

New York State Department of Health
Center for Community Health/Division of Family Health
Bureau of Child Health

RFA # 17371

Grants Gateway # DOH01-DWFR41-2017 (Component 1)

Grants Gateway # DOH01- DWFR42-2017 (Component 2)

Drinking Water Fluoridation – Round 4

Component 1: Planning and Feasibility Projects

Component 2: Implementation and Maintenance Projects

Questions and Answers

(Questions received between August 23, 2017 and September 30, 2018)

Program Specific Questions:

1. **Question:** We're in the middle of completing our Component 1: Planning Project from a previous round of funding and wanted to know if we were to have a final engineering report in hand by January 2018, do you think all of the money will be already committed for Round 4 Component 2?

Response: The Department cannot say with certainty that funding will be available in January 2018 for Drinking Water Fluoridation Component 2 projects. It is dependent on when applications are received and the amount requested. Based on experiences with requests from Rounds 1-3, we anticipate that money will be available. Component 2 applications under Round 4 will be accepted until the full \$4.5 million has been awarded. This may only take a few months or it may take a year or longer.

2. **Question:** Is it anticipated that there will be a Round 5?

Response: No, there will not be a Round 5 because the Department is accepting applications for the Drinking Water Fluoridation Round 4 RFA on a continuous basis. Applications under Round 4 will continue to be accepted, reviewed and awards made on the Grants Gateway contingent upon appropriation/reappropriation in the State Budget. Since Round 4 is not ending, there will not be a Round 5.

3. **Question:** Can our Town apply for implementation even though their engineering report is not officially accepted by the Department of Health?

Response: An Engineering Report does not need to be officially accepted by the Department for the Town to submit a Component 2 application. The Town can apply at any time using an Engineering Report developed by a New York State licensed engineer. The Department will review the Engineering Report as part of the application review process. The Town will be responsible for gaining formal approval by Local or State Health within 90 days of contract execution in accordance with Objective 1 – Engineer's Report, Performance Measure 1a (page 37 of the RFA) should a contract be awarded under Round 4.

4. **Question:** Our Town recently completed its Engineering Report and is now looking to apply for funding to cover detailed design services. What Component should we apply for?

Response: The Town should apply for detailed design services under Component 2 – Implementation and Maintenance Projects (Grants Gateway # DOH01- DWFR42-2017).

5. **Question:** Our Town would like to utilize grant funding to cover the cost of implementation (i.e. construction and design services during construction). We want to make sure that we can apply for Round 4 – Component 2 grant funding to cover all the phases of the project (i.e. detailed design services, construction, and design services during construction). As the design has not been completed, any cost information included in the Component 2 application would be based on our detailed cost estimate and not firm bid numbers until the contract is awarded. Is this a problem?

Response: The Town has the option to submit one application for all remaining phases of the project including detailed design services, construction, and design services during construction. However, a contract can only be awarded at or below the amount requested in the application. Additional money cannot be added to the contract after-the-fact. Applicants should be mindful of this when preparing their cost estimates and budget.

If the Town is concerned about under budgeting, it can submit two separate applications. The first for detailed design services only. Once that project is completed and the Town has more finalized bids, a second application can be submitted for costs related to construction and engineering services during construction, should Round 4 Component 2 funding still be available.

It is important to note that should additional equipment or services be identified during the detailed design services portion of the project, the Town can submit another application to cover those specific additional items. This is only the case for equipment/services NOT included in the initial Round 4 Component 2 application. Note, that a second application would need to be approved and a contract awarded before work could begin on those specific items.

6. **Question:** In reviewing the MWBE “Attachment 7” materials, information on workers that is requested that the municipality isn’t planning to obtain until the project is indeed been awarded and the construction goes out to bid. With that scenario, can a signed Form 5 policy statement be uploaded into the application in order to fulfill the MWBE requirement at this time, with the additional forms filled out at a later time?

Response: A complete MWBE utilization plan is required at the time of application. This includes forms 1, 4, and 5. An applicant may not request a waiver (form 2) without proof of good faith efforts.

7. **Question:** For application question 6c, (page 25 for Component 1 and page 29 for Component 2) “Upload all bids, quotes and cost estimates for equipment/services related to the project,” how should a municipality fulfill this requirement if the bids for construction have not gone out yet?

Response: Applicants must obtain appropriate bids, quotes, and cost estimates to ensure the application budget captures all applicable costs.

8. **Question:** The coversheet for the application states we need to include the licensed engineer's information associated with the project if the project total cost is over 50k for Component 2... Where does it state that we have to have an associated engineer before applying for the grant for component two? I can't find this information in the full RFP/RFA.

Response: For Component 2 projects greater than \$50,000, the RFA requires an Engineering report completed by a New York State licensed professional engineer as part of the application (refer to pages 11-12, 27-28 and 33 of the RFA). Additionally, the RFA requires that a grantee obtain documentation from a New York State licensed professional engineer certifying the project complete and verifying that it is the same project that was submitted to and accepted by the Department (refer to page 10 of the RFA).

The applicant may complete the engineer contact information section of *Attachment 1: Grant Application Cover Sheet* with any of the following: the engineer that prepared the Engineering Report, the engineer that will certify the project complete, or "to be determined" if the engineer certifying the project complete will be identified after a contract has been awarded.

9. **Question:** Can we apply to have a portion of the project coordinator's salary supplemented by the grant application for coordinating the construction work? Can we also apply to have a portion of the grant administrator's work covered under the grant application?

Response: Yes, if the project coordinator and grant administrator support the technical and administrative scope of the grant, the budget may include personal service costs. The RFA states a Project Coordinator may be partially supported for the oversight and coordination of the overall project. Additional staff can be included in the budget. Justification for each cost should be submitted in the narrative section of the corresponding budget line. For all existing staff, the Budget Narrative must delineate how the percentage of time devoted to this initiative has been determined (pages 8 and 25 (Component 1) and 12-13 and 28-29 (Component 2) of the RFA). Note, page 9 of the RFA states that "grant funding will not be used for assistance towards the costs and expenses of operation of the fluoridation system." This includes support of staff for the operation of fluoridation equipment. Coordinating construction work would be considered in scope.

10. **Question:** We are preparing an application to the NYSDOH to improve some fluoride equipment and have a question relating to MWBE. The Village's internal control policy (and NYS General Municipal Law) state that public works projects over \$35,000 must be procured via sealed bid. We're concerned that the sealed bidding process may not result in an MWBE construction contractor will be selected. We know we can likely get a consulting engineering firm with either M or W, but this is anticipated to be close to 10%-15% of the total project cost.

What should we do? Should we file for a waiver with the grant application or should we file and make a good-faith effort to meet the requirement through the hiring of a consulting engineer that is M, W or MW and through sealed bids to hiring a construction contractor that is M/W or M&W?

Response: A total or partial MWBE waiver request must be accompanied by proof of good faith efforts to meet the 30% participation goal. It is acceptable to file the utilization plan and request a total or partial waiver at a later date if efforts to meet the goal resulted in less than 30% participation. The utilization plan must state how the applicant plans to make the efforts,

such as a description of the procurement process and active solicitation of NYS certified M/WBE vendors.

11. **Question:** In the RFA, it states that all subcontractors are required to be approved by the DOH. Can you please explain what the approval process entails? If, for instance, we were to have a subcontractor that performed work for a total amount under \$100,000, does the subcontractor need to be approved prior to the start of work? If not, how and when would that subcontractor be approved by the NYSDOH?

Response: Yes, the project and subcontractor must be approved by the DOH prior to the start of the project. The process for approval is as follows. Applicants should complete the appropriate forms as part of the RFA and known subcontractors must be identified in the budget by name, regardless of dollar amount. If the subcontractor is unknown at the time of application, To Be Determined (TBD) should be used in place of the name. The RFA is submitted to the DOH for review and after the applicant is notified of their award the applicant must submit a copy of the subcontractor agreement to the DOH via email prior to the start of work for review and final approval. The DOH will notify the prime contractor of subcontractor agreement approval via email response.

12. **Question:** For the MWBE Utilization Plan (Form #1), can you please provide some direction as to how we should proceed in completing that form as part of the grant application? In our case, we are planning that the majority of the work will be performed in-house. The purchase of the fluoridation equipment would come via the public bidding process, which we were going to begin after contract execution if we were awarded the funding. As part of the bidding process, we would notify potential MWBE vendors of this equipment that a public bid was posted as part of our good faith efforts. If an MWBE vendor did not submit or win the bid, then we would pursue a MWBE waiver. Therefore, as we would look to carry out the bidding process and good faith efforts following awarding of the grant and contract approval and execution, can you please provide direction as to how to complete Form #1 at this time in order to submit it with the grant application?

Response: At this time, Form #1 should be completed as follows: After your application is approved, applicants may file the utilization plan and request a total or partial waiver at a later date if efforts to meet the goal results in less than 30% participation. The utilization plan must state how the applicant plans to make the efforts, such as a description of the procurement process and active solicitation of NYS certified M/WBE vendors. The Projected M/WBE Usage chart on Form 1 of the utilization plan should be completed as if the 30% goal will be met.

13. **Question:** Please explain what Space/Property & Utilities refer to in the budget?

Response: The category of Space/Property refer to rent, depreciation, maintenance and repairs, and the Utilities category refer to items such as electric, heat, cell phone, internet, and telephone. Please refer to Attachment 4 in the pre-submission upload section of the Grants Gateway for a complete detailed listing of budget data entry guidelines.