



Department of  
Environmental  
Conservation

# GUIDELINES AND APPLICATION INSTRUCTIONS

New York State  
Department of Environmental Conservation  
**Hudson River Estuary Program  
and  
Natural Resource Damages**

***Round 26  
2018 Hudson River Estuary Grants  
for  
River Access***

***NYS Grants Gateway Application ID No.:  
Hudson River Estuary: DEC01-HRER26-2018  
Natural Resource Damages: DEC01-NRD26-2018***

**Application Due Date: (3:00 P.M. ET, August 22, 2018)**

## Table of Contents

### Contents

|  |           |
|--|-----------|
| <b>Table of Contents.....</b>                                      | <b>1</b>  |
| <b>Introduction .....</b>  | <b>4</b>  |
| <b>Timetable of Key Events.....</b>                                | <b>4</b>  |
| <b>Applicant Eligibility.....</b>                                  | <b>4</b>  |
| <b>Grant Opportunity General Information and Conditions .....</b>  | <b>5</b>  |
| 1.    Funding .....  | 5         |
| 2.    Proposed Project Timeframes .....                            | 5         |
| 3.    Minimum and Maximum Award Amounts .....                      | 5         |
| 4.    Application Limit/Award limit.....                           | 6         |
| 5.    Eligible Project Locations.....                              | 6         |
| 6.    Match Requirement and Expenditures.....                      | 6         |
| 7.    New for this Grant Round.....                                | 6         |
| 8.    Inquiries & Designated Contact Information .....             | 7         |
| 9.    Department of Environmental Conservation Oversight.....      | 7         |
| 10.   Application Submission .....                                 | 7         |
| <b>Applicant Prequalification .....</b>                            | <b>8</b>  |
| 1.    Register for the Grants Gateway.....                         | 8         |
| 2.    Complete your Prequalification Application .....             | 8         |
| 3.    Submit Your Prequalification Application .....               | 9         |
| <b>Grant Application Requirements and Conditions .....</b>         | <b>10</b> |
| 1.    Project Objectives .....                                     | 10        |
| 2.    Minimum Eligibility (Pass/Fail criteria) .....               | 11        |
| 3.    Project Types (Program Question 3) .....                     | 12        |
| 4.    Project Objective and Impact (Program Question 5) .....      | 13        |
| 5.    Project Timeline (Program Question 7) .....                  | 13        |
| 6.    Applicant Partners (Program Question 10) .....               | 13        |
| 7.    Universal Design (Program Question 12) .....                 | 13        |
| 8.    Storm Resiliency (Program Question 15) .....                 | 14        |
| 9.    Building upon Prior Planning (Program Question 17) .....     | 14        |
| 10.   End-User Benefit and Engagement (Program Question 18).....   | 14        |
| 11.   Project Sustainability/Durability (Program Question 20)..... | 14        |

|  |   |           |
|--|---|-----------|
| 12.  | Permit Requirements (Program Question 21) .....   | 15        |
| 13.  | Availability to the Public and Landowner Permission (Program Question 22) .....   | 15        |
| 14.  | Knowledge, Skills and Experience (Qualifications) (Program Question 24).....  | 15        |
| 15.  | Project Cost Effectiveness (Program Question 25) .....  | 16        |
| 16.  | Bonus Points for Minimum Standards for End-User Engagement, Qualifications, and Cost Effectiveness (Program Questions 18, 24, 25).....            | 16        |
| 17.  | Statewide Priority (Program Questions 26-27).....   | 16        |
| 18.  | Additional Points .....   | 17        |
| 19.  | Expenditure Based Budget.....   | 17        |
| 20.  | Work Plan.....  | 17        |
| 21.  | Pre-Submission Upload: Smart Growth Infrastructure Policy Act.....  | 17        |
| 22.  | Historic Preservation Review Requirements (if applicable to your project).....  | 18        |
| 23.  | Coastal Consistency Requirements.....   | 18        |
| <b>Application Evaluation, Scoring and Selection .....</b>             |   | <b>19</b> |
| <b>Grant Program Payment.....</b>                                      |   | <b>21</b> |
| <b>Eligible and Ineligible Expenditures .....</b>                      |   | <b>21</b> |
| <b>Eligible Project Expenditures .....</b>                             |   | <b>21</b> |
| <b>Ineligible Project Expenditures .....</b>                           |   | <b>21</b> |
| <b>Match Requirement and Expenditures .....</b>                        |   | <b>22</b> |
| <b>Eligible Forms of Match .....</b>                                   |   | <b>22</b> |
| <b>Ineligible Forms of Match .....</b>                                 |   | <b>23</b> |
| <b>Grant Program Reporting.....</b>                                    |   | <b>23</b> |
| <b>What to Expect If You Receive an Award.....</b>                     |   | <b>24</b> |
| 1.   | Notification of Award .....   | 24        |
| 2.   | State of New York Master Contract for Grants (MCG) .....  | 24        |
| 3.   | Applicants (referred to as “Contractor” following award of Grant Contract) Should Be Prepared to Comply With the Following MCG Requirements:..... | 25        |
| 4.   | Procurement of Contractors/Subcontractors .....   | 27        |
| 5.   | Americans With Disabilities Act.....  | 27        |
| <b>Appendix I: Maps of Eligible Project Locations.....</b>             |   | <b>28</b> |
| <b>Appendix II: Budget and Work Plan Guidance .....</b>                |   | <b>31</b> |
| <b>Appendix III: Application Evaluation and Scoring Criteria .....</b> |   | <b>34</b> |
| <b>Appendix IV: Credit Sign Specifications .....</b>                   |   | <b>38</b> |
| <b>Appendix V: Universal Access, Sources.....</b>                      |   | <b>39</b> |

|  |           |
|--|-----------|
| <b>Appendix VI: Universal Access, Guidance .....</b> | <b>41</b> |
| <b>Appendix VII: Application Checklist.....</b>      | <b>45</b> |

## Introduction

The New York State Department of Environmental Conservation is pleased to announce funding for projects that implement priorities of the *Hudson River Estuary Action Agenda* to conserve, restore and revitalize the estuary and its ecosystem.

Two separate applications are available under this RFA, for projects in the Hudson River Estuary:

- Application No. DEC01-HRER26-2018 must be used for projects in the Hudson River Estuary, in locations that do not include the Village of Sleepy Hollow or the Village of Tarrytown.
- Application No. DEC01-NRD26-2018 must be used for projects in the Village of Sleepy Hollow and Village of Tarrytown that propose funding from the Natural Resource Damages (NRD) Fund, as further described in this RFA.

*NRD Funding:* In 2010, the New York State Department of Environmental Conservation (NYSDEC), the Trustee, resolved a natural resource damages claim with General Motors LLC (GM) pertaining to injured natural resources of the Lower Hudson River, and adjacent ecosystems from the Former GM North Tarrytown Assembly Plant Site (Site) located in the Village of Tarrytown, Westchester County, New York. The affected site is in the immediate vicinity of the eastern portion of the former Tappan Zee Bridge. The Trustee sought a monetary settlement with GM as compensation for the injuries to natural resources due to releases of environmental contaminants from the Site into the Hudson River. The settlement has been in an interest-bearing account since receipt. The Trustee is required to use settlement funds to compensate for those injuries by restoring natural resources, supporting habitat, and/or services provided by the injured resources. This RFA is being issued in part to assist the Trustee in carrying out the responsibilities under CERCLA (43 CFR Part 11).

Applications must be submitted through the NYS Grants Gateway (<https://grantsgateway.ny.gov>).

Paper applications will NOT be accepted. Applicants are strongly encouraged to submit their applications prior to the application deadline. Late applications will not be accepted. For more information about Grants Gateway, please visit the Grants Reform website (<http://www.grantsreform.ny.gov/Grantees>) or contact the Grants Reform Team at: [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The Grants Reform help desk/hotline can be reached at (518) 474-5595.

Grant application information is also available on the Department's website at [www.dec.ny.gov/lands/5091.html](http://www.dec.ny.gov/lands/5091.html).

## Timetable of Key Events

| Event:                              | Date:                         |
|-------------------------------------|-------------------------------|
| Application Period Begins           | June 22, 2018                 |
| Question & Answer Period Ends       | August 15, 2018               |
| Applications Due                    | August 22, 2018; 3:00 p.m. ET |
| Award(s) Announced By (anticipated) | Approximately November 2018   |

## Applicant Eligibility

For the purposes of this grant program, the following entities are considered eligible applicants: Governmental Entities, Municipalities, and Quasi-Governmental Entities, including but not limited to Counties, Cities, Towns, Villages, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof, Public Benefit Corporations, Public Authorities, Municipal Corporations, Soil and Water Conservation Districts, School Districts, and Community Colleges, and 501(c)(3) not-for-profit corporations whose projects are located within the eligible geographic boundaries defined in this RFA.

For this grant opportunity, a “Not-For-Profit Corporation” (NFP) is subject to New York State’s Not-For-Profit Corporation Law and is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has an IRS 501(c)(3) determination letter to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

Individuals and unincorporated groups are not eligible for this grant opportunity. However, an eligible applicant may apply on behalf of an individual or unincorporated group as a fiscal sponsor. The fiscal sponsor accepts responsibility of the grant, and serves as a fiscal conduit for a DEC-funded project, receiving and disbursing funds related to the grant, and administering the requirements throughout the DEC grant process, including final reporting of grant activity.

For Multi-Partner and Inter-Municipal Projects: If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead applicant must submit the application for grant funding. The lead applicant must assume the responsibility for the project application, performance of work consistent with this RFA, and the State of New York Master Contract for Grants (MCG). Letters substantiating the collaboration from each partner are required. These letters are to be uploaded to the Grants Gateway in a single PDF (see “Applicant Partners” on page 13).

## **Grant Opportunity General Information and Conditions**

### **1. Funding**

Approximately \$950,000 is available under this grant opportunity as follows:

#### Projects funded by Hudson River Estuary Program / EPF:

Grants Gateway Application No.: DEC01-HRER26-2018

- NYS Environmental Protection Fund, Hudson River Estuary Program – approximately \$200,000.

#### Projects funded by Natural Resource Damages / NRD:

Grants Gateway Application No.: DEC01-NRD26-2018

- NYS Natural Resource Damages Fund – approximately \$750,000.

### **2. Proposed Project Timeframes**

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a three-year contract period/term. Applicants should not begin their projects or incur costs until a MCG has been fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end date will be determined by the DEC based upon written justification from the Grantee. Applicants should not submit an application if they do not anticipate their project can be completed within the specified contract term.

### **3. Minimum and Maximum Award Amounts**

The minimum grant amount for both funding sources is \$10,500.

The maximum grant amount for projects funded by the Hudson River Estuary EPF is \$50,000.

The maximum grant amount for projects funded by the Natural Resource Damages Fund is \$375,000.

#### 4. Application Limit/Award limit

Applicants may submit up to two (2) applications. Multiple applications may not be for the same project or project location, except for NRD-funded projects. Additionally, applicants who submit more than one grant application will only be eligible to receive one grant award in this grant round, unless additional funding remains after all qualifying grant awards are made (at one per grantee). Additional grants for qualifying projects will be awarded to an entity already receiving a grant award in this grant round, starting with the next highest scoring application, in accordance with the scoring criteria on page 19.

#### 5. Eligible Project Locations

Two project areas are applicable under this RFA:

- i. Hudson River Estuary Program (Grants Gateway Application DEC01-HRER26-2018): Eligible projects for grant funding must be located within defined geographic boundaries of the Hudson River Estuary watershed (see map in Appendix I). “Hudson River Estuary” refers to the legislatively designated Hudson River Estuarine District established in Environmental Conservation Law §11-0306, which extends from the Troy dam to the Verrazano Narrows and includes Upper New York Bay to Kill Van Kull and the East River to Hell Gate, focused on the tributaries that flow into any of these waters. The map of eligible boundaries may also be viewed at [www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/hregrantmap.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/hregrantmap.pdf). A searchable Google Maps version is also available for download at: <http://www.dec.ny.gov/pubs/103459.html> (Data Set titled “Hudson River Estuary Grant Program boundaries” listed under the “Misc. Environmental Maps” Section).
- ii. Natural Resource Damages Fund (Grants Gateway Application: DEC01-NRD26-2018): Eligible projects for grant funding must be located on publicly accessible lands within the Village of Sleepy Hollow or Village of Tarrytown (see map in Appendix I).

#### 6. Match Requirement and Expenditures

Match is the portion of project expenditures not paid for with grant funds. Match can be from local and/or in-kind contributions. Local sources can include funding from other non-state and/or non-federal grant sources or from project partners. In-Kind contributions are non-cash donations provided by non-state and/or non-federal third parties, which can include equipment, supplies, services, and other expendable property. Matching share contributions must support the objectives outlined in the Work Plan.

Eligible sources of match funds cannot come from other New York State or federal funding sources. Applicants will be required to provide the sources of all matching funds using the Match Worksheet in the Grants Gateway.

For this grant opportunity, applicants must match at least 15% of the grant funding amount.

#### 7. New for this Grant Round

- Revisions were made to the eligible project types. Review descriptions of project types carefully.
- Funding from the Natural Resource Damages Fund is available for projects on publicly accessible lands in the Village of Sleepy Hollow and Village of Tarrytown. Projects funded by NRD may include planning, but also must include a shovel-ready component, as described in Project Objectives. *Be sure to select the appropriate application in the Grants Gateway for NRD projects (DEC01-NRD26-2018).*
- Applicants may complete their projects in three years, as opposed to the two-year contract period provided in past River Access grant opportunities.

## 8. Inquiries & Designated Contact Information

For general information on completing this application and for clarification of application requirements, contractual terms and procedures, contact:

Susan Pepe, Hudson River Estuary Program Grants Coordinator  
[HREPgrants@dec.ny.gov](mailto:HREPgrants@dec.ny.gov)

Include **2018 Access RFA** in the **subject line** of the email. Questions regarding this grant opportunity will be accepted by the DEC until C.O.B. August 15, 2018. All questions, and answers, will be uploaded in the Grants Gateway application for all applicants to view.

## 9. 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.
- 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.
- 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 DEC's sole discretion.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with DEC 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.

## 10. Application Submission

Applications must be submitted through the NYS Grants Gateway (<https://grantsgateway.ny.gov>). Paper applications will NOT be accepted. Applicants are strongly encouraged to submit their applications prior to the application deadline. Late applications will not be accepted.

All Applicants must be **Registered** with Grants Gateway to submit an application. In addition to registration, **not-for-profits** must also be **Prequalified** at the time and date that the application is due. If you are not Prequalified at that time and date, your application will not be considered. For more information about Grants Gateway and Prequalification, please visit the Grants Reform website (<https://grantsreform.ny.gov/Grantees>) or contact the Grants Reform Team at: [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The Grants Reform help desk/hotline can be reached at (518) 474-5595.

**PLEASE DO NOT DELAY IN BEGINNING AND COMPLETING THE  
PREQUALIFICATION PROCESS.**

**THE STATE RESERVES 5 DAYS TO REVIEW SUBMITTED  
PREQUALIFICATION APPLICATIONS. PREQUALIFICATION  
APPLICATIONS SUBMITTED TO THE STATE FOR REVIEW LESS  
THAN 5 DAYS PRIOR TO THE DEADLINE FOR THIS APPLICATION**



MAY NOT BE CONSIDERED.

APPLICANTS SHOULD NOT ASSUME THAT THEIR  
PREQUALIFICATION INFORMATION WILL BE REVIEWED IF THEY  
DO NOT ADHERE TO THIS TIMEFRAME.

## **Applicant Prequalification**

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 contract process which require nonprofits to register in the Grants Gateway and complete the Vendor Prequalification process in order for applications to be evaluated. Information on these initiatives can be found on the Grants Reform Website.

All Applicants must be Prequalified in the Grants Gateway at the time and date that the application is due. Applications received from nonprofit Applicants that have not registered and are not Prequalified in the Grants Gateway by the application due date and time listed at the beginning of this document cannot be evaluated. If you are not Prequalified at that time and date, your application will not be considered. **Such applications will be disqualified from further consideration.**

Below is a summary of the steps that must be completed to meet registration and Prequalification requirements. The Vendor Prequalification Manual on the Grants Reform Website details the requirements and an online tutorial is available to further explain the process.

**PLEASE NOTE:** The information included here regarding Prequalification is not intended to be exhaustive, and Applicants should visit the Grants Reform website (<https://www.grantsreform.ny.gov/Grantees>) or contact the Grants Reform Team ([grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov)) for more information about Grants Gateway and Prequalification. The Grants Reform help desk/hotline can be reached at (518) 474-5595.

### **1. Register for the Grants Gateway**

- On the Grants Reform Website, download a copy of the [Registration Form for Administrator](#). A signed, notarized original form must be sent to the NYS Grants Reform Team at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your Username please email [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). If you do not know your Password please click the Forgot Password link from the main log in page and follow the prompts.

### **2. Complete your Prequalification Application**

- Log in to the Grants Gateway. **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 SAVE.
- 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 *Required Documents*. This constitutes your Prequalification application. Optional Documents are not required

unless specified in this document.

- Specific questions about the Prequalification process should be referred to your agency representative or to the Grants Reform Team at [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The Grants Reform help desk/hotline can be reached at (518) 474-5595.

### 3. Submit Your Prequalification Application

- After completing your Prequalification application, click the **Submit Document Vault** link 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.

Once you are Prequalified, please check the status of your document vault on a regular basis to ensure that none of your documents expire prior to the application due date. Refer to Grants Reform Guide entitled [Monitoring and Updating Your Organization's Prequalification Status](#). **Expired documents will lead to the loss of Prequalification status.**

**Applicants are strongly encouraged to begin the prequalification process as soon as possible in order to participate in this grant opportunity.** Please do not delay in beginning and completing the prequalification process. The State reserves 5 days to review submitted Prequalification applications. Prequalification applications submitted to the State for review less than 5 days prior to the application deadline may not be considered. Applicants should not assume that their Prequalification information will be reviewed if they do not adhere to this timeframe.

If you are not yet registered with Grants Gateway, there are many resources available to help you understand how to register and become Prequalified:

- [The NYS Grants Reform Website](#)
- [Video: Grants Gateway Registration](#)
- [New York State Prequalification System for Grants Contract Vendors: A Resource Manual and Users Guide for Not-for-Profit Vendors](#)
- [Biweekly Document Vault webinars. All information can be found on the Grants Reform website - Training Calendar](#)

The Grants Reform Team offers regular live webinars for anyone who is interested in additional information about Grants Gateway, the Prequalification process, or submitting online applications. Learn more including times and dates for these webinars: <http://grantsreform.ny.gov/training-calendar>. Any additional technical training related to this application will also be posted to the training calendar.

You can also contact the Grants Reform Team for additional assistance:  
Phone: (518) 474-5595; Email: [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov)

# Grant Application Requirements and Conditions

## 1. Project Objectives

This Hudson River Estuary Grant RFA for River Access seeks to assist Hudson Valley municipalities and organizations build their capacity to implement the *Hudson River Estuary Action Agenda* Benefit 6: Access for Education Recreation and inspiration, Target 3:

*“Access is improved for fishing, swimming, boating, and wildlife-dependent recreation on tidal waters for all using principles of universal design and storm resilience, especially in under-served communities.”*

See <http://www.dec.ny.gov/lands/5104.html> for an overview of the Hudson River Estuary Action Agenda and links to background information.

Funding is available to improve access to the tidal waters of the Hudson. It may be used to support development of plans, purchase of equipment, and/or construction of physical improvements, as described in greater detail below under “eligible projects.” Throughout this RFA, the word “plan,” as used to describe a deliverable, is deemed to broadly include: plans, feasibility studies, designs and related permitting activities, etc. For projects to design or develop plans, securing the necessary permits is considered to be an appropriate work activity covered by the grant.

Programming to engage user groups or target audiences in the design, use and/or roll-out of the funded river access may be included as part of the project scope of work.

*Consideration of long-term resiliency to sea-level rise and flooding is strongly encouraged as an element of project design for **all** eligible projects.* New York State Projected Sea-level rise can be found in 6NYCRR Part 490 (<https://www.dec.ny.gov/regulations/103877.html>).

*Wherever possible, incorporating principles of universal design is also strongly encouraged for all projects.* For projects to improve universal access for people of all abilities, applicants are encouraged to think about all components of accessibility. Examples of improvements include:

- Provision for the appropriate placement of accessible bathroom facilities, including port-a-potties;
- Constructing accessible shelters or pavilions;
- Acquiring accessible picnic tables and/or grills;
- Installing accessible docks, piers and/or swimming areas;
- Purchasing adaptive equipment, such as accessible beach walkway systems, fishing equipment, all terrain or beach wheelchairs, adaptive kayaks, or watercraft transfer systems;
- Developing adequate parking facilities and other needs for busses and accessible vans, including ADA designated parking and clear pathways for travel that specifically improve the use of the site for boating, fishing, swimming, and/or wildlife-related recreation or educational interpretation of the estuary for people of all abilities;
- Creating interpretive signage in a variety of languages with accommodations for people with visual disabilities;
- Retrofits to existing structures such as railings, picnic tables, pathways, curb cuts, to meet ADA standards.

The full scope of an accessibility project should include accessible parking and pathway to the new element or a reference that these already exist.

The following are **not** eligible improvements for this funding opportunity:

- Playgrounds and ball courts;
- Non-accessible picnic tables and grills;

- Fees associated with long-term rental of facilities such as port-a-potty rental fees or fees associated with a temporary/removable accessible ramp rental;
- Paving and parking not directly related to access for boating, fishing, swimming, and/or wildlife-related recreation or educational interpretation of the estuary for people of all abilities.

For more guidance on ways to improve the accessibility of a site, see “Improving Usability for all Visitors” at <http://adirondack.org/node/14> and the Access Board’s Summary of Accessibility Standards for Federal Outdoor Developed Areas at <https://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas/a-summary-of-accessibility-standards-for-federal-outdoor-developed-areas>.

Additional resources are listed in Appendix V to this RFA.

## **2. Minimum Eligibility (Pass/Fail criteria)**

- The applicant must be eligible, as shown on page 4 of this RFA. A not-for-profit organization must also be prequalified in the Grants Gateway by the application due date to be determined eligible under this grant opportunity.
- The project must be located within the defined geographic boundaries of the Hudson River Estuary. In general, for purposes of this RFA, as defined in the eligible project types, that means projects will be on, near or tightly-focused on the tidal Hudson, including the tidal portion of its tributaries or Upper NY Bay, up to the first barrier. Projects are not eligible if they are located on land owned by New York State, unless the land is managed by a local government under a formal agreement with the state. In addition, to be eligible for NRD funding, the project must be located in the Village of Sleepy Hollow or Village of Tarrytown on publicly accessible lands.
- The project must provide, improve or plan for direct access to the Hudson River Estuary or tidal portions of its tributaries for boating, swimming, fishing, enjoyment of nature or wildlife-related recreation. Shoreline stabilization projects that are needed to secure the eroding shoreline of public river access sites, or to make river access sites more resilient to flooding and sea level rise, are eligible if they follow the principles outlined in the criteria for the project type specified below. Projects proposed for NRD funding in the Village of Sleepy Hollow or Village of Tarrytown may include planning, but also must include a shovel-ready component.
- The applicant must provide photos of the current location and condition of the site, uploaded to the Grants Gateway.
- Projects must implement one of the eligible project types identified in this RFA.
- The uploaded project time line indicates completion of project objectives, tasks and deliverables on or before January 31, 2022.
- All project funding sources are eligible and at least 15% in eligible match is identified. Project matching funds must be fully secured, and success of the grant should not depend on funding that is not yet secured.
- If applicable, letters of collaboration that include the “Lead” applicant designation are provided from all applicant partners.
- Construction projects must have all required permits in place at the time of application.
- For projects involving work on property owned by an entity that is not the applicant, the applicant must provide as an upload to the application, written documentation from the landowner indicating willingness for the project to take place on their property. For example, a “Friends of the Park” group must have documentation from the park owner.
- Application completeness: The application is broken out into four sections in the Grants Gateway: Program Information, Expenditure Budget, Work Plan, and Pre-Submission Uploads. To be eligible, applicants must complete all of these sections and upload the required documentation. See the checklist on the last page of the RFA as a reference.

### **3. Project Types (Program Question 3)**

Funding must be used to implement one of the following project types to meet the above Project Objectives. Applicants will identify the project type number for the Program Question.

#### **(1) New Hudson River Shoreline Access**

Applicants may apply for projects on the shoreline of the tidal waters of the Hudson River estuary, including the tidal portion of its tributaries, to plan, design and/or construct improvements for new access sites for fishing, swimming, boating and/or wildlife-dependent recreation along the tidal waters of the estuary. Such projects must be consistent with the Americans with Disabilities Act (ADA), and should strive to utilize the principles of universal design wherever possible so that people of all abilities can access and enjoy the river; and should be resilient to future storms and sea-level rise.

*Projects that propose NRD funding may include a planning phase, but must include at least one shovel-ready component to be completed by the end of the grant period.*

#### **(2) Hudson River Shoreline Access Retrofits**

Applicants may apply for projects to improve existing access to the Hudson River estuary, to:

- a) develop, retrofit, repair, or make improvements to existing river access sites to become more resilient to erosion, tidal flooding, and sea-level rise; and/or
- b) improve access for people of all abilities for boating, fishing, swimming, and/or wildlife-related recreation or educational interpretation of the estuary for people of all abilities on and along the estuary.

For projects aimed at making existing river access more resilient to tidal flooding and sea level rise, projects should: (i) use Sustainable Shoreline principles that provide habitat values; and/or (ii) use nature-based design principles for resiliency, such as absorbing and directing floodwaters within the park, designing structures and electrics for flow-through of flood waters, and use of vegetation that can withstand flooding, such as switchgrass, goldenrod, and wild rye.

Sustainable Shoreline principles can be found at <https://www.hrnerr.org/hudson-river-sustainable-shorelines>.

*Projects that propose NRD funding may include a planning phase, but must include at least one shovel-ready component to be completed by the end of the grant period.*

#### **(3) Assessing and Planning for Accessibility Improvements (Not applicable for NRD funding)**

Applicants may apply for ADA designs, plans, assessments and ADA transition planning for existing access sites along the Hudson River estuary. Such plans must specifically lead to improving the use of the site for boating, fishing, swimming, and/or wildlife-related recreation or educational interpretation of the estuary for people of all abilities.

#### **(4) Regional Plans for River Access (Not applicable for NRD funding)**

Applicants may apply for plans or designs, or development of handbooks, which provide regional approaches for improving access to the Hudson and/or storm resiliency and/or use for people of all abilities.

#### **4. Project Objective and Impact (Program Question 5)**

Describe the objective for the proposed project, including methods, deliverables, and the need for the project. Projects that are likely to have a strong access, and/or positive impact on boating, fishing, swimming, and/or wildlife-recreation users of all abilities will be priority. Higher points will be awarded to projects that also have a regional impact.

For purposes of this RFA, “regional” is defined as two or more municipalities (including counties and boroughs).

#### **5. Project Timeline (Program Question 7)**

Applicants **MUST** provide a timeline for meeting project objectives and identified tasks between February 1, 2019 and January 31, 2022.

For all projects, the project timeline should include consultation with Estuary Program Staff for project management purposes as step one in the time line.

For projects that propose a combination of planning and construction, the project timeline should include an activity to complete the permit process (see #12 Permit Requirements).

For projects that propose planning only, the project timeline should include an activity to complete a NYSDEC jurisdictional review with the applicable regional permit administrator (see #12 Permit Requirements).

Project expenditures prior to Master Contract for Grants (MCG) start date and after the MCG end date are not eligible for reimbursement or match.

#### **6. Applicant Partners (Program Question 10)**

The Applicant Partner is a collaborator who has a significant role in the conduct of the project, and is fundamentally a co-applicant for the grant. Projects involving an Applicant Partner (i.e. multi-partner and inter-municipal projects, page 5) require letters substantiating the commitment to collaborate that include the designation of a “Lead” applicant from each partner. A single PDF file of all letters should be uploaded to meet this requirement, if applicable for your project.

#### **7. Universal Design (Program Question 12)**

At a minimum, all projects are required to meet ADA standards, including parking, access routes and appropriate support facilities in relationship to the proposed project.

The incorporation of the principles of Universal Design, which goes beyond the minimum requirements of ADA is encouraged. Universal Design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for specialized design. The Universal Design concept simplifies participation by making products, communications and the built environment more usable by more people as it encompasses people of all ages, sizes and functional abilities. Appendix V includes Sources of Information on Accessibility and Universal Design.

Points for Universal Design are earned for proposing a universally accessible project where all or some of the project components are designed beyond minimum ADA requirements. In order to receive the highest amount of available points for this program question, specific examples of how Universal Design will be utilized must be provided. Appendix VI includes guidance on designing universally accessible recreation facilities, including the 7 Principles of Universal Design.



Documentation substantiating commitment to Universal Design is strongly encouraged. Any documentation must be provided at the time of application. Applicants will be asked in the Grants Gateway to upload, in a single PDF file, documentation supporting Universal Design.

#### **8. Storm Resiliency (Program Question 15)**

Points will be awarded to projects that have a strong component to integrate storm resiliency in the project design or execution to reduce the impacts of future coastal storms and flooding. Supporting documentation is strongly recommended. To receive points, such projects should: (i) use Sustainable Shoreline principles that provide habitat values; and/or (ii) use nature-based design principles for resiliency, such as absorbing and directing floodwaters within the park, designing structures and electrics for flow-through of flood waters, and use of vegetation that can withstand flooding, such as switchgrass, goldenrod, and wild rye.

#### **9. Building upon Prior Planning (Program Question 17)**

Applicants will be awarded points for building upon prior planning as follows:

- a) Taking the next step in a previously funded and successfully implemented Hudson River Estuary planning project;
- b) Implementing universal access recommendations included in municipal or regional recreational planning documents, including the NYS OPRHP SCORP, or ADA transition plans;
- c) Implementation of recommendations in Local Waterfront revitalization plans, Greenway Plans, or other related plans.

#### **10. End-User Benefit and Engagement (Program Question 18)**

Projects should demonstrate effective engagement of the user group(s), key stakeholders, and target audience (collectively, end-users) that will benefit as a result of the project. Applicants who clearly identify the end-users, and the value of the project to end-users, will receive points. The scope of work should describe how end-users will be engaged and informed during and after project completion.

Applicants are encouraged to engage local stakeholders such as the Centers for Independent Living (see [www.ncil.org](http://www.ncil.org) for a directory), local schools and special education teachers, neighborhood groups, and disability advocate groups such as United Cerebral Palsy (<http://ucp.org/find-us/>), The ARC (<http://www.thearc.org/find-a-chapter>), Little People of America (<http://www.lpaonline.org/local-info>), Paralyzed Veterans of America (<http://www.pva.org/>), and others.

Letters stating how they will use the grant project are a good indication of support from end-users whose support or involvement is necessary for the project to succeed (key stakeholders), and will improve the scoring of an application (additional points are available for applicants submitting letters). Support letters from the government body offering the grant, or institutions or organizations who are fiscal sponsors and/or will provide services under the grant, will not be considered and no points will be awarded. If letters are submitted, letters must be submitted at the time of application. Applicants will be asked in the Grants Gateway to upload, in a single PDF file, a copy of all letters of support.

*Applicants are strongly urged to fully address this application requirement. Failure to earn any points for this Program Question will result in the application being ranked "Low" (tied to Bonus Points for Minimum Standards [page 16]). Also see Application Evaluation, Scoring and Selection starting on page 19 of this RFA*

#### **11. Project Sustainability/Durability (Program Question 20)**

Projects are expected to be supported after the grant is completed. The project should be sustainable without substantial maintenance. Points will be awarded to projects that demonstrate long-term sustainability and durability. Uploading supporting documentation is optional, but encouraged, to

substantiate durability claims.

## 12. Permit Requirements (Program Question 21)

Permit requirements for all projects proposed under this RFA are as follows:

- Shovel-ready construction projects: Construction projects **MUST** have all required permits in place at the time of application, if applicable. Permit requirements are typically underestimated by applicants; most construction projects on or near the water will require some type of permit. Descriptions of permits that may apply to projects proposed are shown in Appendix II of this RFA. It is strongly encouraged for applicants to request a NYSDEC jurisdictional review from the applicable regional permit administrator (<https://www.dec.ny.gov/about/39381.html>) to confirm what permit needs may apply. Applicants will be asked in the Grants Gateway to upload, in a single PDF file, a copy of the cover letter(s) received for approved permit(s) or substantiate why no permits are needed.
- Projects that propose planning and construction: For projects that propose a combination of planning and construction, securing the necessary permits is considered to be an appropriate work activity covered by the grant. Applicants should include in the Work Plan and project timeline an activity to complete the permit process (see Appendix II of this RFA for more information on potential permit needs).
- Planning projects: For projects that propose planning only, applicants should include in the Work Plan and project timeline an activity to complete a NYSDEC jurisdictional review with the applicable regional permit administrator (<https://www.dec.ny.gov/about/39381.html>).

## 13. Availability to the Public and Landowner Permission (Program Question 22)

Projects must be open and available to the public. For projects involving work on property owned by an entity that is not the applicant, the applicant must provide as an upload to the application, written proof from the landowner (signed letter, formal written agreement, municipal endorsement or resolution, etc.) indicating willingness for the project to take place on their property and remain available to the public. For example, a “Friends of the Park” group must have documentation from the park owner. A single PDF file of all written documentation of proof of permission should be uploaded to meet this requirement, if applicable for your project. **To avoid disqualification, applicants must provide proof of landowner permissions at the time of application.**

*Projects are not eligible if they are located on land owned by New York State, unless the land is managed by a local government under a formal agreement with the state.*

## 14. Knowledge, Skills and Experience (Qualifications) (Program Question 24)

Applicants must possess the knowledge, skills, and/or track record to successfully implement the project. For this program question, applicants must identify lead staff who will be working on the project. Priority is given to applicants with excellent qualifications or a track record with this type of project.

For purposes of this RFA, experience and track record includes performance on current and prior Estuary grants, including quality and timeliness of grant reporting, progress on performance schedules, and completion of deliverables.

*Applicants are strongly urged to fully address this application requirement. Failure to earn any points for this Program Question will result in the application being ranked “Low” (tied to Bonus Points for Minimum Standards [page 16]). Also see Application Evaluation, Scoring and Selection starting on page 19 of this*



*RFA.*

### **15. Project Cost Effectiveness (Program Question 25)**

The cost-effectiveness of the proposed project will be evaluated as provided in the Application Review and Scoring Standards in Appendix III. The answer to this question, as well as the information provided in the Expenditure Budget will be used to determine scoring for cost effectiveness. Applicants that provide more match above the minimum 15% may be eligible for additional points for cost effectiveness (see Appendix III, page 36). Applicants are encouraged to provide quotes from vendors/contractors for the work to be completed to help justify cost effectiveness.

*Applicants are strongly urged to fully address this application requirement. Failure to earn any points for this Program Question will result in the application being ranked “Low” (tied to Bonus Points for Minimum Standards [page 16]). Also see Application Evaluation, Scoring and Selection starting on page 19 of this RFA.*

### **16. Bonus Points for Minimum Standards for End-User Engagement, Qualifications, and Cost Effectiveness (Program Questions 18, 24, 25)**

Applicants receiving points for all of these program questions (do not score zero points on any of these questions) will receive **89 bonus points**. *Failure to earn these bonus points will result in the application being ranked “Low” (see Application Evaluation, Scoring and Selection starting on page 19 of this RFA).*

### **17. Statewide Priority (Program Questions 26-27)**

#### **• Alignment with Regional Economic Development (REDC) Strategies**

Governor Andrew Cuomo directed the establishment of Regional Economic Development Councils (REDCs) to analyze the most significant business clusters in their respective areas. Any grants awarded by the State of New York shall take into consideration the recommendation of the relevant REDC or the Commissioner’s determination that the proposed project aligns within the regional strategic priorities of the region where the proposed project is located.

For Program Question 26, provide a brief narrative describing the economic benefits of the proposed project and how the project aligns with the strategies of the REDC plan for the project’s region (cite specific sections of the respective REDC plan, as applicable). The narrative must be included with the Application to receive points in the application review. If not applicable to your project, you must answer “N/A” for Program Question 26.

Each region has a unique plan. Visit <http://regionalcouncils.ny.gov/> for information on your region’s Economic Development Council.

#### **• Priority for Environmental Justice (EJ) Projects**

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, or a project that gives appropriate consideration to under-served urban neighborhoods (all potential neighborhoods whose demographic, geographic, or economic characteristics impede or prevent their access to adequate canopy cover and other benefits of trees) will receive points in the evaluation of an application. Maps of EJ areas in New York State are available at:

<http://www.dec.ny.gov/pubs/103459.html>.

To qualify for EJ points, your application must include the following details:

- a. To demonstrate location in an EJ area - The exact street location(s) where the project is to be implemented (no P.O. Box) or where the benefit will be provided; or
- b. To demonstrate location in an underserved neighborhood - A brief description of how the project will benefit underserved 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.

## **18. Additional Points**

### **• Community Support (Program Question 28)**

Applicants are encouraged to engage public officials in their application process to generate awareness of the project and its objectives. Applications which demonstrate support from a variety of local, county, or state appointed or elected officials above and beyond those essential to the project (Program Question 18), as evidenced by letters of support uploaded with the application, will receive points.

### **• Bonus points for applicants who do not have open (uncompleted) grants with the Estuary Program (Awarded based on Hudson River Estuary Program records as of the RFA deadline)**

In order to help new applicants to receive grants and to encourage speedy completion of grants, bonus points are available for applicants who do not have an open, uncompleted grant with the Estuary Program. To determine if the applicant has an open grant or not, an applicant with an existing grant must have submitted its final report and invoice and have received confirmation of completion by the deadline date for which this RFA is due.

## **19. 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 State grant share and expenses comprising the match. The itemized budget should also include appropriate level of information for the breakdown of costs for each budget item (depending on the budget category this information is provided in the budget detail and/or budget narrative). Eligible and ineligible costs are identified in this RFA. A project's reasonableness of costs is at least 20% of the evaluation factor in the scoring of the application; therefore, attention to budget accuracy will increase your project score.

## **20. Work Plan**

Applicants must complete a Work Plan in the NYS Grants Gateway that provides a clear overview of the project. Applications must include proposed project objectives, tasks associated with meeting each objective, and the performance measures associated with each task (performance measures should include desired project outcomes or deliverables). The Work Plan should include anticipated time frames in meeting project objectives, tasks and deliverables. Time frames must be consistent with the timeline applicants are required to upload in the Grant Gateway for Program Question 7.

Note: A Work Plan 'worksheet' is available for applicants in the Grants Gateway (under Pre-submission Uploads). The 'worksheet' can be downloaded and used as a tool to help applicants organize their proposed project objectives, tasks and performance measures. A completed 'worksheet' should NOT be uploaded back into the Grants Gateway. The intent of the 'worksheet' is to assist applicants in developing their application Work Plan in the Grants Gateway.

## **21. Pre-Submission Upload: Smart Growth Infrastructure Policy Act**

New York State's Smart Growth Public Infrastructure Policy Act (ACT), Environmental Conservation Law Article 6, requires the 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 the Act, or that compliance is considered to be impracticable, before making any commitment to fund such project(s).

In the Grants Gateway pre-submission upload section of the application, ALL applicants must download, complete and save the Smart Growth Assessment form prior to uploading the completed form back into the Grants Gateway. Important note: Be sure to check the form after uploading to ensure the correct file is uploaded and is completed as required.

## **22. Historic Preservation Review Requirements (if applicable to your project)**

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 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 State (OPRHP) for all historic property grants.

## **23. Coastal Consistency Requirements**

SEQR Type I and Unlisted actions located within the NYS Department of State's coastal zone boundaries must meet the consistency requirements of the Secretary of State's Coastal Management Program. This consistency determination will be performed by the Department as part of the grant review process. If the proposed project is located within a municipality that has an approved Local Waterfront Revitalization Plan (LWRP), the policies of that LWRP apply. Projects in other areas will need to be consistent with the State's 44 coastal policies. The coastal policies can be found at <https://www.dos.ny.gov/opd/programs/consistency/index.html>. Applicants are encouraged to determine if their project is located within the coastal zone, and to include in their site plan or sketch map their project's location within the coastal zone boundaries if applicable. Maps of the coastal zone boundaries can be found at [http://appext20.dos.ny.gov/coastal\\_map\\_public/map.aspx](http://appext20.dos.ny.gov/coastal_map_public/map.aspx).

## 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 Appendix III 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: Application and Project Eligibility Determination

Pass/Fail criteria – please refer to the Application Evaluation and Scoring Standards in Appendix III.

### Step 2: Project Evaluation, Scoring and Selection

If your application meets all eligibility pass/fail criteria it will be further evaluated and scored by a review team in accordance with the Evaluation and Scoring Standards contained in this RFA. These include:

- Evaluation of the project type, methods, budget and applicant qualifications;
- Assessment of the project impact, and priority project eligibility.

All eligible applications will be individually evaluated and scored by at least 3 technical review team members. Technical reviewer scores will be averaged and statewide priority points will be added to the average score to determine a final composite score. Based on the average score for project objective and impact (Program Question 5 in the Grants Gateway and evaluation criteria #1 in Appendix III of this RFA), applications will be assigned to one of four tiers.

Tiers are determined as follows:

| Primary Project Objective Score Thresholds by Tier |                      |                       |
|--|----------------------|-----------------------|
| Tier Number  | Lowest Average Score | Highest Average Score |
| Tier 1   | 20.0                 | 25.0                  |
| Tier 2   | 12.0                 | 19.9                  |
| Tier 3   | 3.0                  | 11.9                  |
| Tier 4   | 0.0                  | 2.9                   |

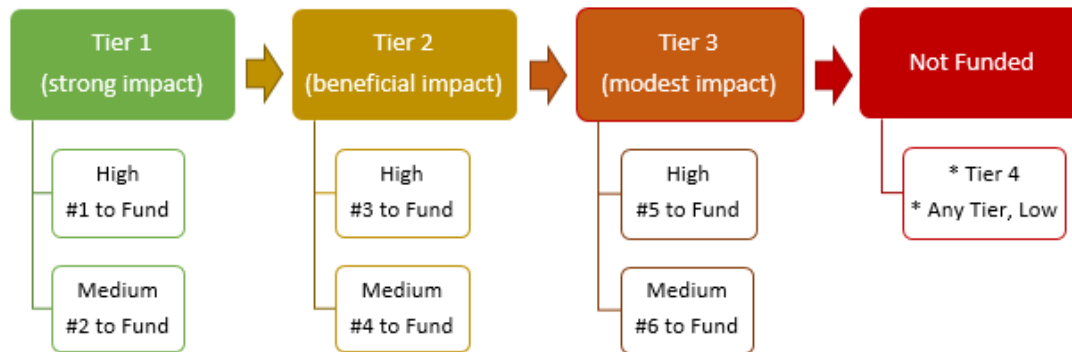
Applications will then be ranked within each tier as high, medium, or low based on the final composite score.

Ranks within Tiers are determined as follows:

| Tier Number | Rank          |               |        |
|-------------|---------------|---------------|--------|
|             | High          | Medium        | Low    |
| Tier 1      | 250.0 – 200.0 | 199.9 – 150.0 | ≤149.9 |
| Tier 2      | 235.0 – 185.0 | 184.9 – 140.0 | ≤139.9 |
| Tier 3      | 225.0 – 175.0 | 174.9 – 130.0 | ≤129.9 |
| Tier 4      | N/A           | N/A           | N/A    |

Tier placement and rank will be used to determine which projects receive funding. Applications will be selected for funding based on the highest to lowest scoring projects within each rank for high and medium ranking projects as follows: Applications in Tier 1 will be the priority for funding, followed by Tier 2, and then Tier 3. Tier 4 (applications not addressing the RFA objective for the project type and/or the access/positive impact on boating, fishing, swimming, and/or wildlife recreation users is

insignificant) and applications ranking low, regardless of tier (applications that do not meet minimum standards) will NOT be funded. Based on the scoring and evaluation process, these projects are deemed to be sufficiently flawed and should not be implemented with state funds. The Department may, at its discretion, decide to fund only one grant project if multiple applications are received for the same project.



**Award limit** – Applicants will only be eligible to receive one grant award in this grant round (the applicant’s highest scoring application) regardless of tier, rank, and score of subsequent qualifying applications (up to 2 applications can be submitted by a single applicant). However, in the event additional funding remains after all qualifying grant awards are made (at one per grantee), additional grants for qualifying projects will be awarded to an entity already receiving a grant award in this grant round, starting with the next highest scoring application. In the event there is a tie among remaining applications submitted by same organizations, the tie breaker will be addressed as described in the following paragraph.

**Tie breaker** – If there is a numerical tie in an application’s final score, the application that scores the highest in “Project Objectives and Methods” in the evaluation criteria will determine placement on the ranked list. If a tie remains, the application that scores the highest in “Project Success Factors” in the evaluation criteria number will determine placement on the ranked list. If there is a numerical tie between multiple applications within a funding category, the application that scores the highest in Cost-Effectiveness will determine placement on the ranked list. If a tie remains, the order applications were received will determine placement on the ranked list, with the earliest application placing highest.

## Grant Program Payment

Advance payments of up to 25% of the awarded grant amount may be available to not-for-profit grantees once a Master Contract for Grants (MCG) has been fully approved by all applicable State agencies. Only not-for-profits are 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 not be considered eligible 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.

## Eligible and Ineligible Expenditures

### Eligible Project Expenditures

- **Personal Services:** *Staff salaries including fringe benefits, directly devoted to the project implementation are eligible up to 20% of the requested budget.* Itemize salaries according to job title and roles/responsibilities on the project. Grantees will be required to document time worked, tasks, pay ratio and payment.
- **Contractual Services:** The value of services provided by responsible professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a facility, archaeological field work, report writing, curation of artifacts and interpretation, etc.).
- **Construction enhancements:** Costs directly associated with facility improvements.
- **Supplies and materials:** Directly needed to implement the project. Construction projects should include funds to cover required signage (see 3.b. on page 25).
- **Equipment:** Equipment (purchase/rental) that is directly necessary to implement the project, however, long-term rental fees for facilities such as port-a-potties or temporary/removable accessible ramps are not allowable for reimbursement.
- **Advertising costs:** Publicity, promotion and public education directly related to an operating or functioning project.
- **Land accessibility costs:** eligible direct project costs such as appraisals by a certified appraiser, title searches, surveys and associated legal fees. The land must be owned by the grant applicant.
- **Travel:** Travel costs directly required to implement the project (within New York State only).
- **Training costs:** costs are eligible if they are directly related to holding a training or workshop that will improve estuary stewardship outcomes.

### Ineligible Project Expenditures

- **Indirect costs:** Overhead or operating expenses (space, rent, utilities, etc.).

- Travel: Out-of-state travel costs, and any travel not directly required to implement the project.
- Land: Value of land.
- Equipment: Long-term rental of facilities such as port-a-potties or temporary/removable accessible ramps.
- Administrative salaries: Administrative salaries are NOT eligible for grant reimbursement, but may be used as match funds. For the purposes of this RFA, administrative salaries are defined as follows:
  - Preparation of equal employment opportunity and women and minority business enterprises documentation.
  - Preparation of quarterly narrative and expenditure reports.
  - Preparation of payment reimbursement request forms and backup cost documentation.
  - Preparation of Final Report upon project completion.
- State and/or federal funding: project costs funded from other state and/or federal funding sources are not eligible for grant reimbursement.

**Budget limitation: No more than 20% of the grant request may be allocated to personal services (the total of salary and match).**

## Match Requirement and Expenditures

Applicants must provide **15% in match funds based on the amount of grant funds.**

**Formula:** Requested Budget x 15% = Required Match

### Eligible Forms of Match

- Cash: Includes other grants from non-state or non-federal funding sources.
- Personal Services: Staff salaries devoted to the project, including fringe benefits expenses. Itemize salaries according to job title or job assignment on the project. Grantees will be required to document time worked, tasks, pay ratio and payment.
- Contractual Services: The value of services provided by responsible professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a facility, archaeological field work, report writing, curation of artifacts and interpretation, etc.).
- Supplies and materials: The current market value of items warehoused (not yet installed); use value current at time items were obtained.
- Volunteer Labor: Skilled and professional labor can be computed at the job rate. Unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise must be computed at the minimum wage (For example, a lawyer donating legal

services may compute the value based on the standard billing rate, but the same lawyer donating time painting walls must calculate the value using minimum wage).

- Equipment: Compute the value according to its fair market value in the project location. Within the contract period, long-term rental of facilities such as port-a-potties or temporary/removable accessible ramps is allowable as match.
- Land accessibility costs: eligible direct project costs such as appraisals by a certified appraiser, title searches, surveys and associated legal fees. The land must be owned by the grant applicant.
- Travel: Travel costs (within New York State) directly required to implement the project.
- Administrative Salaries: Administrative salaries must be documented and identified by task, and must fall within the grant contract term to be eligible as match. For the purposes of this RFA, administrative salaries are defined as follows:
  - Preparation of equal employment opportunity and women and minority business enterprises documentation.
  - Preparation of quarterly narrative and expenditure reports.
  - Preparation of payment reimbursement request forms and backup cost documentation.
  - Preparation of Final Report upon project completion.

Applicants must clearly identify administrative salaries to be used towards match in the personal services detail section of the expenditure budget.

### **Ineligible Forms of Match**

- Indirect costs: Overhead or operating expenses (space, rent, utilities, etc.).
- Travel costs: Out-of-state travel costs, and any travel not directly required to implement the project.
- Land: Value of land.
- Other State or Federal funding: Project costs paid from other state and/or federal funding sources.

## **Grant Program Reporting**

Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the calendar quarter. The reports will summarize how the project progressed toward meeting project objectives and deliverables during the respective 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 calendar quarter. These reports must correlate to subsequent vouchers submitted for payment.

Quarterly MCG payment reimbursement requests will be accepted prior to submission of a final



closeout reimbursement request. Approved project design, required permits and landowner permissions must be in place to submit a reimbursement request.

Final Report must be submitted and approved by the 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 use of 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 the DEC.

A DEC on-site inspection may be required to confirm all work was completed in accordance to the approved project Work Plan (including the installation of interpretive signage, if applicable, at the project site).

Any project involving volunteer time will be required to report the number of volunteers and the number of volunteer hours in their project quarterly status reports. The total number of volunteers and volunteer hours for the entire project must be reported in the Final Report.

Projects already receiving funds from another NYS or Federal assistance grant program are not eligible to receive funding for the same project activities identified in this RFA.

## **What to Expect If You Receive an Award**

### **1. 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 you with an award status.

**IMPORTANT NOTE:** By accepting an award, applicant agrees to abide by all MCG terms and conditions. Any changes to the terms and conditions will not be accepted and may affect applicant's award.

### **2. 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 HRE application under the screen named 'Contract Document Properties'. The MCG and attachments include:

- MCG 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 A-2 Federally Funded Grant Terms and Conditions (*optional*)
- 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)

**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 is fully approved by the DEC, and as applicable the Attorney General and the State Comptroller. All contracts must be approved by the contract start date of which will be determined at the time of an official award.

### **3. Applicants (referred to as “Contractor” following award of Grant Contract) Should Be Prepared to Comply With the Following MCG Requirements:**

#### **a. Insurance Requirements**

Contractor will be required to carry appropriate insurance as specified in the MCG, 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. Policies must name the contractor as an additional insured, with appropriate limits, covering contractor’s public liability and property damage insurance, contractor’s contingency liability insurance, “all-risk” insurance and workers’ compensation/disability benefits coverage for the project.

#### **b. Signage Requirements (if applicable)**

The Department will require project signs for construction projects under this RFA (see Appendix IV for specifications). All signs shall be constructed in accordance with the specifications identified in the Master Contract for Grants (size: 24" wide by 18" high or as appropriate to sign location, construction materials: aluminum blank sign boards with vinyl sheeting). The cost of the sign is a reimbursable project cost, and should be included in the “other” category in the expenditure-based budget. The Department may, in its discretion, waive this requirement if the sign cannot be reasonably maintained, the sign is not consistent with other laws, or the location of the sign would not provide a public purpose.

#### **c. Permit Requirements (if applicable)**

Contractors 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 Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors 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.

#### **d. State Environmental Quality Review Documentation**

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply, with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the DEC. The Contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

#### **e. Vendor Responsibility Questionnaire**

Not-For-Profit contractors and/or 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/enroll.htm>, or go directly to the VendRep System at <https://portal.osc.state.ny.us>

**f. 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.

**g. Minority/women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements**

The Department 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 Department, to fully comply and cooperate with the Department 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 Department 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/quarterlyversion7.pdf](http://www.dec.ny.gov/docs/administration_pdf/quarterlyversion7.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 – 20%  
Commodities – 20%  
Services/Technologies – 20%

Equal Employment Opportunity (EEO) Participation Goals

EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 0%

EEO Female Workforce Participation Goals (DEC Regions 1-9) 0%

DEC M/WBE Compliance  
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

#### **4. Procurement of Contractors/Subcontractors**

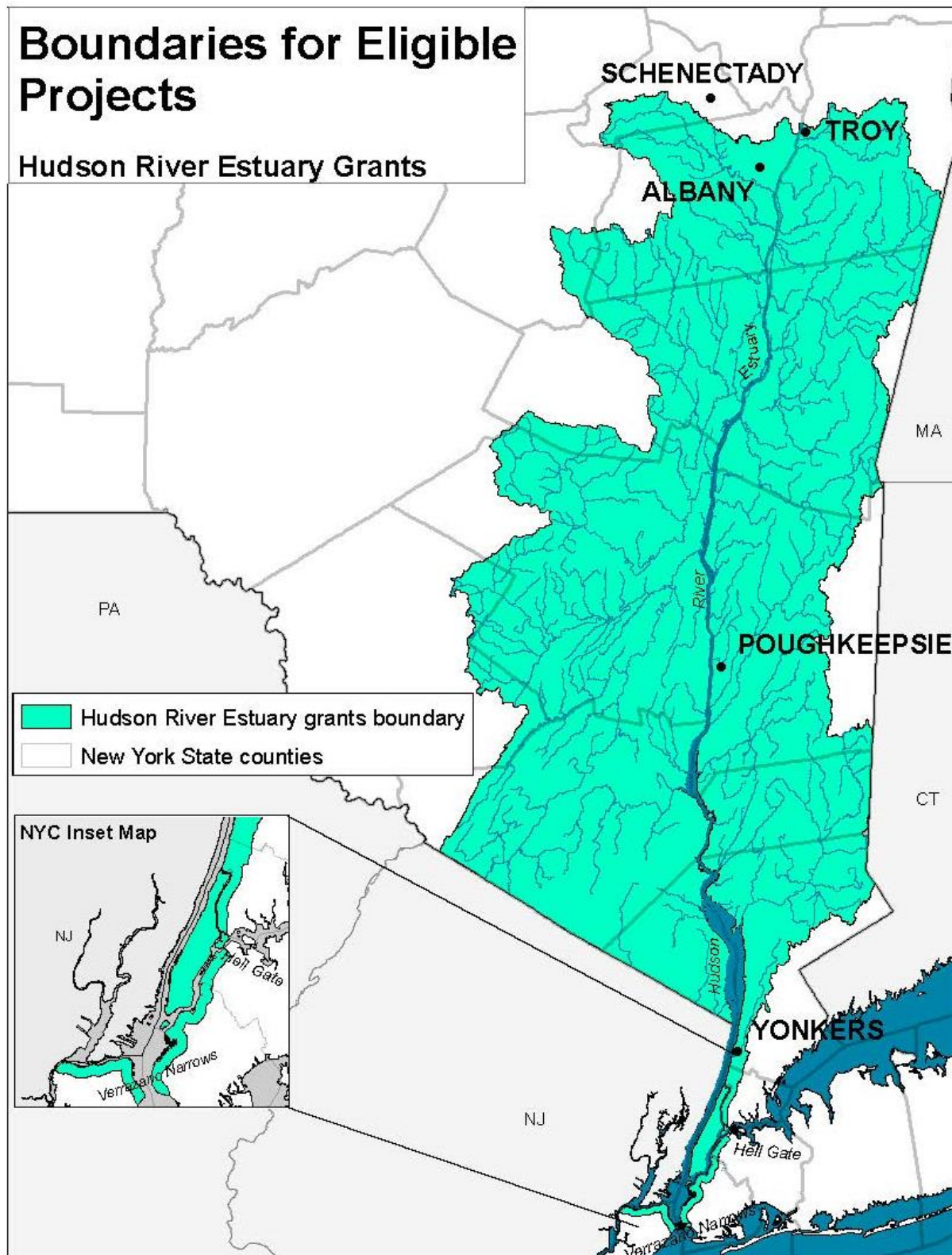
Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

#### **5. 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 <https://www.access-board.gov/guidelines-and-standards>.

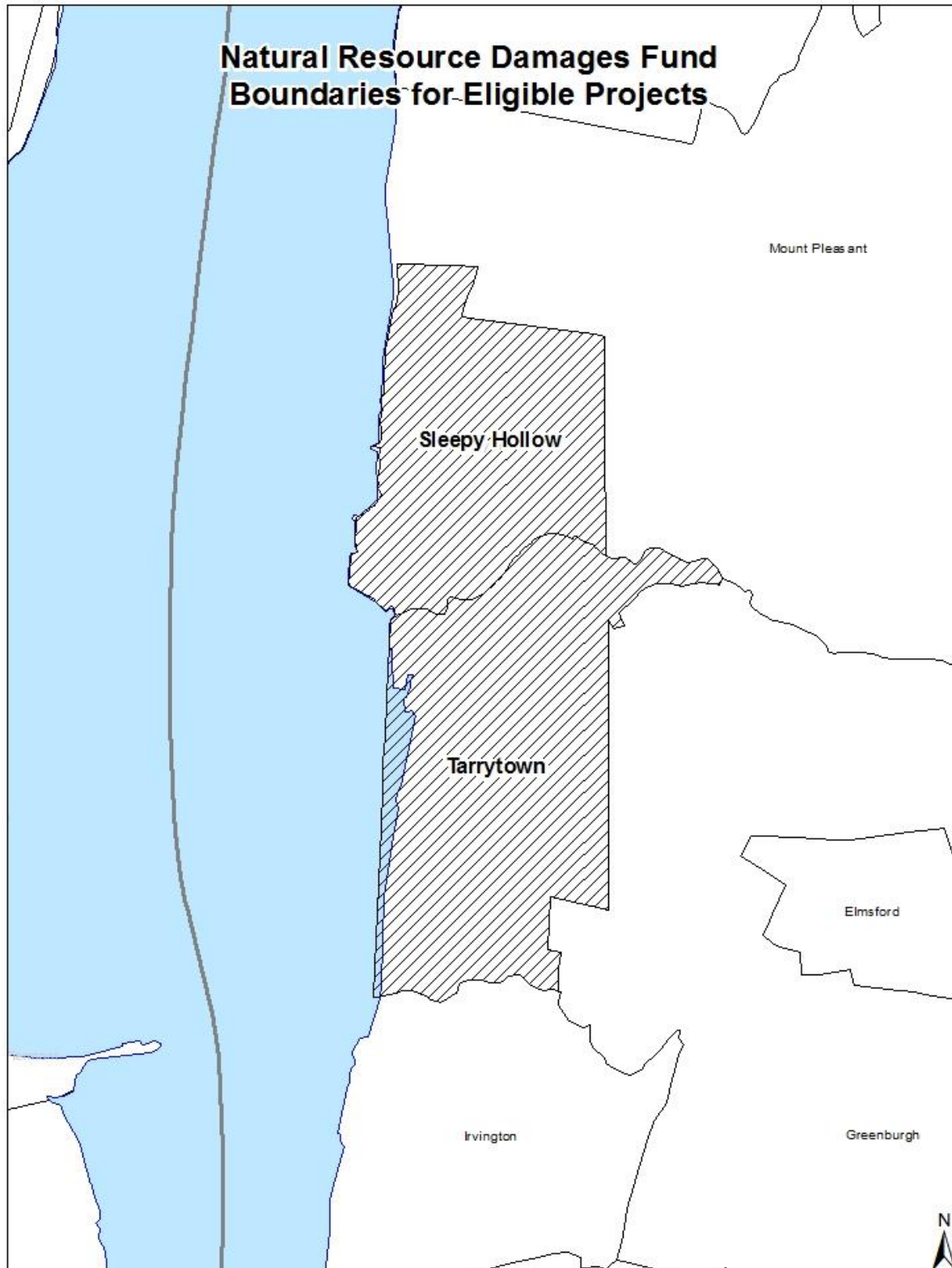
## Appendix I: Maps of Eligible Project Locations

### 1. HUDSON RIVER ESTUARY (APP. NO.: DEC01-HRER26-2018)





## 2. NATURAL RESOURCE DAMAGE FUND (APP. NO.: DEC01-NRD26-2018)



## MAP OF ENVIRONMENTAL JUSTICE AREAS FOR NRD GRANTS



## Appendix II: Budget and Work Plan Guidance

### BUDGET

#### General:

Eligible expenditures for grant and match are noted on pages 21-23 of this RFA.

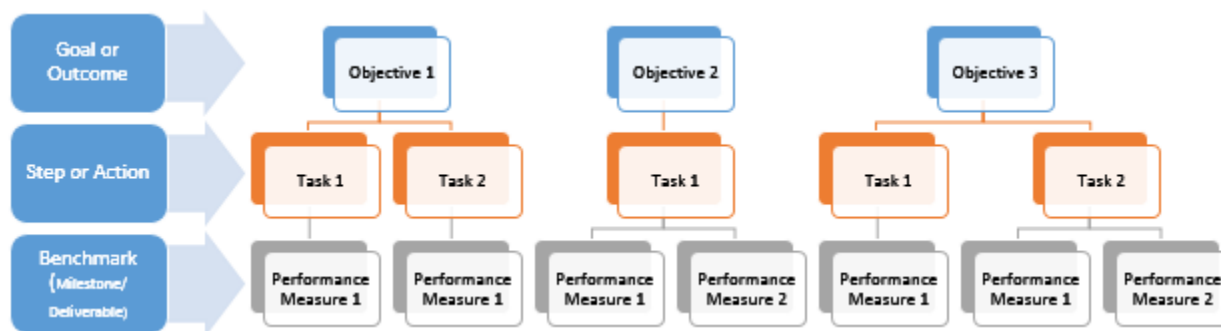
#### **Budget limitations:**

***No more than 20% of the grant request may be allocated to personal services (the total of salary plus fringe benefits).***

### WORK PLAN

#### General:

The Work Plan is an outline of the project plan and consists of Objectives, Tasks, and Performance Measures. Objectives are essentially the goals or outcomes of the project. Tasks are the detailed steps or actions required to meet the Objective. Performance Measures are the benchmarks used to determine if the corresponding task is achieved (often a milestone or deliverable that will identify task completion). The majority of the detail should be included at the task level.



The Work Plan must be input using the Work Plan functionality in the Grants Gateway. Editing the Work Plan, such as re-ordering objectives and tasks, is limited in the Grants Gateway. You are encouraged to develop the Work Plan outside of the Grants Gateway to mitigate the need to make more substantial edits.

A Word Document template, 'Work Plan Worksheet', is available for download under the 'Pre-Submission Uploads' area of the application in the Grants Gateway. The Worksheet can be used to help organize proposed project objectives, tasks and performance measures. A completed Work Plan Worksheet should NOT be uploaded back into the Grants Gateway. The intention of the document is to be a tool for application development only.

The Work Plan Summary should be a brief Statement of Work that provides an overview of the project. Although the Grants Gateway allows a large number of characters for a response, please keep the summary succinct and brief. The bulk of the information about the project should be input in the Work Plan Detail as Objectives, Tasks, and Performance Measures.



## **The following items must be included in the Work Plan:**

### All projects:

At a minimum, consultation of Hudson River Estuary Program Staff must be included in the Work Plan for project management purposes. It is strongly encouraged to incorporate opportunities for Estuary Program staff to attend stakeholder meetings and to provide technical assistance in the planning process.

### Projects proposing a combination of Planning and Construction:

For projects that propose a combination of planning and construction, securing the necessary permits is considered to be an appropriate work activity covered by the grant. Applicants should include an activity to complete the permit process in the Work Plan and project timeline.

### Projects proposing Planning:

For projects that propose planning only, applicants should include in the Work Plan and project timeline an activity to complete a NYSDEC jurisdictional review with the applicable regional permit administrator (<https://www.dec.ny.gov/about/39381.html>).

## **Permit Requirements that may apply to your project:**

The Environmental Resource mapper can be used to see if a wetland is state regulated:  
<http://www.dec.ny.gov/gis/erm/>.

A Brief Summary of permits that may be required when conducting activities in and along the Hudson River Estuary: (from NYSDEC Division of Environmental Permits, Region 3)

**A Protection of Waters Stream Disturbance permit** is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified as “protected” (<http://www.dec.ny.gov/permits/6554.html>), and a permit for **Excavation and Fill in Navigable Waters** for any excavation or fill below the mean high-water line of any waterbodies and contiguous wetlands identified as “navigable” (<http://www.dec.ny.gov/permits/6548.html>). Any structures on, in or over waterbodies may require a **Docks and Moorings permit** (<http://www.dec.ny.gov/permits/6550.html>).

Most of the underwater lands of the Hudson River are the property of the State of New York. Administration of the lands underwater is the responsibility of the Office of General Services and a license or **permit may be required for installation of a structure on or over NYS-owned lands underwater** (<https://www.ogs.state.ny.us/BU/RE/LM/EGLP.asp>). If an OGS permit or license is required, then a Docks and Moorings permit is waived.

Any work within Waters of the United States or associated wetlands may require a permit from the **Army Corps of Engineers pursuant to Section 404** of the Clean Water Act (<http://www.dec.ny.gov/permits/81010.html>). If a Section 404 permit is required then a **Section 401 Water Quality Certification** is required. Issuance of these certifications in New York is delegated to DEC. All of these projects are in the Coastal Management Zone and if a federal permit is required, then a **Coastal Consistency determination** by NYS Department of State, Office of

Planning & Development will be required  
(<https://www.dos.ny.gov/opd/programs/consistency/index.html>).

Most work within a **Freshwater Wetland or Adjacent Area** requires a permit  
(<http://www.dec.ny.gov/permits/6058.html>).

Any work in the vicinity of known occurrences of threatened or endangered species may require a **permit for Incidental Taking** (<http://www.dec.ny.gov/animals/68645.html>); this includes loss of habitat and interference with essential behaviors such as nesting or foraging. Measures to avoid a take may be required.

## Appendix III: Application Evaluation and Scoring Criteria

### PROJECT PASS/FAIL CRITERIA: a “Fail” to any statement will disqualify the application

#### Level 1

- The applicant must be eligible, as shown on page 4 of this RFA. A not-for-profit organization must also be prequalified in the Grants Gateway by the application due date to be determined eligible under this grant opportunity.
- The project must be located within the defined geographic boundaries of the Hudson River Estuary. In general, for purposes of this RFA, as defined in the eligible project types, that means projects will be on, near or tightly-focused on the tidal Hudson, including the tidal portion of its tributaries or Upper NY Bay, up to the first barrier. Projects are not eligible if they are located on land owned by New York State, unless the land is managed by a local government under a formal agreement with the state. In addition, to be eligible for NRD funding, the project must be located in the Village of Sleepy Hollow or Village of Tarrytown on publically accessible lands.
- The project must provide, improve or plan for direct access to the Hudson River Estuary or tidal portions of its tributaries for boating, swimming, fishing, enjoyment of nature or wildlife-related recreation. Shoreline stabilization projects that are needed to secure the eroding shoreline of public river access sites, or to make river access sites more resilient to flooding and sea level rise, are eligible if they follow the principles outlined in the criteria for the project type. Projects proposed for NRD funding in the Village of Sleepy Hollow or Village of Tarrytown may include planning, but also must include a shovel-ready component.
- The applicant must provide photos of the current location and condition of the site, uploaded to the Grants Gateway.
- Projects must implement one of the eligible project types identified in this RFA.
- The uploaded project time line indicates completion of project objectives, tasks and deliverables on or before January 31, 2022.
- All project funding sources are eligible and at least 15% in eligible match is identified. Project matching funds must be fully secured, and success of the grant should not depend on funding that is not yet secured.
- If applicable, letters of collaboration that include the “Lead” applicant designation are provided from all applicant partners.
- Construction projects must have all required permits in place at the time of application.
- For projects involving work on property owned by an entity that is not the applicant, the applicant must provide as an upload to the application, written documentation from the landowner indicating willingness for the project to take place on their property. For example, a “Friends of the Park” group must have documentation from the park owner.
- Application completeness: Application completeness: The application must be complete and uploaded as required in the Grants Gateway (see application checklist).

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### PROJECT OBJECTIVES AND TYPE .....maximum 54 points

#### **Project Objective and Impact (maximum 25 points):**

1. How well does the project, its location, statement of need, methods, and deliverables impact the objective of this RFA: to provide or improve direct access to the tidal waters of the Hudson River Estuary, including the tidal portion of its tributaries, or Upper NY Bay for boating, swimming, fishing and/or wildlife-related recreation?
  - Project as scoped (location, need, methods, commitment to implementation, deliverables, budget details) clearly addresses the RFA objective for the project type and is likely to result in a

strong access, and/or positive impact on boating, fishing, swimming, and/or wildlife recreation:

Regional \* .....25 Points

Non-Regional.....20 Points

- Project as scoped (location, need, methods, commitment to implementation, deliverables, budget details) clearly addresses the RFA objective for the project type and is likely to have a beneficial access, and/or positive impact on boating, fishing, swimming, and/or wildlife recreation:  
Regional \* .....15 Points  
Non-Regional.....10 Points
- Project as scoped (location, need, methods, users, commitment to implementation, deliverables, budget details) clearly addresses the RFA objective for the project type, but access, and/or positive impact on boating, fishing, swimming, and/or wildlife recreation is modest (regional\* or non-regional).....5 Points
- Application meets one or more of the following:
  - (i) one or more aspects of the methodology is flawed in some way that affects meeting the primary RFA objective;
  - (ii) the proposed project method, statement of need, and/or deliverables are insufficiently described to determine objective or impact;
  - (iii) project scope does not address the RFA objective for the project type; and/or
  - (iv) access, and/or positive impact on boating, fishing, swimming, and/or wildlife recreation users is insignificant......0 points

*\* For purposes of this RFA, "regional" is defined as two or more municipalities (including counties and boroughs)*

#### **Universal Design (maximum 14 points):**

2. Does the project application utilize Principles of Universal Design?

- Application indicates commitment to utilize Principles of Universal Design, and specific examples are provided or documented.....14 points
- Application indicates commitment to utilize Principles of Universal Design, but specific examples are not provided or documented.....5 points
- Commitment to utilize Principles of Universal Design is weak or non-existent.....0 points

#### **Storm Resiliency (maximum 10 points):**

3. Does the project improve resiliency for flooding from future coastal storms?

- Yes, there is a very strong component, with well documented need.....10 points
- Yes, the project complies but provides few specifics to evaluate the improvements.....5 points
- No, however, these considerations are not applicable for this type of project.....5 points
- No, it does not.....0 points

#### **Points for building on prior planning (maximum 5 points):**

4. Does the project narrative demonstrate that the project builds on prior planning as described in the RFA on page 14?

- Yes.....5 points
- No.....0 points

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**PROJECT SUCCESS FACTORS.....maximum 27 points**

**End-User Benefit and Engagement (maximum 12 points):**

5. How well does the project engage and inform the user group(s), key stakeholders and/or target audience (collectively, end-users) who will benefit from the project?
- End-users whose support or involvement is necessary for the project to succeed are clearly documented, and the applicant describes how end-users will be engaged and informed in the project. User letters are provided stating that they will be involved.....12 points
  - Letters are not provided, but end-users are identified, and acceptable engagement and/or educational strategies are demonstrated.....5 points
  - End-users are not clear or unidentified, and/or engagement is insufficient to assure project success is likely.....0 points

**Sustainability/Durability of Project Benefit (maximum 5 points):**

6. Is the project benefit sustainable/durable after the grant is completed?
- Project is sustainable/durable with a long term benefit.....5 points
  - Project is not sustainable/durable, sustainability is short term, or unclear.....0 points

**Knowledge, Skills and/or Experience (maximum 10 points):**

7. Does the applicant demonstrate the knowledge, skills, and/or track record to successfully undertake a project of this nature? For purposes of this RFA, experience and track record includes performance on current and prior Estuary grants, including quality and timeliness of grant reporting, progress on performance schedules, and completion of deliverables.
- Exceptionally well-qualified and/or superior track record for this type of project.....10 points
  - Very well-qualified and/or established track record for this type of project.....8 points
  - Qualified and/or satisfactory track record.....6 points
  - Not well-qualified and/or has a poor track record.....0 points

---

**PROJECT COST EFFECTIVENESS.....maximum 50 points**

8. How well does the budget demonstrate value for cost? Cost effectiveness will be evaluated from the standpoint of both cost match, balance, and value. Applicants may compare the project costs to other similar work and explain the balance of expenses across budget categories. If applicable, provide justification for costs that exceed what is customary for the work to be completed. To sufficiently respond to this question, applicants are encouraged to upload documentation to support specific budget items, such as standard government wage rates, current market prices for equipment, and cost-estimates from potential contractors / vendors.
- Exceptional value for the cost: Projects that meet both of the following two criteria will score 50 points:
    - Project provides 30% match or more, and
    - Budget is well-balanced, and does not contain any extraneous expenses. Cost to benefit ratio is appropriate for the complexity and size of the project. Anticipated benefits are at a scale and cost equivalent to the fair market value of the proposed budget.
  - Cost-effectiveness is reasonable: Budget is well-balanced, and does not contain any extraneous expenses. Cost to benefit ratio is appropriate for the complexity and size of the project. Anticipated benefits are at a scale and cost equivalent to the fair market value of the proposed budget. (30 points)
  - Project is not cost effective: Budget is unreasonable, not cost-effective, is confusing, extraneous, excessive or not well aligned with the project purpose. Budget does not conform well to project deliverables and/or expenses are unrelated to project objectives (0 points)

**Bonus points for meeting minimum standards for end-user engagement, qualifications, and cost effectiveness (maximum 89 points):**

9. Does applicant receive points in end-use engagement, qualifications, and cost effectiveness?
- Yes.....89 points
  - No.....0 points
- 

**STATEWIDE PRIORITY POINTS.....maximum 15 points**

**Regional Economic Development Plan:**

10. Has the applicant demonstrated the project implements part of a Regional Economic Development Council (REDC) Plan?
- If yes, add.....5 points

**Environmental Justice:**

11. Will the proposed project benefit a designated Environmental Justice Community and has the necessary EJ application information been provided?
- If yes, add .....10 points
- 

**ADDITIONAL POINTS.....maximum 15 points**

**Map of Project Location:**

12. Is a clear map depicting the entire area of the project location uploaded for Program Question 1?
- If yes, add.....5 points

**Community Support:**

13. Above and beyond essential project support (Program Question 18), does the proposal demonstrate support from a variety of local, county, or state appointed or elected officials?
- If yes, add .....5 points

**Open/Current Grant Workload (uncompleted grants) with the Estuary Program:**

14. Applicant doesn't have any open or current grants with the Hudson River Estuary Program.
- If yes, add.....5 points
- 

**TOTAL ELIGIBLE POINTS.....250 points**

## Appendix IV: Credit Sign Specifications

### NYS ENVIRONMENTAL PROTECTION FUND Hudson River Estuary Program

**Size:** Horizontal format - 24" wide by 18" high or as appropriate to sign location

**Construction Materials:** Aluminum blank sign boards with vinyl sheeting

**Inserts:** "Project Site Name," "Local Project Sponsor" indicate position, size and topography for specific project names and sponsor to be inserted.

#### Color Scheme:

NYS logo and text – "DEPARTMENT OF ENVIRONMENTAL CONSERVATION" -  
Pantone 350 C

|   |               |
|---|---------------|
| Text: Environmental Protection Fund     | PMS 3005 C    |
| Hudson River Estuary Program            | PMS 3005 C    |
| Project Site Name/Local Project Sponsor | Pantone 350 C |

**Type Specifications:** All type is Arial 540, with the exception of the logo type.  
Format is: center each line of copy with small caps and initial caps.

**Production Notes:** 24" wide by 18" high (or as appropriate to sign location)  
Aluminum blanks will be covered with vinyl sheeting to achieve  
background color. Copy and logo will be silk screened on this surface.

Grant recipients must provide a project site name, and the local project sponsor to be inserted on the sign.

#### Example Sign:



## Appendix V: Universal Access, Sources

### SOURCES OF INFORMATION ON ACCESSIBILITY AND UNIVERSAL ACCESS

NORTHEAST ADA CENTER AT THE K. LISA YANG AND HOCK E. TAN INSITUTE ON EMPLOYMENT AND DISABILITY

<http://www.yti.cornell.edu/projects/northeast-ada-center>

The Northeast ADA Center provides information, materials, technical assistance, and training on the Americans with Disabilities Act. Topics addressed includes the non-discrimination requirements in employment, the obligations of state and local governments and business to ensure that programs, services and activities are readily accessible to and useable by people with disabilities.

Northeast ADA Center  
Cornell University  
ILR School  
201 Dolgen Hall  
Ithaca, New York 14853  
Voice/TTY/Spanish: (800) 949-4232; Fax (607) 255-2763  
Email: [northeastada@cornell.edu](mailto:northeastada@cornell.edu)

U.S. ACCESS BOARD

[www.access-board.gov](http://www.access-board.gov)

The U.S. Access Board is designated by the Americans with Disabilities Act (ADA) as the agency responsible for developing minimum accessibility guidelines to ensure that new construction and alteration of facilities covered by ADA are accessible and useable by people with disabilities. The Access Board has put out the following guidelines that should be used by *Access to Recreation* applicants to determine the criteria they must exceed to achieve universal accessibility:

- Recommendations for Accessibility Guidelines for Outdoor Developed Areas

<http://www.access-board.gov/guidelines-and-standards/recreation-facilities>

The Access Board also has a website that provides links to a number of organizations whose mission is to provide access for persons with disabilities at:

<https://www.disability.gov/>  
United States Access Board  
1331 F Street, NW, Suite 1000  
Washington, DC 20004-1111  
Voice: (800) 872-2253 TTY: (800) 993-2822 FAX: (202) 272-0081

NATIONAL CENTER ON ACCESSIBILITY

<http://www.ncaonline.org>

The National Center on Accessibility is a collaborative program of Indiana University and the National Park Service. It provides information on access for people with disabilities in recreation.

National Center on Accessibility  
501 North Morton Street - Suite 109  
Bloomington, IN 47404-3732  
Voice: (812) 856-4422 TTY: (812) 856-4421 FAX: (812) 856-4480  
E-mail: [nca@indiana.edu](mailto:nca@indiana.edu)



THE CENTER FOR UNIVERSAL DESIGN

[www.ncsu.edu/ncsu/design/cud](http://www.ncsu.edu/ncsu/design/cud)

The Center for Universal Design is a national information, technical assistance, and research center that evaluates, develops, and promotes accessible and universal design in housing, commercial, and public facilities, outdoor environments, and products.

The Center for Universal Design  
College of Design  
North Carolina State University  
Campus Box 8613  
Raleigh, NC 27695-8613  
Staff email: [cud@ncsu.edu](mailto:cud@ncsu.edu)

UNITED STATES DEPARTMENT OF AGRICULTURE

US FOREST SERVICE, TECHNOLOGY AND DEVELOPMENT PROGRAM

Accessibility Guidebook for Outdoor Recreation and Trails

<https://www.fs.fed.us/recreation/programs/accessibility/pubs/htmlpubs/htm12232806/index.htm>

## Appendix VI: Universal Access, Guidance

### GUIDANCE ON DESIGNING SPECIFIC TYPES OF RECREATION AND SUPPORT FACILITIES FOR UNIVERSAL ACCESSIBILITY

#### 7 PRINCIPLES OF UNIVERSAL DESIGN

These principles were developed by the Center for Universal Design, North Carolina State University, [www.ncsu.edu/ncsu/design/cud](http://www.ncsu.edu/ncsu/design/cud). The applicant must provide a description of how the project meets each of these principles.

Principle 1: Equitable Use – The design is useful and marketable to people with diverse abilities.

Principle 2: Flexibility in Use – The design accommodates a wide range of individual preferences and abilities.

Principle 3: Simple and Intuitive Use – Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

Principle 4: Perceptible Information – The design communicates necessary information effectively to the user, regardless of ambient conditions of the user's sensory abilities.

Principle 5: Tolerance for Error – The design minimizes hazards and the adverse consequences of accidental or unintended actions.

Principle 6: Low Physical Effort – The design can be used efficiently and comfortably and with a minimum of fatigue.

Principle 7: Size and Space for Approach and Use – Appropriate size and space is provided for approach, reach manipulation, and use regardless of users' body size, posture or mobility.

The project should allow users to move freely between the proposed project and support facilities. There should not be separate routes for users with disabilities, such as ramps and stairs at a building entrance; all users freely to the existing support facilities and parking. If parking and support facilities are not part of the project scope, they must, at a minimum, meet ADA.

The following table lists design aspects that should be considered when designing the specified type of recreation or support facility for universal accessibility. This guidance is not exhaustive or mandatory.

#### Type of Recreation Facility

Trail: nature trail, walkway, pathway, etc.

#### Universal Access Design Considerations:

- wider width so two people can walk side by side or people can pass
- unitary surface like concrete, boardwalk or asphalt, crushed aggregate/screenings that have been "stabilized" or natural soils enhanced with soil stabilizers
- transition plates between trail and pedestrian bridges, decks, etc.
- contrasting color treatment of the surface and textured surface treatments such as brushed concrete

|   |  |
|---|--|
|   | <p>at intersections or interpretive stations to cue people who have vision impairments that there is something to pay attention to at that spot</p> <ul style="list-style-type: none"> <li>- close to level cross slopes (side to side) and very gentle running slopes, no steep sections, larger (greater than 60"X60") level areas at all turns and intersections</li> <li>- thoughtfully laid out on the site to maximize the experience with minimal difficulty</li> <li>- accessible amenities such as benches, restrooms (port-a-johns), drinking fountains, etc.</li> </ul>   |
| Boardwalk:<br>wetland and water access              | <ul style="list-style-type: none"> <li>- wider width so two people can walk side by side or people can pass</li> <li>- edge treatment to prevent roll/step off</li> <li>- if side rails all lowered for easy viewing</li> <li>- interpretive information in a variety of alternative formats such as auditory, large print, Braille, pictures, etc.</li> </ul>   |
| Beach:  | <ul style="list-style-type: none"> <li>- routes over the beach and into the water, can be portable/temporary matting if it needs to be taken in and out for beach cleaning/dragging or in the off season</li> <li>- wide enough for side by side walking/passing</li> <li>- at beach route end have an accessible area at the water's edge large enough to park multiple chairs while the owners are in the water</li> <li>- with a transfer system at the water's edge so people can get down to the ground level and into the water.</li> </ul>  |
| Fishing dock/pier and<br>observation/viewing decks: | <ul style="list-style-type: none"> <li>- all lowered rails all the way around so everyone can fish from anywhere or no rails at all with only an edge treatment to prevent roll off</li> <li>- sitting benches (all with backs and arm rests) scattered about so anglers can choose to sit or stand to fish</li> <li>- tackle box stands next to one bench end (not both) leaving one end clear space for sitting side by side with someone in a wheelchair</li> <li>- a variety of fish landing cutaways strategically placed</li> <li>- variety of accessible opportunities—over-water fishing, shore fishing, in-water fishing, etc.</li> </ul> |
| Canoe/kayak/boat launch:                            | <ul style="list-style-type: none"> <li>- transition plates between access route and deck/pier</li> <li>- wider route so someone can hand wheel boat on dolly to launch pulling boat next to them if they are in a wheelchair or two person carry down</li> <li>- accessible surface to water's edge and into water at launch</li> <li>- more gentle slopes for easier entry and exit when hand wheeling a boat</li> <li>- some type of "rack" to stabilize boat at a transferable height then some type of mechanism/roller system to</li> </ul>   |

move, while seated in the boat, into the water

- some means of transfer assistance such as overhead bars
- some type of wench system to help pull boat out of water back into the rack to exit/transfer out.
- if there is a dock provide a transfer system on the dock so a person can be seated on the dock to transfer over to a boat in the water that is in some type of a stabilizer rack
- adaptive kayaks available for use
- shore station with a platform (instead of "V" rack) with a transfer system on the deck of the shore station, located next to a dock so someone could roll/get on the platform and lower it to the right level to transfer into a boat

Picnic areas and elements:  
Pavilions, picnic tables, grills, fire rings, water pumps, etc.

- all tables, grills, fire rings, water pumps, etc. accessible
- all located on accessible routes
- level routes onto pavilions with no changes of level from path to pavilion surface
- wider routes and clear space with firm surface around all elements so someone with mobility limits can easily move around the element (table, grill, etc.)
- a variety of table styles, some with clear sitting space on the side, some with extended table tops on the end
- some fixed tables to ensure they remain accessible (not moved off into a grassy or sandy area, etc.)
- clear space all around each element so people can approach and use the grill, fire ring, etc. from the front, back and either side
- grills you can lower/raise the cooking surface with one hand
- raised fire building surfaces so you can place wood without leaning

Restrooms:

- more than the minimum number of accessible units
- multiple unisex/single user toilet rooms/units so opposite sex care givers can assist; also good for parents of young children of the opposite sex so kids aren't sent alone into the multi-user restroom
- thoughtfully located near areas of activity such as play areas, beaches, fishing piers, etc.
- accessible door pulls and water faucet handles
- all accessible port-a-johns

Parking:

- more than minimum number of accessible paved parking spots
- the accessible parking spot(s) must be paved, striped and signed
- each connected directly to an accessible route to the park elements and NOT into the traffic flow
- thoughtfully located nearest the activity entrance,

which might require multiple lots (some near the beach, some near the playground, some near

#### Interpretive Information Maps

- Interpretive information and maps in a variety of alternative formats such as auditory, large print, Braille, pictures, QR Codes, etc.

### AMERICANS WITH DISABILITIES ACT

Below is a quick reference to the general minimum requirements for accessible spaces, clearances, reaches, viewing, and operation. These are not specific to types of recreation listed above. You must reference the *2010 American with Disabilities Act Accessibility Guidelines* and/or the *Recommendations for Accessibility Guidelines: Outdoor Developed Areas (Final Report)* for the specific type of recreation to find the specific scoping and technical minimum requirements. Websites at which these references can be found are listed in Appendix V. NOTE: The *2010 Americans with Disabilities Act Standards for Accessible Design* have been approved and are effective March 2012.

Clear width = 36" minimum for most accessible routes

Surfaces = 1/4" maximum change, slopes less than 5%, firm and stable

Head clearance = 80" high and as wide as the route

Clear space = minimum 30" wide by 48" deep located at the element

Viewing = clear from 32"-51" height

Operation = operating mechanism that is operable with one hand and does not require tight/pinch/grasp/wrist twist to operate.

Maneuvering space = 60" by 60" minimum and level, at entries and places for change of direction

Transferable height = 17"-19" with transfer supports

Knee clearance = 27" high by 30" wide by 25" deep

Table tops, counters, and rail heights = maximum 34" high

Reach range = 48" maximum high forward; 15" minimum low on side

## Appendix VII: Application Checklist

- **PASS/FAIL CRITERIA**

**(Check the following boxes (☒) to indicate the item is addressed in the application, or is N/A)**

1. ☐ Applicant is registered in the Grants Gateway as an eligible applicant for this program.
2. ☐ *NOT-FOR-PROFIT ORGANIZATIONS ONLY*: Applicant is prequalified in the Grants Gateway by the application due date, and up-to-date with a charities registration number and required filings.
3. ☐ Project is located within the defined geographical boundaries of the Hudson River Estuary. For NRD funding, the project is located in the Village of Sleepy Hollow or Village of Tarrytown on publically accessible lands.
4. ☐ Project provides or improves direct access to the tidal waters of the Hudson River Estuary, including tidal portions of its tributaries, or Upper NY Bay for boating, swimming, fishing, and/or wildlife-related recreation as defined in eligible project types.
5. ☐ Photos of the current location that show the condition of site are uploaded.
6. ☐ Project implements one or more of the specified eligible project types. For NRD funding, a planning project also includes a shovel-ready component.
7. ☐ Project timeline indicates completion of project objectives, tasks and deliverables within a three-year contract term.
8. ☐ All project funding sources are eligible and at least 15% in eligible match has been identified.
9. ☐ If applicable, letters of collaboration that include the "Lead" applicant designation are provided from all applicant partners.
10. ☐ Construction projects have all required permits in place.
11. ☐ For projects involving work on property owned by an entity that is not the applicant, written documentation from the landowner indicating willingness for the project to take place on their property is uploaded.
12. ☐ Application is complete and uploads are in the Grants Gateway (make sure to check errors).

- **GRANTS GATEWAY FORMS (Program Information, Expenditure-Based budget, and Work Plan)**

**(Check the following boxes (☒) to indicate the item is addressed in the application, or is N/A)**

1. ☐ Program Information: Project site information is provided, and ALL program-specific questions are answered and applicable/required documents are uploaded for each question. (Mandatory)

**Mandatory uploads:**

- a. ☐ Program Question 7: A project timeline, showing project start of February 1, 2019 with a completion date of January 2022.

**Optional uploads, as applicable:**

- b. ☐ Program Question 1: Location map showing the project area.
  - c. ☐ Program Question 12: Documentation supporting universal design.
  - d. ☐ Program Question 15: Documentation supporting storm surge components.
  - e. ☐ Program Question 18: Letters of support as evidence of end-user engagement.
  - f. ☐ Program Question 20: Sustainability/Durability documentation.
  - g. ☐ Program Question 22: Availability to the public/landowner permission provided.
  - h. ☐ Program Question 25: Support for cost-effectiveness (i.e. vendor quotes).
  - i. ☐ Program Question 28: Letters demonstrating "above and beyond" community support.
2. ☐ The expenditure-based budget is completed, including justifications for all budget items.
  3. ☐ The Work Plan is provided with clear objectives, tasks, and performance measures.

- **MANDATORY UPLOADS (found in Pre-submission Uploads section in the Grants Gateway)**

1. ☐ *Smart Growth Assessment Form* has been completed and uploaded into the Grants Gateway.
2. ☐ This *Application Checklist* is completed and uploaded into the Grants Gateway.

\* ☐ **CHECK ALL DOCUMENTS AFTER UPLOADING TO ENSURE THE CORRECT DOCUMENT IS UPLOADED.**