



Department of
Environmental
Conservation

REQUEST FOR APPLICATIONS

New York State
Department of Environmental Conservation

2021 Climate Smart Communities Grant Program

Environmental Protection Fund

Apply through the Consolidated Funding Application

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

Application Due Date: 4:00 p.m. ET, July 30, 2021

Climate Smart Communities Grant Program

Funding Available: \$11 million

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Program Description

The Climate Smart Communities (CSC) Grant Program provides funding for municipalities to address climate change mitigation (reduction of greenhouse gas emissions) and climate change adaptation (reduction of risk associated with climate change hazards) at the local level. Projects are divided into two categories.

1. Implementation: These projects either reduce greenhouse gas (GHG) emissions from the non-power sector (e.g., transportation, refrigerants, food waste) or reduce risks to residents, infrastructure, and/or natural resources from hazards linked to climate change (e.g., cooling centers, flood plain restoration, reduction of flood risk).
2. Certification: This category includes inventories, assessments, and planning projects that build local capacity to respond to climate change. These projects also move municipalities toward being designated as certified Climate Smart Communities, if they choose to become certified.

Per New York State (NYS) Environmental Conservation Law § 54-1511(3), a local match equal to 50% of total eligible project costs is required. For example, a project with an eligible total cost of \$100,000 is eligible for a \$50,000 grant and the grantee must provide a \$50,000 local match.

CSC grants are reimbursement based, see Reimbursements and Reporting section on page 29 of this request for applications (RFA) for additional details.

Question and Answer Period

For grant-specific questions contact Myra Fedyniak at the NYS Department of Environmental Conservation (DEC), Office of Climate Change (OCC), 625 Broadway, Albany, NY 12233-1030, 518-402-8448 or cscgrants@dec.ny.gov. Additional information on OCC grant programs can be found online at <https://www.dec.ny.gov/energy/109181.html#CSC>.

The question and answer period will run from the Consolidated Funding Application (CFA) opening date to the middle of the CFA cycle. Questions and answers will be posted to the CFA FAQ page at <https://regionalcouncils.ny.gov/> following the end of the question and answer period.

For general information and questions on the CSC Certification program, please call 518-402-8448, email climatesmart@dec.ny.gov or see <https://climatesmart.ny.gov/>.

Eligibility

Eligible Applicants

All municipalities in the State of New York are eligible to apply for funding in response to this request for applications (RFA). For the purpose of this RFA and pursuant to 6 NYCRR § 492-1.1(j), a municipality is defined as a county, city, town, village, or borough (referring only to Manhattan, Bronx, Queens, Brooklyn, and Staten Island) residing within New York State.

Political subdivisions such as municipal corporations, school districts, district corporations, boards of cooperative educational services, fire districts, public benefit corporations, industrial development authorities, and similar organizations are **not eligible** to apply in response to this RFA.

Applicants do not need to be a certified or registered CSC or be working toward CSC certification to apply in response to this RFA.

Two or more municipalities, or one municipality and a quasi-governmental entity or non-profit organization, may collaborate on a project; however, the applicant must be a municipality. See the Partnerships section on page 14 of this RFA for more details.

Applicants may submit several applications, but no more than one application may be submitted for the same project or project location.

Eligible Timeline

The start date for all contracts awarded through this RFA will begin after the awards have been announced, the procurement package has been approved by the NYS Comptroller, and the contracts have been created in the Grants Gateway. Project costs must be incurred between the contract start and end dates to be considered eligible for reimbursement or match. Applicants should not submit applications in response to this RFA if they do not anticipate they can complete the proposed project(s) within five years of the contract start date.

Eligible Project Types and Funding Levels

There are two different project categories within the CSC grant program – implementation and certification. The implementation category is divided into two subcategories, implementation-mitigation and implementation-adaptation. Each category and subcategory is detailed below. Proposed projects must demonstrate an ability to identify, mitigate and/or adapt to climate change vulnerability and risk or demonstrate potential to reduce greenhouse gas emissions outside the power sector, as per ECL 54-1507. Projects must result in a climate benefit to be eligible.

Implementation Projects

Eligible implementation projects must be non-power sector GHG mitigation or climate change adaptation projects as described below and be located within the State of New York. The expected useful life of an implementation project is a minimum of 10 years, pursuant 6 NYCRR section 492-3.3(e).

Total available - up to \$10 million

Minimum grant award - \$50,000

Maximum grant award - \$2,000,000

For construction and infrastructure projects, design and engineering expenses are limited to a maximum of 15% of the grant request.

For projects with outreach or educational components, curriculum or program development expenses are limited to 15% of the grant request.

No more than 50% of the total available funds for implementation projects will be awarded to municipalities with populations greater than 100,000 or to any single municipality.

If funding in the implementation category remains after all awards in the implementation category are made based on eligibility, program requirements and goals, and passing score, DEC reserves the right to apply the remaining funding to eligible proposals in the certification category.

Implementation-Mitigation Projects

Eligible projects in the implementation-mitigation category must provide a reduction in GHG emissions from the non-power sector. Implementation-mitigation projects shall be one of the following types:

- 1. Reduction of Vehicle Miles Traveled (VMT).** Transportation is the largest source of GHG emissions in NYS. Reducing the single-occupancy vehicle trips for daily needs will reduce GHG emissions. Reduction of VMT projects include, but are not limited to the following:
 - Construction of on-road or off-road facilities for non-motorized forms of transportation that facilitates commuting or access to daily needs.
 - Implementation of transit improvements that have the potential to substantially increase ridership, improve access to daily needs, and/or increase commuting by mass transit.
 - Implementation of projects or programs such as densification or implementation of smart-growth strategies to reduce the distance commuted in single occupancy vehicles.

- 2. Reduction of Organic Waste.** These projects divert food waste and other organic material from landfills where it produces methane. Projects include, but are not limited to the following:
 - Implementation, expansion, or piloting of education and outreach programs to prevent wasted food and reduce the volume of surplus food in the community (i.e., source reduction at the consumer level), thereby increasing the diversion of food waste from landfills.
 - Increasing edible food donated to the hungry, e.g., establishment or expansion of food-donation programs, purchase and installation of storage equipment for food, purchase and use of edible-food collection vehicles, and infrastructure for the storage and management of edible food.
 - Implementation, expansion, or piloting of a food-waste pick-up service for residents, businesses, institutions, or municipal facilities to be repurposed as animal feed or composted at an organics recycling facility.
 - Construction of new (or the expansion of existing) facilities to process food scraps via anaerobic digesters (e.g., at wastewater treatment facilities) or composting.

- 3. Refrigerant Management.** Refrigeration and cooling systems contain GHGs that are many times more potent than carbon dioxide at trapping heat in the atmosphere. Leakage of the refrigerants is a regular occurrence from heating, ventilation, and air conditioning (HVAC) equipment, refrigerators, ice rinks, chillers, window air conditioners, and dehumidifiers. Municipalities can reduce or eliminate the harm caused by refrigerants by converting to zero or low global warming potential (GWP) alternatives, instituting leak management systems and repair plans, or providing for the proper disposal of appliances in the community. See [https://www.dec.ny.gov/docs/administration_pdf/cscrefrig\(1\).pdf](https://www.dec.ny.gov/docs/administration_pdf/cscrefrig(1).pdf) for additional information regarding refrigerants and <https://meetny.webex.com/recordingservice/sites/meetny/recording/ae5732c2551a49d0b5570059dc26f447/playback> for a CSC webinar on refrigerant management. Projects in this category include, but are not limited to the following:

- Replacement or retrofit of refrigeration equipment, chillers, or air-conditioning equipment (such as window units) with alternative refrigerants that have a GWP of 700 or lower. Currently, systems that run on ammonia have the lowest GWP, but other options may be available. Lists of alternative refrigerants and their GWP can be found online on the United States Environmental Protection Agency website at <https://www.epa.gov/snap/substitutes-refrigeration-and-air-conditioning>, among others. Applicants should contact potential vendors to determine the available options for low-GWP alternatives in different types of equipment and examine the technical documentation for the associated equipment.
- Installation of refrigerant leakage monitoring equipment and establishment of a monitoring and repair plan.
- Establishment of disposal programs to recover and recycle refrigerants, including those from automobiles, or properly dispose of equipment containing refrigerants. (For example, see <https://www.epa.gov/rad>.)
- Adoption of codes to enable and encourage the use of alternative refrigerants or requirements for proper monitoring, repair, and disposal of refrigerants.
- Implementation of education and outreach programs for residents and local businesses regarding the reduction of GHG emissions from refrigerants.
- Evaluation of local government operations for opportunities to reduce refrigerant emissions including, but not limited to, an inventory of equipment, refrigerants used, maintenance schedules, leak rates, and alternatives. The evaluation must include a list of recommendations and actions to be taken by the local government to implement a leakage control, retrofit, or replacement program.
- Implementation of a comprehensive refrigerant management program for the municipality (which should include above components, including procurement of new equipment, installation of new equipment, maintenance of new and existing equipment, and disposal). (For more information, see <https://www.epa.gov/rad>, https://www.sustainablepurchasing.org/wp-content/uploads/2020/09/2020.09.29_Climate_Friendly_Refrigerants_Action_Team_FINAL.pdf, and <https://www.climatefriendlycooling.com/about.html>.)

Implementation-Adaptation Projects

Eligible adaptation project types include any project designed to provide a meaningful reduction of risk to residents, infrastructure, and/or natural resources from hazards projected to become more severe or frequent as a result of climate change. Such projects include, but are not limited to the following:

- Increasing or preserving natural resilience, such as construction of living shorelines and other nature-based landscape features to decrease vulnerability to the effects of climate change and to improve or facilitate conservation, management, and/or restoration of natural floodplain areas and/or wetland systems.
- Flood-risk reduction, including but not limited to, strategic relocation or retrofit of climate-vulnerable critical municipal facilities or infrastructure to reduce future climate change-induced risks to those facilities.

- Replacing or right-sizing flow barriers, including but not limited to, right-sizing bridges or culverts, or improving flow barriers to facilitate emergency response or protection of population centers, critical facilities, infrastructure, and/or natural resources, based on assessment of projected future conditions. Such projects should include information on upstream occurrences that may be contributing to the problem, potential downstream impacts of the proposed project, and overall watershed assessment of the waterbody. Impacts must be due to climate change and not the result of deferred maintenance.
- Extreme-heat preparation including, but not limited to, establishment of cooling centers, construction of permanent shade structures, and implementation of other cooling features or programs. Cooling center projects requesting funding to purchase new equipment must purchase equipment with GWP of 700 or lower. See #3 Refrigerant Management in the mitigation category on page 6 for additional information. Generators associated with a cooling center must be powered by means other than fossil fuels to qualify for grant funding or match
- Emergency preparedness, including, but not limited to, establishment of emergency warning systems or implementation of emergency preparedness and/or response programs (excluding radio communications). Applications requesting funding for a generator must meet the following requirements, 1) the generator installation must be a component of a larger adaptation project, and 2) the generator must be powered by means other than fossil fuels. Hydrogen fuel cell powered generators must be powered by hydrogen produced through electrolysis, either created on-site or delivered.
- Enrollment in and completion of activities that are part of the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) program.

Certification Projects

Certification projects focus on assessments, inventories, and planning activities that are part of becoming a certified Climate Smart Community. Only the certification actions listed below are eligible for grant funding. These actions create a foundation from which the community may institutionalize adaptation to climate change and mitigation of GHG emissions. They also provide a basis for future grant applications in the implementation category.

Total available - up to \$1,000,000.
 Minimum grant award - \$10,000.
 Maximum grant award - \$100,000.

No more than 50% of the total available funds for certification projects will be awarded to municipalities with populations greater than 100,000 or to any single municipality.

If funding in the certification category remains after all awards in the certification category are made based on eligibility, program requirements and goals, and passing score, DEC reserves the right to apply the remaining funding to eligible proposals in the implementation category.

Eligible applications must include completion of at least one of the following CSC certification actions:

- PE2 Action: Government Operations GHG Inventory
- <https://climatesmart.ny.gov/actions-certification/actions/#open/action/6>
- PE2 Action: Community GHG Inventory

- <https://climatesmart.ny.gov/actions-certification/actions/#open/action/7>
- PE2 Action: Government Operations Climate Action Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/10>
- PE2 Action: Community Climate Action Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/11>
- PE3 Action: Fleet Inventory
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/147>
- PE3 Action: Fleet Efficiency Policy
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/21>
- PE5 Action: Organics Management Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/158>
- PE5 Action: Construction and Demolition Waste Policy
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/57>
- PE6 Action: Comprehensive Plan with Sustainability Elements
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/66>
- PE6 Action: Complete Streets Policy
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/74>
- PE6 Action: Planning and Infrastructure for Bicycling and Walking (Bike and Pedestrian Master Plan only)
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/75>
- PE6 Action: Natural Resources Inventory
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/82>
- PE7 Action: Climate Vulnerability Assessment
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/85>
- PE7 Action: Evaluate Policies for Climate Resilience
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/87>
- PE7 Action: Climate Adaptation Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/88>
- PE7 Action: Heat Emergency Plan
<https://climatesmart.ny.gov/actions-certification/actions/#open/action/91>

Work plans submitted as part of an application for a project under the certification category must include completion of the minimum requirements for the selected certification action(s) as described in the Climate Smart Communities Certification Portal (CSC Portal) action description pages, found at the links above, under subheadings “E. How to Obtain Points for this Action” and “F. What to Submit.”

Fees related to accessing tools for climate change adaptation and GHG mitigation for the duration of the project are reimbursable if directly related to the proposed project (e.g., ICLEI ClearPath, the Temperate tool, GHG software). Approval of these expenses will be made by DEC during application review.

Eligible Expenses for Reimbursement

The following expenses are eligible for reimbursement:

- Personnel Services: Salaries of staff, including fringe, directly devoted to project

implementation. Grantees will be required to document date and hours worked and tasks completed via time records.

- Contractual Services: Tasks completed by professional and technical consultants or contractors (e.g., engineering, planning, construction, and legal services) directly related to the project.
- Equipment: Purchase or rental of equipment (e.g., backhoe) directly required to implement the project.
- Travel: Project related travel costs. Mileage will be reimbursed at the current federal rate and lodging at current state per diem rates for the location. Note that consultants should include travel in the overall cost proposal and not bill the grantee separately
- Supplies and Materials: Supplies and materials are defined as consumable products needed to directly implement the project (e.g., printing, copying, paving material, crushed stone).

Eligible Expenses for Local Match

A local match equal to 50% of total eligible project costs is required. For example, a project with an eligible total cost of \$100,000 is eligible for a \$50,000 grant and must provide a \$50,000 local match. The applicant must identify all sources and amounts of match in the budget at the time the application is submitted. The following are eligible as local match.

In-kind Match

- Personnel Services: Salaries of staff, including fringe, directly devoted to project implementation. Grantees will be required to document date and hours worked and tasks completed via time records.
- Real Property: The cost of acquisition of land that is necessary for and directly related to the proposed project may be used as **match only**. The cost of land acquisition cannot be supported with DEC grant funds. At the time of application, the applicant must submit the following acquisition documentation when real property is being used as match:
 - map identifying the property
 - current appraisal report
 - copy of the recorded deed conveying title

Real property as match must be approved by DEC as part of the application review process. Match for which complete land acquisition documentation is not submitted with the application will be deemed ineligible.

- In-kind Equipment Use: In-kind use of municipal equipment will be valued at the current NYS Department of Transportation or Federal Emergency Management Administration (FEMA) equipment rates or documented local equipment rental rates.
- Volunteer Time: Volunteer time is defined as unskilled labor or work performed by professionals or skilled laborers directly on the project, in an area outside their area of expertise. Values for volunteer time must be computed at the minimum wage at the time the work is performed. (For 2022, minimum wage will be \$15.00 for all of NYS.) Grantees will be

required to document date and hours worked and tasks completed via time records.

- Donated Professional Services (DPS): DPS is defined as work performed by professionals or skilled laborers in their area of expertise directly on the project. For example, a lawyer donating legal services to the project may compute value based on the standard billing rate, but the same lawyer donating time painting walls must calculate the value using minimum wage. Grantees will be required to document date and hours worked and tasks completed via time records.

Cash Match

Cash match includes general municipal funds, other grants from non-state or non-federal funding sources, and donations from community or corporate sponsors. Funds allocated from NYS, including the consolidated local street and highway improvement program (CHIPS), aid and incentives to municipalities (AIM), and payments in lieu of taxes (PILOT), are considered local general municipal funds. Cash purchases for local match include the following:

- Contractual Services: Tasks completed by professional and technical consultants (e.g., engineering, planning, construction, and legal services directly related to the project).
- Equipment: Purchase or rental of equipment (e.g., backhoe) directly required to implement the project.
- Travel: Project related travel costs. Mileage will be reimbursed at the current federal rate and lodging at current state per diem rates for the location. Note that consultants should include travel in the overall cost proposal and not bill the grantee separately.
- Supplies and Materials: Supplies and materials are defined as consumable products needed to directly implement the project (e.g., printing, copying, paving material, crushed stone).
- Clean Water State Revolving Fund (CWSRF): CWSRF loans may be used as match for projects to preserve natural resilience (floodplain restoration, wetland restoration) and to mitigate flood hazards utilizing green infrastructure as these loans are repaid with municipal funds.

Projects for which a complete match is not identified will have the award reduced to the eligible match amount or may be deemed ineligible if the reduced funding is unlikely to ensure successful completion of the project.

Ineligible Expenses

The following expenses are not eligible as match or for reimbursement:

- Costs for purchase of zero-emission vehicles and/or installation of electric vehicle service equipment or other charging or clean vehicle fueling infrastructure. If interested in clean vehicles, charging infrastructure, or hydrogen fuel cell filling station grant opportunities, please see the Grants Gateway at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx and search for zero-emission.
- Costs for the installation of power-sector related GHG emission reductions such as solar panels, heat pumps, etc.

- Salt storage sheds.
- Generators, unless part of a larger adaptation project and powered by means other than fossil fuels.
- Indirect or overhead costs of the municipality. This category includes, but is not limited to, rent, telephone service, general administrative support, general-use computers, office equipment, general office supplies, and other general operations costs such as memberships and subscriptions (e.g., newspapers, professional and municipal associations). Salaries and other expenses of elected officials, whether incurred for purposes of project direction, execution, or legislation.
- Fund-raising expenses.
- Taxes, insurance, fines, deficit funding, bond interest, and associated fees.
- Contingency costs.
- Federal funds.
- Other NYS grant funds.

Application Criteria, Terms, and Conditions

Grants Gateway Registration

Pursuant to the New York State Division of Budget Bulletin H-1032 Revised, effective July 16, 2014, New York State has instituted key reform initiatives to the grant contract process. Information on these initiatives can be found on the Grants Management Website at <https://grantsmanagement.ny.gov/>.

Although applications for the CSC grant program are submitted through the CFA, development of contracts for awarded applications over \$10,000 will take place in the Grants Gateway. Therefore, all applicants must be registered in the Grants Gateway at the time and date that the application is due. Applications received from applicants that have not registered in the Grants Gateway by the application due date and time cannot be evaluated. Such applications will be disqualified from further consideration. Applications awarded grant funds for \$10,000 will be processed via a Letter of Agreement.

COVID-19 Update: During the COVID-19 emergency, only registrations submitted via email will be accepted. Hardcopy registration materials received after April 1st, 2020 will not be processed. Per Governor Cuomo's Executive Order 202.7, NYS notarization services may be performed remotely using audio-visual technology. Please contact a notary for additional information and instructions.

Please check the Grants Management registration page at <https://grantsmanagement.ny.gov/register-your-organization> for updates to the registration process in the event that the COVID-19 emergency is lifted during this opportunity.

Applicants must have a valid Federal Employee Identification Number (FEIN) and a NYS Vendor Identification Number to complete their Grants Gateway registration. If a municipality passes a resolution authorizing a department under its jurisdiction to apply for funding, that department can apply only if it is registered in the NYS Grants Gateway. Registration in the NYS Grants Gateway is necessary for municipalities to apply for a NYS grant opportunity, enter into a grant contract, amend an existing contract, and apply for reimbursement.

For assistance with usernames, email grantsgateway@its.ny.gov or call (518) 474-5595. For forgotten

passwords, click the Forgot Password link on the log in page and follow the prompts
https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx .

Applicants are strongly encouraged to begin the Grants Gateway registration process as soon as possible to participate in this grant opportunity.

Resources are available to help you understand how to register with and use the Grants Gateway:

- NYS Grants Management <https://grantsmanagement.ny.gov/>
- Videos: <https://grantsmanagement.ny.gov/videos-grant-applicants>
- Live Webinars: <https://grantsmanagement.ny.gov/live-webinars>

Contact the Grants Management Team for additional assistance with Grants Gateway:

Main Help Desk:

Contact the main help desk for assistance with registration, prequalification, applications, contracts, payments, and more.

Hours: Weekdays 8:00 am - 4:00 pm

Email: grantsgateway@its.ny.gov

Phone: (518) 474-5595

After Hours Support:

Contact the afterhours support desk on weekdays after 4:00 pm for help with account lockouts, lost User IDs, or basic information.

Hours: Weekdays 4:00 pm - 8:00 pm

Email: helpdesk@agatesoftware.com

Resolution

A municipal resolution authorizing application submittal and documenting the availability of local match must be submitted at the time of application. The legislative body of the lead municipal applicant must adopt the resolution; this requirement applies to all municipalities, including counties. **See Attachment A for a template.**

Ownership

All infrastructure and project components funded through the CSC program must be owned by the grantee and cannot be transferred to another entity for the duration of the service life of such infrastructure and/or project components. Through a Climate Change Mitigation Easement (CCME), further discussed on page 15 of this RFA, the infrastructure and project components may be placed on real property not owned by the municipality.

Maps

Maps are required as part of the application in the following instances:

1. Real property value is requested as match. A map identifying the real property and its spatial relationship to the project is required along with the appraisal report and recorded deed conveying title to the applicant.
2. The project is an implementation-adaptation project. All adaptation projects must provide a FEMA flood map with the project location noted on the map. For projects moving facilities out of a flood-prone area, the FEMA flood map(s) must show the current location and the future location.

3. Natural resilience, flood risk reduction, and replacing or right sizing flow barrier implementation projects must provide a map showing the hazard(s), location of assets to be protected (assets must be labeled), and the project location.
4. Reduction of VMT implementation projects must provide a map showing the on-road or off-road non-motorized transportation facility location, its connection to other on-road or off-road non-motorized transportation facilities (planned or existing, denoting difference between existing and planned infrastructure), and label all activity areas that the non-motorized system is designed to connect (e.g. neighborhood to employment center).
5. The project site is located in a potential Environmental Justice (EJ) area as mapped by the DEC. Upload a map of the potential EJ area from <https://www.dec.ny.gov/public/911.html> , indicating the project site on the map.

Work Plan and Budget

Work Plan – Each application must contain a detailed work plan. The work plan must be completed on the template provided, which uses the Grants Gateway format of objectives (goals of the project), tasks (the steps involved in implementing the project, from creation of a request for proposals to final reporting), and performance measures (deliverables provided to DEC). The CSC work plan template is available at https://www.dec.ny.gov/docs/administration_pdf/wptempl.pdf.

DEC will require certain objectives, tasks, and performance measures for certain project types to be included in the work plan, which may include measuring the benefits and outcomes of the project. Details will be provided during contract development.

Budget – Each application must contain a detailed budget with total CSC project costs, including match. The budget must be completed on the template provided. The CSC grant budget must be submitted in the template format, as an attachment to the CFA, and must be specific as to the tasks and grant request from the CSC program, and exclude costs or funding from other grant programs. However, funding from other grant programs and sources must be included in the CFA budget form. The CSC budget plan template is available at [https://www.dec.ny.gov/docs/administration_pdf/budgettempl\(1\).pdf](https://www.dec.ny.gov/docs/administration_pdf/budgettempl(1).pdf).

Agreements

Partnerships

Two or more municipalities, or one municipality and a quasi-governmental entity or non-profit organization, may collaborate on a project. However, only one eligible municipality, designated as the lead applicant, may submit the application for grant funding. Letters or other written agreements, signed by all parties, substantiating the collaboration, and detailing the responsibilities, roles, and match contributions of each party to the agreement are required as part of the application. If awarded, formal, finalized agreements, (such as memoranda of understanding [MOU]) executed by all parties must be provided to the DEC and include the name, headquarters address, and contact information of all partners and lead municipality; and must be signed and dated by the CEO or duly authorized representative of each party to the agreement. Awards involving a partnership agreement will not be moved to contract execution until the formal agreement is officially executed and a copy received by the DEC.

The lead applicant must assume the responsibility for the project application, contract development and maintenance in the Grants Gateway, performance of work consistent with this RFA, and compliance with the State of New York Master Contract for Grants.

Any infrastructure and project component funded by the CSC grant program must remain in the ownership of the applicant municipality.

Climate Change Mitigation Easement

Pursuant to NYS Environmental Conservation Law § 54-1513, a municipality that develops, improves, restores or rehabilitates real property that is not owned by the municipality with CSC grant funds must obtain a climate change mitigation easement (CCME) from the owner of the real property. If a CCME is required, the applicant must submit a landowner agreement at the time of application, as follows:

- If the property owner is another municipality, submit a certified resolution by the municipal property owner in support of the project indicating agreement to enter a CCME with the applicant.
- If the property owner is not a municipality, a notarized written statement from the property owner in support of the project indicating an agreement to enter a CCME with the applicant.

If awarded, during the term of the CSC grant contract for development, improvement, restoration, and/or rehabilitation projects of which the grantee is not the landowner, the grantee must develop, execute, and file with the appropriate county clerk's office a CCME that ensures the following:

- The property shall be accessible to the municipality for any necessary work to achieve the funded purpose throughout the service life of the project.
- The property shall provide the identified public benefit throughout the service life of the project.
- The property shall be used to achieve climate protection and mitigation goals pursuant to ECL Article 54, Title 15 "Climate Smart Communities Projects" throughout the service life of the project.
- The property owner shall provide information and data to the municipality or will provide access to the municipality for collection of data, as specified in the grant contract.
- A ten-year minimum term for the easement is required to adequately reflect the expected service life of the project.
- The easement is to be enforced as a conservation easement pursuant to ECL § 54-1513 and 49-0305.

The document must include the stipulations in the bulleted list above; the name, headquarters address, and contact information of both the property owner and municipality; and it must be signed and dated by the CEO or duly authorized representative of each party to the agreement. The letter of agreement must be uploaded to the CFA as part of the application. Awards involving a CCME will not be moved to contract execution until the formal agreement is officially executed and a copy received by the DEC.

A CCME template is available at https://www.dec.ny.gov/docs/administration_pdf/ccme.pdf.

Smart Growth Public Infrastructure Policy Act

New York State's Smart Growth Public Infrastructure Policy Act, Environmental Conservation Law Article 6, requires DEC and all State infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State smart growth public infrastructure criteria specified in ECL § 6-0107, or that compliance is considered to be impracticable, before making any commitment to fund such project(s). Applicants are required to provide smart growth assessment information as part of the CFA.

Sexual Harassment Prevention Certification

State Finance Law § 139-I requires all applicants of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

Where applying for grant funding is required pursuant to statute, rule or regulation, every application submitted to the state or any public department or agency of the state must contain the following statement: "By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law."

Applications that do not contain the certification will not be considered for award; provided however, that if the applicant cannot make the certification, the applicant may provide a signed statement with their application detailing the reasons why the certification cannot be made.

Applicants are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their application detailing the reasons why the certification cannot be made.

Application Review and Scoring

Eligibility Review

Each application is assessed for eligibility based on the pass/fail criteria listed below. At the request of the DEC, the municipality shall provide any additional information (beyond that provided via the CFA), documents, or other material that the DEC deems necessary to evaluate the municipality's eligibility. If an application is deemed ineligible, it is disqualified from further review. DEC will mail a letter to the contact listed in the CFA application informing the applicant of the determination. If the application is deemed eligible the application will move on to technical scoring by a review team convened by DEC.

A failure to meet any one criterion below will disqualify the application from further consideration:

- The applicant is a county, city, town, village, or borough (referring only to Manhattan, Bronx, Queens, Brooklyn, and Staten Island) residing within New York State.
- A copy of a municipal resolution authorizing application submittal and a description of the required 50% match has been included.
- The application directly addresses one of the eligible project categories.
- The applicant provides a completed expenditure budget in the requested format that itemizes costs and an eligible match.
- The applicant provides a detailed work program in the requested format that outlines the individual tasks and their sequence from initiation through completion as well as overall timeline of the project.
- If applicable, documentation of real property ownership and/or the necessary land access and use agreement(s) and/or partnership agreements are provided.
- Applicant is registered in the NYS Grants Gateway.
- Applicant will own any infrastructure and project components funded or partially funded by this program.
- Applicant certifies that it has a written policy addressing sexual harassment prevention in the workplace or has provided a written statement as to why certification cannot be made.
- The applicant demonstrates its ability to begin and complete the project within the five-year contract term.

Detailed Project Review

Using information provided by the applicant, each member of the DEC review team will score each eligible application according to the selection criteria outlined below. An application must score a minimum of 55 points, out of a possible 100 points, to be considered for funding. The reviewer scores will be averaged, and Regional Economic Development Council (REDC) priority points will be incorporated to develop a numerical score; the scores will then be ranked highest to lowest. Proposed projects must provide meaningful mitigation of GHG emissions or adaptation to climate change to receive an award. If the review team, after the more detailed review and scoring process, determines that a project proposal does not result in an overall climate benefit, the proposal will be deemed ineligible regardless of the initial eligibility determination or final score. The DEC must determine that the municipality has considered 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.

Implementation Projects

Eligible projects in the implementation-mitigation category will be evaluated for their potential to provide a reduction in GHG emissions. Scores will be based on the anticipated effectiveness of the proposed project to reduce GHG emissions.

Eligible projects in the implementation-adaptation category will be evaluated for potential to provide a meaningful response, at the municipal level, to anticipated future conditions resulting from climate change. Scores will be based on the anticipated effectiveness of the proposed project to reduce risk to residents, infrastructure, and/or natural resources under projected climate conditions.

Implementation Scoring Overview

Category	Max. Points				Min. Points
Financial Hardship	5	2	0	-	0
CSC Status	8	6	3	0	0
Statewide Programs	4	3	1	0	0
Project Criticality	15	8	3	0	0
Effectiveness of Proposal	14	10	5	0	0
Planning Context	5	3	0	-	0
Implementation Readiness	5	3	2	0	0
Reasonableness of Cost	20	15	7	3	0
Quality of Application	4	2	1	0	0
REDC Priority (<i>To be awarded by REDC</i>)	20	15	10	5	0
Total Available Points	100				

Implementation Scoring Criteria and Values

Category	Criterion	Points
Financial Hardship	Applicant is a community with a Median Household Income (MHI) less than 80% of the 2019 Statewide MHI (<i>i.e.</i> , MHI less than \$57,686) as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine 2019 MHI for the purposes of this program.	5
	Applicant is a community with a MHI less than the 2019 Statewide MHI but not less than 80% of the 2019 MHI (<i>i.e.</i> , MHI greater than or equal to \$57,686 but less than \$72,108.) as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine 2019 MHI for the purposes of this program.	2
	Applicant is not a financial-hardship community, as defined above.	0
CSC Status	Applicant is a certified silver Climate Smart Community	8
	Applicant is a certified bronze Climate Smart Community	6
	Applicant is a registered Climate Smart Community	3
	Applicant is not a Climate Smart Community	0
Statewide Programs (More information about this criterion is below this table.)	Project site is in a DEC potential Environmental Justice (EJ) area and the project advances downtown revitalization and smart growth as relevant to the goals of the CSC program. Maps of potential EJ areas can be found on the DEC EJ webpage at http://www.dec.ny.gov/public/911.html .	4
	Project site is in a DEC potential EJ area. Maps of potential EJ areas can be found on the DEC EJ webpage at http://www.dec.ny.gov/public/911.html .	3
	Project advances downtown revitalization and smart growth as relevant to the goals of the CSC program.	1
	Project is not located in a potential EJ area and does not advance downtown revitalization and smart growth.	0
Project Criticality	ADAPTATION: Application identifies specific climate vulnerabilities (including populations and resources at risk), describes, quantitatively, the scientifically supported projections of future local or regional climate conditions ¹ that will create or exacerbate those vulnerabilities, and cites scientific reference and relevant section of supporting documents. MITIGATION: Application identifies the results of local and/or regional GHG emissions inventories ² and the GHG emissions to be targeted by this project.	15
	ADAPTATION: Application generally identifies climate vulnerabilities (including populations and resources at risk) and generally describes the scientifically supported projections of future climate conditions at any scale that will create or exacerbate those vulnerabilities. MITIGATION: Application describes information or data on GHG emissions at any scale and the GHG emissions to be targeted by this project.	8
	ADAPTATION: Application generally describes a relationship between climate	3

¹ See, for example, New York State “ClimAID” report (<https://www.nyserda.ny.gov/climaid>), National Climate Assessment (<http://nca2014.globalchange.gov/>) and New York State Climate Change Science Clearinghouse (<https://www.nyclimatescience.org>).

² See the 2010 NYS regional GHG emissions inventories at <https://climatesmart.ny.gov/support/regional-greenhouse-gas-inventories-in-nys/>.

	change and vulnerable populations or resources. MITIGATION: Application generally describes the value of GHG emission reduction.	
	ADAPTATION: Application does not provide sufficient information to demonstrate a climate vulnerability expected to be exacerbated by climate change. MITIGATION: Application does not provide sufficient information to demonstrate an expected GHG emission reduction.	0
Effectiveness of Proposal	Application <u>specifically</u> identifies and provides quantifiable evidence (e.g., model results, calculations, data) that demonstrates the climate adaptation value of the project (i.e., how it will improve local climate resilience and/or minimize the effects of climate change) or the GHG mitigation value of the project (i.e., how it will result in a meaningful reduction of GHG emissions).	14
	Application <u>generally</u> and credibly identifies and describes the climate adaptation or GHG mitigation value of the project.	10
	The proposed project may lead to indirect, secondary, or partial benefits associated with climate adaptation or GHG mitigation .	5
	The proposed work will not lead to identifiable benefits associated with either climate adaptation or GHG mitigation .	0
Planning Context	The proposed project is specifically recommended by an adopted local or regional plan or is a documented initiative of a climate, energy, or GHG task force or committee.	5
	The proposed project identifies and is consistent with the purpose of, or provides indirect benefit related to, a local or regional plan or documented initiative of a climate, energy, or GHG task force or committee.	3
	The application does not describe a local or regional planning context or does not provide sufficient information to evaluate the relationship of the proposed project with local or regional plans, task force, or committee.	0
Implementation Readiness	Application clearly describes all the following: <ul style="list-style-type: none"> • The planning process used to select and design the project • A realistic schedule for obtaining all necessary permits or approvals • Project participants and their roles • Necessary project partnerships and agreements • Ownership of and/or permission to use the property or facilities proposed for work 	5
	Application clearly describes at least 3 of the above factors, including the following: <ul style="list-style-type: none"> • The planning process used to select and design the project • A realistic schedule for obtaining all necessary permits or approvals 	3
	Application clearly describes at least 2 of the above factors, including the following: <ul style="list-style-type: none"> • A realistic schedule for obtaining all necessary permits or approvals 	2
	Application does not identify an available source of eligible match, has not outlined a realistic schedule for obtaining all necessary permits or approvals, and/or does not clearly describe the factors listed above.	0

Reasonableness of Cost	To determine the reasonableness of cost, the following ten questions will be considered: <ol style="list-style-type: none"> 1. Have costs been thoroughly documented using quotes, pricing sheets, previous final budgets for similar projects, or similar documentation? 2. Is budget complete with proper amounts of grant and local share and does the budget template match the CFA application budget? 3. Has a specific source of local match (such as general fund, highway department budget, or donation) been allocated? 4. Are budget lines detailed with information, such as: type of contractor and amount, construction vs design; title of personnel, hours expected, and hourly or annual rate; purpose and location of travel; list of materials, title and hourly rate of donated professional services, or number of volunteers and hours anticipated? Engineering costs allocated to grant cannot exceed 15% of the total grant amount requested in the application. 5. Are the size and scope of the project suitable to accomplish the desired outcome? 6. Does the applicant leverage municipal staff, non-contractual services, or other local resources to accomplish the proposed work? 7. Will the completed project provide a meaningful GHG mitigation or climate change adaptation benefit relative to anticipated project costs? 8. Will the project catalyze additional action related to the project's purpose that will not require state funding? 9. Does the project demonstrate a new technology or innovative approach? 10. Will the work or the approach be transferable to other communities or replicable in other sectors? 	
	Projects that meet eight or more of the criteria listed above.	20
	Projects that meet at least six of the criteria listed above.	15
	Projects that meet at least four of the criteria listed above.	7
	Projects that meet at least three of the criteria listed above.	3
	Projects that meet fewer than three of the criteria listed above.	0
Quality of Application	The application is complete, including an anticipated schedule, work plan, and detailed budget breakdown, and all necessary questions have been answered. The project is clearly and specifically described, and all supporting information and documentation are included.	4
	The application generally describes the project, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories.	2
	The application does not clearly describe the project, or there are discrepancies in the proposal or between the work proposed and the included budget.	1
	The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project	0

	categories, and/or does not provide sufficient budget information to understand the amount of funding requested.	
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Statewide Programs

Downtown Revitalization Initiative and Strategic Community Investment

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization and strategic place making through transformative housing, economic development, transportation, and community projects that will attract and retain residents, visitors, and businesses - creating dynamic neighborhoods where tomorrow’s workforce will want to live, work, and/or raise a family. Projects that reflect general principles of smart growth and sustainable development will receive one (1) point.

Environmental Justice

Environmental Justice (EJ) is the fair and meaningful treatment of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. Projects located in a potential EJ area as defined by DEC, and for which the applicant has submitted a map of the EJ area showing the location of the proposed project, will receive three (3) points. To determine if your project is located in a potential EJ area, consult the maps on the DEC environmental justice webpage at <http://www.dec.ny.gov/public/911.html>.

Certification Projects

Eligible projects in the certification category will be evaluated for their potential to provide information, data, planning, and policy foundations for future climate mitigation and adaptation implementation projects at the local level.

Certification Scoring Overview

Category	Max. Points				Min. Points
Financial Hardship	5	2	0	-	-
CSC Status	8	6	3	0	-
Certification Readiness	3	0	-	-	-
Project Criticality	15	12	8	4	2
Effectiveness of Proposal	10	8	5	0	-
Planning Context	6	3	0	-	-
Implementation Readiness	8	6	4	0	-
Reasonableness of Cost	20	15	7	3	0
Quality of Application	5	3	1	0	-
REDC Priority (<i>To be awarded by REDC</i>)	20	15	10	5	0
Total Available Points	100				

Certification Scoring Criteria and Values

Category	Criterion	Points
Financial Hardship	Applicant is a community with a Median Household Income (MHI) less than 80% of the 2019 Statewide MHI (<i>i.e.</i> , MHI less than \$57,686) as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine 2019 MHI for the purposes of this program.	5
	Applicant is a community with a MHI less than the 2019 Statewide MHI but not less than 80% of the 2019 MHI (<i>i.e.</i> , MHI greater than or equal to \$57,686 but less than \$72,108.) as returned in census table B19013. See Attachment B of this RFA for step-by-step instructions on how to determine 2019 MHI for the purposes of this program.	2
	Applicant is not a financial-hardship community, as defined above	0
CSC Status	Applicant is a certified silver Climate Smart Community.	8
	Applicant is a certified bronze Climate Smart Community.	6
	Applicant is a registered Climate Smart Community.	3
	Applicant is not a Climate Smart Community.	0
Certification Readiness	Applicant has provided documentation showing formation of a CSC task force and two meetings in the past year, per https://climatesmart.ny.gov/actions-certification/actions/#open/action/2	3
	Applicant has NOT provided documentation showing formation of a CSC task force and two meetings in the past year, per https://climatesmart.ny.gov/actions-certification/actions/#open/action/2	0
Project Criticality	To determine project criticality, the following questions will be considered: <ol style="list-style-type: none"> 1. Why is the project needed in the community? Describe any local or regional events and/or problems that substantiate the need for the project. 2. How will the project provide critical information that is currently missing? 3. How will funding for this project help meet the needs or alleviate the problem(s) presented in #1 above? 4. How will actions completed through this project build on previous work? 5. What was the method used to prioritize this project over other climate-related projects (data, immediate needs, etc.)? 6. How will this project support the municipality’s efforts to encourage the public, local businesses, and non-governmental entities to act on climate change? 	
	Application provides well-reasoned answers to all the criteria above.	15
	Application provides well-reasoned answers to at least four of the criteria above, including 1, 2, and 3.	12
	Application provides well-reasoned answers to at least three of the criteria above, including 1 and 3.	8
	Application provides well-reasoned answers to at least two of the above criteria, including 1.	4
Application does not provide well-reasoned answers to at least two of the	2	

	questions above.	
Effectiveness of Proposal	Application specifically identifies and describes how the proposed project will build local capacity and lead to specific implementation projects that will help the community mitigate and/or adapt to climate change.	10
	Application generally describes how the proposed project will lead to additional efforts that will help the community mitigate and/or adapt to climate change.	8
	The proposed project may lead to indirect, secondary, or partial benefits for local climate mitigation or adaptation.	5
	The proposed project will not lead to an identifiable climate change adaptation benefit or reduce GHG emissions; or the application does not provide sufficient information to evaluate the effectiveness of the proposed project.	0
Planning Context	The proposed project is specifically recommended by an adopted local or regional plan or is a documented initiative of a climate, energy, or GHG task force or committee.	6
	The proposed project identifies and is consistent with the purpose of, or provides indirect benefit related to, a local or regional plan or documented initiative of a climate, energy, or GHG task force or committee.	3
	The application does not describe a local or regional planning context or does not provide sufficient information to evaluate the relationship of the proposed project with local or regional plans, task forces, or committees.	0
Implementation Readiness	To determine implementation readiness, the following questions will be considered: <ol style="list-style-type: none"> 1. Is the work plan clear and concise and does it contain the requirements and deliverables listed at https://climatesmart.ny.gov/? 2. Does the budget align with the work plan (i.e., do they contain the same categories)? 3. Does the project create or strengthen an organizational structure that will sustain implementation of the project and ongoing climate action? 4. Does the applicant have adequate labor (staff, partners, volunteers) and resources to complete the project within the contract period? 5. Does the applicant have, or can it obtain, the technical expertise needed to complete the project? 6. Does the project include adequate public engagement? 	
	Application addresses at least four of the items above, including 1 and 3.	8
	Application addresses three of the items above, including 1.	6
	Application addresses two of the items above.	4
	Application addresses one or none of the items above.	0
Reasonableness of Cost	To determine the reasonableness of cost, the following questions will be considered: <ol style="list-style-type: none"> 1. Have costs been thoroughly documented using quotes, pricing sheets, previous final budgets for similar projects, or similar 	

	<p>documentation?</p> <ol style="list-style-type: none"> 2. Is budget complete, with appropriate amounts of grant and local share? Does the budget template match the CFA application budget? 3. Has a specific source of local match, such as general fund, highway department budget, or donation been allocated and specified? 4. Are budget lines detailed with information such as type of contractor and amount; title of personnel, hours expected, and hourly or annual rate; purpose and location of travel; list of materials, title and hourly rate of donated professional services, or number of volunteers and hours anticipated? 5. Are the size and scope of the project suitable to accomplish the desired outcome? 6. Does the applicant leverage municipal staff, non-contractual services, or other local resources to accomplish the proposed work? 7. Will the completed project provide a meaningful GHG mitigation or climate change adaptation benefit relative to anticipated project costs? 8. Will the project catalyze additional action related to the project's purpose that will not require state funding? 9. Does the project demonstrate a new technology or innovative approach? 10. Will the work or the approach be transferable to other communities or replicable in other sectors? 	
	Projects that meet eight or more of the criteria listed above.	20
	Projects that meet at least six of the criteria listed above.	15
	Projects that meet at least four of the criteria listed above.	7
	Projects that meet at least three of the criteria listed above.	3
	Projects that meet fewer than three of the criteria listed above.	0
Quality of Application	The application is complete, including an anticipated schedule, work plan, and detailed budget breakdown, and all necessary questions have been answered. The project is clearly and specifically described and all supporting information and documentation are included.	5
	The application generally describes the project, but some questions have not been fully or adequately answered, supporting documentation is missing, and/or the budget or schedule generalizes across broad categories.	3
	The application does not clearly describe the project, or there are discrepancies in the proposal or between the work proposed and the included budget.	1
	The application is missing a significant amount of information, does not address the stated purpose of the grant program and its eligible project categories, and/or does not provide sufficient budget information to understand the amount of funding requested.	0

Awards

Funding will be recommended based on the highest to lowest overall score ranking within each funding category, within the expressed funding limits for municipalities with population sizes over 100,000 and/or any single municipality, as described in this RFA, until all available funding has been exhausted.

In the event of tied total scores between two or more applications at the funding limit, DEC will make the award to the application with the highest individual category score in the following order of priority:

1. Project Criticality
2. Effectiveness of Proposal
3. Implementation Readiness
4. Reasonableness of Cost
5. Planning Context
6. Quality of Application
7. Financial Hardship
8. Regional Economic Development Priority

In the event there is a tie score on all individual scoring criteria, the proposed project that is likely to have the greatest impact on alleviating climate change in NYS, as determined by DEC, will receive the award.

Applicants selected to receive grant awards will be notified by an official DEC award letter after the REDC awards ceremony. A “next steps” email with follow up details on the contract development process will be sent once the Office of the State Comptroller has approved the procurement and the contracts have been created in Grants Gateway.

IMPORTANT NOTE: By accepting an award, applicant agrees to abide by all MCG and Attachment A-1 Terms and Conditions. Any changes to the terms and conditions will not be accepted and may affect applicant’s award. The standard MCG and Attachment 1-A Program Terms and Conditions for CSC are available on the OCC grants webpage at <https://www.dec.ny.gov/energy/109181.html#CSC>.

Master Contract for Grants (MCG)

All applicants selected to receive an award will be required to complete the contract development and approval process within the Grants Gateway. Grantees will negotiate the budget and work plan with the DEC program manager and supply insurance information as described below in Insurance Requirements. Once the budget and work plan are approved by both parties and the insurance information is provided, the grantee will be given access to the contract within the Grants Gateway and required to input the approved budget, work plan, insurance documentation, and MWBE acknowledgement form. The contract will then move to the next step of the contract execution process. Contracts should be executed within 90 days from the time of the award notification. Failure to submit required MCG documents in a timely fashion may result in loss of the award. Once a contract is executed, the DEC project manager will provide the grantee with the grantee guidelines, voucher and reporting paperwork, and draft funding acknowledgement signage if applicable.

Reimbursement requests will not be approved or processed by DEC until a MCG is fully approved by DEC and, as applicable, the Attorney General and the State Comptroller, expenses are incurred, and reimbursement request is submitted with all required documentation. Advance payments are not authorized as part of the CSC grant program. Contract extensions will be considered on a case-by-case basis upon written request from the grantee.

Debriefing

In accordance with section 163 of the NYS Finance Law, the DEC must, upon request, provide a debriefing to any unsuccessful applicant that responded to the RFA regarding the reasons that the applicant's proposal was not selected for an award. An unsuccessful applicant wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice that its proposal did not result in an award. Email requests to cscgrants@dec.ny.gov.

Contractual Requirements

Minority/Woman Business Enterprises (MWBE) Goals

The DEC is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (MWBE Regulations) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Applicants subject to executing a future NYS MCG agree, in addition to any other non-discrimination provision of the MCG and at no additional cost to the DEC, to fully comply and cooperate with DEC in the implementation of New York State Executive Law Article 15-A. These requirements include contracting opportunities for certified minority and women-owned business enterprises (MWBEs). Contractor's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, state, or local laws.

For the purposes of the CSC program, an MWBE requirement of up to 30% of the grant amount will pertain only to awards for construction projects in excess of \$100,000. There are no MWBE requirements for contracts with grant awards of \$100,000 or less for construction, or for grant awards for CSC certification projects. Please refer to the NYS MCG Article IV.(J) and Attachment A-1 Program Specific Terms and Conditions Article X of the contract to review specific MWBE requirements for each project.

The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.

A list of certified MWBE enterprises can be obtained via the internet from the NYS Department of Economic Development at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885> .

Contracts which meet the established MWBE thresholds require the Contractor to submit quarterly MWBE reports. Required MWBE related forms can be found at <http://www.dec.ny.gov/about/48854.html> .

Failure to comply with MWBE requirements may result in a finding of non-responsiveness, non-responsibility, and/or a breach of contract leading to the withholding of funds or such other actions, liquidated damages, or enforcement proceedings.

Insurance Requirements

Grantees will be required to carry appropriate insurance as specified in Attachment A-1 Program Specific Terms and Conditions and to agree that each project consultant, project contract, and project subcontractor secures and delivers to the Grantee appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies held by the grantee must name the State of New York and the NYS Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-1030 as an additional insured and certificate holder, with appropriate limits, covering Grantee's public liability and property damage insurance, Grantee's contingency liability insurance, "all-risk" insurance, workers' compensation, and disability coverage for the project. Additional insurance or insurance riders may be requested by DEC based on the project work plan. See the OCC grants page for detailed information on insurance forms, <http://www.dec.ny.gov/energy/109181.html#CSC>.

Acknowledgement of Financial Support

The following statement acknowledging DEC funding for the project must be included in any press releases or other public announcement, including newspaper articles and web posting, as well as all documents, brochures, reports, signage, maps, and exhibits: "This project has been funded in part by the Climate Smart Communities Grant Program, Title 15 of the Environmental Protection Fund through the New York State Department of Environmental Conservation."

If a ribbon-cutting or other promotional event is planned for the project, the event must be coordinated, in advance, with the DEC Press Office.

Metrics and Reporting

The grant recipient shall provide estimates of the project's GHG emissions reductions, risk reduction, or other appropriate metrics, as approved by the DEC program manager, through the end of the contract term, in the quarterly report, and/or final project report as applicable. Progress reports must be submitted on a quarterly basis, within 30 days following the end of the quarter. Grant recipient shall also report on the number of jobs created by implementation of the project.

Agreements

Climate Change Mitigation Easement (CCME)

See page 15 of this RFA.

Partnership Agreements

See page 14 of this RFA.

Retainage

Per 6 NYCRR Part 492, Climate Smart Communities Projects, a retainage of 5% will be withheld from each reimbursement, except the final, for all projects. All accumulated retainage will be added to the final reimbursement upon project completion, match fulfillment, and submission of all deliverables.

30-day Notice

Grantee agrees to notify DEC, in writing, of the commencement of construction, within thirty (30) calendar days prior to the start of construction. If the start of construction began on or after the contract start date, the grantee shall notify DEC in writing within thirty (30) calendar days as to the status of any construction.

The grantee agrees that it shall notify DEC in writing thirty (30) days following initial start-up operation of the project.

Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

State Environmental Quality Review Act (SEQRA) Documentation

With respect to the project, the Grantee will certify that it has complied, and shall continue to comply, with all requirements of the SEQRA. The Grantee will further certify that it has notified, and shall continue to notify, DEC of all actions proposed for compliance with the environmental review requirements imposed by SEQRA. By entering a contract with DEC, the Grantee agrees to provide all SEQRA documentation, and other environmental documents, as may be required, to the DEC upon their completion and/or approval.

Historic Preservation Review Requirements

For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Questions about or proposals for listing on the state or national register should be directed to the Office of Parks, Recreation, and Historic Preservation (OPRHP) National Register Unit at (518) 237-8643. To ensure the public benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the OPRHP for all historic property grants.

Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law, § 165-a, effective April 12, 2012. By entering into a Contract, the Grantee certifies that it is not on the "Entities Determined to Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the Attachment A-1 Program Specific Terms and Conditions.

Permit Requirements

If applicable, grantees agree to obtain all required permits including, but not limited to local, state, and federal permits prior to the commencement of any project-related work. The grantee agrees that all work performed in relation to the project by the grantee or its agents, representatives, or grantees will comply with all relevant federal, state, and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity. The applicant is responsible for assuring that any SEQR determinations, permits, approvals, lands, easements, and rights-of-way that may be required to carry out the activities of the project are obtained.

Vendor Responsibility Questionnaire

If any single sub-contractor will be receiving over \$100,000 in grant funds, the contractor must complete

the Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, the contractor can follow the VendRep instructions available at https://www.osc.state.ny.us/vendrep/info_vrsystem.htm or go directly to the VendRep System online at <https://onlineservices.osc.state.ny.us/Enrollment/login?0>. More information is available in section XVII. Vendor Responsibility of the Attachment A-1 Program Terms and Conditions.

Americans With Disabilities Act

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation, or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas at <https://www.fs.fed.us/t-d/pubs/htmlpubs/htm12232806/index.htm>.

Reimbursement and Reporting

The Climate Smart Communities Grant Program is a reimbursement program. State assistance paid shall not exceed 50 percent of the total eligible project costs. Pursuant to State Finance Law, municipalities are not eligible to receive advance payments, all reimbursements are based on documented incurred costs. Project costs eligible for reimbursement and project match must be incurred between the MCG start and end dates. Costs incurred prior to the MCG start date or after the MCG end date are not eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by DEC for costs to be eligible for reimbursement.

If the municipality fails to comply with any of the requirements of the Environmental Conservation Law or regulations of the Department applicable to the project, the Department may withhold all or part of further payments pending compliance, as per 6 NYCRR 492-3.5(c).

Per 6 NYCRR Part 492, a retainage of 5% will be withheld from each reimbursement, except the final, for all funded projects. All accumulated retainage will be added to the final reimbursement upon project completion, match fulfillment, and submission of all deliverables. A final payment, which brings the total of State grant payments to 100 percent of the State share of the project cost, will be released upon determination by the DEC that the project is complete and is operating satisfactorily, and that all grant requirements have been met. If the project is complete but not operating satisfactorily, the DEC may withhold from the final payment an amount sufficient, in the judgment of the DEC, to ensure correction of deficiencies. The amount withheld will be released when deficiencies are corrected, as per 6 NYCRR 492-3.5(e).

Progress reports must be submitted in narrative form on a quarterly basis, within 30 days following the end of the quarter as follows: Q1 - January 1 to March 31, due April 30; Q2 - April 1 to June 30, due July 31; Q3 - July 1 to September 30, due October 31; Q4 - October 1 to December 31, due January 31. Quarterly reports must summarize project progress toward meeting project objectives and deliverables during the quarter. Expenditure reports (section VI Financial Status of the quarterly report form), detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly reports.

Upon notification from the municipality that the project is complete, the DEC will determine if the project is operating in accordance with applicable laws and regulations, as per 6 NYCRR 492-3.5(d). A final project summary report must be submitted no later than 60 days after the end of the contract period and be approved by DEC prior to the release of the final contract reimbursement. The final report must report on all aspects of the program, include photographs and copies of media promotion, detail how grant funds were utilized in achieving the goals set forth in the work plan, summarize the obstacles experienced and how they were overcome and include monitoring and metrics data pertaining to the project's GHG emissions reductions, risk reduction, or other appropriate metrics as defined in the contract work plan.

Draft copies of appropriate deliverables (e.g., inventory and/or management plan) must be submitted by the Grantee and approved by DEC before a final draft is produced. An on-site inspection by DEC may be required to confirm all work was completed in accordance to the approved contract work plan.

DEC Oversight

The Department of Environmental Conservation reserves the right to do the following:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of this RFA in accordance with the method of award or withdraw the RFA at any time at the DEC's sole discretion.
- Award only one application for funding in the event there are several application submissions for a single project or for portions of a single project.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.
- Not fund projects that are determined not to be consistent with the NYS Smart Growth Public Infrastructure Policy Act (Environmental Conservation Law Article 6) or the Climate Leadership and Community Protection Act or their implementing regulations.
- Reclaim funds paid to grantee if false statements regarding eligibility of the project or any of its components are discovered after award or reimbursement has been made.
- Partially fund an application if the partially funded portion can be demonstrated to meet the criteria for this RFA.
- Reject any or all applications in response to the RFA at the agency's sole discretion.
- Reduce an award from the amount requested in the application, so long as the reduced funding does not jeopardize the viability of the project to proceed at the reduced funding level.
- Reduce an award from the amount requested in the application, should the project budget contain costs considered ineligible under this grant program.

Attachment A: Resolution Template

Sample Municipal Resolution Authorizing Application for a New York State Climate Smart Communities Grant

Resolution

Whereas, [name of municipality] hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15.

Whereas, [name of municipality] certifies that it has identified \$[amount of match] of matching funds from [location – general fund, donation, etc.] pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

Therefore, be it resolved, that [name of municipality] hereby authorizes [name and title of authorized representative], an official or employee, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$[amount requested], to be used for [project title].

Adopted this [date] day of [month], [year].

I hereby certify that the foregoing resolution was duly adopted by [name of municipality] at a legal meeting on the [date] day of [month], [year].

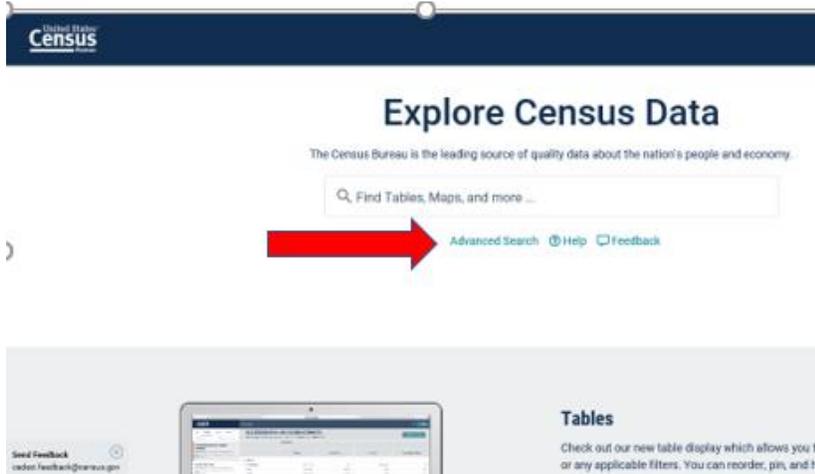
[Name]

[Title]

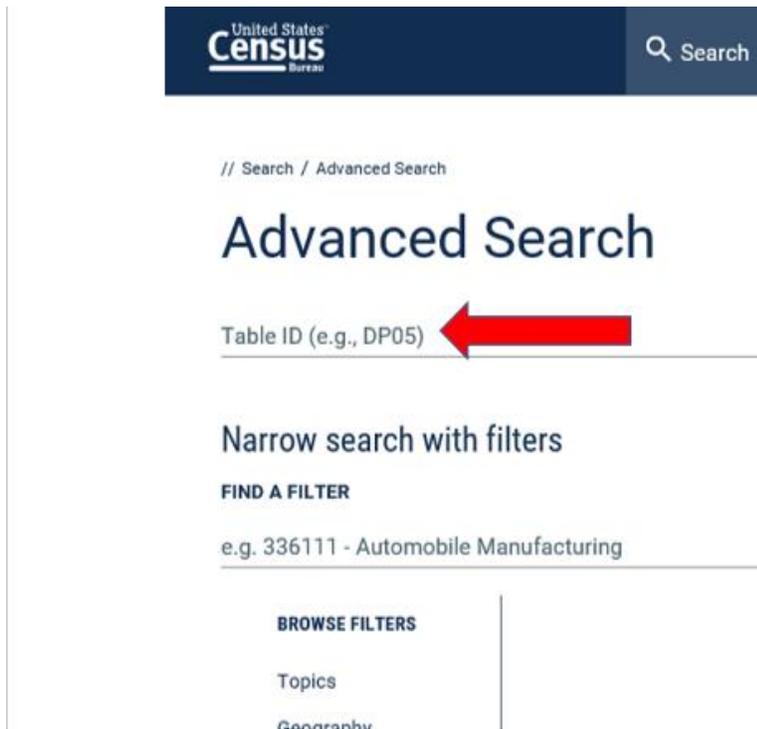
Attachment B: Median Household Income (MHI)

Using the U.S. Census Webpages to Obtain Median Household Income (MHI)

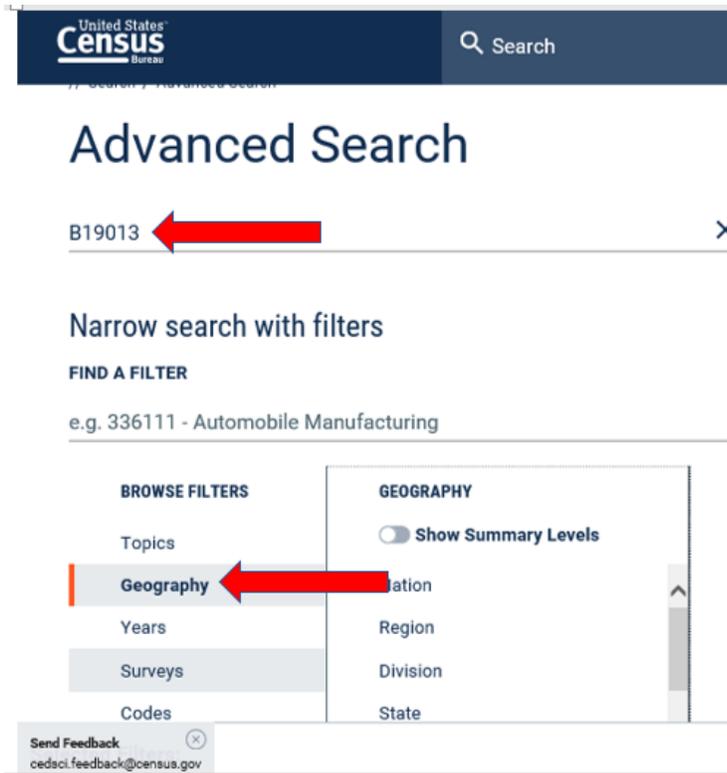
1. Open the U.S. Census data search page: <https://data.census.gov/cedsci/>.
2. Click on “Advanced Search.”



3. Type “B19013” under the words “Advanced Search.” This will cause the database to access the correct table - “Median Household Income in the Past 12 Months (In 2019 Inflation-adjusted Dollars).” Ignore the “Narrow Search with Filters” and “Find a Filter Section.”

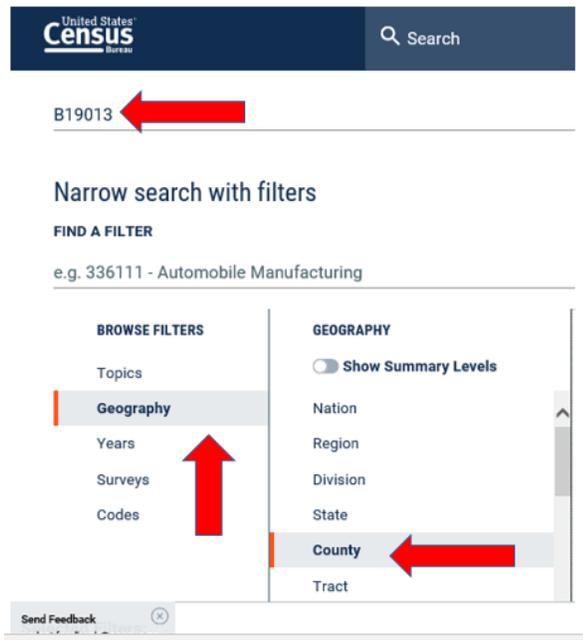


4. Select "Geography" below "Narrow search with filters."



5. In the box to the right of "Geography," counties will select "County" while cities and villages will select "Place" and towns will select "County Subdivision."

COUNTY



CITY and VILLAGE

United States Census Bureau
FIND A FILTER

Search

e.g. 336111 - Automobile Manufacturing

BROWSE FILTERS	GEOGRAPHY
Topics	<input type="checkbox"/> Show Summary Levels
Geography	Unified School District
Years	Congressional District
Surveys	State Legislative District (Upper Chamber)
Codes	State Legislative District (Lower Chamber)
	Public Use Microdata Area
	Place
	Voting District
	Traffic Analysis Zone
	County Subdivision

TOWN

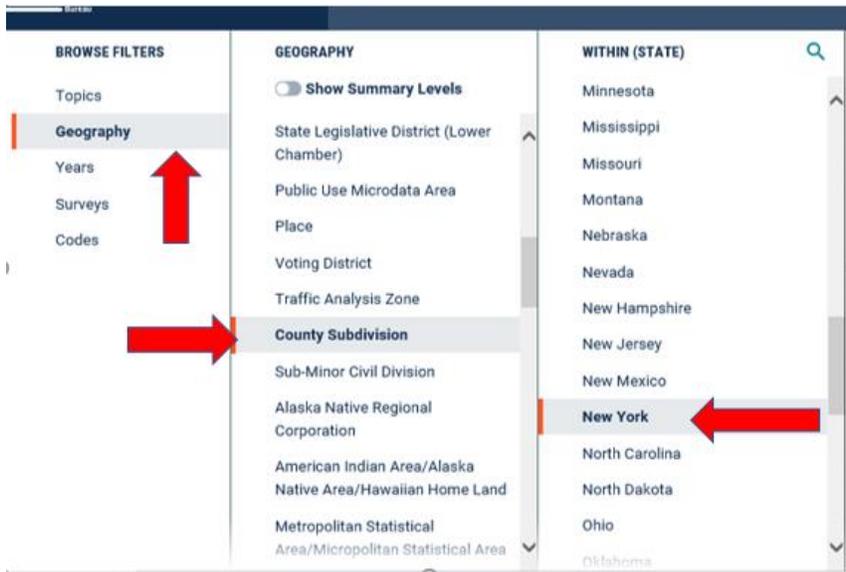
United States Census Bureau
FIND A FILTER

Search

e.g. 336111 - Automobile Manufacturing

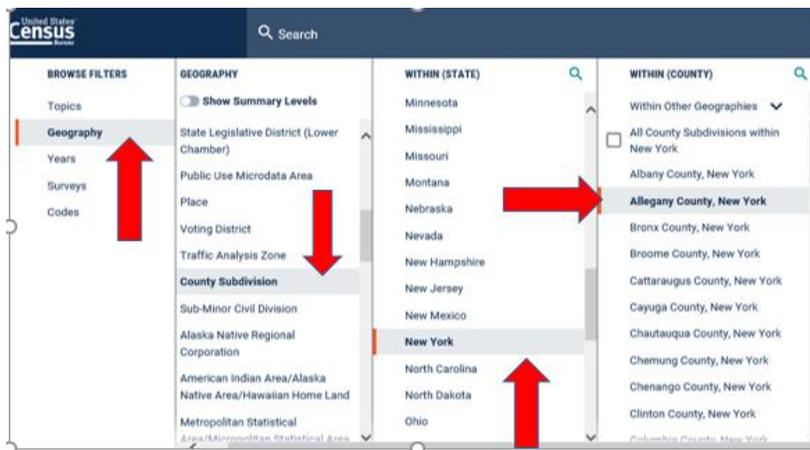
BROWSE FILTERS	GEOGRAPHY
Topics	<input type="checkbox"/> Show Summary Levels
Geography	State Legislative District (Lower Chamber)
Years	Public Use Microdata Area
Surveys	Place
Codes	Voting District
	Traffic Analysis Zone
	County Subdivision
	Sub-Minor Civil Division
	Alaska Native Regional Corporation
	American Indian Area/Alaska

6. Under “Within State,” select “New York.”

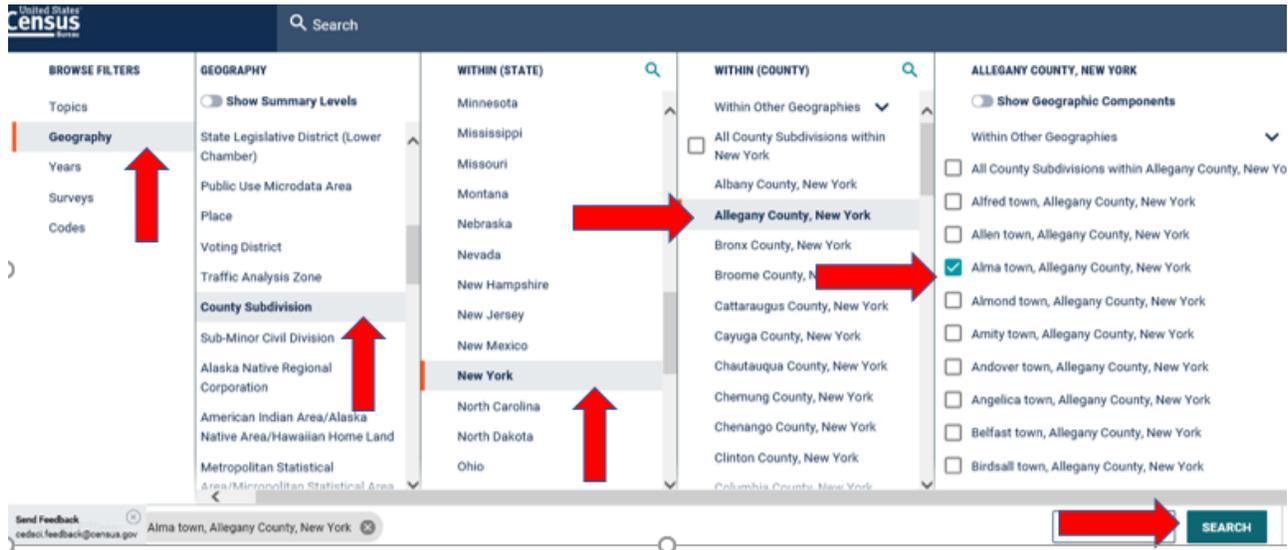


7. In the box to the right of “New York,” select your county. County applicants will now hit “Search.” The first result should be the table called “Median Household Income in the Past 12 Months (In 2019 Inflation-adjusted Dollars)” for the selected municipality. Counties go to Step 9.

All other municipalities go to step 8.



8. Select your municipality, then hit “Search.” The first result should be the table called “Median Household Income in the Past 12 Months (In 2019 Inflation-adjusted Dollars)” for the selected municipality.



9. Verify the table is for the correct municipality. Read the 12-month MHI from the table.

MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2018 INFLATION-ADJUSTED DOLLARS)		
Survey/Program: American Community Survey		
Years: 2018,2017,2016,2015,2014,2013,2012,2011,2010 Table: B19013		
	Estimate	Margin of Error
Median household income in the past 12...	56,875	+/-11,351