

**NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

**DORMITORY AUTHORITY OF THE  
STATE OF NEW YORK**

**CHILD CARE CAPITAL CONSTRUCTION FUNDING PROGRAM  
(4CFP)**

**REQUEST FOR APPLICATIONS (RFA)**

Dr. DaMia Harris-Madden  
Commissioner  
New York State Office of  
Children & Family Services

Lisa Gomez  
Chair  
Dormitory Authority of  
the State of New York

RFA Announcement: December 1, 2025  
RFA Submission Start Date: February 2, 2026  
RFA Submission End Date: March 13, 2026

**Child Care Capital Construction Funding Program**

**Request for Applications**

**Timetable of Key Events:**

<b><u>Event:</u></b>	<b><u>Date:</u></b>
Funding Opportunity Announcement.....	12/01/25
Open Application Question Period Begins.....	12/01/25
Applicant Webinar.....	12/10/25
Deadline to Submit Questions.....	12/19/25 by 5:00pm EST
Answers Posted By .....	1/16/26
Application Submission Period .....	2/02/26-3/13/26
Application Deadline.....	3/13/26 by 11:59pm EST
Application Scoring .....	3/16/26-4/20/26
Awards Announced No Earlier Than .....	5/04/2026

**Inquiries:**

In accordance with State Finance Law § 139-j and § 139-k, this RFA includes and imposes certain restrictions on communications between DASNY or OCFS personnel and an Applicant, or any representative, agent, consultant or other third party representing the Applicant during the procurement process. Any questions regarding this RFA should be submitted via the 2025 Child Care Capital Construction Funding Program Survey link:

https: [www.surveymonkey.com/r/Childcare-2025](https://www.surveymonkey.com/r/Childcare-2025)

Applicants are strongly encouraged to take the time to fully review the RFA and related documents to ensure they submit the best possible Application. **Applicants are also encouraged to not wait until the Application due date to submit their Application.**

Technical issues with sending an Application may be reported to [Childcare@DASNY.org](mailto:Childcare@DASNY.org), but there is no guarantee that an issue can be resolved in the final hours of the submission window.

Should any issues arise after the Open Application Question period concludes on December 19, 2025, inquiries can be directed to the RFA Coordinator with the Subject line 4CFP RFA Inquiry via [Childcare@DASNY.org](mailto:Childcare@DASNY.org).

**Important Note:** *Contacts made to any DASNY, OCFS or other State personnel regarding this procurement as noted in this RFA between the date of release and Application deadline may disqualify the Applicant and affect future procurements with governmental entities in the State of New York. Please refer to DASNY's website ([www.dasny.org](http://www.dasny.org)) for policy and procedures regarding this law, or the OGS website (<http://ogs.ny.gov/acpl/>) for more information about this law.*

## Table of Contents

### Table of Contents

<b>Section One: INTRODUCTION .....</b>	4
1.1 Background .....	4
1.2 Purpose of the Funding.....	4
1.3 Funding Availability & Allocations.....	4
<b>Section Two: ELIGIBILITY.....</b>	5
2.1 Definitions.....	5
2.2 Eligible Entities .....	9
2.3 Ineligible Entities.....	10
2.4 Eligible Project Locations.....	11
2.5 Eligible Projects .....	14
2.6 Project Budget.....	15
2.7 Eligible Project Costs .....	16
2.8 Ineligible Project Costs .....	17
<b>Section Three: APPLICATION PROCESS .....</b>	18
3.1 View Informational Webinar .....	18
3.2 Prequalification or Registration in the NYS Grants -Management in SFS .....	18
3.3 Submit Application .....	19
<b>Section Four EVALUATION .....</b>	22
4.1 Pass/Fail Eligibility Review.....	22
4.2 Selection Criteria .....	22
<b>Section Five: ADVANCEMENT &amp; GRANT DISBURSEMENT AGREEMENT.....</b>	24
5.1 Issuance of Award Letters .....	24
5.2 Prerequisites to the Grant Disbursement Agreement.....	24
5.3 Grant Disbursement Agreement.....	26
5.4 GDA Terms and Conditions .....	27
5.5 Requisition of Funds .....	30
<b>Section Six: RIGHTS RESERVED .....</b>	31
<b>Section Seven: MORE INFORMATION .....</b>	32

### APPENDICES:

- Appendix 1 Child Care Capital Construction Funding Program Application
- Appendix 2 Certificate of Municipal Site Control
- Appendix 3 Scoring Matrix
- Appendix 4 Frequently Asked Questions (FAQ)
- Appendix 5 Sample Grant Disbursement Agreement (GDA)

## Section One: INTRODUCTION

### 1.1 Background

Quality child care is critical to New York families as it provides a safe environment for children, while also providing the educational foundation for the next generation of New Yorkers. Working families struggle to find quality programs in their communities in every corner of the State.

To effectively address New York's continuing need for affordable, quality child care services, the Child Care Capital Program was created as part of the 2023 enacted State Budget. For Fiscal Year 2026, New York State has allocated an additional \$100,000,000 to the program. When combined with funds remaining from the initial appropriation, no less than \$105,000,000 will be awarded to qualified child care programs through this competitive funding opportunity.

The Child Care Capital Construction Funding Program, (4CFP), will be administered by the New York State Office of Children and Family Services (OCFS) and the Dormitory Authority of the State of New York (DASNY). Both OCFS and DASNY will review 4CFP Applications.

The Application process is expected to be highly competitive given the significant need for funding for the design, construction, reconstruction, renovation and equipment needs of child care programs. Selection criteria used in scoring the Applications is outlined in Section Four of this RFA.

### 1.2 Purpose of the Funding

The purpose of the Child Care Capital Construction Funding Program is to increase the availability of quality licensed/registered/permited child care across New York State. All Applicants should demonstrate how they would either increase the availability of quality licensed/registered/permited child care in their existing program, or how they plan to create a new child care program to meet this objective.

In order to be eligible for 4CFP funding, the child care program either is, or will be, a child care program licensed pursuant to 18 NYCRR 418-1; a school age child care program registered pursuant to 18 NYCRR 414; or a group day care program permitted pursuant to Article 47 of the New York City Health Code.

**For the purposes of this RFA, Small Day Care Centers registered pursuant to 18 NYCRR 418-2 are not eligible to apply.**

### 1.3 Funding Availability & Allocations

For this RFA, New York State has made no less than \$105,000,000 available to be awarded to qualified applicants for reimbursement of capital costs for the design, construction, reconstruction, renovation and equipment needed to create or expand the availability of quality licensed/registered/permited child care programs. Of the total amount available, up to \$25,000,000 may be awarded to Municipalities.

4CFP Grant awards will range from a minimum of \$500,000 to a maximum of \$5,000,000.

To achieve regional parity, 4CFP intends to award approximately 60% of the funds to applicants in the Downstate region and approximately 40% of the funds to applicants in the Rest of the State.

Downstate consists of the New York City, Long Island, and Mid-Hudson Regional Economic Development Council Regions (REDCs).

Rest of State consists of the remaining REDC Regions not in Downstate.

To view the NYS Regional Economic Development Council (REDC) map please visit:

- <https://www.governor.ny.gov/sites/default/files/atoms/files/RegionalCouncilMap.pdf>

The Program also intends to award approximately 60% of the available funds to Day Care Center/Group Day Care Center (DCC/GDC) programs and approximately 40% of the available funds to School Age Child Care (SACC) programs across the State.

The exact regional and programmatic funding targets are dependent upon the makeup of the applicant pool and the final scores of the eligible Applications. OCFS and DASNY reserve the authority to adjust funding breakdowns based upon the actual Applications received and the results of the scoring and review process.

## Section Two: ELIGIBILITY

### 2.1 Definitions

The Act: Legislation enacted by Chapter 54 of the Laws of 2022, as amended in 2025.

Applicant: Proposed or existing eligible child day care centers licensed pursuant to 18 NYCRR 418-1, school age child care programs registered pursuant to 18 NYCRR 414 or group day care programs permitted pursuant to Article 47 of the New York City Health Code that submit a Grant Application.

Authorized Officers: Individuals in an organization that are legally authorized to enter the organization into contracts.

Awardee: Proposed or existing eligible child care programs that have been selected to receive an Award Letter in accordance with the requirements of the Act and this RFA.

Award Letter: The letter sent to Awardees as described in Section 5.1 of this RFA.

Child Care Capital Construction Funding Program (4CFP): The funding opportunity administered by DASNY with the assistance of OCFS in accordance with the Act.

Child Care Licensing Office: New York State Office of Children and Family Services and/or New York City Department of Health and Mental Hygiene

Child Care Program: A child day care center licensed pursuant to 18 NYCRR 418-1, school age child care program registered pursuant to 18 NYCRR 414 or group day care programs permitted pursuant to Article 47 of the New York City Health Code.

Construction Feasibility: Having the authority to undertake a project at a designated location, the funds necessary to complete the project and the ability to obtain the required permits needed for construction.

DASNY: The Dormitory Authority of the State of New York.

Desert Census Tract: For the purpose of this funding opportunity, means a Census Tract where there are 3 or more children under 5 years of age for each available child care slot, or there are no available child care slots in the census tract. Available child care slots used for this analysis include infant, toddler, and preschooler slots in licensed day care centers and NYCDOHMH permitted (Group day care programs permitted pursuant to Article 47 of the New York City Health Code only) group day care programs, as well as 6 weeks to 12-year-old slots in licensed group family day care and registered family day care, based on licensed capacity as of August 2025. All Census Tracts in New York State have been mapped depending on the number of available slots, and information can be found on the OCFS Child Care Data page:

<https://ocfs.ny.gov/programs/childcare/data/#provider-data>. The NYS Child Care Desert Census Tract Map- 2025 can be found at the following site:

<https://experience.arcgis.com/experience/ed046537fae14e02a414388b34ca2f8c/>

*Refer to Section 4.2 Application Content for information regarding the scoring of Desert Census Tracts.*

DOB: The Division of the Budget of the State of New York.

Downstate Region: New York City (Bronx, Kings, New York, Queens & Richmond counties), Long Island (Nassau and Suffolk counties), Mid-Hudson region (Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster & Westchester counties)

Eligible Application: Any Application that meets all requirements outlined in this RFA.

Eligible Project Costs: The portion of allowable capital costs that include, but are not limited to design, construction, reconstruction, renovation, development, improvement, or modernization of land and/or building(s) used by a child care program incurred in connection with the Applicant's proposed project that are to be reimbursed from a 4CFP Grant. Eligible costs are listed in this RFA.

Grant Disbursement Agreement (GDA): The contract entered into between DASNY and the Grantee.

Grant Application: Any Application submitted by an Applicant to this RFA.

Grantee: An Awardee that operates an existing or proposed child day care center licensed pursuant to 18 NYCRR 418-1, school age child care programs registered pursuant to 18 NYCRR 414 or group day care programs permitted pursuant to Article 47 of the New York City Health Code that has entered into a GDA with DASNY pursuant to Section 5.4 hereof.

Grantee Certification: Document certifying that public funds will not be used to finance religious programs or programs that may favor one religion over another. As the issuer of the bonds that will finance the project to be funded with Funds, DASNY must verify that the use of funds is in compliance with all applicable Federal and State laws and regulations. This Certification must accurately state the purposes for which the 4CFP Funds will be used and must be signed by two Authorized Officers.

Grantee Questionnaire (“GQ”): This questionnaire is completed by all prospective grantees to provide DASNY with pertinent information necessary for DASNY to complete its diligence review of the Organization.

Independent Private Colleges & Universities: Independent not-for-profit institutions of higher education, as defined in subdivision 2 of section 6401 of the education law.

Licensed/Registered/Permitted: Child care programs that meet the health and safety requirements to legally operate pursuant to 18 NYCRR 418-1, 18 NYCRR 414 or Article 47 of the New York City Health Code.

Modality: Type of child care programs.

Please see <https://ocfs.ny.gov/programs/childcare/regulations/> for OCFS regulations.

- **Day Care Center (DCC):** a program or facility licensed pursuant to 18 NYCRR 418-1 which is not a residence in which child day care is provided on a regular basis to more than six children for more than three hours per day per child for compensation or otherwise.
- **School Age Child Care (SACC):** a program or facility registered pursuant to 18 NYCRR 414, which is not a residence in which child day care is provided to an enrolled group of seven or more children under 13 years of age during the school year before and/or after the period such children are ordinarily in school or during school lunch periods. School-age programs also may provide care during school holidays and those periods of the year in which school is not in session, including summer vacation.
- **NYC Article 47 Group Day Care Centers (GDC):** a program or facility which is not a residence in which child day care is provided for five or more hours per week, for more than 30 days in a 12-month period, to three or more children under six years of age.

**NYC Group Day Care regulations can be found here:**

<https://www1.nyc.gov/assets/doh/downloads/pdf/about/healthcode/health-code-article47.pdf>

Municipality: Municipal corporations as defined in Section 2 of the General Municipal Law.

Not-For-Profit: A corporation that has received a tax-exempt determination from the federal Internal Revenue Service and has filed incorporation documentation with the New York State Department of State; received a charter from the New York State Board of Regents or Education Department; or been created through an act of the New York State Legislature.

OCFS: The New York State Office of Children and Family Services.

OSC: Office of the New York State Comptroller.

Positive Pay: A fraud-prevention system offered by most commercial banks.

Project: An Applicant's detailed plan to physically alter an existing child care program or to create a new child care program that will meet the objectives of this RFA.

Project Certification: Document certifying the project will be in compliance with various relevant Rules and Laws of the State of New York.

Public Authorities: Entities established under the Public Authorities Law.

Public Colleges & Universities: A college or university established pursuant to section 352 of the education law, section 6203 of the education law or section 6302 of the education law.

Renovation: Renovation involves structural changes to the foundation, roof, floor, exterior or load bearing walls of a facility, or the extension of a facility to increase its floor area. Renovation also includes any extensive alteration of a facility such as to significantly change its function and purpose, even if such renovation does not include any structural change.

RFA: Request for Application, developed by OCFS and DASNY.

Rest of State: New York Economic Development Regions not included in the Downstate Region as defined in this RFA: Capital Region (Albany, Columbia, Greene, Saratoga, Schenectady, Rensselaer, Warren & Washington); Central New York (Cayuga, Cortland, Madison, Onondaga & Oswego); Finger Lakes (Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming & Yates); Mohawk Valley (Fulton, Herkimer, Montgomery, Oneida, Otsego & Schoharie); North County (Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis & St. Lawrence); Southern Tier (Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga & Tomkins); Western New York (Allegany, Cattaraugus, Chautauqua, Erie & Niagara).

SFS: The Statewide Financial System.

Short Term Debt/Bridge financing: Debt that is expected to be paid off within one year and is incurred to pay for project costs until such time as Grant funds become available.

Shovel Ready: Stage when construction can begin.

Site Control: Evidence that an applicant has sufficient authority to undertake the proposed project at the designated project location and will retain that control throughout the required timeframe of the grant program and the executed Grant Disbursement Agreement.

Special Characteristics: Protected classes under the NY Human Rights Law (Examples include but are not limited to the following: race, color, national origin, religion, sex, familial status, disability, age, marital status, military status, sexual orientation, gender identity and expression, and source of income.) For the full list of protected classes, please see <https://dhr.ny.gov/discrimination-law>.

State Environmental Quality Review Act (“SEQR”) Review: New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making.

W-9 Form: IRS document utilized to set up the Applicant as a vendor/payee in DASNY's financial system. The Organization's FEIN is required to make payment. **NOTE: The Applicant's Legal Name and FEIN on the W-9 must match the Legal Name and FEIN on file with the Internal Revenue Service (IRS) as well as in its incorporation or charter documentation as well all documents required to be uploaded to the “Required Documents” page in SFS and those submitted for review by DASNY.**

## **2.2 Eligible Entities**

For the purpose of this RFA, the following entities are eligible to apply for 4CFP funding:

- Independent Private Colleges & Universities;
- Municipalities;
- Not-for-Profit corporations;
- Public Authorities; and
- Public Colleges & Universities

Eligible entities may apply for proposed or existing child day care centers licensed pursuant to 18 NYCRR 418-1, school age child care programs registered pursuant to 18 NYCRR 414 and group day care programs permitted pursuant to Article 47 of the New York City Health Code.

- The Applicant must have **Site Control** at the time of Application.
- The Applicant project must demonstrate **Construction Feasibility** at the time of the Application.
- The Applicant must attest to a willingness to accept families in receipt of child care assistance.

The purpose of the Child Care Capital Construction Funding Program is to increase the availability of quality licensed/registered/permited child care across New York State. Applications that demonstrate an increase in capacity by increasing the number of child care slots or increasing the number of classrooms will receive more points based on the Scoring Matrix (Appendix 3) than those programs that do not demonstrate an increase in capacity.

## **Municipal, Public Authority, and College & University Entities**

Municipal, Public Authority, and College & University entities have the option to operate a licensed/registered/permited child care program on their site staffed by their employees or to have another entity operate a licensed/registered/permited child care program in the facility they control and maintain.

Municipal, Public Authority, and College & University entities are required to maintain, obtain, or ensure that the outside entity operating the child care program has secured a permit/registration/license to operate as either a child day care center licensed pursuant to 18 NYCRR 418-1, school age child care program registered pursuant to 18 NYCRR 414 or group day care programs permitted pursuant to Article 47 of the New York City Health Code. The

permit/registration/license to operate must be obtained within six months of the date the Certificate of Occupancy is issued upon completion of the construction project, and the child care program must be in operation for a minimum of eight years after the completion of the grant funded project.

### **Not-for-Profit Corporations**

Not-for-Profit applicants are required to maintain or obtain a permit/registration/license to operate as either a child day care center licensed pursuant to 18 NYCRR 418-1, school age child care program registered pursuant to 18 NYCRR 414 or group day care programs permitted pursuant to Article 47 of the New York City Health Code. The permit/registration/license to operate must be obtained within six months of the date the Certificate of Occupancy is issued upon completion of the construction project, and the child care program must be in operation for a minimum of eight years after the completion of the grant funded project.

### **Existing Child Care Programs**

Existing child care programs must maintain contact with the child care licensing office to remain compliant with all necessary approvals, licenses, registrations, and permits to operate the child care program.

Existing Child Care Programs that apply must be in good standing. Good Standing is defined as a licensed, registered, or permitted child care program in a payable status that is not the subject of certain enforcement actions by OCFS or the New York City Department of Health and Mental Hygiene (DOHMH).

### **2.3 Ineligible Entities**

For the purposes of this RFA, the following are ***not*** eligible for 4CFP funding:

- Public or Private elementary or secondary schools;
- For-profit day-care programs;
- Small Day Care Centers registered pursuant to 18 NYCRR 418-2; and
- Child Care programs with the following statuses with OCFS or DOHMH:
  - OCFS enforcement statuses:
    - Suspension of License or Registration
    - Limitation of License or Registration
    - Suspension and Proposed Revocation of License or Registration
    - Denial of Application to Renew License or Registration
  - DOHMH enforcement statuses:
    - Permit Revoked
    - Permit Suspended
    - Out of Business

*(Questions as to NYC enforcement status should be referred to NYCDOHMH.)*

## **Important Child Care Construction Requirements to Review prior to Project Planning:**

- If you are applying to construct a group day care center for children under the age of six, to be located in New York City, you are strongly advised to review Article 47 of the New York City Health Code.
- If you are applying to construct a child day care center for school age children anywhere in New York State, you are strongly advised to review 18 NYCRR Part 414 (School Age Child Care).
- If you are applying to construct a child day care center outside of New York City, you are strongly advised to review 18 NYCRR Part 418-1 (Day Care Centers).
- You are advised to review the SEQRA regulations contained in 6 NYCRR Part 617 for information pertaining to the required SEQR analysis.
- In addition, you are encouraged to review relevant portions of State and local Building Codes. It will also be necessary to be familiar with zoning requirements in the locality where the proposed project is sited.
- Applicants should check with their Architect/Engineer prior to applying to determine if SEQR or Section 14.09 Historic Preservation Act reviews are needed for their project prior to applying.

## **2.4 Eligible Project Locations**

### **General Project Location Requirement**

Site Control is required to prove that the Applicant has sufficient authorization and control to undertake the Project at the Project Location.

#### **For applicants that own the Project Location:**

- **Municipalities:** Municipalities may submit a Certificate of Municipal Site Control as applicable, provided as Appendix 2 to this RFA, to demonstrate ownership or authority that allows the Municipality to construct and maintain the Project on the Project Location.
- All other Applicants that own their Project Location must provide a deed, in the name of the Applicant organization, for the proposed Project Location.
  - If the name of the property owner reflected in the deed differs from the Applicant, be certain that all name changes or d/b/a designations are reflected in NYS DOS or with the chartering entity. **If the name is different, and no satisfactory explanation is provided, the Application will be deemed ineligible and will not be scored. It may be necessary to execute a lease agreement between the entity owning the property and the entity applying for the 4CFP funding. If so, see lease requirements below.**
    - Should the deed be illegible due to age, or if the project location is not clearly defined, the applicant must include a letter from their attorney attesting that the deed is, in fact, for the project location indicated in the Application.

**For all leased Project Locations, regardless of Applicant type**, the lease must be in the legal name of the Applicant and it must meet the requirements set forth below:

- The full lease or rental agreement must be provided, including any exhibits, amendments or riders, **or the Application will not be deemed an Eligible Application.**

- The lease or rental agreement **must show** that it is in effect for at least eight (8) years from the date the Application is submitted. The lease term will be verified at the time of the execution of the Grant Disbursement Agreement to ensure that a significant period of time remains on the lease term. **If the term of the lease or rental agreement does not meet this requirement, the Application will not be deemed an Eligible Application.**
- Documentation of support of the property owner for the Project must be submitted with the Application **or the Application will not be deemed an Eligible Application.**
  - Include a letter on the landlord or lease agency's letterhead granting permission to complete the Project at the Project Location.
  - The letter must be dated and signed by an Authorized Officer of the landlord or leasing agency.
  - No construction costs identified within the lease as the responsibility of the landlord entity are eligible for reimbursement with 4CFP funds. Likewise, any tenant improvement costs cannot be included within the lease payment structure. These would also be ineligible for reimbursement with grant funds.

**For Project Locations pending acquisition, regardless of Applicant type,** the application must include a fully executed contract of sale, in the legal name of the Applicant, along with any appendices, attachments or schedules that are identified in the contract of sale.

***Important note: The acquisition of real property is not eligible for reimbursement under this RFA, but applicants are permitted to apply while their acquisition is pending.***

The proposed project location **must not** be under public school district authority. Programs operated at schools, either public or non-public, are excluded from this grant unless the Applicant has a segregated leased space and is the primary beneficiary of the project.

Project locations owned by religious organizations may be eligible so long as the Applicant can legally certify that assets or improvements funded with grant proceeds will solely be utilized by the child care program. Additionally, they must legally certify to the following for the space identified for the child care facility:

- No portion of the Project financed with grant proceeds shall be used for any of the following purposes:
  - sectarian instruction or study;
  - a place of devotional activities;
  - a place of religious worship;
  - a facility used primarily in connection with any part of the program of a school or department of divinity for any religious denomination; or
  - the training of ministers or other similar persons in the field of religion
- The child care program shall be open to all individuals eligible to avail themselves of the child care program without regard to religious affiliation, ethnicity, race, or sexual preference.
- The Grantee shall take affirmative steps to ensure that information regarding the child care program is widely disseminated to the public, which information shall include a statement that the child care program is funded in whole or in part with public funds and

that the child care program shall be open to all eligible persons without regard to religion, ethnicity, race, or sexual preference.

- Lastly, if the religious organization itself is the applicant, they must comply fully with all SFS requirements, including the submission of annual IRS and NYS Charities Bureau filings. While prior to the receipt of grant funds these organizations may have been exempt from such filings, should they receive a 4CFP award, the funding would trigger requisite filings and the inclusion of those documents with their SFS Prequalification Applications.

### **For all Project Locations where Tax Credits may be utilized:**

Projects located in facilities to be funded by any tax credit structure (New Market Tax Credits, Low-Income Housing Tax Credits, Brownfield Tax Credits, etc.) should review the criteria set forth below. **In addition, Applicants should refer to the FAQs included with this RFA for additional information and requirements regarding tax credit structures.**

Applicants involved in a tax credit structure should verify that their Project will be segregated from the overall development or redevelopment of the facility to be funded with tax credits and demonstrate that all of the requirements set forth below are satisfied.

- Site Control must be in the legal name of the Applicant (not an affiliated entity).
- All requirements applicable to owned, leased or to-be-acquired properties as set forth above must be satisfied.
- The Applicant must be the entity entering into contracts with contractors for capital costs incurred in furtherance of the Project.
- The Applicant must be the entity incurring and paying for the capital costs in the first instance.
- **The Grant funds may not be deposited into the tax credit corpus.**

### **Single Project Location Requirement**

Applicants may submit **one** Application for a 4CFP Grant and only one project location is permitted per Application. If more than one Application is submitted, only the first Application submitted will be reviewed and scored.

### **Primary Benefit to Applicant Requirement**

Child Care Capital Construction Funding Program funding must be used for the primary benefit of the Applicant's eligible child care program. Therefore, improvements to leased real property will be evaluated carefully to determine whether the landlord and other organizations or the Applicant will be the primary beneficiary of the expenditure of grant funds. For example, if an organization shares a building with other businesses or organizations, the organization cannot apply to replace the roof of the entire building. If at any point in the process, in DASNY's sole discretion, it determines that the Applicant is not the primary beneficiary, the Application will no longer be deemed qualified, and the funding opportunity will be forfeited. Organizations that operate more than one program must demonstrate how the Applicant's eligible child care

program, and not any of its ineligible programs, will receive the primary benefit of funds awarded through this grant.

## **2.5 Eligible Projects**

Applications that do not demonstrate increasing capacity as the primary goal of their Project will receive a lower score than Applications that do meet 4CFP's objectives.

The proposed project should be located in an area with a current shortage of regulated child care services, as defined by the Child Care Desert regional information included below and must be intended to be used as a Child Care Program for a minimum of 8 years beyond the completion of the grant funded project.

Projects must also be shovel ready and have a budget of at least \$500,000 in eligible costs. Grant awards cannot exceed the capital eligible costs of the Project budget. The funds may be used for design, construction, reconstruction and renovation of space to provide for additional capacity.

Funds may also be used for the acquisition of equipment or other capital assets with a useful life of not less than ten years purchased for installation onto infrastructure that is owned or controlled by the program. Such equipment and capital assets must be solely used by the Grantee.

Applicants must demonstrate the ability to obtain all necessary approvals and licenses/registrations/permits to operate the Child Care Program within six months of the date the Certificate of Occupancy is issued upon completion of the construction project.

The Applicant must have the authority to undertake the project at the designated location, have secured the funds necessary to complete the project, and can obtain the required permits needed for construction.

The Applicant must be the entity entering into the contracts for the work to be performed and the entity paying for the costs of the project. As part of the proposal, applicants must submit documentation that the project is fully funded.

All projects must comply with all applicable local and state regulations and laws at all times.

## **Equipment Inventory Tracking Requirement**

If the project includes removable equipment or furnishings the Grant Disbursement Agreement will require awardees to develop, implement and maintain an inventory system for tracking such removable equipment and furnishings. Items will be installed, stored, or secured on property owned by and/or under the control of the Applicant; the Applicant has or will develop, implement, and maintain a usage policy for items in compliance with all State and Federal regulations or privacy laws, including use, retention, storage or deletion of any data, images, or videos stemming from grant funded purchase of such items if applicable. If the grant funding is used for anything non-fixed, then the Applicant is responsible for control over the items and said inventory is subject to potential audits.

## 2.6 Project Budget

All Applicants must complete a project budget in **Section 5: Project Budget** of the Child Care Capital Construction Funding Program Application.

All Applicants must clearly demonstrate how their project will be fully funded.

- Applicants must indicate all sources and uses of funds, including the 4CFP Grant amount requested.
- Applicants are required to attach letters of commitment (or contingent commitment) from each other source of funds.
  - Paid invoices evidencing payment of costs by the applicant cannot be incurred before April 1, 2025, in order to be considered eligible project costs.
  - For any other funding that has not yet been committed to the Applicant, the anticipated date the funding will be secured for the project must be indicated in the project budget.
- **All estimates should be on contractor or vendor company letterhead and be dated no earlier than April 1, 2025.**
- Additionally, all vendors and contractors must be authorized to do business in New York State.
- If the Grant will be utilized for a phase of an overall project, the phase must be a standalone project with a recognized capital asset upon completion.

If the project will be funded by the following, please provide the applicable documentation:

- **Grantee Equity** – A letter from the qualified Applicant's Financial Officer committing the funds necessary to complete the project. The letter should be accompanied by a bank statement or recently audited financial statements specifically lining out the accounts that will fund the project.
- **Adopted Budget** – A letter from the qualified Applicant's Financial Officer along with an adopted board resolution must be provided. The resolution should commit the funds necessary to complete the project and identify the source of such funds.
- **Bond Anticipation Notes (BAN)** – A resolution of the governing board indicating the intent to use BAN funds to pay some or all of the costs in the first instance. The actual BAN issuance is not required to have been undertaken at the time of Application.
- **Bonds** – Grant funds cannot be used to reimburse Project costs initially paid from bond proceeds. Therefore, the amount of bonds issued for the Project cannot equal the total project budget. There must be a gap of non-bonded project funding at least equal to the Grant. Applicants are expected to submit a letter from the qualified Applicant's Financial Officer confirming that Grant proceeds will not be used to reimburse any costs financed by bonds. The allocation of bond proceeds should also be included (i.e., sources and uses from Official Statement, account balances, etc.). If the project has not yet commenced, the Bond Issuance is not required to have been undertaken at the time of Application. The applicant can submit a Resolution showing intent and authority to utilize Bond funds for the non-grant funded portion of the project.
- **Capital Campaign/Fundraising/Donations** – Applicants are expected to submit written documentation indicating the amount that has been committed to date and the amount that has been received in the qualified Applicant's bank account. Only the amount received to

date as committed to the Project can be considered, and qualified Applicants must clearly demonstrate how the gap will be bridged until such time all monies are received.

- **Loans / Line of Credit** – Short term loans (1 year or less) or lines of credit may be paid off with Grant proceeds. Applicants are expected to submit the executed loan documents, if available. If the loan has not closed, Applicants should expect to submit the executed commitment letter along with an estimated timeline for satisfying any conditions to closing.

**Reminder:** Project Costs cannot be financed through long-term debt, bonds, or other long-term financial instruments, or from the corpus of a tax credit structures. Please review Section 2.4 above, and the FAQs included with this RFA, for important information regarding tax credit structures.

**Important Note:** *A Grant Disbursement Agreement (GDA) cannot be entered into unless all other funding commitments are secured, in writing. Failure to obtain an executed GDA within twelve (12) months of the Award will forfeit the 4CFP Grant.*

## 2.7 Eligible Project Costs

Grants may be used to reimburse capital costs including design, construction, reconstruction, renovation and the acquisition of equipment. All costs, (estimates, contracts and invoices), **must be in the legal name of the Applicant and all invoices must be paid from the Applicant's verified business accounts**. Purchases paid for by a personal account will not be reimbursed. No other entity or individual can have paid for the project costs in the first instance.

**Costs cannot have been incurred before April 1, 2025. All 4CFP projects must be fully completed and all 4CFP funds fully disbursed by December 31, 2029.**

### Eligible Project Costs include, but are not limited to:

#### **(a) Cost of interior building improvements to:**

- Create additional classroom space in an existing location by converting or adapting other rooms to classroom space (e.g., demolition of partitions and infilling existing wall construction, modifying existing exits for sufficient egress, installing a diaper change area for new infant/toddler classroom)
- Create or improve areas to serve as indoor gross motor and/or multi-purpose space
- Improve egress and access within the facility (e.g., ramps, sinks with knee clearances) as well as egress and access to the outdoors for children with no or limited mobility
- Bathrooms with age-appropriate plumbing and child height fixtures
- Child height handwashing sinks in classrooms, including touchless fixtures
- Windows in classrooms and common areas
- Flooring –***post facility renovation or new construction only – simply replacing flooring on its own is not a capital eligible expense***
- Fire safety and fire protection systems e.g., sprinklers, smoke detectors
- Indoor air quality systems (e.g., HVAC systems, upgrade mechanical air exchange system with individual classroom controls, air purifiers)
- Doors, entrances and exits including locking mechanisms

- Remediation of environmental issues when part of a larger construction/renovation project (e.g., lead pipes, asbestos, including environmental site and remedial investigation)
- Diaper changing areas
- Nurse area, sick child area
- Electric and lighting systems
- Security systems including security cameras, panic buttons and card readers
- Furniture, Fixtures and equipment (FFE) with a useful life of not less than 10 years
- Kitchens and food preparation areas
- Plumbing (e.g., replacing leaking pipes, drainage issues)
- Acoustics (e.g., absorptive materials, acoustic panels, ceiling tile systems)
- Secure storage areas
- Stable partitions and/or floor-to-ceiling walls to separate classrooms and improve acoustics

**(b) Costs of exterior building improvements to:**

- Install, replace and/or improve equipment to provide children with age appropriate, safe, engaging outdoor play areas
- Climbing structures, (including equipment & solid safety surfaces)
- Creating a separate space for infants
- Bollards for parking lots and/or playgrounds
- Covered enclosures, shade structures, awnings, outdoor furniture, storage shed
- Increase accessibility or to meet code enforcement requirements, e.g., installing or replacing ramps
- Address exterior drainage issues
- Exterior fencing, including security gates
- Roof replacement
- Decking
- Sidewalks connecting classrooms
- Parking areas

**Eligible non-construction costs are limited to:**

- Architectural design and engineering resulting in stamped construction documents.

## 2.8 Ineligible Project Costs

Ineligible uses of 4CFP funds include, but are not limited to:

- Real Property acquisition.
- Working capital, including funds required to operate a facility, such as staff, rent, utilities & internal labor.
- Toys, books, supplies, including classroom supplies.
- Furniture & equipment without a useful life of at least ten years.
- Playground mulch.
- Grant writing, administration, legal, insurance and other fees.
- Repairs or maintenance projects.
- Long term debt, including financing of machinery or equipment.

- Funding all or part of any project where the Grant funds would be utilized as part of an existing or proposed Tax Credit Structure.

## Section Three: APPLICATION PROCESS

### 3.1 View Informational Webinar

- A Webinar video will be posted on the OCFS and DASNY Websites no sooner than December 10, 2025. This video will address questions and clarify specific elements of the RFA announcement.
- Prior to the Webinar date, please thoroughly review all RFA documentation for all requirements, including but not limited to Section Four (Evaluation) and Section Five (Advancement and Grant Disbursement Agreements).
- Submit questions as needed per instructions below:
  - OCFS and DASNY will receive all questions for the 4CFP RFA via the survey monkey site <https://www.surveymonkey.com/r/Childcare-2025>. Please send all questions no later than 5:00 pm EST , December 19, 2025.
  - Questions of a substantive nature submitted prior to December 5, 2025 will be addressed on the Applicant Webinar Video, where applicable. To maintain a fair and open process, OCFS and DASNY will only accept questions regarding this RFA received via <https://www.surveymonkey.com/r/Childcare-2025>.
  - Questions received after the Webinar Video has been posted on December 10, 2025, and prior to 5:00 pm EST December 19, 2025, will be made available on the [Child Care Services page of the OCFS website](#) and DASNY ([Grant Administration | DASNY](#)) websites no later than January 16, 2026.

**All potential Applicants are strongly encouraged to view the Webinar as the Child Care Capital Construction Funding Program (4CFP) grant Application process will be explained in the Webinar Video.**

#### Applicant Action Items:

Prior to the Webinar date, review the RFA and appendices for all eligibility and submission requirements.

### 3.2 Prequalification or Registration in the NYS Grants Management in SFS

- Not-For-Profit Corporations must receive approved prequalification status prior to the submission of their Application and must remain Prequalified through the execution of the Grant Disbursement Agreement and payment of all requisitions.
- Not-For-Profit Corporations that are not prequalified will be ineligible for a 4CFP grant and will not be reviewed or scored.
- Prequalification in the Statewide Financial System (SFS) may take several weeks to complete. Applicants are advised to start the process as soon as possible to allow ample time to complete the Prequalification process prior to submitting the 4CFP Application, including all follow up inquiries from the prequalifying State Agency.

- Required documentation to be filed with SFS to obtain Prequalification status includes:
  - Certificate of Incorporation or equivalent document
  - DBA Certificate (if applicable)
  - IRS 501(c) determination letter
  - IRS 990
  - Audit/Reviews and Findings
  - CHAR500 or CHAR410
  - Board of Directors Profile
  - Senior Leadership Resumes
  - Corporate Bylaws
  - Organization Chart
- Applicants with questions regarding the SFS Prequalification or registration should review the recorded prequalification webinar linked here: [12/03/2024 ITS Webinar](#).
- Applicants should also review the following:
  - If the Applicant is already set-up as a vendor in SFS but is having trouble logging in because they cannot find their Vendor ID, or they cannot find their enrollment email, questions should be directed to the SFS Desk at [Helpdesk@sfs.ny.gov](mailto:Helpdesk@sfs.ny.gov)
  - If the Applicant is already a vendor in SFS but is not prequalified currently, this video can be viewed for additional instructions on how to navigate and prequalify in SFS: [Prequalification](#)
  - If the Applicant requires an SFS vendor ID to prequalify, additional information can be found at: <https://grantsmanagement.ny.gov/register-your-organization-sfs>. The Applicant will need to complete a Substitute W-9 and Grants Management Registration Form and submit it to [grantsmanagement@its.ny.gov](mailto:grantsmanagement@its.ny.gov).
  - Questions regarding the registration form can be directed to [grantsmanagement@its.ny.gov](mailto:grantsmanagement@its.ny.gov).
- For other resources, follow this link to Grants Management in SFS: [NYS Grants Management: Resources for Grant Applicants/Help Using SFS \(non-profits\)](#).

### **Applicant Action Items:**

Prior to the completing a 4CFP Application, ensure registration and prequalification in SFS.

### **3.3 Submit Application**

#### **Applicant Action Items:**

- 1) Review Section Four - Evaluation and **Appendix 1 – 4CFP Application**
- 2) Ensure that Application responses directly address the program Pass/Fail requirements for eligibility as well as the scoring criteria set forth in **Appendix 3 – Scoring Matrix**
- 3) Submit Applications beginning **February 2, 2026** but **no later than 11:59 pm March 13, 2026**.
- 4) If the Applicant is opening a new child care program, they must have completed significant background and development work before applying to 4CFP. They are

encouraged to contact the child care licensing office to discuss licensing/registration/permited requirements so that plans reflect these requirements.

**Applications will be accepted from February 2, 2026 through March 13, 2026.**

Applications must be submitted to [Childcare@DASNY.org](mailto:Childcare@DASNY.org) by the established due date and time. Incomplete Applications and/or those submitted after the submission period has ended will not be considered. ***The Application cannot be accessed or submitted through SFS.***

Applicants are strongly encouraged to submit their Applications **as soon as their Application is complete, well in advance of the Application due date**. Technical issues with sending an Application may be reported to [Childcare@DASNY.org](mailto:Childcare@DASNY.org) but there is no guarantee that an issue can be resolved in the final hours of the submission window.

**Important Steps:** To complete the Application process, please pay particular attention to the following steps and required documents to be submitted:

**Applications can be submitted only through [Childcare@DASNY.org](mailto:Childcare@DASNY.org). Anything received via another email, postal delivery, or facsimile will not be accepted, and no notification will be provided to the applicant.**

## **Required Documents to be Submitted with the Application**

- Applicants must attach their site control documentation – Certificate of Municipal Site Control, Deed, rental/lease agreement or contract of sale with any related attachments.
- Applicants must attach their Construction Feasibility documents which include:
  - for leased/rented sites - a letter from the landlord/lease organization on company letter head giving the Applicant permission to complete the project at the designated site. Letter must be dated and signed by an authorized Officer of the landlord or leasing agency.
  - documentation that indicates the Applicant has the funds necessary to complete the project or, will have those funds within **twelve (12) months** of the date on the grant award letter.
  - required permits obtained, or list of permits that will be needed to complete the project.
- Applicants must attach a completed project budget which can be found in section 5 of the 4CFP Application.
  - Applicant must clearly demonstrate project is fully funded:
    - Completed Detailed Budget;
    - Estimates, quotes, proposals from professional sources; and
    - Evidence of additional funding sources, if applicable.

## **Final Submission Steps:**

- The 4CFP Application is a fillable PDF. **Be certain to save the document prior to submitting it** and name the Application and any additional PDFs clearly with the Applicant organization's name. Number relevant attachments as needed for clarity and to ensure that all relevant information and documentation is submitted.
- The Applicant may choose to submit one comprehensive PDF of the Application with all related backup documentation, or to submit an email with multiple attachments.
  - **Remember that only one 4CFP Application can be submitted per organization so only the first email submitted to [Childcare@DASNY.org](mailto:Childcare@DASNY.org) will be evaluated. It is imperative that all relevant documents are contained in this one email.**
- File size limit cannot exceed 112 MB for messages outside Microsoft datacenters, and 150 MB between Microsoft users. If you prefer to submit a zip file, please find assistance here: [Zip and unzip files - Microsoft Support](#)
- Please ensure, if applicable, that [Childcare@dasny.org](mailto:Childcare@dasny.org) has access to the Application and all attachment documentation.
- Prior to submission, please be certain to include "4CFP Application" in the subject line of the email and name all attachments with your organization's name.
- ***4CFP is a competitive grant program so once your Application has been submitted, you will not be able to make any changes or additions to your Application. If your Application is not complete, it could result in a lower score and/or render the Application ineligible to advance to scoring.***

## Section Four EVALUATION

4CFP is a highly competitive grant program. Applicants will be scored using a scoring matrix. Please review Appendix 3 – Scoring Matrix for the specific criteria and valuations.

### 4.1 Pass/Fail Eligibility Review

Initially, all Applications will be reviewed for eligibility. Based on the information provided in and with the Applications, OCFS and DASNY will determine if the submitted Application meets the eligibility criteria as outlined in this RFA.

### 4.2 Selection Criteria

After passing the eligibility review, all Applications will be categorized by region of the State; either DCC/GDC or SACC and if they are a Municipality as defined herein.

OCFS and DASNY will then score each eligible Application and assign points based on the information provided in the Application.

All Applications will be scored based on project viability, project impact, and project need as described in the Scoring Matrix (Appendix 3). A total of 100 points will be available in the following categories:

- Project Viability- maximum score up to 41 points:
  - DASNY will review the Applications and score for compliance with the RFA and bond eligibility; site control; project cost estimates as well as verification that sufficient funds exist to complete the project as described.
- Project Impact – maximum score up to 17 points:
  - OCFS will score and evaluate the qualitative aspects of the program as well as review the proposed number of child care slots.
- Project Need – maximum score up to 42 points:
  - OCFS will score based on the Child Care Desert Level of the proposed project locations as well as number of slots created and the critical need of child care slots identified and addressed within the Application (Appendix 1).
  - For child care centers licensed pursuant to 18 NYCRR 418-1 and group day care programs permitted pursuant to Article 47 of the New York City Health Code, applicants who agree to designate new classrooms to infants and toddlers will receive a higher score than those who do not add infant and toddler classrooms.

Table 2-Desert Level Breakdown (for reference)

REDC	Percent of Census Tracts in REDC that are “deserts”	Average number of children under 5 yrs per CC slot*	Number of children under 5 yrs in REDC (ACS 5-year est, 2019-2023)**	Proportion of NY population under 5 yrs in REDC
Capital Region	63.8%	7.1	53,112	4.8%
Central NY	69.3%	9.6	41,137	3.7%
Finger Lakes	64.5%	7.5	62,834	5.7%
Long Island	61.5%	6.0	149,730	13.6%
Mid-Hudson	55.9%	6.6	139,963	12.8%
Mohawk Valley	72.2%	9.3	24,818	2.3%
New York City	52.0%	4.8	498,233	45.4%
North Country	70.9%	6.7	22,806	2.1%
Southern Tier	70.4%	8.3	30,367	2.8%
Western NY	68.6%	7.6	74,447	6.8%
<b>Total</b>	<b>58.8%</b>	<b>6.2</b>	<b>1,097,447</b>	<b>100.0%</b>

Data sources: child care capacity data for licensed and registered child care providers (excluding School Age Child Care Programs) from Child Care Facility System, August 2025; child care capacity data for permitted day care centers in New York City data extracted from Open Data NYC, August 2025.

\* Average ratio of children under 5 years of age per child care slots in census tract, only includes census tracts with a calculated ratio. Census tracts with no child care are coded as deserts, but do not have a calculated ratio.

\*\*U.S. Census Bureau, American Community Survey, 5-year estimates 2019-2023, Table B01001, Sex by Age.

To view the NYS Regional Economic Development Council (REDC) map please visit:

- <https://www.governor.ny.gov/sites/default/files/atoms/files/RegionalCouncilMap.pdf>

To view the Child Care Deserts Levels Census Tracts for New York State please refer to the map on the OCFS website:

- <https://experience.arcgis.com/experience/ed046537fae14e02a414388b34ca2f8c/>

For additional information on Child Care Deserts and supporting data, please visit the following:

- <https://ocfs.ny.gov/programs/childcare/data/#provider-data>

*If there are tied scores among Applicants, ties will be resolved by awarding in date/time order of earliest Application submission.*

## Section Five: ADVANCEMENT & GRANT DISBURSEMENT AGREEMENT

### 5.1 Issuance of Award Letters

4CFP Awards will be announced after all qualifying Applications have been scored by OCFS and DASNY.

Awards will be announced no earlier than May 4, 2026.

After the announcement, DASNY will issue an Award Letter to the Awardees selected and manage the award process. The Award Letter is not meant to constitute a commitment to provide funds but shall constitute a commitment on the part of DASNY to enter into a Grant Disbursement Agreement (GDA) subject to compliance with the conditions precedent set forth in the Award Letter and this RFA. The GDA is not effective until fully executed.

The Award Letter will expire **twelve (12) months** after issuance.

**Important Note:** Due to the anticipated high demand of 4CFP funding and in keeping with the intent to invest in time sensitive projects, all 4CFP Awardees are expected to fully comply with the program requirements and complete all required reviews within twelve (12) months from the date of their 4CFP Award Letter.

Failure to meet this deadline will constitute forfeiture of the 4CFP funding opportunity and the funds will be returned to the 4CFP pool to be made available to the next successive Qualifying 4CFP Applicant. A 4CFP Awardee who is subject to such forfeiture would be eligible to submit a new 4CFP Application in future 4CFP funding opportunities.

**Important Note: Due to the competitive nature of the award, changes to the project scope and/or project location will not be permitted at any point in the grant administration process.**

### 5.2 Prerequisites to the Grant Disbursement Agreement

After the issuance of the Award Letter, DASNY will undertake a statutory, financial, environmental, and bond and tax counsel review. DASNY will also determine whether required regulatory approvals have been obtained. DASNY will also verify that sufficient site control is in place.

#### Financial Review

DASNY will conduct a financial review in connection with each Award in order to verify that sufficient funds have been secured in the amount necessary to complete the 4CFP project, and that such funds meet all applicable criteria set forth in this RFA. As set forth in Section 2.5 of this RFA, the full project amount must be secured. Awardees will also be required to submit a W-9.

## State Environmental Quality Review

For those projects requiring an environmental review pursuant to the State Environmental Quality Review Act (SEQRA), the Applicant must provide either the Findings Statement or the Negative Declaration prepared by the SEQRA Lead Agency in connection with the project. If no SEQRA review has been undertaken in connection with a construction project that is currently underway or has not started, DASNY will undertake the necessary review, which may require further action by the 4CFP Awardee.

If a Section 14.09 of the Historic Preservation Act review was completed in connection with the 4CFP project, please provide documentation.

## Grantee Questionnaire

DASNY needs to be certain that grant funds are paid only to Organizations that are deemed to be responsible entities. Full and accurate responses on the Grantee Questionnaire (GQ) will help to achieve this goal. A request will be made to obtain two Authorized Officer names and email addresses so that the GQ may be sent through DocuSign. The GQ is required in order to complete the review process and will be incorporated into the GDA. The submission of false information on the GQ could be a violation of Federal and/or State Penal Laws. **NOTE: The GQ must be completed under the Legal Name of the Organization.**

## Project Certification

All Awardees must be able to certify that grant funds will not be used to finance a program or project that will in any way promote or facilitate religious worship, instruction, or proselytizing. Awardee will be asked to certify, at a minimum, the following in connection with the project to be financed by the 4CFP Grant:

- No religious purpose shall be advanced or promoted by the child care program funded by the proposed 4CFP funding;
- The child care program will provide no religious instruction or counseling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of services, or the use of facilities or furnishings assisted in any way by public funds;
- The child care program shall be open to all without regard to religion; and
- The Awardee shall take affirmative steps to ensure that information is widely disseminated with respect to the following aspects of the child care program:
  - a. The child care program is publicly funded.
  - b. The child care program is open to all, regardless of religious affiliation.
  - c. The child care program beneficiaries are not limited to any particular sect or group.
  - d. No portion of the project financed with grant proceeds will be used for any of the following purposes:
    - i. Sectarian instruction or study;
    - ii. devotional activities or religious worship;

- iii. in connection with any part of a program of a school or department of divinity for any religious denomination; or
- iv. the training of ministers or other similar persons in the field of religion.

- All contractors and vendors retained to perform services in connection with the Project shall be authorized to do business in the State of New York and shall possess and maintain all professional licenses and/or certifications required to perform the tasks undertaken in connection with the Project.

As a condition precedent to the execution of any GDA, an Awardee shall be required to submit copies of commitments for additional project funding to DASNY.

DASNY will require documentation to confirm that any additional required funding has been secured, as agreed to by OCFS and DASNY.

The Awardee agrees to retain all license capacity at the awarded level for a minimum of 8 years after the date the Certificate of Occupancy is issued upon completion of the construction project.

#### Child Care Licensing Office Certification

Within 60 days of receiving the award letter all Awardees must submit the child care licensing office sign off form to OCFS. This form confirms that the awardee has established or is maintaining contact with the child care licensing office. The form will be made available on the OCFS website no earlier than May 1, 2026.

### **5.3 Grant Disbursement Agreement**

DASNY will forward a Grant Disbursement Agreement (GDA) to the Awardee once the aforementioned reviews, as applicable, have been completed. The GDA is the contract between the Awardee and DASNY. The Awardee will review and sign the GDA which will then be forwarded to the Applicant's Attorney for review.

Upon the return of the GDA to DASNY, DASNY will review the GDA for completeness and accuracy, which will include verification that the budget has not changed (or that a valid rationale is given for the budget change and the change does not materially affect the approved project or timeline., the exhibits are properly completed, an appropriate Opinion of Counsel has been provided as required by Exhibit B of the GDA, and no other issues have arisen that would affect the status of the grant. Once this review is complete, DASNY will arrange for the execution of the GDA.

The GDA will become effective upon execution of the GDA by both the Awardee and DASNY. The GDA will be dated the date of the execution of the GDA by DASNY.

**All 4CFP GDAs executed pursuant to this RFA will expire on December 31, 2029. No extensions will be permitted.**

- No repayment is required provided the program complies with the following requirements:
  - Operate continuously as a Child Care Program for a period of at least eight years after the date the Certificate of Occupancy is issued upon completion of the construction project.
  - Willingness to accept families receiving child care assistance, though providers will not be required to maintain families receiving assistance throughout the duration of the Grant if the families chose another provider.
  - The Grantee complies with the provisions of the GDA.

## 5.4 GDA Terms and Conditions

### Terms of the 4CFP GDA

The 4CFP GDA between the Grantee and DASNY will terminate December 31, 2029. Please note that some of the terms of the GDA survive its termination. See Appendix 5 to review a sample 4CFP GDA.

**Important Note:** It is expected that the project will be fully completed, and all payment requisitions will be processed and paid by December 31, 2029. No extensions will be permitted. Any 4CFP funds not disbursed by this date may be made available for future 4CFP funding opportunities.

### Reporting Requirements

Any organization that receives funding through 4CFP may be required to submit periodic reports on project activities.

### Non-Discrimination and Affirmative Action Policy for the Project

It is the policy of the State of New York and DASNY, to comply with all federal, State and local law, policy, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action to ensure that Minority and Women-owned Business Enterprises (M/WBEs), Minorities Group Members and women share in the economic opportunities generated by DASNY's participation in projects or initiatives, and/or the use of DASNY funds.

- The recipient of State funds represents that its equal employment opportunity policy statement incorporates, at a minimum, the policies and practices set forth below:
  - Grantee shall (i) not unlawfully discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, (ii) undertake or continue existing programs of affirmative action to ensure that Minority Group Members and women are afforded equal employment opportunities, and (iii) make and document its conscientious and active efforts to employ and utilize M/WBEs, Minority Group Members and women in its workforce on contracts. Such action shall be taken with reference to, but not limited to, solicitations or advertisements for employment, recruitment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on-the-job training.

- At the request of the Affirmative Action Officer, (AAO), the Grantee shall request each employment agency, labor union, or authorized representative of workers with whom it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative does not unlawfully discriminate, and that such union or representative will affirmatively cooperate in the implementation of the Grantee's obligations herein.
- The Grantee is encouraged to include minorities and women in any job opportunities created by the Project; and to solicit and utilize M/WBE firms for any contractual opportunities generated in connection with the Project.
- Grantee represents and warrants that, for the duration of the Agreement, it shall furnish all information and reports required by the AAO and shall permit access to its books and records by DASNY, or its designee, for the purpose of ascertaining compliance with provisions hereof.
- Grantee shall include or cause to be included, paragraphs (1) through (3) herein, in every contract, subcontract or purchase order with a Contracting Party executed in connection with the Project, in such a manner that said provisions shall be binding upon each Contracting Party as to its obligations incurred in connection with the Project.

### Non-Discrimination and Affirmative Action Definitions

#### Affirmative Action

Shall mean the actions to be undertaken by the Borrower, Grantee and any Contracting Party in connection with any project or initiative to ensure non-discrimination and Minority/Women-owned Business Enterprise and minority/female workforce participation, as set forth in paragraph 2) herein, and developed by DASNY.

#### Affirmative Action Officer ("AAO")

Shall mean DASNY's Affirmative Action Officer or his/her designee, managing the affirmative action program for DASNY.

#### Contracting Party

Shall mean (i) any contractor, subcontractor, consultant, subconsultant or vendor supplying goods or services, pursuant to a contract or purchase order in excess of \$1,500, in connection with any projects or initiatives funded in whole or in part by DASNY and (ii) **any borrower or Grantee** receiving funds from DASNY pursuant to a loan or Grant document.

#### Minority Business Enterprise ("MBE")

Shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is (i) at least fifty-one percent (51%) owned by one or more Minority Group Members; (ii) an enterprise in which such minority ownership is real, substantial and continuing, (iii) an enterprise in which such minority ownership has and exercises DASNY to control and operate, independently, the day-to-day business decisions of the enterprise; (iv) an enterprise authorized to do business in the State of New York and is independently owned and operated; and (v) an enterprise certified by New York State as a minority business.

### Minority Group Member

Shall mean a United States citizen or permanent resident alien who is and can demonstrate membership in one of the following groups: (i) Black persons having origins in any of the Black African racial groups; (ii) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race; (iii) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands; and (iv) Native American or Alaskan native persons having origins in any of the original peoples of North America.

### Minority and Women-Owned Business Enterprise Participation

Minority and Women-owned Business Enterprise participation efforts are not limited to the efforts suggested herein, and the role of M/WBE firms should not be restricted to that of a subcontractor/subconsultant. Where applicable, M/WBE firms should be considered for roles as prime contractors. Such efforts may include but not be limited to:

- Dividing the contract work into smaller portions in such a manner as to permit subcontracting to the extent that it is economically and technically feasible to do so;
- Actively and affirmatively soliciting bids from qualified M/WBEs, including circulation of solicitations to Minority and Women's trade associations;
- Making plans and specifications for prospective work available to M/WBEs in sufficient time for review;
- Utilizing the services and cooperating with those organizations providing technical assistance to the Contracting Party in connection with potential M/WBE participation on DASNY contract;
- Utilizing the resources of DASNY Affirmative Action Unit to identify New York State certified M/WBE firms for the purpose of soliciting bids and subcontracts;
- Encouraging the formation of joint ventures, associations, partnerships, or other similar entities with M/WBE firms, where appropriate, and
- The Contracting Party shall remit payment in a timely fashion.

### Women-owned Business Enterprise ("WBE")

Shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is: (i) at least fifty-one percent (51%) owned by one or more citizens or permanent resident aliens who are women; (ii) an enterprise in which the ownership interest of such women is real, substantial and continuing, (iii) an enterprise in which such women ownership has and exercises DASNY to control and operate, independently, the day-to-day business decisions of the enterprise; (iv) an enterprise authorized to do business in the State of New York and is independently owned and operated; and (v) an enterprise certified by New York State as woman-owned.

## 5.5 Requisition of Funds

Once the GDA is fully executed, the organization may begin to requisition funds for work completed using the forms included as exhibits to the GDA. The organization must forward requisitions directly to DASNY's Accounts Payable Unit at [apgrants@dasny.org](mailto:apgrants@dasny.org) **No advances will be made and Grant funds will not be disbursed to pay deposits.**

DASNY will review each requisition received from the Grantee which will include, but shall not be limited to, verification that proper documentation has been received. DASNY reserves the right to request additional information to verify the representations in the requisition.

The Child Care Capital Construction Funding Program grant will provide reimbursement only up to the amount of funding set forth in the GDA. If a project goes over budget, it will be the responsibility of the organization to cover additional expenses. **If allowable costs for the project are less than the amount awarded (i.e. "under budget"), any unused funding will revert to the State; it cannot be used for additional purchases, renovations, or any other expense.**

Please refer to Section 2, including the 'Important Notes, for additional information regarding project costs that may not be submitted for reimbursement.

The 4CFP GDA allows for Grantee to utilize DASNY's Payment on Invoice option to pay for Eligible Project Costs upfront. Pursuant to the terms of the GDA, a Grantee would need to provide DASNY with documentation evidencing that a non-interest-bearing segregated account has been established by the Grantee into which Grant Funds will be deposited and that an industry standard-fraud protection be added to the segregated bank account (e.g., Positive Pay). Eligible expenses incurred in connection with the Project to be financed with Grant Funds must be paid out of this account. All work being paid on invoice must be completed prior to disbursement of Grant Funds. The funds in the segregated account shall not be used for any purpose other than making payments to a contractor or vendor for approved costs in connection with the Grant funded Project. The Grantee must provide proof of disbursement of Grant Funds to the respective contractor and/or vendor in a form acceptable to DASNY, within sixty (60) days of the date that Grant Funds are disbursed to the Grantee to pay for such costs. DASNY will not make any additional disbursements from Grant Funds until such time as proof of payment is provided. Failure to comply with these requirements will revoke a Grantee's eligibility to utilize the Payment on Invoice option.

**Important Note:** In order to be reimbursed for Eligible Project Costs – the following documentation must be available for submission at the time of reimbursement:

- **Paid invoice from a vendor authorized to do business in NYS naming the grantee organization as the contractee;**
- **Cancelled check or bank statement or corporate credit card statement evidencing payment to the named contractor; and**
- **The invoice, cancelled check, bank statement, and corporate credit card must also be in the legal name of the Grantee(i.e. not under parent or affiliated organization)**

### Annual 4CFP Grantee Reporting Form

All Grantees will be required to submit an annual certification to OCFS at [ocfs.sm.DCCScapitalprogram@ocfs.ny.gov](mailto:ocfs.sm.DCCScapitalprogram@ocfs.ny.gov) beginning the first year after the grant funded project has been completed as defined as the date the Certificate of Occupancy is issued upon completion of

the construction project. The annual report must be filed for a minimum of eight years and each of the required certifications shall include, but shall not be limited to, the following representations:

- The Grantee continues to operate a Child Care Program;
- The Grantee has all necessary approvals, licenses, registrations or permits to operate the Child Care Program; The Grantee maintains a willingness to accept families in receipt of child care assistance; and
- The Grantee is in compliance with the provisions of the Act and the GDA.

In the event that a Grantee is in non-compliance with GDA and RFA requirements, DASNY, may pursue any form of redress available, legal or equitable, to recover any grant funds that have been paid to such Grantee.

## Section Six: RIGHTS RESERVED

OCFS and DASNY reserve the right to:

- Amend the RFA if necessary and post updated information on the OCFS and DASNY websites;
- Reject any or all Applications received in response to this RFA;
- Withdraw the RFA at any time at the sole discretion of OCFS and DASNY;
- Exclude ineligible expenses from the grant amount requested;
- **Withdraw the award if the Grant Administration process is delayed in excess of twelve (12) months due to non-responsiveness; or an inability of the Awardee to provide the documentation required for the successful administration of the Grant Award (e.g., site control documentation, financial documentation, etc.) towards contract execution in excess of twelve (12) months from date of award. No applicant will have any rights against OCFS or DASNY arising from such actions;**
- Consider Applications submitted in response to this RFA that were not initially funded in the event of a 4CFP award forfeiture. Updated information may be requested as deemed necessary by OCFS or DASNY;
- Adjust funding allocation splits between Downstate and Rest of State as well as amounts allocated to DCC/GDC and SACC programs to maximize grant distribution across the State;
- Utilize funds anticipated to be awarded to Municipalities toward awards for eligible not-for-profit Applications if sufficient eligible Municipal Applications are not received;
- Solicit and accept new Applications if additional 4CFP funding becomes available; and.
- Request additional information from the Applicants as required prior to entering into a GDA. **Please note, however, that OCFS and DASNY will not contact the Applicant during the Application Period to seek clarification, request additional information or inform the Applicant that the Application is incomplete.**

## Section Seven: MORE INFORMATION

For further information on child care licensing requirements, contact your local licensing office, listed below:

### **Albany Regional Office**

West Building, Room 261  
52 Washington Street  
Rensselaer, NY 12144  
518-402-3038

*Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington counties*

### **Buffalo Regional Office**

295 Main Street, Room 545  
Buffalo, NY 14203  
716-847-3828

*Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming counties*

### **Long Island Regional Office**

Perry Duryea State Office Building  
250 Veterans Memorial Highway, Suite 2a-20  
Hauppauge, NY 11788  
631-240-2560

*Nassau and Suffolk counties*

### **New York City Department of Health and Mental Hygiene (NYCDOHMH Bureau of Child Care)**

Bureau of Child Care  
125 Worth Street, 3rd Floor  
New York, New York 10013  
646-632-6100, Fax 347-396-8054

### **Borough Offices**

#### **Brooklyn/Staten Island**

718-222-6390

#### **Bronx**

347-854-1971

#### **Manhattan/Staten Island**

646-632-6305

#### **Queens**

718-480-2263

*Serving the boroughs of New York*

### **Rochester Regional Office**

259 Monroe Avenue, 3rd Fl. Monroe Square  
Rochester, NY 14607  
585-238-8531

*Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, and Yates counties*

**Syracuse Regional Office**

The Atrium

100 S. Salina Street, Suite 350

Syracuse, NY 13202

315-423-1202

*Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, and Tompkins counties*

**Westchester Regional Office**

117 East Stevens Avenue

Valhalla, NY 10595

845-708-2400

*Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties*