

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Criminal Justice Services
Four Tower Place
Albany, NY 12203

NOT-FOR-PROFIT AGENCIES

Phase II of the 2010 State Strategic Plan for Juvenile Justice

The NYS Division of Criminal Justice Services (DCJS) is issuing a Request for Proposals (RFP) to solicit applications from eligible not for profit agencies for Phase II of the 2010 State Strategic Plan for Juvenile Justice to facilitate reform of NYS's juvenile justice system from arrest through disposition. This grant program is supported by federal Juvenile Justice Title II (formula) funds. Eligible applicants include not for profit organizations with significant experience in strategic planning with governmental leaders. Subject to the availability of funding, approximately \$200,000 is available for award to support one grantee to engage in strategic planning that will bring together relevant juvenile justice system leaders to form a statewide vision, create unified goals, and action steps for implementation. The contract will be for a 6 month period with projected earliest start date of 01/01/2011 and latest possible end date of 12/31/2011. Proposals submitted on or before 12:00 noon, Wednesday, October 20th via DCJS' on-line Grants Management System (GMS) will be accepted.

Applications are available on DCJS' website at: <http://criminaljustice.state.ny.us/ofpa/newrfp.htm>. For assistance in accessing an application, contact: Schellie Tedesco, Juvenile Justice Unit, Office of Program Development and Funding, Division of Criminal Justice Services, Four Tower Place - 3rd Fl., Albany, NY 12203-3764, (518) 457-3670

Environmental Facilities Corporation
625 Broadway
Albany, NY 12207-2997

Green Innovation Grant Program 2010 (GIGP 2010)

I. BACKGROUND, SCOPE AND APPLICABILITY

The New York State (NYS) Environmental Facilities Corporation (EFC) announces the second round of the Green Innovation Grant Program (GIGP 2010). GIGP 2010 is funded by NY State's US EPA Capitalization Grant administered under the NYS Clean Water State Revolving Fund (CWSRF), authorized by NYS Public Authorities Law sections 1285-j and 1285-m.

GIGP 2010 will provide seed money for projects which spur green innovation, build green capacity, and facilitate technology transfer throughout the State. Eligible projects will improve water quality and demonstrate sustainable wastewater infrastructure in communities across the State. All projects, or portions thereof, which are selected for GIGP 2010, will be listed in the CWSRF Intended Use Plan (IUP), Category G, as authorized. The IUP is a plan which identifies the intended uses of amounts available in the CWSRF including, but not limited to, a list of potentially eligible projects, a description of the short-term and long-term objectives of the CWSRF, information on the types of activities to be supported, including a description of projects in this category, terms of CWSRF assistance, eligible recipients and the criteria and method established for the distribution of funds.

In order to apply for GIGP 2010 funding, the applicant must meet the minimum state and federal qualifications to participate in the CWSRF program. Eligible applicants may include: any county, city, town, village, district corporation, county or town improvement district, Indian reservation wholly within NYS, any public benefit corporation or public authority established pursuant to the laws of NYS or any agency of NYS which is empowered to construct and operate an eligible GIGP 2010 project, or any two of the foregoing which are acting jointly in connection with an eligible GIGP 2010 project. Eligible applicants may also include: any partnership, association, school district, not-for-profit corporation or any other corporation organized and existing under the laws of NYS or any other state which is empowered to develop a project, or any two or more of the foregoing which are acting jointly in connection with a project. If the applicant is a city, town or village, it must have a population of less than one million.

II. PURPOSE OF THIS NOTICE

This notice describes eligibility requirements for GIGP 2010, the amount of funding available, the time period during which EFC will accept applications for funding, and other eligibility criteria and program information.

III. DESCRIPTION OF ELIGIBLE PROJECTS

GIGP 2010 will only consider projects which are both eligible for CWSRF funding and meet criteria for funding under the US EPA "Green Project Reserve." Guidance for determining project eligibility may be found at www.nysefc.org/GIGP. These projects include capital projects, technologies and activities that support or establish environmentally and economically sustainable facilities which exceed traditional infrastructure goals associated with basic regulatory requirements for water quality protection. The broad definition of green projects established by the US EPA and the CWSRF includes technologies and activities that protect water quality and fall into one or more of the following project categories:

- Water Efficiency, Reuse or Conservation - projects that deliver equal or better services with less water.
- Energy Efficiency - projects that reduce energy consumption or produce renewable energy of water quality projects.
- Green Wet Weather Infrastructure - projects that maintain, restore, or mimic natural systems to infiltrate, evapotranspire, or recycle stormwater.
- Environmental Innovation - projects that demonstrate new and /or innovative approaches for delivering services or managing water resources in a more sustainable way.

Evaluation of proposed eligible projects, or any portion thereof, shall include but not be limited to an assessment of the following criteria:

- Protects water quality and other environmental resources with a measurable impact on water quality;
- Builds green capacity locally and throughout NYS;
- Spurs green innovation;
- Feasibility of transferring new technology / activities to other NYS water quality issues;
- Provides outreach and educational opportunities;
- Leverages co-funding;
- Greens-up existing infrastructure / fixes existing facilities first;
- Supports community revitalization / advances a project in a municipal center;

- Land recycling / retrofit / infill;
 - Reduces Greenhouse gas emissions;
 - Improves air quality;
 - Reduces dependence on oil / produces renewable energy;
 - Supports economic development;
 - Regional distribution of projects;
 - Compliance with state and federal laws, rules and regulations;
- and
- Applicant commitment to asset management / operation and maintenance.

IV. FUNDING PROPOSAL

GIGP 2010 is a highly competitive grant program that uses funding from the US EPA and is administered under the CWSRF. It will be implemented by EFC, expanding upon last year's program.

Applicants may be required to identify separate project components for funding consideration. Funding will be provided to selected eligible projects to the extent funds are available. Based on the US EPA CWSRF FY 2010 Guidance, EFC will provide two different types of GIGP 2010 grants:

1. Design Grants (50% grant with a minimum 50% funding match from the eligible applicant required. The GIGP 2010 Design grant maximum is \$50,000 per project.) Design grants will fund the development of an Engineering Report, Stormwater Pollution Prevention Plan, or equivalent document for a specific green demonstration project. By providing for design grants, EFC will be able to assist eligible projects that spur innovation and help build green capacity.

The recipient match may include direct cash funding or documented in-kind services. Payments will be made on an incurred cost basis with Disbursement Requests accepted by EFC not more than once every 30 days. Notwithstanding the above, no disbursements will be made until project design contracts have been fully executed.

2. Construction Grants (90% grant with a minimum 10% funding match from the eligible applicant. The GIGP 2010 Construction grant maximum is \$750,000 per project.) The construction grants will be similar to ARRA GIGP 2009 grants. These grants will fund up to 90% of a project cost, up to a maximum of \$750,000, for construction including eligible planning and design costs. Funding for demonstration and/or innovative projects throughout the State will support and foster a shift to a greener approach to water and wastewater infrastructure management.

The recipient match may include direct cash funding or documented in-kind services. Payments will be made on an incurred cost basis with Disbursement Requests accepted by EFC not more than once every 30 days. Notwithstanding the above, no disbursements will be made (e.g. for eligible planning and design costs) until project construction contracts have been fully executed.

Eligible applicants are encouraged to submit their best project application. While an eligible applicant may submit more than one grant application, EFC reserves the right to limit GIGP 2010 funding to one grant award per applicant. Further, EFC reserves the right to fund all, or a portion of, an eligible proposed project. All GIGP 2010 grant agreements must be executed no later than September 30, 2011. The recipient must provide their match from local or state funds.

V. AMOUNT OF FUNDING

EFC estimates that \$15 million in funding will be made available to GIGP 2010 from the CWSRF.

GIGP 2010 funding is based on receipt of incurred costs, requiring the recipient to provide copies of invoices to receive payment. Subsequent proof of payment for incurred costs will be required in order to continue to receive funding.

VI. SCHEDULE

(1) Application

EFC will accept complete Application Packages, which must include one hard-copy and one electronic copy (CD or DVD) of all application materials, postmarked no later than December 3, 2010.

Upon receipt of application materials, EFC staff will screen the Application Package for completeness. Applicants are strongly encour-

aged to read all guidance and instructions before completing the application. Complete Application Packages will be rated and a final group of potential recipients will be selected in late January 2011. EFC reserves the right to only consider complete Applications Packages.

Once projects have been selected and notified, EFC will enter into Grant Agreements directly with recipients for project implementation. The Grant Agreement will include, among other things, the authorization to pay for eligible costs associated with all or a portion of an approved GIGP 2010 project.

A complete GIGP 2010 Application Package shall, at a minimum, include a hardcopy and an electronic copy (CD or DVD) of the completed application form and required attachments as prescribed by EFC.

(2) Funding

EFC anticipates that GIGP 2010 application materials will be available September 29, 2010. Application Packages must be postmarked no later than December 3, 2010. EFC expects to announce the list of potentially fundable projects by January 31, 2011. Selected projects would then enter into Grant Agreements. Failure to comply with the Grant Agreement may result in GIGP 2010 funds being reallocated to other projects. EFC will provide funding for the GIGP 2010 only to the extent monies are available.

PROPOSED SCHEDULE

GIGP Application Materials Available	9/29/2010
Postmark Deadline for GIGP Application Packages	12/3/2010
Target Date for Announcement of Fundable GIGP Projects	1/31/2011
Deadline for Applicants to Execute Grant Agreement with EFC	9/30/2011

VII. ADDITIONAL REQUIREMENTS

The GIGP 2010 is subject to the applicable requirements of the CWSRF and the US EPA Green Project Reserve. In addition, the GIGP 2010 imposes requirements, including but not limited to the following:

(1) Application Deadline

Application Packages for funding under GIGP 2010 must be postmarked no later than December 3, 2010. EFC strongly encourages applicants to submit their Application Package to EFC as soon as possible. The required GIGP 2010 application form may be obtained by downloading it from EFC's website at www.nysefc.org/GIGP, or by contacting EFC at the address specified under Section IX of this notice.

(2) Application Procedure

The procedures for administering GIGP 2010, including the submission, review and approval of requests for CWSRF assistance will be governed by applicable laws including the provisions of, the federal CWA, and the CWSRF.

(3) Program Duration

Subject to the availability of funds and the other eligibility criteria set forth in this notice, EFC anticipates that GIGP 2010 projects will be identified by January 31, 2011.

(4) GIGP 2010 Grant Recipient Responsibilities

Recipients of grants under GIGP 2010 are "subgrantees" under the federal Clean Water Act. "Cross-Cutting" Federal Laws and Executive Orders apply to all subgrantees and projects funded in whole or in part by GIGP 2010. Grant recipients are responsible for complying with all applicable cross-cutting federal authorities.

(5) Environmental Reviews

Applicants selected for funding must document that all environmental reviews required by local, state and federal laws and CWSRF requirements, including but not limited to the State Environmental Quality Review Act (SEQRA) and the State Environmental Review Process (SERP), and evaluation by the New York State Historic Preservation Office (SHPO), under Section 106 of the National Historic

Preservation Act, have been successfully completed, and that all state, local and federal permits required to undertake the project have been received.

(6) Prevailing Wage Rate Requirements

All GIGP 2010-funded projects are subject to the applicable provisions of the Davis-Bacon Act. Notwithstanding any other provision of law and in a manner consistent with other provisions in CWSRF requirements, all laborers and mechanics employed by contractors and subcontractors on GIGP 2010 projects funded directly by or assisted in whole or in part by funding through GIGP 2010 shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. Where NYS Prevailing Wage Laws apply, the higher of the two wage rates must be applied.

(7) Restrictions on the Purchase of Land

GIGP 2010 funds cannot be used for the purchase of land or easements.

(8) Fixed Price Contracts

To the maximum extent possible, contracts funded under GIGP 2010 shall be awarded as fixed price contracts through the use of competitive procedures.

(9) Executive Law Article 15-A, Section 312 Requirements for Equal Employment Opportunities for Minority Group Members and Women

All GIGP 2010-funded projects are subject to applicable Federal and State laws, regulations, and executive orders related to affirmative action, equal employment opportunity, and minority and women's business enterprises including, but not limited to, Article 15-A of the NYS Executive Law (as amended July 15, 2010). Grant recipients and contractors will be required to demonstrate good faith efforts toward meaningful participation of minority and women-owned business enterprises in contracting and procurement, and meaningful participation of minorities and women in the workforce.

(10) Signatures

All application documents requiring the applicant's signature must contain an original signature. Photocopy or facsimile signatures will not be accepted.

VIII. INFORMATION AVAILABILITY

For additional information or application material contact EFC at: Environmental Facilities Corporation, Green Innovation Grant Program, Attention: GIGP Program Manager, at the above address, (800) 200-2200, Fax (518) 486-9248, or www.nysefc.org/GIGP, e-mail: GIGP@nysefc.org

