received by the stated due date and time;
2. Applicant must be a not-for-profit organization with 501(c)(3) IRS status, formed at least one year prior to the release date of this Request for Applications.
3. Applicant must be prequalified in the Grants Gateway by the application due date. The Grants Gateway may be accessed here: <https://grantsreform.ny.gov/Grantees>
4. Targeted community is located in, or contains, a potential Environmental Justice Area as established by [DEC CP-29 on Environmental Justice and Permitting](#) (maps showing Potential EJ Areas can be found at the following address: <https://www.dec.ny.gov/public/911.html>).

## Application Requirements

### 1. Mission Alignment

Describe how your organization’s mission and community challenges or opportunities would be addressed through the New York Community Greenworks Initiative. Please address each of the following items separately (max 250 words for each):

1. Provide a brief history of your organization, its mission, and service area.
2. Explain how Greenworks Initiative assistance would advance your organization’s goals and objectives by addressing challenges and opportunities in your target community.

### 2. Organizational Capacity

Describe your organization’s capacity to implement the New York Community Greenworks Initiative. Please address each of the following items separately (max 250 words for each):

1. Describe skills, experience and qualifications of key staff/partners, their roles in development and delivery of the proposed Action Plan, and “first mover” project implementation. Identify up to three (3) employees,

- volunteers, or partners to attend Green Leaders Training Institute and include a list of those key staff/partners as **Attachment 1**; include name, title, job description, and resume.
2. Describe how the organization will leverage new and existing partnerships to implement the Greenworks Action Plan and selected “first mover” project(s). Provide written agreements and business resumes of key project partners as **Attachment 2**.
  3. Describe any relevant current or recently completed projects by your organization. Please include:
    - Project overview;
    - Project status;
    - Measurable results;
    - Community impacts;
    - Budget; and
    - Final products or outcomes.
  4. Provide examples of previous effective outreach and engagement in the community planning process to demonstrate that a clear channel exists for community input that is inclusive and effective in low-income neighborhoods.

### 3. Targeted Community Selection

Provide a detailed justification that a critical need exists in the targeted community being selected for inclusion in the New York Community Greenworks Initiative. Include the following:

1. Describe the indicators of economic distress in the targeted community or neighborhood.
2. Demonstrate the presence of vacant, underutilized, or deteriorating structures that contribute to neighborhood destabilization in the targeted community and have a negative impact on public health and wellbeing.
3. Describe the demographic changes that are shaping your community (can include high population growth, average age of population, average income or home values, growing families, etc.). Include the community's current population information.
4. Describe the potential positive impacts that the project will have on the targeted community or neighborhood.

The targeted community must be located in or contain a potential Environmental Justice area. Projects not located in or containing a potential Environmental Justice area will be disqualified. Information on potential Environmental Justice areas in New York State can be found at: <http://www.dec.ny.gov/public/333.html>

Maps depicting potential Environmental Justice areas in New York State are located here: <http://www.dec.ny.gov/public/911.html>

### 4. Workforce Development

Demonstrate that the organization has substantial experience executing workforce development initiatives and employment placement in distressed communities particularly within the green jobs sector. Applicants should

also demonstrate that they are capable of employing neighborhood revitalization strategies to provide public benefit to low-income, minority, and veteran populations living within the targeted community. Include the following (max 250 words each):

1. Describe experience and capacity to train workers in distressed communities to obtain employment opportunities in the green jobs sector, as shown through past projects and training programs. Past projects may include remediation and rehabilitation of vacant and/or underutilized properties, carbon reduction or abatement projects, green infrastructure initiatives, etc.
2. Discuss strategies and past experience providing public benefits to low-income, minority, and veteran populations living in the community targeted for revitalization.

## 5. Greenworks Implementation Projects

Describe possible development ideas for vacant and/or underutilized properties within your community.

## 6. Letters of Support

Provide any evidence of local support for participation in the Initiative via submission of letters of support and/or cooperative agreements with local governments as well as from key project partners and/or stakeholders. This should be included as **Attachment 3**.

## 7. Project Leveraging

To the extent that your organization or community partners can contribute financially, provide in-kind services, or otherwise provide resources that will assist with the implementation of the Greenworks Action Plan and “First Mover” Project, please provide a description of these matching contributions supported by one of the following: contractual agreements, memorandum of understanding, pledge of support or similar instrument (max 500 words)

## 8. Project Costs

Provide travel costs broken down by category (hotel, car rental, meals, etc.) for three employees. Travel should be calculated for staff to travel to Buffalo for one week and Albany for one week.

## IV. Funding and Eligible Expenses

### Funding and Project Period

DOS will make up to \$90,000 in funding available, providing an award of up to \$15,000 to each of six (6) community-based organizations to participate in the New York Community Greenworks Initiative. Grant funding to an awardee is on a reimbursement basis and may only be used for travel to facilitate participation in two weeklong segments of the Greenworks Training Institute with an approved timeline and a line-item budget of approved expenditures. Funding is contingent upon funds being appropriated in the state budget and the organization's ability to meet the program requirements in the initial term of the contract as stipulated in this RFA.

### Eligible Expenses

Costs must be adequately justified, must directly support travel for Greenworks Training Institute attendance, and must be approved by DOS. Grant funds may be used for the following costs if approved by the state:

- Travel and lodging for up to three (3) representatives of the selected Green Leader (not to exceed \$15,000) to participate in the Greenworks Training Institute. Travel expenses cannot exceed New York State travel rates as specified on [the GSA website](#).

### Ineligible Expenses

Funds may not be used to cover ineligible expenses, including for the following purposes:

- Personal services, including direct salaries, wages and fringe benefits for activities related to project work by employees
- Contingency provisions
- Taxes, insurance, fines, penalties, deficit funding
- Fundraising events/expenses
- Lobbying expenses
- General-purpose equipment, e.g. office furnishings, air conditioning, reproduction and printing equipment
- Alcoholic beverages
- Any other cost item that is not reasonable or necessary in travel to and accommodation at the Greenworks Training Institute.

## V. Application Procedures

### Application Questions and Answers

All questions regarding this competitive grant program must be submitted via e-mail to [NYSGreenworks@dos.ny.gov](mailto:NYSGreenworks@dos.ny.gov), and received on or before the “Questions Due Date” as stated on the cover of this RFA. All e-mails should clearly indicate in the subject line: NYS Greenworks Application RFA 18-OPD-52, General Question. No responses will be provided to inquiries made by telephone. Questions and answers will be posted at <https://www.dos.ny.gov/funding/> on the date stated on the cover of this RFA. Questions received after the due date will not receive a response.

### Application Submission

One signed original (1) hard copy and one (1) digital copy of the completed application and all attachments (as described on pages 17-19 under “Greenworks Application”) must be submitted by the date and time stated on the cover of this RFA. All submissions must contain the complete application, including attachments. All applications must be delivered to:

Catherine Traina, Contract Administration Unit  
New York State Department of State  
Bureau of Fiscal Management  
RFA #18-OPD-52  
1 Commerce Plaza, 99 Washington Avenue, Suite 1110  
Albany, NY 12231-0001

Digital copies must be submitted in PDF format on a compact disc or flash drive. No e-mail submissions will be accepted. All applications must be complete to be considered for review. If delivered by hand, applications must be received by the due date and time stated on the cover of this RFA. Applicants mailing their bid must allow sufficient mail delivery time to ensure receipt of their application at the specified location no later than the specified date and time. Documented delays due to courier error may not excuse late bid submissions. DOS reserves the right to review such documentation and accept applications when submission is late due to courier error. This does not guarantee acceptance. Applicants will have two business days from receipt of notification by DOS to provide proof of courier error. Similar types of delays, including but not limited to, bad weather or security procedures for parking and building admittance, shall not excuse late bid submission. DOS cannot be responsible for the actions of your chosen carrier. **Late applications will not be considered.**

## VI. Application Evaluation

A total score of up to 100 points may be awarded to an application based on the evaluation criteria described below. Up to six (6) of the highest scoring applications will each be awarded a grant under this RFA. No more than two (2) grants will be awarded in any one of the New York State's Regional Economic Development Council regions<sup>1</sup>.

If an awardee fails to satisfactorily negotiate a proper contract within a reasonable amount of time, that award may be offered to the next highest-scoring application.

Applicants may request a debrief of the RFA process. Requests for debriefing must be made in writing within 10 days of notification of status of award.

In the event unsuccessful bidders wish to protest the award resulting from this RFA, bidders should follow the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in Chapter XI Section 17 of the Guide to Financial Operations (GFO), available on-line at: <http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>.

The criteria described in the minimum criteria section must be met to qualify applications for consideration. Disqualified applications will not be scored.

### Minimum Criteria

All applications must meet the following criteria. Failure to meet all four (4) criteria will result in immediate disqualification of the application, which will not be further evaluated.

1. Complete application must be received by the stated due date and time;
2. Applicant must be a not-for-profit organization with 501(c)(3) IRS status, formed at least one year prior to the release date of this Request for Applications.
3. Applicant must be prequalified in the Grants Gateway by the application due date. The Grants Gateway may be accessed here: <https://grantsreform.ny.gov/Grantees>
4. Targeted community is located in, or contains, a potential Environmental Justice Area as established by [DEC CP-29 on Environmental Justice and Permitting](#) (maps showing Potential EJ Areas can be found at the following address: <https://www.dec.ny.gov/public/911.html>).

### Application Evaluation Criteria

Applications will be evaluated to the degree to which they meet the criteria described in each category below.

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<sup>1</sup> REDC Regions: <https://esd.ny.gov/regions>.

## 1. Mission Alignment (maximum 16 points)

Applicants must demonstrate that the mission of their organization aligns with the goals of the NY Community GreenWorks Initiative. Points in the “Mission Alignment” category will be awarded based on the degree to which the applicant does the following:

Criteria	Points
1. Strongly demonstrates the organization’s interest and presence in a target community in a potential environmental justice area.	
2. Articulates organizational goals and objectives as well as community challenges and opportunities that clearly encompasses sustainability, green building, energy efficiency, environmental justice and/or workforce development.	

## 2. Organizational Capacity (maximum of 16 points)

Applicants must demonstrate that they possess the organizational capacity and experience to successfully participate in the Community Greenworks Initiative by developing an Action Plan and undertaking a “first mover” project in their community. Points in the “Organizational Capacity” category will be awarded based on the degree to which the applicant does the following:

Criteria	Points
1. Describes relevant skills, experience and qualifications possessed by key staff/partners and a description of their roles in the development and delivery of the proposed Greenworks Action Plan and a “first mover” project implementation. Identifies up to three (3) employees, volunteers, or partners to attend Green Leaders Training Institute.	
2. Presents a coherent and feasible strategy for leveraging new and existing partnerships to implement the Greenworks Action Plan and the “first mover” project.	
3. Provides clear descriptions of relevant current and completed projects undertaken by the organization, including but not limited to: a project overview; project status; measurable results; community impacts; budget; final products, etc.	
4. Provides examples of previous effective outreach and engagement in the community planning process, demonstrating that clear channels exist for gathering inclusive and effective community input in low-income neighborhoods.	

### 3. Targeted Community Selection (maximum of 16 points)

Applicants must provide a justification for their community selection, demonstrate that a critical need exists in that area, and demonstrate the support they have received from the community. Points in the “Targeted Community Selection” category will be awarded based on the degree to which the application addresses the following criteria:

Criteria	Points
1. Describes the indicators of economic distress in the targeted community or neighborhood	
2. Demonstrates the presence of vacant, underutilized, or deteriorating structures that contribute to neighborhood destabilization in the targeted community and have a negative impact on public health and wellbeing.	
3. Describes demographic changes that are shaping the applicant’s targeted community (can include high population growth, average age of population, average income or home values, growing families, etc.). The community's current population information is included.	
4. Describes the potential positive impacts that the project will have on the targeted community or neighborhood.	

### 4. Workforce Development & Target Audience Experience (maximum of 16 points)

Applicant must illustrate that they have substantial experience executing workforce development initiatives and employment placement in distressed communities, particularly within the green jobs sector. Applicants must also demonstrate that they can employ effective revitalization strategies to provide public benefit to low-income, minority, and veteran populations living within the targeted community. Points in the “Workforce Development & Target Audience Experience” category will be awarded based on the degree to which the application addresses the following criteria:

Criteria	Points
1. Exhibits experience and capacity to train workers in distressed communities to obtain employment opportunities in the green jobs sector, as shown through past projects and training programs.	

<p>2. Identifies strategies and demonstrates past experience providing public benefits to low-income, minority, and veteran populations living in the community targeted for revitalization.</p>	
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**5. Greenworks Implementation Projects (maximum of 8 points)**

Applicant provides a narrative demonstrating possible development project ideas for vacant and/or underutilized properties within ~~potential environmental justice area~~ the targeted community that represent potential “first mover” projects as referenced in this RFA.

**6. Letters of Support**

Applicant provides any evidence of local support for participation in the Initiative via submission of letters of support and/or cooperative agreements with local governments as well as from key project partners and/or stakeholders and included this as **Attachment 3**.

**7. Project Leveraging (maximum of 8 points)**

Applicant provides a description of matching financial contributions and resources they can provide to assist with the implementation of the “first mover” project, supported by at least one of the following: contractual agreements, memorandum of understanding, pledge of support or similar instrument.

**8. Project Costs (maximum of 20 points)**

Applicant provides travel costs broken down by category (hotel, car rental, meals, etc.) for three employees. Travel was calculated for staff to travel to Buffalo for one week and Albany for one week.

## VII. Award and Contract Administration

### Award Administration

Awards are anticipated to be announced on or before September 1, 2019. All applicants, both successful and unsuccessful, will be notified of funding decisions. If successful, applicants will receive a “Notice of Award” document that sets forth the amount of funds granted, and the terms and conditions of the grant award.

All plans and working documents prepared by applicants under the contract to be awarded will become the property of New York State.

### Contracting Requirements

#### Standard Contract

The successful applicant(s) to this RFA must enter into a standard cost reimbursement contract with DOS, which includes an approved budget and work plan, any attachments or exhibits, and standard clauses required by NYS. All contracts will be reimbursement based. The contract includes financial reporting requirements and procurement procedures. The contract requires submission of final products in both hard copy and electronic form and is subject to payment only upon proper documentation and compliance with payment procedures and all other contractual requirements. A copy of a sample standard contract is available from DOS. Sample contracts should not be submitted with this proposal; successful applicants will receive a contract package to complete.

#### Project Term

The project term under this RFA will not exceed one year. The applicant must incur all expenses and complete all identified outcomes within the stated contract period.

### Payment

Successful applicants (contractors) shall provide complete and accurate billing vouchers to DOS in order to receive reimbursement. Billing vouchers submitted to DOS will be required to contain all information and supporting documentation required by the Contract, DOS and the Office of the State Comptroller (OSC). Payment for vouchers submitted by the Contractor shall only be rendered electronically, unless payment by paper check is expressly authorized by the Secretary, in the Secretary’s sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with OSC procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email at [epunit@osc.state.ny.us](mailto:epunit@osc.state.ny.us) or by telephone at 518-486-1255. The Contractor acknowledges that it will not receive payment on any vouchers submitted under this contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Secretary has expressly authorized payment by paper check as set forth above.

Payment of such vouchers by the State (DOS, Office of Planning and Development) shall be made in accordance with Article XI-A of the New York State Finance Law. Payment terms will be: quarterly vouchers.

## Program Assessment and Monitoring

### Reporting

The Contractor will report to DOS on a semi annual basis the status of the “Greenworks Training Institute” and other required activities.

### Record Keeping

The Contractor must maintain current and accurate fiscal records, programmatic documentation, and accounting controls to support the claims for payment. Records must adequately identify revenue sources and expense items for all contracted activities. Accounting records must be supported by clear documentation for all funds received and disbursed. Records must be retained and be accessible for a period of six (6) years from the end of the contract or last payment or last contract transaction, whichever is latest. If any claim, audit, litigation, or State investigation is commenced before the expiration of the aforementioned record retention period, the records must be retained by the contractor until all claims or findings regarding the records are finally resolved. The Office of Planning and Development or its designee shall have access to any records relevant to the project (including books, documents, photographs, correspondence, and records) for audits, examinations, transcripts, and excerpts. If the Office of Planning and Development determines that such records possess long-term or historic value, they must be transferred, upon request, to the Office of Planning and Development.

**Failure to provide the requested documents may result in, among other things, immediate termination of the contract, suspension of the contract, the disallowance of costs, and/or the recapture of funds.**

### Monitoring

The Office of Planning and Development will monitor projects on a regular basis throughout the life of the contract. Monitoring may include, but not be limited to, site visits, regular telephone contact and/or discussions of monthly progress reports. The goals of project monitoring are to ensure fiscal and program contract compliance; to identify and provide technical assistance where necessary; to help the contractor meet the terms of this RFA; and to ensure that a high level of service is being provided.

## Amendments to the Contract

Amendments and modifications of executed contracts are sometimes necessary to accommodate the needs of the contractor and the Office of Planning and Development. These changes, which must be by mutual written agreement, may include modification to reimbursement schedules, time and money amendments, or no-cost extensions as necessary. Contract modifications, including amendments and no-cost time extensions, will be made at the discretion of the Office of Planning and Development, subject to any required approval(s) from the Office of the State Comptroller.

## General Terms and Conditions

DOS reserves the right to terminate or modify the contract due to the unavailability of funds, unsatisfactory performance, or the best interests of the state. If additional funding becomes available, DOS reserves the right to subsequently reconsider eligible proposals submitted in response to this RFA at that time, using the same scoring criteria and award methodology. Updated information may be requested as deemed necessary by DOS. DOS also reserves the right to issue a new RFA to solicit new applications. The terms and conditions for all

funded projects are specified in a detailed contract which must be signed by DOS before any work is begun or payments are made. Successful applicant(s) will be sent the complete standard Master Grant Contract for execution. This RFA and any contract resulting from this RFA are subject to all applicable laws, rules and regulations promulgated by any Federal and State authority having jurisdiction over the subject matter thereof. Any contract awarded pursuant to this RFA will be subject to DOS's processing procedures for contracts of this type, including approval as to award by the New York State Division of Budget.

## Reserved Rights

Pursuant to the New York State Procurement Guidelines, DOS also reserves the right to:

1. Reject any or all applications received in response to the RFA.
2. Withdraw the RFA at any time, at DOS'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 this RFA.
5. Seek clarifications and revisions of applications.
6. Use application or 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 other information submitted by the applicant in response to DOS'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 application 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 the applicants within the scope of the RFA in the best interests of the state.
13. If unsuccessful in negotiating a state contract with the selected applicant within an acceptable time frame, DOS may begin state contract negotiations with the qualified applicant(s) ranked next highest in order to serve and realize the best interests of the state.
14. Utilize or use any and all ideas contained in the applications 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 application and/or to determine an applicant's compliance with the requirements of the RFA.
16. Waive or modify minor irregularities in received applications.
17. Make awards based on geographic distribution;
18. Not fund an application that fails to submit a clear and concise work plan or budget;
19. Adjust or correct cost figures with the consent of the applicant if errors exist and can be documented to the satisfaction of DOS;
20. Offer partial or no funding to any applicant if its application cannot fulfill its proposed program within the funding restrictions herein;
21. Make additional awards if funding becomes available;
22. DOS reserves the right to require reporting on forms designed for use solely for this procurement; and,
23. Not to make any awards pursuant to this RFA. This RFA does not commit DOS to award any contracts, to pay the costs incurred in the preparation of a response to this RFA, or to procure or contract for services.