

Questions/Responses for the Higher Education Capital (HECap) Matching Grant Program Request for Grant Applications #7600 (RGA)

Applicants are encouraged to review all questions and answers. Please note that the information provided is intended to provide general guidance with respect to the application process and the HECap program and should not be construed as final approval or disapproval of any particular project or project costs. Often, the determination as to eligibility is fact specific and is made on a case-by-case basis. Applicants are encouraged to provide a robust description of the project that will be funded by the HECap grant, as well as how the project is consistent with the HECap enabling legislation and the RGA.

Key Dates:

Eligible Project Dates	September 1, 2023 – September 1, 2026
Issuance of RGA	December 15, 2023
Deadline for RGA Questions	January 12, 2024
Post Responses to RGA Questions (not earlier than)	February 2, 2024
DASNY Webinar	February 23, 2024
Application Due By	March 22, 2024
Awards Expected (not earlier than)	May 24, 2024

Application Materials

1. Is there a character or word limit for the project description/narrative?

RESPONSE: There is no character or word limit for any part of the application.

Eligible Projects

Generally, Eligible Projects must meet the following statutory requirement:

Grant funds awarded pursuant to this RGA shall be used for the purchase, acquisition, design, construction, reconstruction, rehabilitation, or equipping of a facility on or near a college campus within the State, including critical academic facilities, economic development and/or high technology projects, and urban renewal and/or historical preservation projects that would 1) enhance the programmatic offerings at the College; 2) provide economic development benefits to the area surrounding the college campus; and/or 3) enhance student life at the College (the “HECap Project”).

Applicants are advised to consult with their legal counsel to determine whether the project is eligible for funding under this competitive round and to discuss what documentation

must be provided with the Application. The Application should include a robust narrative outlining how the College/University considers the project to be eligible.

2. Is a College of Nursing that is registered with the NYS Education Department for a two-year Associates Degree in Applied Science with a major in Nursing an Eligible Entity to apply under the HECap program? The project is a capital project to restore a historical clocktower on the campus that will enhance student experience and provide economic benefits. Is this an Eligible Project?

RESPONSE: Per Section 2 of the RGA, College means “independent institutions of higher learning, as described in Education Law §6401(2).” Applicants are advised to consult with their Counsel to determine whether they are eligible to apply for this funding; as well as whether or not the ultimate use of the facility(ies) meets the criteria set forth in the RGA including where or not the College can meet the requirements outline in Section 5 of the RGA.

3. We are planning a multi-phase project in our science quad which will include renovation of two buildings, likely demolition of a third building, and construction of a new building in a space that includes the building to be demolished. I understand that each phase must provide the benefits required by the HECap program. Do the likely phases need to be identified in the initial application assuming new applications in later rounds of the HECap program?

RESPONSE: No, all phases do not need to be identified in the initial application. The HECap grant may be used to fund a fully functional phase of a larger project, so long as it is clearly demonstrated that the fully functional phase will, upon completion of that phase, provide the benefits required by the HECap program and comply in all respects with the enabling legislation and the provisions of the RGA.

In addition, Applicants should be aware that the project will be evaluated based upon the criteria set forth in the RGA, including the benefit to be provided at the completion of the project phase to be funded with the HECap grant. Therefore, Applicants should carefully consider the extent to which the project will satisfy the statutory criteria and provide enhancements to student life or programmatic offerings; or provide economic development benefits to the area surrounding the college campus.

Applicants are advised to consult with their Counsel and construction professionals to determine the project is eligible to apply for this funding.

4. Is equipment purchase eligible if the equipment will be used in a leased building with a five year lease but with an option for a long term lease extension?

RESPONSE: Per section 2 of the RGA, HECap grants may be used to renovate or equip property owned or leased by the College so long as the term of the lease is for a term extending at least **ten** years from the date of the Application.

5. As part of an overall modernization of its athletic facilities, the College seeks to upgrade its athletic complex (consisting of two interconnected buildings constructed in the 1960's and 1980's). The College seeks to replace antiquated fitness equipment (such as cardio stations, treadmills, ellipticals, stair climbers, bikes, weights, and weight machines) as well as lockers and scoreboards--all of which currently serve those using this athletic complex. Does this initiative meet the definition of a project for the purposes of HECap funding?

RESPONSE: A project would be eligible for funding if it meets the requirements set forth in the HECap legislation and the RGA. Please see Section 9 of the RGA for the information required to be submitted with the application, including a robust narrative to clearly describe the benefits of the proposed HECap Project and how it satisfies the criteria outlined in Section 2 of the RGA.

3:1 Match Requirement

6. We intend to take out a loan for this project. How do we document and/or account for this if the loan has not been applied for at the time of the submission deadline??

RESPONSE: Award letters with unsatisfied contingencies, pending loan applications, and other non-final commitments will not be considered as secured Matching or Completion Funds in the evaluation process, although they are indicative of some level of potential Matching or Completion Funds.

As described in the RGA, Applicants must demonstrate the ability to provide the remainder of the funds necessary to complete the Project in order to receive a Grant Disbursement Agreement (GDA). The degree to which matching funds have been secured will be a factor in scoring.

Grant Funding Levels/Base Pool

7. Is the grant funding minimum \$50,000 or can it be less?

RESPONSE: The minimum HECap award amount is \$50,000.

Prevailing Wage

8. Is there an MWBE requirement for an equipment-only request?
9. Please explain the MWBE requirement for an equipment purchase only award.

RESPONSE TO 8-9 ABOVE: Yes. When selecting a vendor or service provider, you must attempt to utilize MWBE vendors. If you are unable to locate MWBE vendors and must request a waiver of the MWBE participation goals, you must demonstrate your good

faith efforts in trying to locate these vendors. Please also refer to Exhibits F-1 and F-2 to the RGA on the DASNY website.

Grant Disbursement Agreement

10. The University currently holds a grant \$5M with Empire State Development to provide equipment to the project to create a Technology Center, for which the University must meet MWBE requirements. Can we apply for a HECap grant to support the replacement of building infrastructure, which is part of the ESD supported project?

RESPONSE: The HECap award could be used for the same project as the ESD award if the ESD funding is not being used as part of the match. The HECap Act requires Eligible Applicants to contribute **Non-State matching funds** towards the HECap Project in a 3:1 ratio. Therefore, for every HECap Grant dollar received, the University must contribute at least three dollars of Non-State matching funds towards the HECap Project (“Matching Funds”). “Non-State funds” shall mean “funds except funds requested or obtained from the State of New York and accessible by the College for the HECap Project, including but not limited to federal funds, local funds, private funds, and in-kind contributions.” Please refer to section 4 of the RGA.

Please refer to the link below for additional Frequently Asked Questions

<https://www.dasny.org/HECapGrantProgram>

HECap Board Members:

Mr. Michael Smingler
Hon. Patricia Fahy
Hon. Toby Ann Stavisky

