

Local Government  
Efficiency Grant Program  
Request for Applications

RFA # DOS01-CREGP-2014: Planning  
RFA # DOS01-CREG-2014: Implementation  
RFA # DOS01-CREGE-2014: Expedited Assistance

Grant Application and Instructions

Local Government Citizens Re-Organization Empowerment  
Grant (CREG) Program

---

KEY DATES, See Appendix E for dates.

<b>RFA Release Date:</b>	<b>March 20, 2014</b>
<b>Questions Due Dates:</b>	<b>Third Wednesday of every month</b>
<b>RFA Updates &amp; Responses to Questions Posted Dates:</b>	<b>Fourth Wednesday of every month</b>
<b>Application Due Dates:</b>	<b>Due dates for Local Government Citizens Re-Organization Empowerment Grants are the first Wednesday of every month, at 4:00pm.</b>

---

**Contact:** Kyle Wilber, Program Manager  
New York State Department of State  
Division of Local Government Services  
*Insert RFA # Above*  
One Commerce Plaza  
99 Washington Avenue, Suite 1015  
Albany, New York 12231

---

**Applications must be submitted through the web-based Grants Gateway, Grant Opportunity Portal.**

**Review of these applications will occur each month.**

**Local Government Citizens Re-Organization Empowerment Grants requesting expedited assistance, as defined herein, will be reviewed as they are received.**

## Table of Contents

I. Citizens Re-organization and Empowerment Grant Information .....	1
II. Application Information .....	2
Eligible Applicants .....	2
Eligible Projects .....	2
Municipal Resolutions .....	3
Project Funding .....	3
Project Match .....	3
Eligible Expenses .....	3
Ineligible Expenses .....	4
III. Preparing an Application .....	4
Getting Started .....	4
Questions .....	4
Grant Due dates .....	5
IV. Application Review .....	5
Evaluation Criteria .....	5
Review Process.....	6
V. Awards and Grant Administration .....	6
Awards .....	6
Contracts.....	6
Contract Administration .....	7
Schedule of Payments.....	7
Required Reports.....	7
Reserved Rights .....	7
VI. Application Materials .....	8
General Information .....	9
Program Specific Questions .....	9
State Smart Growth Public Infrastructure Policy Act.....	10
Expenditure Information/Budget .....	11
Work Plan.....	14
Pre-Submission Uploads .....	17
Appendix A, Definitions .....	19
Appendix B, Resolution Tips .....	21
Appendix C, Sample Government Re-Organization Work Plan .....	22
Appendix D, Minority-and Women-Owned Business Enterprises (MWBE).....	27
Appendix E, Table of Due Dates.....	35

# I. Citizens Re-organization and Empowerment Grant Information

The Local Government Efficiency (LGe) program, administered by the New York Department of State Division of Local Government Services, provides financial and technical assistance to local governments for planning and implementation activities necessary for the re-organization of municipal government and government functions. The LGe program provides the opportunity to local government officials to examine and implement new initiatives that can help reduce the growth in municipal expenses and introduce new efficiencies in the delivery of services.

The Local Government Citizens Re-Organization Empowerment Grant (CREG) program [State Finance Law (SFL), section 54(10)(q)] is one of three funding programs within LGe available to local governments. Specifically, the CREG program can assist local governments with: 1) the dissolution or consolidation of a local government entity in accordance with General Municipal Law (GML), Article 17-A; or 2) the establishment of a new coterminous town-village, that operates principally as either a town or a village (but not as both) in the place of a former town and a former village. The term “local government entities” includes most general purpose local governments and special improvement districts [SFL section 54(10)(q)(i)].

NOTE: Local governments that complete a municipal re-organization project as defined above will be eligible for the Citizens Empowerment Tax Credit (CETC) pursuant to State Finance Law, section 54(10)(p). This funding is a separate source of additional **annual** aid provided to certain local governments that complete a reorganization of a municipality, or establish a new coterminous town-village in the former place of a town and a village that operates principally as either a town or as a village, but not as both a town and a village. CETCs are awarded in amounts equal to 15% of the combined amount of real property taxes levied by all of the cities with populations of less than one million, towns, and villages that participated in the reorganization. Any such additional annual aid provided by a CETC shall not exceed one million dollars. A municipality receiving CETC aid must use at least 70% of such aid for property tax relief, and the balance of such aid for general municipal purposes.

## Smart Growth Impacts

The Department of State is considered an “infrastructure agency” for the purposes of Article 6 of the Environmental Conservation Law, the State Smart Growth Public Infrastructure Policy Act. Under this legislation, no state infrastructure agency shall approve, undertake, support or finance a public infrastructure project, including providing grants, awards, loans or assistance programs, unless, to the extent practicable, the project is consistent with statutory smart growth principles. Smart Growth encourages community planning and development in priority economic growth areas where water and sewer infrastructure are available; encourages redevelopment of existing community centers; and protects important natural and historic resources, including water quality. If any funds received from a CREG would be used for any public infrastructure project that supports local government reorganization, applicants must describe how the project would meet the Smart Growth criteria listed in the application.

## II. Application Information

### Eligible Applicants

"Local government entities," as defined by the State Finance Law Article 4-A and General Municipal Law Article 17-A, are eligible to apply for assistance under CREG. These include towns, villages, fire districts, special improvement districts or other improvement districts, including, but not limited to, special districts created pursuant to Articles 11, 12, 12-A or 13 of the Town Law, library districts, and other districts created by law. For this grant program, local government entities shall not include school districts, city districts or special purpose districts created by counties under county law.

### Eligible Projects

"Local government re-organization," pursuant to State Finance Law Article 4-A means the consolidation or dissolution of a local government entity in accordance with Article 17-A of the General Municipal Law; or the making of the boundaries of a town and village coterminous, anytime after July 1, 2012, where such coterminous town-village operates principally as a town or as a village but not as both a town and a village. A local government entity may submit one or all of the following:

**1) Re-Organization Planning (RFA # DOS01-CREGP-2014: Planning)**

Developing consolidation agreements or dissolution plans requires considerable data gathering, analysis, and discussion to understand the current services and responsibilities of each involved local government entity. A re-organization planning project must include an examination of the financial impact of reorganization on all involved local governments, an assessment of potential management and service delivery changes, a review of potential impediments related to re-organization, and a list of recommended steps to complete the re-organization, as well as an inventory of other efficiency options if the re-organization is not completed. A re-organization plan or agreement provides the blueprint for the disposition of a local government entity's property, services, and obligations. A sample re-organization work plan is described in Appendix C.

**2) Re-Organization Implementation (RFA # DOS01-CREG-2014: Implementation)**

Implementation of the dissolution plan or consolidation agreement will proceed if it is determined, either by the governing board or by citizen referendum, that re-organization is in the best interests of the local government entity and its residents. Implementation activities pursuant to the plan are eligible for funding.

**3) Expedited Re-Organization Assistance (RFA # DOS01-CREG-2014: Expedited Assistance)**

A referendum on the question of local government re-organization is required when the electors of a local government entity file a petition pursuant to Article 17-A of the General Municipal Law. Local government entities that receive such a petition are eligible to apply for Expedited Re-Organization Assistance to cover costs associated with the development and dissemination of information to the electors prior to the required referendum.

## Municipal Resolutions

To be eligible for a CREG award, all involved municipalities are required to include a resolution confirming the governing board's support for the application. Resolutions must be included with the application. Applications without resolutions will be deemed incomplete and will not be considered for funding. For information regarding the content of resolutions, you may refer to Appendix B or the Department of State website at: [www.dos.ny.gov/LG](http://www.dos.ny.gov/LG).

**Note:** If the local government entity has been petitioned and is applying for Expedited Re-Organization Assistance, the resolution does not need to be provided with the application, but will be required prior to contract execution.

## Project Funding

The maximum cumulative CREG Award to a local government entity shall not exceed \$100,000.

Funding may be awarded as follows:

- Awards for re-organization planning shall not exceed \$50,000.
- Awards for re-organization implementation shall not exceed \$50,000.
- Awards for expedited re-organization assistance shall not exceed \$25,000. Cumulative awards for expedited re-organization assistance and re-organization planning shall not exceed \$50,000.

All grants are reimbursement grants. In order for awardees to receive full funding, the findings from any re-organization studies/plans must be presented to the public and such re-organization studies/plans must be adopted by the governing board(s).

## Project Match

Applicants are required to provide matching funds for all projects.

- For a re-organization **planning or study** grant, matching funds equal to at least 50% of the **total project cost** shall be required. However, upon subsequent implementation of the re-organization **plan or study**, the original required local matching funds for developing the plan or study will be refunded, through a future contract, except for 10% of the total cost of activities under the previously approved and completed grant work-plan for the plan or study.
- For a re-organization **implementation** project, matching funds equal to at least 10% of the **total project cost** shall be required.
- For a re-organization **planning** grant that receives **expedited** assistance, matching funds equal to at least 10% of the **total project cost** shall be required.

## Eligible Expenses

Local Government Citizens Re-Organization Empowerment Grants may be used to cover direct costs including, but not limited to:

- Legal and professional consultant services;
- Capital improvements, where such expenses are integral to the implementation of a local government re-organization;

### Citizens Reorganization Empowerment Grant Application and Instructions

- Expenses for certain transitional personnel for a period not to exceed three years and only where such expenses are essential to the implementation of a local government re-organization, and where such costs are integral to such an implementation; and
- Equipment purchases integral to the implementation of a local government re-organization.

All expenses (including match) must be incurred within the term of the contract.

### **Ineligible Expenses**

No part of the grant shall be used for recurring expenses such as salaries and overhead, outside of approved or authorized appropriate transitional personnel essential for project implementation. Any expenses not fully justified by the applicant may be deemed ineligible and removed from the budget.

## **III. Preparing an Application**

### **Getting Started**

Review all instructions and give careful consideration to eligible activities and processes listed under General Municipal Law, Article 17-A process.

Applications are being solicited through the New York State Grants Gateway, Grant Opportunity Portal. The Grant Opportunity Portal is an online system providing a one-stop grant shop for anyone interested in locating grant funding opportunities with New York State agencies. All grant opportunities are available at: [https://grantsgateway.ny.gov/IntelliGrants\\_NYSGG/module/nysgg/goportals.aspx](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportals.aspx). This online system allows for electronic submission of grant applications. New York State requires that all applications are submitted through the Grant Opportunity Portal. Any applicant that cannot access the Grant Opportunity Portal should contact Kyle Wilber, Program Manager at (518) 473-3355 or (800) 367-8488.

### **Questions**

Submit all substantive questions in writing to:

Kyle Wilber, Program Manager  
 Local Government Efficiency Grants  
*Insert RFA #*  
 New York State Department of State  
 One Commerce Plaza, 10th Floor, Suite 1015  
 99 Washington Avenue  
 Albany, NY 12231  
[LGEprogram@dos.ny.gov](mailto:LGEprogram@dos.ny.gov)

To the extent possible, each substantive question should cite the RFA section and paragraph to which it refers. Responses to written questions received prior to the third Wednesday of every month will be posted online on the fourth Wednesday of every month.

Questions of a procedural nature may be submitted in writing or via telephone by calling the Local Government Efficiency Program at (518) 473-3355 or (800) 367-8488. **Questions of a procedural nature are those limited to the processes of preparing the application (e.g., formatting) and applying for the grant, and do not include questions related to the substance of the application.**

This RFA can be found on the Department of State's website at: <http://www.dos.ny.gov/funding/>. Questions and answers, as well as any updates and/or modifications, will be posted by the dates identified on the cover of this RFA and in Appendix E.

## Grant Due dates

**Due dates for Local Government Citizens Re-Organization Empowerment Grants are the first Wednesday of every month by 4:00 pm, See Appendix E. Review of these applications will occur each month.**

**Local Government Citizens Re-Organization Empowerment Grants requesting expedited assistance, as defined herein, will be reviewed as they are received.**

Applications, other than requests for expedited assistance, submitted after a due date will be held for review after the following month's due date. An applicant who submits an incorrect application will be notified and may resubmit a corrected application by the established deadline.

## IV. Application Review

### Evaluation Criteria

The Local Government Citizens Re-Organization Empowerment Grant program makes recommendations for funding based on a pass/fail basis. Applications must pass all of the following criteria:

1. An application must be complete.
2. An eligible applicant must be a "local government entity" or "entities," as defined by General Municipal Law Article 17-A. (See page 2 of this RFA.)
3. An eligible application may be submitted for a local government re-organization consistent with Article 17-A of the General Municipal Law, or for making the boundaries of a town and village coterminous where the resulting coterminous town-village operates principally as either a town or a village. (See pages 2 and 3 of this RFA.)
4. An application must contain a completed work plan as described on pages 14 and 15 of this RFA.

### **Citizens Reorganization Empowerment Grant Application and Instructions**

## Review Process

### Initial Review

Within one week of the receipt of an application, the Department of State will review the application to determine whether the appropriate application has been filed. If an applicant files an incorrect application (wrong application for this program) the Department of State will promptly notify the applicant. If an applicant submitted an incorrect application, the applicant may submit the correct application to the appropriate LGE grant program no later than the established due date for such application.

### Expedited Assistance

If a local government entity has been petitioned by the electorate, pursuant to General Municipal Law Article 17-A, the entity must proceed to a referendum within a limited period of time. In such case, the work plan, resolution and budget information do not need to be provided in the application. The Department of State will expedite the grant application process by negotiating a work plan and budget for the state contract after making an expedited assistance award.

### Smart Growth Impact

Prior to making any commitment of state funds to a public infrastructure project, the Department of State must determine that the project, to the extent practicable, meets the smart growth criteria listed under Article 6 of the Environmental Conservation Law, "The New York State Smart Growth Public Infrastructure Act." Failure to meet such criteria may result in a project being deemed ineligible for funding.

## V. Awards and Grant Administration

### Awards

Applicants will receive written notice of a decision regarding the granting or denial of an award within thirty days after a final award decision has been made. Award decisions are final and are not subject to appeal.

### Contracts

The Department of State requires that all successful applicants enter into a contract with the State of New York. The state contract details the obligations of the applicant/contractor. A blank copy of the contract is available as part of the on-line application. Contracts will be dated at the start of the current state fiscal year and continue for two years. State contracts must be signed by the awardee and promptly returned to the Department of State. To ensure that funds are awarded to applicants that are ready to move forward, the Department of State reserves the right to rescind an award if the state contract is not returned within sixty (60) days of its receipt by the awardee.

## **Contract Administration**

When an applicant enters into a contract with the State, the project must be managed in accordance with the terms and conditions of the state contract. In addition, contractors must follow state and local procurement policies. Failure to maintain satisfactory progress or to complete the project to the satisfaction of the state may be deemed an abandonment of the project and may cause the suspension or termination of any financial obligation of the state. Satisfactory progress includes, but is not limited to, execution of the state contract and submission of all necessary documents for execution by the state, submitting timely payment requests in accordance with the payment schedule in the state contract, completing satisfactory work products, and other tasks identified in the approved state contract.

## **Schedule of Payments**

The Local Government Citizens Re-Organization Empowerment Grant program is a reimbursable program. Expenses incurred prior to the start date of the state contract cannot be reimbursed. At least one request for reimbursement must be submitted every six months, but no more frequently than every three months.

## **Required Reports**

Each project must achieve results that substantially meet the objectives outlined in the contract's work plan. Recipients of grants must submit project status reports along with every request for payment. Project close-out requires completion of terms and activities outlined in the state contract, and submission of all deliverables identified in the work plan.

The Division of Local Government Services staff monitors each grant-funded project, and will make site visits during the course of the project to determine the rate and quality of progress. Awardees must notify the Division of scheduled meetings, and submit photographs and other required media to the Division. Some projects may be selected for more extensive review and inclusion in the Local Government Efficiency Annual Report submitted to the Governor and Legislature, and may serve as a resource for technical assistance.

## **Reserved Rights**

The Department of State reserves rights including, but not limited to, the right to:

1. Reject any or all applications received in response to this RFA.
2. Withdraw the RFA at any time, at the agency's sole discretion.
3. Make an award under the RFA in whole or in part.
4. Disqualify any applicant whose conduct and/or proposal fails to conform to the requirements of the RFA.
5. Seek clarifications and revisions of proposals.
6. Use proposal information obtained through site visits, management interviews and the state's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFA.

---

### **Citizens Reorganization Empowerment Grant Application and Instructions**

7. Prior to the application due date, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available.
8. Prior to the application due date, direct applicants to submit proposal modifications addressing subsequent RFA amendments.
9. Change any of the scheduled dates.
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders.
11. Waive any requirements that are not material.
12. Negotiate with applicants responding to this RFA within the scope of the RFA to serve the best interests of the state.
13. If unsuccessful in negotiating a state contract with the selected applicant within an acceptable time frame, the Department may begin state contract negotiations with the next ranked qualified applicant(s) in order to serve and realize the best interests of the state.
14. Utilize any and all ideas submitted in the proposals received from applicants.
15. Unless otherwise specified in the RFA, deem every offer to be firm and irrevocable for a period of 60 days from the date of bid opening.
16. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant's proposal and/or to determine an applicant's compliance with the requirements of the solicitation.
17. Waive or modify minor irregularities in applications received from applicants.
18. Not fund an application that fails to submit a clear and concise work plan or budget.
19. Adjust or correct cost figures with the concurrence of the applicant if errors exist and can be documented to the satisfaction of the Department of State and the State Comptroller.
20. Award grants based on geographic or regional considerations to serve the best interests of the state.
21. Award more than one contract resulting from this RFA.

## VI. Application Materials

Each of the three grant opportunities; Re-Organization Planning, Re-Organization Implementation and Expedited Re-Organization Assistance is available on the New York State Grants Gateway, Grant Opportunity Portal: [https://grantsgateway.ny.gov/IntelliGrants\\_NYSGG/module/nysgg/goportals.aspx](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportals.aspx).

## General Information

All local governments expecting to receive State grant funds from a State Agency must register for a Grants Gateway account prior to applying on line. Forms and information can be found online at [www.grantsreform.ny.gov](http://www.grantsreform.ny.gov). Questions should be directed to the Grants Reform office at [grantsreform@budget.ny.gov](mailto:grantsreform@budget.ny.gov).

When applying using the online application process, certain information entered when a local government entity registers will be automatically entered into the online application. The following is an example of how the online application will appear along with some of the questions for this grant opportunity. Answer all questions to the best of your ability. All questions with a red asterisk require a response.

**PROJECT/SITE ADDRESSES**

**Instructions:**

1. Please complete all required fields.
2. If Project Statewide is "Yes", do not enter Address information. If Project Statewide is "No", Address information is required.
3. Select the **Save** button above to save your work frequently.
4. Click Forms Menu to return to the navigation links.

**Name/Description:** Project Statewide

**Address 1**

**Address 2**

**City**

**County**

**State** NY

**Zip**

**Regional Council:**

**Agency Specific Region:**

## Program Specific Questions

**Please complete all of the required fields.**

1. List all the project partners involved in the project and provide contact information. List 'none' if there are no partners.
2. Is the Project receiving other grant funding or other public funds? *Yes/No.*
3. List other grant funding or other public funds. *Narrative required.*
4. Has the Project received DOS grant funding for a plan in the past? *Yes/No.*
5. List other DOS grant funding. *Narrative.*
6. List and attach copies of any existing Memoranda of Understanding/Intermunicipal Agreements or draft agreements that have been entered into for this activity. If a Memorandum of Understanding/Intermunicipal Agreement does not exist, provide a description of the intermunicipal agreements that will be necessary to carry out the proposed activity. *Narrative. Upload of information allowed.*

### **Citizens Reorganization Empowerment Grant Application and Instructions**

7. What is the proposed Start Date of Project? *Narrative required.*
8. What is the length of time needed to complete the Project? *Narrative required.*
9. Please list all of the counties where the project will take place. *Narrative required.*
10. Please identify the NYS Assembly District(s) where services will be provided. *Narrative required.*
11. Please identify the NYS Senate District(s) where services will be provided. *Narrative required.*

## State Smart Growth Public Infrastructure Policy Act

Please note that this part of the application is reviewed by the Department of State's Smart Growth Advisory Committee. *These questions are not included in the planning or expedited assistance applications.*

12. Does the project include a public infrastructure component? *Yes/No.*

**If YES, please complete the next ten questions. If NO or Not Applicable the next ten questions do not have to be completed.**

The Department of State, designated as an "infrastructure agency" pursuant to the New York State Smart Growth Public Infrastructure Act, is required to review infrastructure projects for compliance with the Act. A project that proposes the development of physical community infrastructure may be denied funding by the Department of State unless the project, to the extent practicable, would be consistent with the criteria specified in the Smart Growth Act.

In order to determine if this project adheres to the Smart Growth criteria please explain the project's compliance with the Smart Growth Act, or justification for the project's non-compliance with the Smart Growth Act.

13. Does the project advance projects for the use, maintenance or improvement of existing infrastructure? *Narrative.*
14. Does the project advance projects located in municipal centers? *Narrative.*
15. Does the project advance projects in developed areas or areas designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan? *Narrative.*
16. Does the project protect, preserve and enhance the state's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources? *Narrative.*
17. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups? *Narrative.*
18. Does the project provide mobility through transportation choices including improved public transportation and reduced automobile dependency? *Narrative.*

19. Does the project coordinate between state and local government and intermunicipal and regional planning? *Narrative.*
20. Does the project participate in community-based planning and collaboration? *Narrative.*
21. Does the project ensure predictability in building and land use codes? *Narrative.*
22. Does the project promote sustainability by strengthening existing communities, and by creating new communities that reduce greenhouse gas emissions and do not compromise the needs of future generations by, among other means, encouraging broad-based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation? *Narrative.*

## Expenditure Information/Budget

### Clearly describe and justify all budget items.

Describe the estimated costs for the total project cost and justify why such costs are considered reasonable. *All purchases must comply with Article 5-A of the General Municipal Law. Describe steps taken to ensure the project budget makes the most efficient use of available resources.* The Local Match must also be shown where required. The Match Detail will show the sources of match funds.

- **Personal Services:** For each component task, pro rate each employee's time devoted to the project according to the total annual salary for that employee. For example, an employee who devotes 20% of time to the project and has an annual salary of \$40,000 would charge \$8,000 to the project. *(This section represents the only potential exception to the prohibition against using any part of the Local Government Citizens Reorganization Empowerment Grant for recurring expenses. This section may be used for certain eligible transitional personnel expenses for implementation projects only. (See page 4 of this document, Eligible Expenses.)*
- **Travel:** For each component task, describe the purpose, destination, mode of travel and costs. Rates cannot exceed the current Internal Revenue Service rates. <http://www.irs.gov/newsroom/article/0,,id=232017,00.html>
- **Equipment:** Describe items with a value of more than \$200.00 and a useful life of more than one year.
- **Other:** Describe any other non-personal services and costs.
- **Contractual Services:** For each component task, state the cost and describe briefly the extent and purpose of contractual services.

The following is an example of how each budget category will appear in the on-line application. Only allowable categories will be available for completion.

## CONTRACTUAL

### Instructions:

1. Please complete all the required fields.
2. Select the **Save** button above to save your work frequently.
3. Once a Contractual item has been saved successfully, select the **Add** button above to add additional Contractual items.
4. Click Forms Menu to return to the navigation links.

### Contractual Detail

In the Contractual Services section should include costs for services rendered to the project under a format or written agreement such as direct provision of services by contractual arrangement. If Contractual is not applicable leave this section blank.

Details

<b>Contractual - Type/Description</b>	*
<b>Justification</b>	*
Financial	
<b>Total Grant Funds</b>	*
<b>Total Match Funds</b>	
<b>Match %</b>	%
<b>Total Other Funds</b>	
<b>Line Total</b>	\$0
<b>Category Total</b>	\$0

Click here to see a summary of the detail entered for this category.

[CATEGORY TOTAL SUMMARY](#)

## Expenditure Summary

This form only displays calculations based on data already entered into the application; there are no manual entry fields within this form.

## EXPENDITURE SUMMARY

### Instructions:

1. Save this form to display a roll-up of the category budget details.
2. Click Forms Menu to return to the navigation links.

Budget Category	Grant Funds	Match Funds	Match % Calculated	Match % Required	Other Funds	Total
1. Personal Services						
a) Salary			%	%		\$0
b) Fringe			%	%		\$0
<b>Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>%</b>		<b>\$0</b>	<b>\$0</b>
2. Non Personal Services						
a) Contractual			%	%		\$0
b) Travel			%	%		\$0
c) Equipment			%	%		\$0
d) Space/Property & Utilities			%	%		\$0
e) Operating Expenses			%	%		\$0
f) Other			%	%		\$0
<b>Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>%</b>		<b>\$0</b>	<b>\$0</b>
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>%</b>	<b>%</b>	<b>\$0</b>	<b>\$0</b>

## Match Worksheet

The Match Worksheet is used by the applicant to provide details on the match funds identified throughout the application.

Please note that the match percentage shown in the on-line application will appear differently than indicated in the RFA. This is due to restrictions in the on-line application system and the way match is calculated. For example a 50% local match requirement will be shown as 100% match in the application, 50% is based on the total project cost whereas 100% is based on the grant funds. Please make sure the local match is calculated based on the **total project cost**, not the grant amount.

Required fields for the Match Worksheet are:

- Source of Matching Funds
- Describe Match Source
- Form of Documentation Required
- Match Amount

**Example:** The following chart shows what the state and local shares would be for different sized projects

Calculation of Match as per Local Government Efficiency Program					
Total Project Cost	Implementation Project and Expedited Assistance (note: maximum award for expedited assistance is \$25,000)		Re-organization Planning Project		
	10% Local Share	90% State Share	50% Local Share	50% State Share	Eligible refund upon Implementation
\$20,000	\$2,000	\$18,000	\$10,000	\$10,000	\$8,000
\$50,000	\$5,000	\$45,000	\$25,000	\$25,000	\$20,000
Calculation of Match as shown in the On-Line Application					
Total Project Cost	Implementation Project and Expedited Assistance (note: maximum award for expedited assistance is \$25,000)		Re-organization Planning Project		
	11.11% of Grant Funds	Grant Funds	100% of Grant Funds	Grant Funds	Refund upon Implementation
\$20,000	\$2,000	\$18,000	\$10,000	\$10,000	\$8,000
\$50,000	\$5,000	\$45,000	\$25,000	\$25,000	\$20,000

## MATCH WORKSHEET

### Instructions:

1. Please complete all the required fields.
2. Select the **Save** button above to save your work frequently.
3. Once an match item has been saved successfully, select the **Add** button above to add additional match items.
4. Click Forms Menu to return to the navigation links.

### Match Worksheet Detail

Provide detail on the match amounts identified in the detail worksheets. Complete the Form of Documentation Provided column and provide required matching funds documentation with the application/contract package.

Details

**Source of Matching Funds** \*

**Describe Match Source** \*

(I.E. Local, State, Federal, or Private)

**Form of Documentation Required**

Financial

**Match Amount** \*

	<b>Line Total</b>	<b>\$0</b>
	<b>Match Worksheet Detail Total</b>	<b>\$0</b>
	<b>Budget Detail Match Total</b>	<b>\$0</b>

CATEGORY TOTAL SUMMARY

## Work Plan

The purpose of the work plan is to capture organizational information, as well as an accounting of the proposed or funded project. It is made up of three sections:

1. Project Summary
2. Organizational Capacity
3. Project Details - Objectives, Tasks and Performance Measures

### Project Summary

The Project Summary is a high-level overview of the project, including the overall goal and desired outcomes. The narrative may include the following:

1. Description of the proposed project.
2. Listing and discussion of the project partners and roles.
3. Review of the project chronology and history.
4. Description of anticipated outcomes to be achieved by the project.
5. Estimate of the sustainable tax impact of the proposed project on each local government entity, expressed in dollars per \$1,000 of equalized assessed value.

## Organizational Capacity

Describe the staffing, qualifications and relevant experience of the provider organization to support the project. The applicant should show that they have the financial and administrative ability to sustain and complete the project by describing past experience with planning, community development or infrastructure projects. They should also demonstrate support for the project. This can include citizen petitions and other support materials, including letters of support from community organizations or collective bargaining units and media coverage.

### WORK PLAN OVERVIEW FORM

**Instructions:**  
The purpose of this form is to capture organizational information necessary for application processing, as well as a detailed accounting of the proposed or funded project. It is made up of three sections:

1. Project Summary
2. Organizational Capacity
3. Project Details - Objectives, Tasks and Performance Measures

If applicable, specific instructions/requirements for completing these sections may be found in the Grant Opportunity under which you are applying. Click Forms Menu to return to the navigation links.

**Work Plan Period From To**

**Project Summary**  
Provide a high-level overview of the project, including the overall goal and desired outcomes. Include information such as location, target population, overall number of persons to be served, service delivery method and hours of operation.

**Organizational Capacity**  
Describe the staffing, qualifications and ongoing staff development/training activities, and relevant experience of the provider organization to support the project.

---

### OBJECTIVES

**Instructions:**

1. Enter an *Objective* in the field provided below.
2. Select the **Save** button.
3. To add another *Objective*, select the **Add** button above.
4. Follow the directions below for adding *Tasks* to the *Objective*.
5. Click Forms Menu to return to the navigation links.

**Objective Name**

**Objective Description**

**Instructions for Adding Tasks for this Objective:**  
Click the **Task** link in the Forms Menu navigation panel above to add a Task to this Objective.

## **Project Details - Objectives, Tasks and Performance Measures**

**Objectives** of the project are the results that the applicant's efforts or actions are intended to attain or accomplish. For example, a CREG project may only have one objective: to develop a plan for a re-organization, to implement a re-organization plan or provide assistance to cover costs associated with the development and dissemination of information to the electors prior to the required referendum. Each objective may have one or more tasks associated with it.

**Tasks** are what must be done to accomplish the objective. For example, a re-organization planning project shall include an examination of:

- a. The potential financial savings, management improvements, and service delivery changes resulting from a local government re-organization,
- b. Legal issues and impediments surrounding the re-organization,
- c. Recommended steps to complete the re-organization, as well as options for cost-savings if the re-organization is not completed.
- d. Analysis of how the plan will meet the objectives and lead to implementation.

A sample government re-organization work plan is described in Appendix C, but this can be adapted to other CREG projects. The tasks shown should be accompanied with budgeted costs in the task description. Tasks for each objective should include:

1. A description of project performance measures/deliverables by task(s). Each task may have one or more associated performance measures/deliverables.
2. A schedule and time line, including the proposed start date, a schedule for the completion of each component task, and the time required to complete the project. Note: Tasks funded by this program must be completed within 24 months of the start date.
3. A review of the issues or opportunities to be addressed by the proposed project.
4. A review of the challenges associated with the implementation of the project.

Please note, the Citizens Re-Organization Empowerment Grant will not fund re-organization options that are not addressed under Article 17-A of the General Municipal Law, or do not involve a coterminous town-village established in the former place of a town and a village, which commenced sharing a coterminous boundary after July 1, 2012, and operates principally as a town or as a village but not as both a town and a village.

**TASKS**

**Instructions:**

1. Enter an *Task* in the field provided below.
2. Select the **Save** button.
3. To add another *Task*, select the **Add** button above.
4. Follow the directions below for adding *Performance Measures* to the *Task*.
5. Click Forms Menu to return to the navigation links.

**Objective:**

**Task Name**  
\*

**Task Description**

**Instructions for Adding Performance Measures for this Task:**  
Click the **Performance Measures** link in the Forms Menu navigation panel above to add a Performance Measure to this Task.

**Performance Measures** are what must be provided to show that the task has been completed. Please review the sample government re-organization work plan described in Appendix C for examples of Performance Measures/Deliverables.

**PERFORMANCE MEASURE**

**Instructions:**

1. Enter a *Performance Measure* in the field(s) provided below.
2. Select the **Save** button.
3. To add another *Performance Measure*, select the **Add** button above.
4. Click Forms Menu to return to the navigation links.

**Objective:**

**Task**

**Performance Measure Name**  
\*

Narrative  
\*

Upload

## Pre-Submission Uploads

### Resolution and Certification

**Board initiated:** The lead applicant and all co-applicants shall submit with the application a formal resolution of each governing board authorizing this grant application. The resolution shows the official support of the governing board for the application and the proposed project, or acknowledges the need to conduct a re-organization plan in the case where a local government entity has received a valid citizen petition for local government re-organization. Resolutions from all involved local government entities are

### **Citizens Reorganization Empowerment Grant Application and Instructions**

required to be submitted for the application to be deemed complete and eligible for consideration for the current due-date period.

**Initiated by Citizen Petition:** When the local government entity has been petitioned, the municipal resolution does not need to be provided with the application. However, it will be required prior to contract execution. For information regarding the content of resolutions please refer to Appendix B or the Department of State website at: [www.dos.ny.gov/LG](http://www.dos.ny.gov/LG).

### Minority-and Women-owned Business Enterprises (MWBE)

Applicants are required to submit a Plan for Certified Minority-And Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women as part of this application. The Utilization Plan-Form A and Staffing Plan-Form B must be completed and attached for the application to be considered. M/WBE Forms are available for download in the on-line application or they may be found in Appendix D of this RFA.

**PRE-SUBMISSION UPLOADS**

**Instructions:**

1. Select the **Browse** button to locate an upload.
2. Select the **Save** button above to load it into the system.
3. If the Grant Opportunity you are applying for requires that a specific document to uploaded, a link to the Document Template will appear under the upload row. Click the link to download and save the Document Template to your computer. Once you have filled out the Document Template you can use the associated **Upload** row to upload the document as part of your application.

**Resolution**

Upload a copy of the resolution required for application.

# Appendix A

## Definitions

As used in this application, the following words and terms are defined as follows:

**Consolidation** means either (a) the combination of two or more local government entities resulting in the termination of the existence of each of the entities to be consolidated and the creation of a new local government entity which assumes jurisdiction over all of the terminated local government entities, or (b) the combination of two or more local government entities resulting in the termination of the existence of all but one of the local government entities which shall absorb the terminated local government entity or entities.

**Cooperative Agreement** means an agreement entered into by two or more local government entities pursuant to Article 5-G of the General Municipal Law, or other authorizing statute, for the performance among themselves or one for the other of their respective functions, powers and duties on a contract or cooperative basis.

**Cost Savings** means reductions in expenses that result directly from the implementation of a project and are expected to continue on an ongoing basis.

**Coterminous** means having the same or coincident boundaries.

**Dissolution** means the termination of the existence of a local government entity.

**Expedited Re-organization Assistance** is one of the three types of grant opportunities available under this program. (The other two are Re-organization Planning and Re-organization Implementation.) A local government entity may apply for Expedited Re-organization Assistance when a consolidation or dissolution proceeding has been commenced by the filing of a petition by voters of the local government entity, pursuant to Article 17-A of the General Municipal Law.

**Governing Board** means the body in which the general legislative, governmental and/or public powers of a local government entity are vested and by authority of which the official business of such entity is conducted.

**Implementation of a Re-organization Study and/or Plan** means taking steps to implement the study or plan. This includes going to referendum for a re-organization, adopting a re-organization plan and the consolidation or dissolution of a local government entity in accordance with Article 17-A of the General Municipal Law.

**Local Government Entity** means a town, village, district, special improvement district or other improvement district, including, but not limited to, special districts created pursuant to Articles Eleven, Twelve, Twelve-A or Thirteen of the Town Law, library districts, and other districts created by law. For the purpose of this Re-Organization Empowerment Grant a local government entity shall not include school districts, cities, city districts or special purpose districts created by counties under county law.

**Local Government Re-Organization** means the consolidation or dissolution of a local government entity in accordance with Article 17-A of the General Municipal Law, or the making of the boundaries of a town and village coterminous after July 1, 2012, where such coterminous town-village operates principally as a town or as a village but not as both a town and a village. For a review of Article 17-A of the General Municipal Law please refer to the DOS publication titled "The New N.Y. Government Reorganization and Citizen Empowerment Act." <http://www.dos.ny.gov/lg/publications/ConsolidationDissolutionLaw.pdf>

**Reasonableness of Cost** is an assurance that the state is receiving good value for its investment. All purchases must follow Article 5-A of the General Municipal Law. Travel rates cannot exceed the current Internal Revenue Service rate or the current state rate and salaries must adhere to municipal bargaining rates.

**Re-Organization Implementation** means the execution of a local government re-organization pursuant to a Re-Organization Plan.

**Re-Organization Plan** means a plan to implement a local government re-organization pursuant to Article 17-A of the General Municipal Law (see sections 752, 760, 774, 782); or a plan to establish a coterminous town-village, which would share the boundaries of a former town and a village and which would operate principally as a town or as a village but not as both a town and a village.

**Re-Organization Planning** means an examination of the feasibility and impacts of a Local Government Re-Organization, required by the Department of State when a citizen petition has **not** been received, which shall include at least the following elements:

1. A re-organization planning project shall include an examination of the potential financial savings, legal issues and impediments surrounding the re-organization, recommended steps to complete the re-organization, as well as options for cost-savings if the re-organization is not completed.
2. An examination of the potential financial savings associated with the proposed local government re-organization;
3. An examination of the potential management improvements resulting from the proposed local government re-organization;
4. An analysis of any service delivery changes resulting from the proposed local government re-organization;
5. An analysis of legal issues and impediments surrounding the re-organization;
6. Recommended steps to complete the re-organization, as well as an analysis of options for cost savings if the local government re-organization is not completed. Such options may include, but are not limited to functional consolidations, cooperative agreements, and changes in the scope or level of services provided by the entity(ies). (The term functional consolidation as used herein means when one local government entity completely provides a service or function for another local government entity which no longer engages in that service or function.)
7. A draft Re-Organization Plan.

**Smart Growth** means sensible, planned, efficient growth that integrates economic development and job creation with community quality-of-life by preserving and enhancing the built and natural environments. Smart Growth encourages growth in developed areas with existing infrastructure to sustain it, particularly municipal centers, downtowns (“Main Streets”), urban cores, historic districts and older first-tier suburbs.

**State Community and Infrastructure Development Programs** means New York State programs provided by agencies defined by Article 6 of the Environmental Conservation Law “The New York State Smart Growth Public Infrastructure Act.

**State Contract** means the agreement between the Department of State and the applicant/contractor that details the obligations of each party, including the approved budget and work plan

**Tax Impact** is the annual cost savings per \$1,000 of equalized assessed value, calculated by dividing cost savings by the result of equalized assessed value divided by 1,000.

**Total Project Cost** is the total estimated cost of activities that are eligible for funding under this grant program, including costs expected to be funded with both grant money and other funds.

**Transitional Personnel** means any additional employees required in order to implement the approved program work plan of the project. The employee(s) must be integral to the coordinated or consolidated service delivery. (*The Department of State reserves the right to approve the reasonableness of the need for the staff and the salary amount.*)

## Appendix B

### Resolution Tips

The following items are recommended to be included in the authorizing resolution. If the local government entity has been petitioned and is applying for Expedited Re-Organization Assistance, the resolution does not need to be provided with the application but will be required prior to contract execution.

- I. Authorization to apply for the Grant: The governing board (e.g. town board, village board of trustees, or district commissioners) shall designate a lead applicant contact person and authorize that person by name and title (and his/her designee) to submit an application. The resolution shall authorize the lead applicant contact person to execute all financial and/or administrative processes relating to the implementation of the program.
- II. Project Title and Description: The resolution should provide a title and include a brief description of the project. In the event that a local government entity is submitting more than one application, each project's title and description must be unique to minimize the likelihood of confusion in the tracking of submissions.
- III. Funding Request: The resolution should indicate the amount of money being requested under this program. (This amount would correspond with the "Amount of Grant Requested" on the application form.)
- IV. Local Cost Share Information: The resolution shall state the local governments' commitment to contribute the required 10% or 50% local share of the project cost, whichever is applicable.
- V. Co-Applicant Information: The resolution should list the local government entities that are co-applicants. The information provided in the resolution does not need to provide the same level of detail that is more typically found in an intermunicipal agreement.
- VI. Other Actions: If relevant, include other activities related to the project that need the approval of the governing board.
- VII. Resolution: Record and certify the vote of the members of the governing body.

# Appendix C

## Sample Government Re-Organization Work Plan

**Project Summary:** The local government entity's(ies') governing board(s) will appoint a Re-Organization Study Committee (RSC) and charge it with developing a re-organization study and implementation plan. A re-organization study will form the foundation for developing a re-organization implementation plan, and alternatives to local government re-organization in the event such plan is not implemented. The RSC will transmit its final work to the governing board(s) for acceptance. The governing board(s) will accept or adjust the re-organization study and adopt the re-organization study, including a draft Re-Organization Plan and alternatives to local government re-organization. Nothing herein commits the governing board to implement the local government re-organization; rather all of this information is intended to provide residents with as much information as possible to make an informed decision. Successful completion of this project, however, does require the governing board to formally adopt the project through its own action.

The New York State Department of State's assigned project manager for this project shall be notified in advance of all meetings, hearings or public information sessions to be held on this project. All deliverables shall be provided to the New York State Department of State in accordance with the New York State contract.

Task  
**1**

**Task Name:** Project Initiation

**Schedule:** Month 1

**Performance Measure Name/Deliverable:** Kick-Off Meeting Summary

**Task Description:**

The local government entity's(ies') governing board shall meet with the Department of State prior to initiating work on this project to discuss goals, objectives, state requirements and expectations.

The governing board will appoint a Re-Organization Study Committee (RSC) which shall be charged with developing a re-organization study, including fiscal impacts, provision of services and other identified matters. The re-organization study will provide an examination of the potential financial savings, management improvements, and service delivery changes resulting from a local government re-organization, legal issues and impediments surrounding the re-organization, recommended steps to complete the re-organization, as well as options for cost-savings if the re-organization is not completed. The RSC will then develop a draft re-organization plan and identify alternatives to local government re-organization.

The governing board or RSC will develop a Request for Proposals (RFP) to aid in the selection of a qualified consultant to assist in the development of the re-organization study, plan and alternatives. The governing board will issue such RFP. The RSC will review submissions and may interview respondents. The RSC will then recommend to the governing board a qualified consultant. The governing board, considering the recommendation, will select a qualified consultant and enter into a contract for professional services.

The RSC and consultant will initiate the project with a kick-off meeting.

Task  
2

**Task Name:** Re-Organization Study

**Schedule:** Months 2 – 4

**Performance Measure Name/Deliverable:** Draft and Final Re-Organization Study, Meeting Summaries

**Task Description:**

The re-organization study is intended to provide a foundation for the project. The re-organization study will include a comprehensive list of services, including information on a per-service basis which shall include budget allocation, employment allocation, per-resident cost, inventory of equipment, complexities of delivery of services, specialized knowledge of personnel and necessary capital investments as well as the opportunity for cost savings and/or service enhancement. Associated with this, the consultants shall conduct a review of the services currently provided by other government entities to identify which entities would most appropriately deliver services in the future. The re-organization study shall also consider the general perception of the feasibility of possible options and the public's concerns and likely reactions to restructuring service delivery, as well as potential impacts on service quality. The consultants will also make reasonable assumptions about what would happen if the local government entity(ies) restructures service delivery, setting in motion the process to determine the potential cost and tax impacts. Major findings, including general fiscal impacts, will be presented to the RSC.

The re-organization study will contain at least the following elements:

1. The name(s) of the entity(ies) Consolidation and Dissolution;
2. The name of the proposed consolidated local government entity Consolidation only;
3. The rights, duties and obligations of the proposed consolidated local government entity Consolidation only;
4. The territorial boundaries of the entity(ies) Consolidation and Dissolution;
5. The type and/or class of the entity(ies) Consolidation and Dissolution;
6. A fiscal estimate of the cost of dissolution Dissolution only;
7. The governmental organization of the proposed consolidated local government entity Consolidation only;
8. A fiscal estimate of the cost and savings which may be realized from consolidation Consolidation only;
9. Any plan for the transfer or elimination of public employees Dissolution only;
10. The entity's(ies') assets, including but not limited to real and personal property, and the fair value thereof in current money of the United States Consolidation and Dissolution;
11. The entity's(ies') liabilities and indebtedness, bonded and otherwise, and the fair value thereof in current money of the United States Consolidation and Dissolution;

12. Any agreements entered into with other government entities in order to carry out the dissolution Dissolution only;
13. The manner and means by which the residents of the entity(ies) will continue to be furnished municipal services following the entity's dissolution Dissolution only;
14. Terms for the disposition of the entity's(ies') assets and the disposition of its liabilities and indebtedness Consolidation and Dissolution;
15. Terms for the levy and collection of the necessary taxes and assessments Dissolution only;
16. Findings related to whether any local laws, ordinances, rules or regulations of the entity(ies) shall remain in effect after the effective date of the local government re-organization or shall remain in effect for a period of time other than as provided by state law Dissolution only;
17. Terms for the common administration and uniform enforcement of local laws, ordinances, resolution, orders and the like, within the proposed consolidated local government entity Consolidation only;
18. A fiscal analysis of the effect of local government re-organization on the entity(ies) and other government entities;
19. Any other matters desirable or necessary to carry out the local government re-organization Consolidation and Dissolution;
20. The effective date of the local government re-organization Consolidation and Dissolution;
21. Time and place of the public hearings on such proposed local government re-organization Consolidation and Dissolution.

The consultant shall develop a draft re-organization study. The RSC will hold a public meeting to review the draft re-organization study. The RSC will adopt a final re-organization study with revisions if necessary.

Task  
**3**

**Task Name:** Re-Organization Implementation Plan

**Schedule:** Months 4 – 6

**Performance Measure Name/Deliverable:** Draft Re-Organization Plan

**Task Description:**

The RSC, using the information developed in the re-organization study, shall develop a best-case re-organization implementation plan. It should be noted that the RSC may believe that proposed local government re-organization is not in the entity's(ies') best interest; however, developing a re-organization plan will provide two advantages. First, the re-organization plan will make certain assumptions that will allow for a refined fiscal impact analysis of the affected entities. Second, if served with a dissolution or consolidation petition, the governing board will have a re-organization plan that may immediately be provided to residents for their consideration. The re-organization plan will contain provisions relating to the items identified in Task 2 above.

Task

**4**

**Task Name:** Alternatives to Local Government Re-Organization

**Schedule:** Months 6 – 8

**Performance Measure Name/Deliverable:** Draft and Final Re-Organization Study

**Task Description:**

The RSC will develop possible alternatives to local government re-organization that would achieve cost savings and/or efficiencies in the entity's(ies)' operations. Such alternatives are intended for the entity(ies) to consider in the event that a decision is made to not complete a local government re-organization. Possible alternatives may include but shall not be limited to cooperative agreements, functional consolidations, and reduction or elimination of services. These alternative scenarios will include a high-level cost and tax impact projections for the identified options. The Citizens Re-Organization Empowerment Grant will not fund re-organization options that are not addressed under Article 17-A of the General Municipal Law, or do not involve a coterminous town-village established in the former place of a town and a village, which commenced sharing a coterminous boundary after July 1, 2012 and which operates principally as a town or as a village but not as both a town and a village.

Task

**5**

**Task Name:** Public Meeting

**Schedule:** Month 8

**Performance Measure Name/Deliverable:** Meeting Summary Report

**Task Description:**

The RSC will hold a public meeting to review the final re-organization study and draft re-organization implementation plan and alternatives to local government re-organization.

Task

**6**

**Task Name:** Final re-organization study, including re-organization plan and alternatives local government re-organization

**Schedule:** Months 8 – 9

**Performance Measure Name/Deliverable:** Draft and Final Re-Organization Study

**Task Description:**

The final report will compile the items identified in Tasks 2, 3 and 4 above.

Task  
**7**

**Task Name:** Public Hearing

**Schedule:** Month 9

**Performance Measure Name/Deliverable:** Minutes of Public Hearing

**Task Description:**

The RSC will hold a public hearing on the final re-organization study. The RSC will transmit the final deliverable to the governing board(s) along with a summary of the public hearing. Note that the final re-organization implementation plan shall also list the time and place of any public hearings by the governing board(s) on the proposed re-organization plan.

Task  
**8**

**Task Name:** Project Close-Out

**Schedule:** Month 9

**Performance Measure Name/Deliverable:** NYSDOS Project Close-Out Documents

**Task Description:**

The governing board(s) shall receive the final re-organization study, including re-organization plan and alternatives to local government re-organization, from the RSC. The governing board shall adopt the final re-organization study, including re-organization plan and alternatives to local government re-organization, and determine whether or not to move forward with the re-organization implementation plan. It will then complete the required close-out process with the New York State Department of State.

# Appendix D

## Minority-and Women-Owned Business Enterprises (MWBE)

### CONTRACTOR REQUIREMENTS AND PROCEDURES FOR BUSINESS PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN

#### NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A, the Department of State (hereinafter “DOS”) recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of DOS contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" (“Disparity Study”). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that DOS establishes goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

#### Business Participation Opportunities for MWBEs

For purposes of this solicitation, DOS hereby establishes an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises (“MBE”) participation and 10% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that DOS may withhold payment pending receipt of the required MWBE documentation. The directory of New York State Certified MWBEs can be viewed at: <http://www.esd.ny.gov/mwbe.html>.

For guidance on how DOS will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

#### I. MWBE Utilization

By submitting a bid or proposal, a bidder on the Contract (“Bidder”) agrees to submit the following documents and information as evidence of compliance with 5 NYCRR §142.8:

- A. Bidders are required to submit a MWBE Utilization Plan on Form A with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to DOS.
- B. DOS will review the submitted MWBE Utilization Plan and advise the Bidder of DOS acceptance or issue a notice of deficiency within 30 days of receipt.

C. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to the DOS:

Office of Affirmative Action Programs  
99 Washington Avenue, Albany, New York 12231  
Phone: (518) 473-2507; Fax (518) 473-9211

A written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by DOS to be inadequate, DOS shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

D. DOS may disqualify a Bidder as being non-responsive under the following circumstances:

- a) If a Bidder fails to submit a MWBE Utilization Plan;
- b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- c) If a Bidder fails to submit a request for waiver; or
- d) If DOS determines that the Bidder has failed to document good faith efforts.

Contractors shall attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to DOS, but must be made no later than prior to the submission of a request for final payment on the Contract.

## II. Non-Compliance

A. In accordance with 5 NYCRR §142.13, Contractor acknowledges that if it is found to have willfully and intentionally failed to make good faith efforts to meet the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and DOS may withhold payment from the Contractor as liquidated damages. Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

B. In addition, failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

## Equal Employment Opportunity Requirements

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of Appendix A including Clause 12 - Equal Employment Opportunities for Minorities and Women. The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor, shall undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Bidder further agrees, where applicable, to submit with the bid a staffing plan (Form B) identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to the DOS, a workforce utilization report identifying the workforce actually utilized on the Contract if known.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

For questions on filling out the forms required with this application, please contact:

Office of Affirmative Action Programs  
99 Washington Avenue, Albany, New York 12231  
Phone: (518) 473-2507; Fax (518) 473-9211



## FORM A M/WBE UTILIZATION PLAN

**INSTRUCTIONS:** This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan represents the anticipated M/WBE usage for the contract and must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Attach additional sheets if necessary.

Offeror's Name:

Federal Identification No.:

Address:

Project/Contract No.:

City, State, Zip Code:

M/WBE Goals in the Contract: MBE 10% WBE 10%

Telephone No.:

Region/Location of Work:

1. Projected Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/ Supplies/Services and intended performance dates of each component of the contract.
A.	<b>NYS ESD CERTIFIED</b> <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
B.	<b>NYS ESD CERTIFIED</b> <input type="checkbox"/> MBE <input type="checkbox"/> WBE			

**6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER.**

<p>My firm proposes to use the M/WBEs listed above.</p> <p>PREPARED BY (Signature): DATE:</p> <p>NAME AND TITLE OF PREPARER (Print or Type):</p>	<p>TELEPHONE NO.:</p> <hr/> <p>REVIEWED BY:</p>	<p>EMAIL ADDRESS:</p> <hr/> <p>DATE:</p>
<p><b>FOR M/WBE USE ONLY</b></p>		
<p>UTILIZATION PLAN APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____</p> <p>Contract No.: _____ Project No. (if applicable): _____</p> <p>Contract Award Date: _____</p> <p>Estimated Date of Completion: _____</p> <p>Amount Obligated Under the Contract: _____</p> <p>Description of Work: _____</p> <p>NOTICE OF DEFICIENCY ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____</p> <p>NOTICE OF ACCEPTANCE ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____</p>		
<p>SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.</p>		



## FORM B

### STAFFING PLAN

**Submit with Bid or Proposal – Instructions on page 2**

*Complete this form only for the anticipated work force to be utilized on the State contract.*

<b>Solicitation No.:</b>	<b>Reporting Entity:</b>	<b>Report includes Contractor's/Subcontractor's:</b> <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Total work force
<b>Offeror's Name:</b>		<input type="checkbox"/> Offeror <input type="checkbox"/> Subcontractor <b>Subcontractor's name</b> _____
<b>Offeror's Address:</b>		

Enter the total number of employees for each classification in each of the EEO-Job Categories identified.

EEO-Job Category	Total Work force	Work force by Gender		Work force by Race/Ethnic Identification								Disabled		Veteran			
		Total Male (M)	Total Female (F)	White (M) (F)		Black (M) (F)		Hispanic (M) (F)		Asian (M) (F)		Native American (M) (F)		(M)	(F)	(M)	(F)
Officials/Administrators																	
Professionals																	
Technicians																	
Sales Workers																	
Office/Clerical																	
Craft Workers																	
Laborers																	
Service Workers																	
Temporary /Apprentices																	
Totals																	

<b>PREPARED BY (Signature):</b>	<b>TELEPHONE NO.:</b> <b>EMAIL ADDRESS:</b>	<b>DATE:</b>
<b>NAME AND TITLE OF PREPARER (Print or Type):</b>		<b>Submit completed with bid or proposal</b>

**General instructions:** All Offerors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (FORM B) and submit it as part of the bid or proposal package. Where the work force to be utilized in the performance of the State contract can be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form only for the anticipated work force to be utilized on the State contract. Where the work force to be utilized in the performance of the State contract cannot be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form for the contractor's and/or subcontractor's total work force.

**Instructions for completing:**

1. Enter the Solicitation number that this report applies to along with the name and address of the Offeror.
2. Check off the appropriate box to indicate if the Offeror completing the report is the contractor or a subcontractor.
3. Check off the appropriate box to indicate work force to be utilized on the contract or the Offerors' total work force.
4. Enter the total work force by EEO job category.
5. Break down the anticipated total work force by gender and enter under the heading 'Work force by Gender'
6. Break down the anticipated total work force by race/ethnic identification and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the DOS Permissible contact(s) for the solicitation if you have any questions.
7. Enter information on disabled or veterans included in the anticipated work force under the appropriate headings.
8. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

**RACE/ETHNIC IDENTIFICATION**

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this form, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

- **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.
- **NATIVE INDIAN (NATIVE AMERICAN/ ALASKAN NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

**OTHER CATEGORIES**

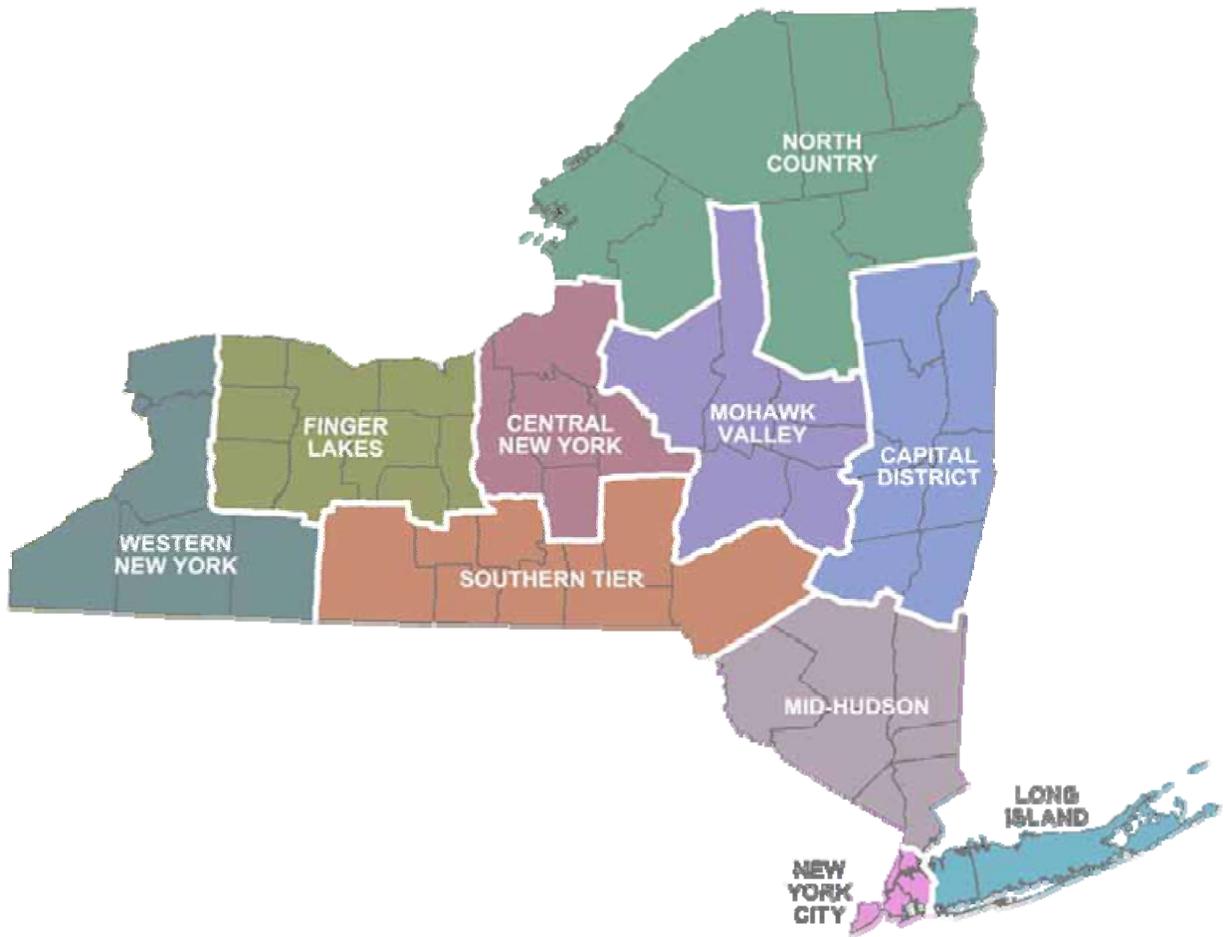
- **DISABLED INDIVIDUAL** any person who:
  - has a physical or mental impairment that substantially limits one or more major life activity(ies)
  - has a record of such an impairment; or
  - is regarded as having such an impairment.
- **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.
- **GENDER** Male or Female

# Appendix E

## Table of Due Dates

<b>Questions Due Dates:</b>	<b>RFA Updates &amp; Responses to Questions Posted Dates:</b>	<b>Application Due Dates:</b>
Third Wednesday of every month ( <i>except where noted</i> )	Fourth Wednesday of every month ( <i>except where noted</i> )	Due dates for Local Government Citizens Re-Organization Empowerment Grants are the first Wednesday of every month ( <i>except where noted</i> ), <b>at 4:00pm.</b>
March 19, 2014	March 26, 2014	<b>April 2, 2014</b>
April 16, 2014	April 23, 2014	<b>May 7, 2014</b>
May 21, 2014	May 28, 2014	<b>June 4, 2014</b>
June 18, 2014	June 25, 2014	<b>July 2, 2014</b>
July 16, 2014	July 23, 2014	<b>August 6, 2014</b>
August 20, 2014	August 27, 2014	<b>September 3, 2014</b>
September 17, 2014	September 24, 2014	<b>October 1, 2014</b>
October 15, 2014	October 22, 2014	<b>November 5, 2014</b>
November 19, 2014	November 26, 2014	<b>December 3, 2014</b>
December 17, 2014	December 23, 2014	<b>January 7, 2015</b>
January 14, 2015	January 21, 2015	<b>February 4, 2015</b>
February 18, 2015	February 25, 2015	<b>March 4, 2015</b>
March 18, 2015	March 25, 2015	<b>April 1, 2015</b>
April 15, 2015	April 22, 2015	<b>May 6, 2015</b>
May 20, 2015	May 27, 2015	<b>June 3, 2015</b>
June 17, 2015	June 24, 2015	<b>July 1, 2015</b>
July 15, 2015	July 22, 2015	<b>August 5, 2015</b>
August 19, 2015	August 26, 2015	<b>September 2, 2015</b>

# New York State Regional Economic Development Council Regions



ANDREW M. CUOMO  
GOVERNOR

CESAR A. PERALES  
SECRETARY OF STATE