Lake Ontario Resiliency and Economic Development Initiative (REDI)

Funding Authorities: DASNY and EFC
REDI Documentation

- REDI award letters were sent by the REDI Commission on November 1, 2019
  - REDI Intake Form due to the REDI Commission by December 2, 2019
  - Engineering Opt-In/Opt-Out Form due to the REDI Commission by December 2, 2019

- DASNY/EFC Application Packages e-mailed to REDI Grantees on November 1, 2019
  - REDI Grant Application due to the Funding Authority on or before March 16, 2020
  - Certifications due on or before March 16, 2020
  - Financial Review Checklist to assist with gathering information to support budget
Funding Authority Role

- Funding for your REDI Grant will flow through your Funding Authority.
- Funding Authority will gather required documentation, coordinate reviews and move project toward a contract.
- Grantee will enter into a Grant Disbursement Agreement or Funding Agreement with Funding Authority.
- Funding Authority will coordinate with Oversight Agency.
  - Oversight Agencies for DASNY projects are NYSDEC, NYSDOS or NYSDOT
  - Oversight Agencies for EFC projects are either NYSDEC or NYSDOH
Coordination with Oversight Agencies

- The Funding Authority will be the primary point of contact relating to the funding.

- The Oversight Agency will be the primary contact for project implementation.

- The Funding Authority will coordinate with the Oversight Agency during the grant administration process for project approval, questions about budget or scope changes, and permitting matters.

- The Oversight Agency may complete periodic site visits to verify that the project is proceeding according to schedule and in compliance with permit and program requirements.
REDI Grant Process

- Application Review / Documentation Collection
- Project Diligence / Concurrent Reviews
- Oversight Agency Review and Approval
- Grant Disbursement Agreement / Funding Agreement Execution
- Requisition / Disbursement Process
Recipient: Town of Irondequoit
Grant Program: SAM (State and Municipal Facilities Program)
Project ID #: 15857
Project Description: Construction of Buildings at the New Department of Public Works Campus
Grant Amount: $1,125,000
Date Financial Review Complete: 5/14/19
Recipient Contact: Robert Kiley Commissioner of Public Works 585-336-6033

Financial Review:

<table>
<thead>
<tr>
<th>Item</th>
<th>Grant Funding through DASNY</th>
<th>Other</th>
<th>TOTAL</th>
<th>Documentation</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction of several outbuildings - Phase 2 project at the new Department of Public Works Campus</td>
<td>$1,125,000</td>
<td>$69,391</td>
<td>$1,194,391</td>
<td>Project Budget supported by a proposal/quote from Hybrid Building Solutions dated 1/11/19 for the Architecture, Engineering and Installation of a Top Soil Building, a Salt Storage Building and a Cold Storage Building.</td>
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<td>Total Project Costs</td>
<td>$1,125,000</td>
<td>$69,391</td>
<td>$1,194,391</td>
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Funding Sources:

- SAM Grant #15857 $1,125,000 $1,125,000 Per letter on Town of Irondequoit letterhead dated 4/16/19 and signed by Commissioner of Public Works; and letter from Town Comptroller dated 3/18/19 detailing project funding.
- Town of Irondequoit - budget capital reserve funds $69,391 $69,391 $69,391 $69,391 $1,194,391 $1,194,391

Funding Excess (gap): -
REDAI Grant Process – Financial Review Example
Contract Phase

After final approval of each project, DASNY or EFC will forward a Grant Disbursement Agreement (GDA) or Funding Agreement, which is the contract between the Funding Authority and the Grantee setting forth the terms pursuant to which the Grant funds will be disbursed.
Requisition / Disbursement Process

- Standard Reimbursement
- Payment on invoice
- Requisition forms will be included as attachments to your contract.
At DASNY, each time you make a requisition request, you may choose how you would like to be paid.

Exhibit E-I: Payment Requisition Cover Letter

ON GRANTEE’S LETTERHEAD

Date
Attention: Accounts Payable - Grants
DASNY
516 Broadway
Albany, New York 12207

Re: «GrantTypeDesc» (“«GrantTypeName»”) Grant
«ProjectDesc»
Project No. «ProjectID»

To Whom It May Concern:

Enclosed please find our request for payment/reimbursement. The package includes completed Exhibits E and E-2, including a Dual Certification with original signatures from two authorized officers. I have also included supporting documentation and invoices, as summarized in Exhibit E-2.

Below I have checked off the relevant payment option and completed the required payment information. This information is complete and accurate as of the date of this letter:

1) ☐ We would like to be paid by reimbursement pursuant to section 5(a) of the grant disbursement agreement. Proof of payment is enclosed for all invoices submitted in this request. Please remit payment by check.

OR

2) ☐ We would like to be paid by reimbursement pursuant to section 5(a) of the grant disbursement agreement. Proof of payment is enclosed for all invoices submitted in this request. Please remit payment by wire. The wire instructions for our account are as follows:

   BANK NAME: __________________________
   ACCOUNT #: __________________________
   ACCOUNT NAME: ________________________
   ABA #: ________________________________

OR

3) ☐ We would like to be paid on invoice pursuant to Section 5(b) of the grant disbursement agreement. We have not paid the invoice(s) included in this request. We have established a segregated account to be used solely for accepting and disbursing funds from DASNY for this grant and for no other purpose. The wire instructions for this account are as follows:

   BANK NAME: __________________________
   ACCOUNT #: __________________________
   ACCOUNT NAME: ________________________
   ABA #: ________________________________

If any further information is needed, please contact me at ________.

Signature: ____________________________
Print Name: __________________________
Title: _______________________________
EXHIBIT E: Payment Requisition Form and Dual Certification

**DUAL CERTIFICATION**

This certification must be signed by two Authorized Officers of the «LegalOrganizationName», for Project # «ProjectID».

We hereby warrant and represent to DASNY that:

1. To the best of our knowledge, information and belief, the expenditures described in Payment Requisition Request # attached hereto in the amount of $ for which «LegalOrganizationName», is seeking payment and/or reimbursement comply with the requirements of the Agreement between DASNY and «LegalOrganizationName» (the "Agreement"), are Eligible Expenses, and that the payment and/or reimbursement of expenses for which it is seeking payment and/or reimbursement from DASNY does not duplicate reimbursement or disbursement of costs and/or expenses from any other source.

2. The warranties and covenants contained in Section 8 of the Agreement are true and correct as if made on the date hereof.

3. The Eligible Expenses for which reimbursement is sought in connection with this requisition were actually incurred by the Grantee named on the cover page of this Agreement, and/or will be paid by the Grantee solely from the Segregated Account established pursuant to paragraph 4(d) of the Grant Disbursement Agreement to the contractor named on the invoices submitted in connection with this requisition and shall not be used for any other purpose.

4. All Project costs described in any contractor/vendor invoice submitted pursuant the payment requisition form have been completely and fully performed and/or received on site at the applicable project location prior to the date hereof.

5. Proof of disposition of funds from the Segregated Account to the contractor and/or vendors that are being paid on invoice, if any, will be provided to DASNY within sixty (60) days of the date that Grant funds are disbursed to the Grantee to pay for such costs. We understand that in the event that acceptable proof of payment is not provided, DASNY will not make any additional disbursements from Grant funds until such time as such proof of payment is provided.

6. We have the authority to submit this requisition on behalf of «LegalOrganizationName». All eligible expenses have been incurred within the scope of the project description set forth in the schedule in Exhibit A to this Agreement.

7. The following documents are hereby attached for DASNY approval, in support of this requisition, and are accurate images of the original documents (Please check off all that apply):

- Readable copies of both front and back of canceled checks.
- Readable copies of the front of the checks and copies of bank statements showing that the checks have cleared.
- Copy of New York State Vehicle Registration and Title documents for all vehicles purchased with Grant funds.
- Invoices/receipts for eligible goods/services that have been received/performed at the approved Project location(s) and a completed Exhibit E-2: Payment Requisition Back-up Summary.
- Other: __________________________

Authorized Officer Signature: __________________________________________ Date: __________________

Print Name: __________________________________ Title: __________________

Authorized Officer Signature: __________________________________________ Date: __________________

Print Name: __________________________________ Title: __________________

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**EXHIBIT E-2: Payment Requisition Back-up Summary**

<table>
<thead>
<tr>
<th>VENDOR/ CONTRACTOR NAME</th>
<th>INVOICE/ APPLICATION #</th>
<th>AMOUNT REQUESTED FROM GRANT FUNDS</th>
<th>COMMENT</th>
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TOTAL Requested: __________________________________________

(Transfer total amount requested to Exhibit pg. 18 column B)
REDI Funding Authority Program Contact Information

**DASNY Contact:**
Ms. Ann Shaw  [ashaw@dasny.org](mailto:ashaw@dasny.org)
Please send a copy to [redi@dasny.org](mailto:redi@dasny.org)

REDI Help Desk
(518) 257-3177

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**EFC Contact:**
Mr. Derek Sellman  [Derek.Sellman@efc.ny.gov](mailto:Derek.Sellman@efc.ny.gov)

EFC Phone Number
(518) 402-6924
Q: How does one know who the grantee should be under this program?
A: The Grantee is typically the entity who enters the contracts, will be paying the vendors and who holds site control of the project site. If you believe the incorrect Grantee has been identified for a project, please contact your Funding Authority to discuss further.

Q: Does the start date on the forms mean the start of design or start of construction?
A: For the REDI Commission’s Grant Intake Form the anticipated start date should be the start of construction for the REDI project. For DASNY’s or EFC’s REDI Application, the anticipated start date should be that for which design has started.
Q: If there are a consortium of entities working in partnership, how will this be handled?

A: We recognize that these are complex projects and that in some cases, numerous municipalities have a role in bringing the project to fruition. Generally, the Grantee will be the entity entering into contracts, paying the vendors, and having site control to complete the project. Please contact your Funding Authority to discuss your situation so that we can assist with identifying the best way to proceed. Please note that any changes to the named Grantee and/or project scope will need to be approved by the Oversight Agency and the REDI Commission.
Questions and Answers: Project

Q: Can I hire an individual or organization to manage the REDI grant process?

A: Yes, Grantees can hire an individual or entity to administer their grant documents. However, please note that these costs would be administrative in nature and would not be reimbursable with grant funds.

Q: What is the timeline for the Funding Authority to undertake its review process?

A: The REDI program is a priority for DASNY and EFC and we are committed to completing the necessary reviews as soon as possible. The completion of the reviews is dependent upon when the Grantee provides all required documentation. At that point the project will be submitted for final approval.
Questions and Answers: Project

Q: How will the Funding and Oversight Entities, and any other Agency with a role in the project, coordinate efforts? Which Agency will the Grantee communicate with?

A: The Funding Authority will be the primary point of contact relating to the funding. The Oversight Agency will be the primary contact for project implementation. The Funding Authority will coordinate with the Oversight Agency during the grant administration process for project approval, questions about budget or scope changes, and permitting matters. The Grant Disbursement Agreement(s)/Funding Agreement(s) will be entered into with the Funding Authority. The Oversight Agency may complete periodic site visits to verify that the project is proceeding according to schedule and in compliance with permit requirements.
Questions and Answers: Project

Q: Can Grantees combine projects and have them funded under one program or one Funding Authority?

A: Each Funding Authority will enter into a Grant Disbursement Agreement or Funding Agreement with the Grantee. If the same Funding Authority is administering multiple projects for the same Grantee, certain projects MAY be combined. This is a fact specific determination. DASNY and EFC will work with the Grantees and the Oversight Agency to determine the most efficient way to proceed with contracting.
Questions and Answers: Project

Q: For projects that qualify as Type II actions under SEQRA, will funding/approving agencies be satisfied with a complete short-form EAF and memo, or is a board resolution also desired?

A: If a project qualifies as a Type II action, then a Short Environmental Assessment Form will be acceptable or a Board Resolution indicating that the municipality has determined the action to be Type II.
Questions and Answers: Project

Q: Can attorney fees be paid from Grant funds in connection with land acquisition; formation of a district, or other legal costs?

A: Certain legal fees directly related to a real property closing and formation of a district, may be paid with grant funds. This is a fact specific determination. Please contact the Funding Authority to discuss the specifics.

Other attorney fees, professional fees and administration costs are not reimbursable, nor will they qualify towards the Grantee’s match requirement.
Q: How can ownership be documented for private landowners where work is being undertaken?

A: Please provide a copy of the easement, lease, license, or other documentation demonstrating that the Grantee has obtained the legal right to undertake work on the private landowner’s property.
Can grant funds be used to pay for acquisition of real property?

The grant funds may be used to pay up to the appraised amount of the real property acquisition. The Grantee will need to provide an appraisal meeting Uniform Standards of Professional Appraisal Practice (USPAP) guidelines. Grantees are encouraged to contact their Funding Authority as soon as possible regarding real property acquisition to be certain that the proper form of appraisal is obtained. It is expected that the Grantee will remain the owner of the property for a period of at least 10 years.
Q: My project may require an easement to complete. Can the cost of the easement to reimbursed or count toward the 5% match?

A: While the outright acquisition of real property is an eligible cost, easements must be analyzed on a case by case basis due to the varying valuations, durations, and impact they have to property owners. Contact your Funding Authority to discuss your specific situation.
Questions and Answers: Eligible and Non-Eligible Costs

Q: Will eligible/properly-documented costs incurred prior to executing the GDA/Funding Agreement be reimbursable once the GDA/Funding Agreement is in place?

A: Yes, eligible project costs which were incurred on or after 4/1/2019 are reimbursable.

Q: Can feasibility studies be funded by the Grant?

A: Generally, no. Although design and engineering costs may be funded by the Grant, feasibility studies are not considered to be capital costs. If you have questions about particular costs that may be labeled as “studies,” please contact your Funding Authority.
Q: Can Grantees use Grant funds to pay for internal labor to undertake the project?

A: Labor costs that constitute “direct labor costs” as described in Treasury Regulation §1.263A-1(e)(2)(i)(B) or “indirect labor costs” for employee benefits as described in Treasury Regulation §1.263A-1(e)(3)(ii)(D), all of which are capitalizable expenditures directly related to the Project and none of which if for overhead, administrative or other similar fees of the Grantee are eligible. The Labor Costs are costs of a type that are properly chargeable to capital account under general Federal income tax principles and will be reflected in the Grantee’s books and records and audited annual financial statements as costs of the Project.

Proper Documentation will be sent to you by your Funding Authority.
SUPPLEMENTAL CERTIFICATE
STATE AND MUNICIPAL FACILITIES CAPITAL PROGRAM
LAKE ONTARIO RESILIENCY AND ECONOMIC PROJECT

The undersigned (the “Grantee”) hereby certifies in connection with the Grantee’s application for a grant submitted to the Dormitory Authority of the State of New York (the “Authority”) under the State of New York (the “State”) State and Municipal Facilities Capital Program with respect to a Lake Ontario Resiliency and Economic Project (the “Project”), as follows:

1. The costs of the Projects in the maximum amount of $_____________, will constitute wage, benefit and payroll costs incurred by the Grantee by utilizing the services of its own employees in the construction, reconstruction or renovation (or the management of such construction, reconstruction or renovation) of the Project (“Labor Costs”).

2. All Labor Costs constitute “direct labor costs” as described in Treasury Regulation §1.263A-1(e)(2)(i)(B) or “indirect labor costs” for employee benefits as described in Treasury Regulation §1.263A-1(e)(3)(ii)(D), all of which are capitalizable expenditures directly related to the Project and none of which if for overhead, administrative or other similar fees of the Grantee. The Labor Costs are costs of a type that are properly chargeable to capital account under general Federal income tax principles and will be reflected in the Grantee’s books and records and audited annual financial statements as costs of the Project.

3. The Grantee will maintain payroll/timesheet records substantiating the Labor Costs, as well as any supporting documents (the “Records”), that truly, correctly and accurately reflect the number of Grantee employees (the “Employees”), the hourly rate and the number of hours expended by such Employees for design, pre-construction, and/or construction, reconstruction or renovation work undertaken in connection with the Project.

4. The wages and/or compensation actually paid to such Employees for work undertaken in connection with the Project is reasonable and customary for the type of work performed by the Employees.

5. If the work is not undertaken by the Employees, the Grantee would have to retain outside contractors to perform such work.

6. The Grantee will retain all original documentation related to expenditures for items which constitute costs of the Project including records substantiating the Labor Costs for at least twenty-five years for inspection at any time by the Authority or its auditor.

IN [WITNESS WHEREOF, the undersigned has signed this Certificate this ___day of ___, 20__.

[NAME OF ENTITY]

By:
Name:
Title:

This is the form you will use to document the cost of your capitalized internal labor.
Questions and Answers: Eligible and Non-Eligible Costs

Q: Can Grantees use the capitalized costs of internal labor toward their 5% match?
A: Yes

Q: Can Grantees use Grant funds to pay for the rental of equipment needed to undertake the project?
A: Yes.

Q: Can Grantees count the cost of rental equipment needed to undertake the project toward the 5% match?
A: Yes.
Questions and Answers: Eligible and Non-Eligible Costs

FEMA Equipment Utilization Rates as of 8-15-2019
Questions and Answers: Eligible and Non-Eligible Costs

Q: Can Grantees use Grant funds to pay for the depreciated value of equipment used to undertake the project?

A: No. Since there is no expenditure of funds, these costs would not be reimbursable with grant funds.

Q: Can Grantees count the depreciated value of equipment used to undertake the project toward the 5% match?

A: Yes, it is anticipated that Grantees will be able to apportion the use of their equipment according to rates set by FEMA and document this toward their 5% match. However, as stated in the above questions, these costs would not be reimbursable with grant funds.
Q: May engineering costs be reimbursed?
A: Yes. Design and engineering costs may be funded by the Grant as long as these costs were incurred on or after April 1, 2019. Please note that no reimbursements can be made until all reviews have been completed, all approvals have been received and the Grantee has a fully executed Grant Disbursement Agreement with DASNY or Funding Agreement with EFC.

Q: Can the REDI grants be used to pay long-term maintenance costs or repairs?
A: No. Maintenance and repair are not considered capital costs within the meaning of the State Finance Law.
Q: If the Grantee is a not-for-profit organization and not a municipality, is the 5% match still required? Are there any other differences in terms of the REDI Grant Program?

A: Yes, a 5% match is required for all Grantees. Not-for-profit grantees will also need to be prequalified through the New York State Grants Gateway.

Q: If the Grantee is a not-for-profit organization, can they count volunteer labor hours toward their 5% match?

A: No. Since volunteer labor would not constitute “direct labor costs” as described in Treasury Regulation §1.263A-1(e)(2)(i)(B) or “indirect labor costs” for employee benefits as described in Treasury Regulation §1.263A-1(e)(3)(ii)(D) it would not be eligible.
Questions and Answers: Eligible and Non-Eligible Costs

Q: Can Grantees use Grant funds to pay for stockpiled materials (gravel, etc.) utilized to undertake the project?
A: No. Since there is no expenditure of funds, the Grant may not be used for this purpose.

Q: Can Grantees count the cost of stockpiled materials (gravel, etc.) utilized to undertake the project toward the 5% match?
A: No.
Questions and Answers: Grant Disbursement Agreement and Payment

**Q:** What is the expected turnaround time for contracts?

**A:** Once the executed Grant Disbursement Agreement or Funding Agreement is in final form, we will make every effort to return a fully executed Agreement to the Grantee within one week. Once the Grantee has received a fully executed Agreement, requisitions may be submitted.

**Q:** What is the turnaround time to pay a requisition? Does this vary for reimbursement vs. payment on invoice?

**A:** In either case, we anticipate making payment as soon as possible but no later than 4 weeks from the date a completed requisition package is received.

**Q:** Do segregated accounts need to be non-interest bearing, or can they accrue interest?

**A:** The accounts must be non-interest bearing.
Questions and Answers: Grant Disbursement Agreement and Payment

Q: If a Grantee has multiple grant projects administered by DASNY and chooses payment on invoice, is a segregated account required for each project?

A: No. The Grantee may establish one segregated account for all REDI Grant projects funded by DASNY. In order to receive subsequent payments, the Grantee must comply with the provisions of the GDA and provide proof of payment within 60 days showing that the funds have been disbursed.

Q: May we utilize a bank account that had been used previously for a segregated account?

A: Yes, so long as the account is now strictly being utilized for the REDI funded project.
Q: What if the Grantee needs to modify the scope of a project? What if a Grantee doesn’t want to proceed with one of the projects? What if there are funds left over from one project? Can they be applied to a different project?

A: REDI Grantees are expected to complete the awarded projects within applicable time frames. Any requests for scope or budget changes, or the disposition of remaining funds, will be determined on a case by case basis by the Oversight Agency and REDI Commission.
Q: My project estimate contains a contingency, how will that be addressed?

A: Contingencies are often used in project estimates to cover unanticipated cost increases and are most often are between 10-20% of the total project budget. A Grant Disbursement Agreement or Funding Agreement can be executed with estimated contingencies. However, reimbursements will only be made for actual costs invoiced to the Grantee.

For project estimates with contingencies greater than 30%, consult with your Oversight Agency to see if your project needs to be ‘right sized’ to meet the appropriate cost estimates.
Thank you for attending today.

DASNY and EFC look forward to working with you on these important projects.