



**Department of
Environmental
Conservation**

Division of Water

New York State Sewage Pollution Right to Know Grant Program

**NYS Grants Gateway Application ID No.:
(DEC01-CSOR1-2016)**

**Application Deadline:
~~(3:00 PM, Friday, June 24, 2016)~~**

**Application Deadline Extension:
3:00 PM, Friday August 26, 2016**

IMPORTANT INFORMATION FOR APPLICANTS

GRANTS REFORM

On May 15, 2013, a web-based grants management system, the Grants Gateway, was launched at <https://grantsgateway.ny.gov> as part of Governor Cuomo's transformation initiative to reform the State's grant contracting process by simplifying and streamlining the grants management process. The Grants Gateway is an online system that allows vendors to browse and apply for grant opportunities and will improve the way grants are administered by the State of New York. The Grants Gateway system capabilities include the following:

- **Opportunity Portal**– A one-stop location to search for available and anticipated grant opportunities from all New York State agencies. Sign up to receive notification when specific types of grant opportunities are posted.
- **Document Vault**– A secure online document repository for vendors/grantees to store and share commonly requested documents with State agencies. The Document Vault is utilized for the Vendor Prequalification Process. All not-for-profit organizations must be prequalified in the Grants Gateway system to be considered eligible to apply for a grant opportunity.
- **Online Contracts** – Ability for vendors/grantees to develop and execute contracts online.
- **Online Claims and Reporting (anticipate availability sometime in 2016)** - Ability for contractors/grantees to develop and submit payment requests, supporting cost documentation, and project reports.

Grants Reform procedures require all applications to be developed and submitted online through the NYS Grants Gateway.

GRANTS GATEWAY REGISTRATION AND PREQUALIFICATION

All NYS grant applicants must be registered in the NYS Grants Gateway to be eligible to:

- Apply for a NYS grant opportunity.
- Enter into a grant contract, an amendment to an existing contract, or a letter of agreement.
- Apply for future grant payments.

In addition to registering, not-for-profit organizations must also complete the Vendor Prequalification process in the Grants Gateway to be considered eligible to apply for this grant opportunity. Government entities and public authorities are currently not required to complete the Vendor Prequalification process.

CREATING ROLES IN THE GRANTS GATEWAY SYSTEM

Once your organization is registered and prequalified (if applicable) in the Grants Gateway, the user with the Delegated Administrator Role must create additional roles to initiate, complete, and submit the application in Grants Gateway. Refer to Section 4.2 of the "Grantee User Guide", located on the Grants Reform website at www.grantsreform.ny.gov/grantees, for instructions on creating user roles in the Grants Gateway system. **This step MUST be completed to submit an application in the Grants Gateway.**

GRANTS GATEWAY REGISTRATION INSTRUCTIONS

Registration is NOT an online process. Register now to allow time for processing!!

- 1.) On the Grants Reform Website at www.grantsreform.ny.gov/Grantees, download a copy of the Registration Form for Administrator.
- 2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.

- 3.) Mail the signed and notarized original form to the Division of Budget at the address provided in the instructions.
- 4.) After the form is received and reviewed, you will be provided with a username and password allowing you to access the Grants Gateway.
- 5.) Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your password at the bottom of your profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov. If you do not know your Password, please click the Forgot Password link from the main login page and follow the prompts.

NOT FOR PROFIT PREQUALIFICATION INSTRUCTIONS

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant application and contract processes. These initiatives require not-for-profit organizations to complete the Vendor Prequalification process to be considered eligible to apply for a grant.

Below is a summary of the steps to complete the prequalification requirements. The **Vendor Prequalification Manual** on the Grants Reform website at www.grantsreform.ny.gov/Grantees provides additional information and instruction.

1. Complete your Prequalification Application.

- Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. If this is your first time logging in, you will be prompted to change your password at the bottom of your profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the state agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main *Document Vault* page.
- Answer the questions in the *Required Forms* and upload the *Required Documents*. This constitutes your Prequalification Application. *Optional Documents* are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be referred to your agency representative or to the Grants Reform Team at grantsreform@budget.ny.gov.

2. Submit Your Prequalification Application

- After completing your Prequalification Application, click the *Submit Document Vault* button located below the *Required Documents* section to submit your Prequalification Application for state agency review. Once submitted, the status of the *Document Vault* will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes, you will receive email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Additional registration and prequalification information, including a video tutorial, is available on the Grants Reform website at www.grantsreform.ny.gov/

NYS SEWAGE POLLUTION RIGHT TO KNOW GRANT PROGRAM

The New York State Department of Environmental Conservation (DEC) is pleased to announce funding for projects that will assist communities with the detection, monitoring and reporting of Combined Sewer Overflows (CSOs) to fulfill reporting requirements of the Sewage Pollution Right to Know law. Up to \$500,000 is available for this grant program.

I. GENERAL INFORMATION AND CONDITIONS

APPLICATION DEADLINE AND SUBMISSION

All applications must be developed and submitted in the NYS Grants Gateway by **3:00 PM, ~~June 24, 2016~~ August 26, 2016.**

Developing an on-line application includes answering program questions and uploading required program documents and forms. Paper applications will NOT be accepted. Applicants should not wait to the last hour/minute to submit their application in the Grants Gateway. DEC strongly encourages applicants to submit their on-line application at least a day before the deadline to allow time for applicants to address any potential Grants Gateway technical problem.

FUNDING

Up to \$500,000 is available from a NYS General Fund Local Assistance Account for the NYS Sewage Pollution Right to Know Grant program.

PROJECTED PERIODS/TERMS

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a two-year contract term. Applicants should not begin their projects or incur costs until an official grant award notice is received from DEC and a Master Contract for Grants (MCG) has been fully approved by DEC. If necessary to complete a project, DEC will assess a contract time extension based on written justification from the Grantee on the need for an extension. Applicants should not submit an application if they anticipate their project cannot be completed within a two-year contract term.

MINIMUM AND MAXIMUM AWARD AMOUNTS

There is no minimum grant amount. Maximum grant amount is \$50,000.

APPLICATION LIMIT

Eligible applicants may only submit one application under this grant opportunity.

MATCH REQUIREMENT AND EXPENDITURES

Grant funds are available for up to 90 percent of the total eligible project costs. Applicants are required to provide a 10% match on the grant fund amount.

APPLICANT ELIGIBILITY

Eligible applicants must meet all of the criteria listed below.

1. Municipality, as defined in 6 NYCRR Part 750, means any county, town, city, village, district corporation, special improvement district, sewer authority or agency thereof; AND
2. Municipality must have permitted CSOs; AND

3. The municipal wastewater system must serve less than 200,000 people; AND
4. The municipality must agree to use NY-ALERT to report CSO discharges for their entire system. The municipality must be registered with NY-ALERT, or must have submitted to DEC by Friday, ~~June 24, 2016~~ **August 26, 2016** an application to use NY-ALERT.

Eligible applicants must be registered in the NYS Grants Gateway. To complete a registration, an applicant must have a valid Federal Employee Identification Number (FEIN), and a New York State Vendor Identification Number (VIN). If a municipality (for example, a county) passes a governing resolution authorizing a department under its jurisdiction to apply for funding, that department must register separately in the Gateway if they have their own FEIN and NYS VIN number. If the department uses the same FEIN and NYS VIN as the County, the department should apply under the County's registration in the Gateway.

QUESTIONS AND ANSWERS

Please email all grant opportunity questions to overflow@dec.ny.gov. Include *NYS Sewage Pollution Right to Know Grant Program* in the subject line of the email. Questions regarding this grant opportunity will be accepted by the Department until **4:00 PM on Friday June 10, 2016-August 12, 2016**. All questions and answers will be uploaded in the Grants Gateway for all applicants to view.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION OVERSIGHT

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of the RFA in accordance with the method of award, or withdraw the RFA at any time at the DEC's sole discretion.
- Award a portion of a grant request based on the scope of work proposed in the application and ineligible project-related expenses.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the DEC's within 60 - 90 days of a grant award. 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.

II. PROJECT ELIGIBILITY CRITERIA AND INFORMATION

GRANT OBJECTIVES

This grant is intended to provide funding to municipalities so they can purchase and install detection or monitoring devices on CSO outfalls to better inform the public and state agencies about CSO conditions in real time. Specifically, this grant focuses on smaller communities with fewer CSO outfalls. Smaller communities typically have less funding available for projects such as monitoring or detection.

PROJECT TYPES

Below are the four types of CSO technology options available for funding:

1. **CSO activation detection devices.** This technology consists of a simple device that remotely monitors if a CSO is currently active, and is the most basic technology available. This device does not capture any other information such as flow, BOD, or other parameters; it only alerts the facility if the outfall is active. Most communities rely on rudimentary visual observation methods.

Department of Public Works staff must go out periodically to check if the devices have been moved by an active CSO. Communities that must do this type of detection would benefit from an upgrade to an electronic on/off detection and data transmittal system.

2. **Flow monitoring devices.** This technology captures more information than CSO detection. Flowmeters detect when a CSO triggers and also capture flow rate, and other characteristics of the wastewater depending on the technology installed. Since they are more expensive than detection devices, they are typically not installed in communities with large numbers of CSOs. The advantage of a flowmeter versus a detection device is that it provides a more accurate representation of the discharge from a CSO. To retrieve data collected by the flowmeters, municipal staff must travel to the outfall and manually download data from the recording device. This takes time and effort, and for communities with multiple outfalls this can become a burden.
3. **Flow monitoring with remote communication system.** To capture the data from a detection device or flowmeter, a remote communication system is necessary. These remote systems transmit data from either device via radio to a receiver stationed at the wastewater treatment facility. At the facility, all the data is stored electronically. This system can push out notifications via cellphone to alert key personnel immediately.
4. **Public notification system.** Many communities with CSOs are developing public notification systems to transmit the CSO information to the public and notify them of possible discharges. A public notification system for CSO activity is a vital aspect of a municipality's Long-Term Control Plan. Current systems range from simple e-mails to real-time notifications based on a computer model. Development of more complex public notification systems requires a model of the combined sewer system, programs to retrieve and inspect data, and a component with which the public can interact and acquire information. These notification systems are generally only useful for communities with current monitoring and data transmittal technologies.
 - a. **Simplified Model:** calculates triggers for each CSO outfall that, based on total amount of rainfall received, predict whether a CSO is currently overflowing. This simple model does not provide real time volume, but is intended to indicate that receiving water bodies may be unsuitable for recreational purposes.

PRIORITY PROJECTS

This grant focuses on assisting communities that currently have no detection or monitoring capabilities.

- Highest priority are communities with no coverage who will use this funding to obtain complete or less than 100 percent coverage of all outfalls.
- Secondary priority are communities who currently have partial CSO detection and will use the funding to provide complete detection coverage of all outfalls.
- Tertiary priority are communities who currently have:
 - a) partial coverage and will use the funding to add more coverage but will provide coverage for less than 100 percent of their outfalls; or
 - b) partial coverage and will use the funding to upgrade only currently covered outfalls; or
 - c) complete coverage and will use the funding to upgrade existing technology for the complete system or for less than 100 percent of their outfalls.

ANTICIPATED PROJECT TIMELINE

Applicants are required to provide a timeline for meeting project objectives, tasks, and deliverables accounted for in performance measures, that can be successfully completed within a two-year time frame. In the development of the timeline, applicants can anticipate a Master Contract for Grants (MCG) term

start date of ~~October 1, 2016 and a term end date of September 31, 2018~~ **December 1, 2016 and a term end date of November 30, 2018.**

MINIMUM PROJECT ELIGIBILITY

Application must include one of the following types of CSO detection technologies;

- CSO activation detection devices
- Flow monitoring devices
- Flow monitoring with remote communications systems
- Public notification system

Ineligible Projects include:

- Rehabilitation of CSO outfalls (i.e. weir adjustments, pipe diversions)
- Tidal gates or control devices
- Repair, replacement, or separation of combined sewer systems

III. ADDITIONAL APPLICATION REQUIREMENTS AND INFORMATION

Please be sure to complete the following required application information in the Grants Gateway:

- **Expenditure Based Budget**
Applicants must complete an itemized budget in the NYS Grants Gateway that provides details of the proposed project-related expenses. Budget detail must clearly distinguish between expenses to be claimed under the grant funds and match funds. The itemized budget should also indicate the component, the number of units to be completed and the estimated costs associated with each component. Eligible project types and their components, and eligible and ineligible costs are identified in this RFA. A project's reasonableness of costs is at least 20 percent of the evaluation factor in the scoring of the application; therefore, attention to budget accuracy is critical.
- **Work Plan**
Applicants must complete a work plan in the Grants Gateway application that provides a clear overview of the project. Applications must include proposed project objectives and tasks associated with meeting performance measures. The work plan should include anticipated time frames in meeting proposed project objectives, tasks and performance measures (Spring, Summer, Fall, Winter). Work plan time frames must be consistent with the timeline applicants are required to upload in the Grants Gateway application.

Note: A Work Plan Worksheet is provided in the Grants Gateway (see Pre-submission upload area of the application) as a tool to help applicants organize their proposed project objectives, tasks, and performance measures. The Work Plan Worksheet should NOT be uploaded back into the Grants Gateway. The worksheet is intended to assist applicants in developing their application work plan in the Grants Gateway.

IV. APPLICATION EVALUATION, SCORING AND SELECTION

All applications will be reviewed and scored by a review team in accordance with the evaluation and scoring criteria contained in this RFA. **Applicants are strongly encouraged to read and address the Application Review and Scoring Standards in the process of developing an application.** Knowledge of the scoring criteria is valuable for designing and proposing a relevant and quality project. Scoring consists of:

Step 1: Applicant and project pass/fail eligibility determination

The applicant and application will receive an initial eligibility pass/fail review. If an applicant fails one or more of this criteria, the application will be determined ineligible and will be disqualified from further technical review. All eligibility criteria are identified in Section VII of this RFA.

Step 2: Project evaluation, scoring, and selection

If an application meets all pass/fail eligibility criteria, the application will be further reviewed, evaluated and scored by DEC in accordance with Section VII Evaluation and Scoring Standards. The following criteria will be evaluated in the scoring of eligible projects presented by communities with CSOs:

- Volume discharged per capita served by the collection system;
- Percent of total active outfalls the project will apply for;
- Priority of the project (highest, secondary or tertiary);
- Receiving waterbody classification;
- Cost effectiveness
- Environmental Justice.

Method of Award

Projects will receive a final technical score and then be selected for grant funding beginning with the highest down to the lowest ranked scores.

In the event DEC has remaining funding that cannot fully fund the next highest scored and ranked project, DEC staff will contact the next highest ranked municipality to determine if their project can move forward with partial funding. The DEC will continue award project funding in this fashion until the total amount of available funding is exhausted.

Tie breaker: In case of a tie, DEC will look at individual scoring categories to determine a grant award. The following evaluation criteria will be reviewed in the following order:

1. Project priority
2. Volume discharge per capita
3. Number of active outfalls applied for
4. Waterbody classification
5. Cost effectiveness

V. GRANT PROGRAM PAYMENT AND REPORTING

PAYMENT AND REPORTING

- No advance payments will be provided to municipalities. Municipalities are not eligible to receive advance payments under State Finance Law.

- Project costs eligible for reimbursement and project match must be incurred between the MCG term start and end dates. Costs incurred prior to the MCG term start date or after the MCG term end date will be ineligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the DEC for costs to be eligible for grant reimbursement.
- Quarterly MCG payment reimbursement requests will be accepted prior to submission of a final closeout reimbursement request. Approved project design must be in place to submit a reimbursement request.
- Quarterly Narrative Reports must be submitted no later than 30 days from the end of the quarter. The reports will summarize how the project progressed towards meeting project objectives and deliverables during the quarter.
- Quarterly Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the quarter. These reports must correlate to subsequent vouchers submitted for payment.
- Final Report must be submitted and approved by DEC prior to the release of the final contract payment to the Grantee. The Contractor must submit the Final Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the grant funds were utilized in achieving the goals set forth in the approved MCG Attachment C Work Plan. Copies of appropriate documents (i.e. inventory and/or management plan) must be submitted and approved by DEC.
- A DEC on-site inspection may be required to confirm all work was completed in accordance to the approved project work plan.

PROJECT EXPENDITURES

Eligible grant funds and matching funds include costs associated with the purchase and installation of detection or monitoring devices on CSO outfalls. If applying for a public notification system, costs related to the set-up of the model are eligible. Eligible grant and match costs consist of: personal services: salary and fringe, and non-personal services: contractual services, equipment purchases, and other supplies and materials.

Ineligible costs include those related to operation and maintenance of the devices, such as service fees, data charges, travel, operating expenses, space/property or utility costs.

Eligible sources of match funding consist of cash contributions and/or in-kind (force account) services put forth by the applicant to complete the project. Other state or federal funding sources are not eligible sources of match funding. Eligible match costs are considered the same costs eligible for grant funds. Applicants will be required to complete a match worksheet in the Grants Gateway.

STATEWIDE PRIORITY EVALUATION CRITERIA

- **Priority for Environmental Justice (EJ) Projects**
The DEC demonstrates a commitment to Environmental Justice (EJ) and remedies for communities that may be burdened by negative environmental consequences. Environmental justice is defined by the DEC as the fair treatment and meaningful involvement of all people, regardless of race, color or income, with respect to the development, implementation and enforcement of environmental laws, regulations and policies. A proposed project that is located in an EJ community or will directly benefit an EJ community, will be eligible for five (5) priority

points in the project scoring. Maps of EJ areas in New York State are available at: <http://www.dec.ny.gov/public/899.html>. To qualify for the extra points, you must provide the following details at the time of application:

- a.) The exact street location where the project is to be implemented (no P.O. Box) or where the benefit will be provided.
- b.) A brief (few sentences) description of how the project will benefit minority or low-income populations that experience disproportionate adverse environmental impacts, such as: pollution from multiple industrial facilities, sub-standard water quality, concentrated diesel emissions from bus depots, or other heavy vehicle traffic, adverse health effects related to environmental impacts (high asthma), lack of access to green benefits such as open space, environmental education or parks, or other such impacts.

VI. WHAT TO EXPECT IF YOU RECEIVE AN AWARD

NOTIFICATION OF AWARD

Applicants selected to receive a grant award will be notified by email and in an official DEC award letter. The NYS Grants Gateway will also provide an award status.

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS (MCG)

Applicants selected to receive a grant award will be required to execute a MCG **within 60 - 90 days** from the time of their award notification. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded in the Grants Gateway application under the screen named 'Contract Document Properties'. The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (*NYS standard terms and conditions*)
- Attachment A-1 Program Specific Terms and Conditions (*Agency and Program specific terms and conditions*)
- Attachment B-1 Expenditure Based Budget (*project expense categories and detail*)
- Attachment C Work Plan (*project objectives, tasks and performance measures*)
- Attachment D Payment and Reporting Schedule (*claims for reimbursement and grant reporting provisions*)

Applicants selected to receive a grant award of \$10,000 or less will receive grant funding pursuant to a Letter of Agreement (LOA). The terms and conditions of the Letter of Agreement can be viewed and/or downloaded in the pre-submission area of the Grants Gateway and will include the Program Specific Terms and Conditions, Expenditure Based Budget, Work Plan and Payment and Reporting Schedule.

IMPORTANT NOTE: Project related costs must be incurred within the term of the MCG to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the DEC until a MCG or LOA is fully approved by the DEC. All contracts must be approved by the contract start date, which will be determined at the time of an official award.

Applicants should be prepared to comply with the following MCG requirements:

- **Insurance Requirements**
Applicants will be required to carry appropriate insurance upon execution of a MCG and as

specified in the MGC Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Please refer to Program Terms and Conditions for additional insurance information.

- **Vendor Responsibility Questionnaire**

Subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm , or go directly to the VendRep System at <https://portal.osc.state.ny.us>

- **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 (SFL), § 165-a, effective April 12, 2012. By entering into a contract, the contractor 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 MCG, Attachment A-1 Program Specific Terms and Conditions.

MINORITY/WOMEN BUSINESS ENTERPRISES (M/WBE) AND EQUAL EMPLOYMENT OPPORTUNITIES (EEO) REQUIREMENTS

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 Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the DEC, to fully comply and cooperate with the DEC in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment opportunities for minority group members and women (“EEO”) and 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.
- Failure to comply with M/WBE and EEO requirements may result in a DEC 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.
- Please refer to the NYS Master Contract for Grants - Article IV.(J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at <http://www.dec.ny.gov/about/48854.html>
- 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 M/WBE 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 M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, http://www.dec.ny.gov/docs/administration_pdf/quarterly.pdf, detailing payments made by the Prime Contractor to NYS Certified M/WBEs.
- The following M/WBE-EEO “Fair Share” goals are established as follows:

Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:

Construction/Engineering – 30%

Commodities – 30%

Services/Technologies – 30%

Equal Employment Opportunity (EEO) Participation Goals:

EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 10%

EEO Female Workforce Participation Goals (DEC Regions 1-9) 10%

- DEC M/WBE Contact Person
Carla Leubner, Compliance Specialist
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/MWBE Program
625 Broadway, 10th Floor
Albany, New York 12233-5028
Phone: (518) 402-9240
Fax: (518) 402-9023

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 approved eligible project costs.

VII. APPLICATION EVALUATION AND SCORING STANDARDS

(Maximum 110 points)

PASS/FAIL EVALUATION CRITERIA

An application must meet all of the following pass/fail criteria to be considered eligible for further technical review and evaluation. If an applicant fails to meet one or more of the following pass/fail criteria, their application will be determined ineligible and disqualified from grant funding.

1. Is the applicant an eligible municipality, as defined in the RFA? *pass/fail*
2. Does the applicant’s municipal wastewater system serve less than 200,000 people? *pass/fail*
3. A municipality must have permitted CSOs. Does the applicant have permitted CSO’s?
pass/fail
4. Has the municipality registered with NY-ALERT, or submitted to DEC an application to use NY-ALERT to report CSO discharges? *pass/fail*

5. Does the application include one of the following types of CSO detection technologies as defined in this RFA? *pass/fail*
 - CSO activation detection devices;
 - Flow monitoring devices;
 - Remote communications systems;
 - Public notification system.

6. Has the applicant provided the required 10 percent local match from eligible sources of matching funds?

APPLICATION EVALUATION CRITERIA (TOTAL AVAILABLE EVALUATION POINTS = 110)

1. Project Priority	Points Awarded
Communities with no detection looking to obtain complete coverage of detection for all outfalls.	30
Communities with no detection looking to obtain coverage of detection for less than 100 percent of outfalls.	25
Communities with partial detection coverage looking to provide complete detection coverage.	20
Communities with: a) partial coverage looking for more coverage but less than 100 percent coverage or b) less than 100 percent coverage looking to upgrade only currently covered outfalls.	10
Complete coverage looking to upgrade complete system or less than 100 percent of system.	5

2. Volume Discharged per Capita Served by Collection System (Normalized Value)	Points Awarded
>80	10
61-80	8
41-60	6
21-40	4
0-20	2

3. Percentage of Total Active Outfalls Applied For	Points Awarded
100%	30
81-99%	25
61-80%	20
41-60%	15
21-40%	10
1-20%	5

4. Cost Effectiveness Measure	Points Awarded
Community is using some grant funding and matching above 10 percent from local sources to cover 100% of their outfalls.	25
Community is using only grant funds to cover 100 percent of their outfalls.	15
Community is using both grant funding and matching above 10 percent from local sources, but covering less than 100 percent of their outfalls.	10
Community is using only grant funds to cover less than 100 percent of their outfalls.	5

5. Receiving Waterbody Classification	Notes	Points Awarded
AA, SA, GA (primary water supply aquifer), AA special	Specially protected high quality drinking water and shellfish	10
A, A special, GA (other), GSA	Other drinking water	8
B, SB, C (T), C (TS)	Contact recreation, trout and trout propagation	6
C, SC, I	Other fishing	4
D, SD, GSB	Other water uses	2

6. Environmental Justice (EJ):

Will the proposed project benefit a designated Environmental Justice Community, and has the necessary EJ application information been provided?

- If yes.....5 points
 - If no0 points
-

TOTAL ELIGIBLE POINTS.....110 points