Round 8

RESTORE NY COMMUNITIES INITIATIVE

Municipal Grant Program

February 22, 2024

Empire State Development (ESD)
Request for Funding Proposals

GUIDELINES

Proposal Due Date: 5:00 PM – Wednesday May 22, 2024

Restore NY Guidelines
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Section 1 – Intent to Apply for Restore NY Funding

If a Municipality is intending to apply for Restore NY funding, a letter of intent must be submitted by the leading municipal official **no later than 5:00 PM on March 25, 2024.**

All municipalities are eligible to submit two letters of intent for normal projects. Eligible municipalities can also submit one additional letter of intent for a special project as defined in Section 7 of the guidelines. Municipalities may only select **ONE** regular project and **ONE** special project, if applicable, to move forward with an application. Applications from municipalities that do not submit this form will not be accepted.

The letter of intent form can be found at https://esd.ny.gov/restore-new-york.

On the form, please provide a brief project description that includes how the project meets Restore NY goals (e.g., that the project will demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings). The description should include the size of the project (e.g., number of and square feet of building(s) in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words. Please also enter information on each property that will be included in the project. If the project has more than five properties, please fill out the first five. The contact entered in the document will be prompted via email to submit the remaining properties following submission of the form.

You may not submit an application for a project that was not the subject of an approved letter of intent.

Once submitted, the contact person identified in the document will receive two emails:

1. Email from DocuSign with a link to electronically sign the completed form.
2. A confirmation email from **formrouter@esd.ny.gov** that the submission has been received. If applicable, this email will also include a link that allows additional properties to be added to the form.

It is the responsibility of the municipality to ensure that the letter of intent has been received by ESD. If an e-mail confirmation notice is not received the municipality should email restoreny@esd.ny.gov.

Section 2 – Program Description and Goals

The 2023-24 State Budget provided new funding for the Restore New York Communities Initiative and gave Empire State Development the responsibility of implementing this program for the sole purpose of revitalizing urban and rural areas, disadvantaged communities, and stabilizing neighborhoods.

Municipalities, defined as counties, cities, towns, and villages, are invited to submit a Request for Funding Proposal for projects to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned, and/or surplus properties. Additionally, funds can be used for site development needs related to the project including, but not limited to water, sewer, and parking.

Projects should be architecturally consistent with nearby and adjacent properties or in a manner consistent with the municipality's local revitalization or urban development plan. Rehabilitation of government buildings and properties for government purposes is not eligible for Restore NY funding. Greenfield development is also ineligible.

All projects require no less than ten percent of the aggregated award or awards amount in matching contributions. Cash and in-kind contributions are allowed. Section 7 further explains the match requirements.

An important goal of Restore NY is to revitalize urban centers, rural areas, and disadvantaged communities. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, and industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base, lessening its dependence on state aid.

Awards will be made to qualified applicants based on statutory criteria and, to the fullest extent possible, in a geographically proportionate manner throughout the state. As such, funds may not be awarded to some applications with higher scores.

Strong emphasis will be placed on projects from economically distressed communities as described in the statute. Priority will also be given to projects that leverage other state or federal redevelopment, remediation, or planning programs including but not limited to the Brownfield Opportunity Areas program and Investment Zones.

Strong emphasis will also be placed on project feasibility and readiness. Projects will score higher when they demonstrate that a majority of the criteria in Section 6 of the Guidelines have been satisfied. This includes the following: Project Feasibility (e.g. market feasibility, business plan, letters of commitment on financing, etc.); Project Readiness (e.g. conformance with local planning and zoning, federal and state permits, etc.); Transportation and Utility Readiness (e.g. transportation analysis, utility evaluations, etc.); and Environmental Readiness (e.g. SEQR and SHPO consultation, etc.). Applicants that can demonstrate that plans are in place, project financing has been committed, and that the project is expected to start within a year of a Restore NY award will be considered more competitive.

Section 3 – Funding Proposal Submission Package Requirements

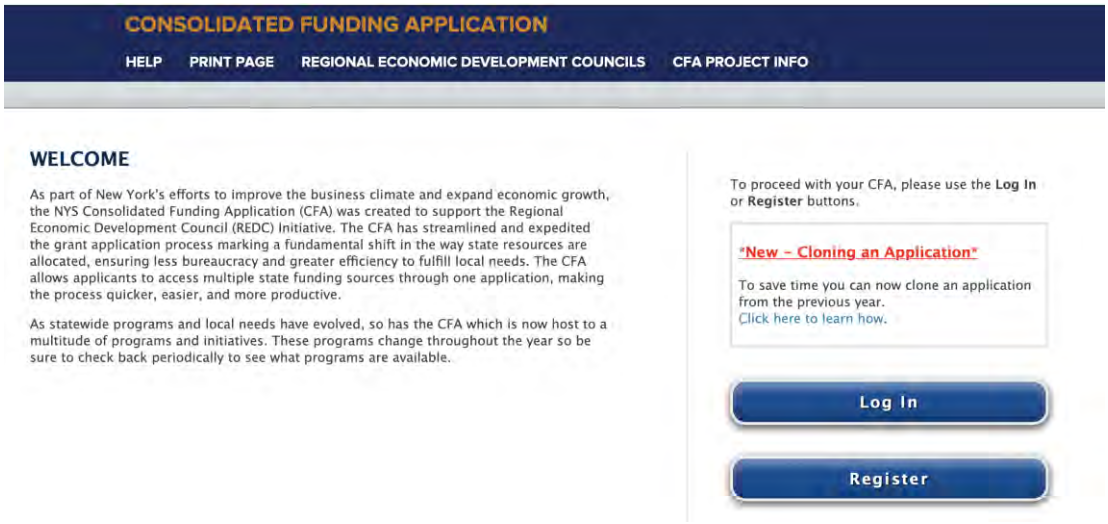
Intent to Apply Deadline	No later than **5:00 PM** EST on **Monday March 25th, 2024**
Application Deadline	No later than **3:00 PM** EST on **Wednesday May 22nd, 2024**
Eligible Applicants	▪ All New York State Counties, Cities, Towns, and Villages ▪ Cities over one million, and counties therein, may only apply in distressed communities ▪ Applications are limited to one application per project ▪ Not-for-profit and private entities are not eligible
Submission Package	The application will be submitted entirely through the CFA portal. Please complete the CFA, and confirm the below documents are uploaded as attachments to the CFA application: ▪ Property Data Sheet(s) and Attachments ▪ Written commitment(s) of matching funds ▪ Proof of Notice of Public Hearing ▪ Proof of publication of the Property Assessment List ▪ A true and complete copy of the Municipal Resolution ▪ Application Fee **All due at application deadline**
Application Fee	A non-refundable wire transfer to Empire State Development Corporation in the amounts indicated below: ▪ $2,000 for cities of 100,000 population and over ▪ $1,000 for towns of 100,000 population and over ▪ $1,000 for cities, towns, and villages of 40,000–99,999 population ▪ $500 for municipalities of 39,999 population and under **Empire State Development Wire Information:** Bank Name: JPMorgan Chase Bank Account Name: ESD ED Income ABA Number: 021 000 021 Account Number: 007004796 Reference: "[Municipality Name] - Restore NY Round 8" For county applicants, the application fee shall be based on the city, town, or village wherein the project is located. If a community applies for a special project in addition to a normal project, it is required to pay the same fee as indicated above for that application as well. Proof of payment must be provided within the CFA application.
Questions	**See Section 10 for contact information** ▪ For questions regarding this application, e-mail restoreny@esd.ny.gov or contact your local ESD Regional Office ▪ For specific questions regarding SEQR, contact the NYS Department of Environmental Conservation ▪ For specific questions regarding SHPO, contact the NYS Office of Parks, Recreation, and Historic Preservation, or ESD's Planning and Environmental Review Office

Section 4 – Funding Proposal Instructions

If the Municipality intends to apply for Restore NY funding, an Intent to Apply form must be submitted by the chief executive of the municipality by **March 25th, 2024** (see Section 1). All municipalities are eligible to submit two letters of intent for normal projects and one additional letter of intent for a special project, if eligible. **Applications from municipalities that do not submit an Intent to Apply form will not be accepted.**

Following receipt of the Intent to Apply Form, the contact entered on that form will receive an email from ESD with an eligibility determination. The applicant will then need to proceed to the Restore NY website to access the link to the CFA application as well as the Property Data Sheet.

Use of the State's Consolidated Funding Application (CFA) online portal is required. This application portal will collect all necessary information for the Restore NY application.



The Restore NY Application must be certified by the leading municipal official that it is complete, true, and accurate. Incomplete applications will not be considered. However, ESD, at its sole discretion, reserves the right to accept minor amendments and additions to this application.

The following documents must be included with your application:

- Property Data Sheet for each property
- Project Proposal from lead entity conducting project
- Credentials and Qualifications/Resume of lead entity conducting project
- Site Map with each property clearly marked
- Letter from local planning/zoning officials stating project is compatible with local ordinances
- 3rd Party Project Cost Estimates
- 5 (five) years of Operating Pro Forma
- Letter of matching fund commitments
- Publication proof of Property Assessment List*
- Publication proof of Notice of Public Hearing**
- Municipal Resolution

*A Property Assessment List (as defined in Section 7) must be published in a local daily newspaper either in print or online for three consecutive days. Where the proposed project is located in a municipality that has no publication that can reasonably be considered a "local daily newspaper," and a weekly publication is in print form only, ESD will accept publication of the Property Assessment List in the weekly publication for three consecutive weeks. Evidence of the publication must be included in the application. Acceptable documentation is: (1) photocopies of all three advertisements showing the dates of publication; and/or (2) a signed receipt from the newspaper. **Please note: The Property Assessment List is no longer a separate document and is now in the Consolidated Funding Application (CFA)**. Publications must include all information captured in the Property Assessment List, but this information does not need to be in chart form.

**A public hearing must be held to discuss the Restore NY application and the Property Assessment List. Proof of the publication of the Notice of a Public Hearing to discuss the Restore NY application and the Property Assessment List must be included in the application.

Individual properties must be bundled into a definable "project" (as defined in Section 7). The project may include the demolition, deconstruction, rehabilitation, and/or reconstruction of a building or group of buildings that furthers the goals of revitalizing a rural or urban center, encouraging commercial investment, or adding value to the local housing stock. To constitute a coherent and cohesive project, a group of properties shall be selected because their revitalization is inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan. A site map must be included for each project clearly identifying all targeted properties. If the buildings are not proximate to each other, an explanation of their strategic interrelationship should be included in the letter of intent and application.

All municipalities may apply for one project subject to the normal limits defined in Section 5. In addition, however, eligible municipalities may also compete for one of a very limited number of special project awards to be made statewide. **Special projects with funding requests under the normal project funding cap will not be considered.**

Individual Property Data Sheets and budgets must be completed for each property submitted. Attach a photograph of the building façade for each property. Complete the Site Control Affidavit for non-municipally owned properties.

The legislative body of the local municipality that maintains land use control over the proposed project site must pass a resolution finding that the proposed project is consistent with the municipality's local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable. **A true and complete copy of the resolution must be included in the application.**

Section 5 – Funding and Project Limits

Applicant Funding and Project Limits	# of Projects	Funding Per Project
Cities of 100,000 population and over based on the last census	1 Project	$4 million
Cities and villages between 40,000 and 99,999 population based on the last census	1 Project	$3 million
All other municipalities	1 Project	$2 million
ESD may grant a limited number of special awards. Municipalities with populations of 100,000 or less and Counties with populations of 400,000 or less, based on the last U.S. Census, may apply for an additional $10 million to put toward a second separate project. The project must meet the definition of a "special project," as defined in Section 7 of the Restore NY Guidelines.	1 Project	$10 million

The above funding per project is the maximum possible, but as projects are also subject to the caps set forth below a municipality may not be awarded the maximum. For county applicants, funding limits shall be based on the city, town, or village wherein the project is located. Commercial project funding is determined by square foot caps and may not exceed the calculated amount unless there is a need for lead and/or asbestos removal. In such case the two numbers can be combined for a total funding cost. Residential project funding is determined by the activity occurring, i.e., demolition and reconstruction, and may not exceed caps per property unless there is a need for lead and/or asbestos removal. In such case the two numbers can be combined for a total funding cost. Funding maximums for an apartment building will be on a per unit basis, unless the project is for affordable housing units (as defined in Section 7), in which case the project may receive an award of up to $150,000 for the property and additional award funding per apartment unit, provided at least 25% of units will be affordable housing. Where an apartment building has 10 or fewer units, at least three units must be affordable housing to qualify for an additional award of up to $150,000 for the property.

While the maximum grant levels have remained the same for most communities, funds in this round are more limited. Applicants requesting an award amount below the maximum will have priority and be considered more competitive. Applicants are encouraged to review their municipality and project caps in order to determine the amount that will make the project feasible.

Residential Property	**Per Property Maximum Allowance**
Demolition/Deconstruction	$30,000
Rehabilitation/Reconstruction	$150,000

Residential Apartment Units	**Per Unit Maximum Allowance**
Apartment Allowance	$70,000

Affordable Housing	**Additional Maximum Allowance Per Property**
Affordable Housing Allowance – Property	$150,000

Maximum Commercial Building DEMOLITION Allowance Per Square Foot

Source: Marshall Valuation Service

ESD Region	Class A Structural Steel	Class B Reinforced Concrete	Class C Masonry Walls	Class D Wood or Steel	Class S Metal bents or Columns
Capital Region	$11.856	$14.734	$9.6884	$8.774	$8.1375
Central NY	$12.198	$15.429	$10.054	$8.856	$8.525
Finger Lakes	$12.312	$15.708	$10.054	$8.856	$8.4475
Long Island	$15.048	$18.765	$12.4304	$11.234	$10.695
Mid-Hudson	$12.768	$15.846	$10.4196	$9.594	$8.835
Mohawk Valley	$11.514	$14.595	$9.5056	$8.61	$7.905
New York City	$15.048	$19.043	$12.4304	$11.316	$10.695
North Country	$11.40	$14.178	$9.14	$8.282	$7.6725
Southern Tier	$11.40	$14.178	$9.0486	$8.118	$7.6725
Western NY	$12.312	$15.151	$10.1454	$9.02	$8.4475

Maximum Commercial Building CONSTRUCTION Allowance Per Square Foot

Source: Marshall Valuation Service

	OFFICE				LIGHT MANUFACTURING				RETAIL*	
	Class A	Class B	Class C	Class D	Class A	Class B	Class C	Class D	Class C	Class D
ESD Region	Structural Steel	Reinforced Concrete	Masonry or Concret	Wood /Steel	Structural Steel	Reinforced Concrete	Masonry Walls	Wood /Steel Studs	Masonry or Concret	Wood or Steel Studs
Capital Region	$420.16	$394.32	$336.02	$324.14	$112.32	$102.29	$97.52	$91.485	$210.94	$204.37
Central NY	$432.28	$412.92	$348.70	$326.16	$115.56	$107.115	$101.20	$92.34	$218.90	$206.28
Finger Lakes	$436.32	$420.36	$348.70	$326.16	$116.64	$109.045	$101.20	$92.34	$218.90	$206.28
Long Island	$533.28	$502.20	$431.12	$413.74	$142.56	$130.275	$125.12	$117.135	$270.64	$261.67
Mid-Hudson	$452.48	$424.08	$361.38	$353.34	$120.96	$110.01	$104.88	$100.035	$226.86	$223.47
Mohawk Valley	$408.04	$390.60	$329.68	$317.10	$109.08	$101.325	$95.68	$89.775	$206.96	$200.55
NYC	$533.28	$509.64	$431.12	$416.76	$142.56	$132.205	$125.12	$117.99	$270.64	$263.58
North Country	$404.00	$379.44	$317.00	$305.02	$108.00	$98.43	$92.00	$86.355	$199.00	$192.91
Southern Tier	$404.00	$379.44	$313.83	$298.98	$108.00	$98.43	$91.08	$84.645	$197.01	$189.09
Western NY	$436.32	$405.48	$351.87	$332.20	$116.64	$105.185	$102.12	$94.05	$220.89	$210.01

* Retail includes retail mixed with office or residential.

Maximum Allowance Where Certain HAZARDOUS MATERIALS are Present in the Demolition or Reconstruction Per Square Foot Source: Marshall Valuation Service		
ESD Region	**Asbestos Abatement**	**Lead Removal**
Capital Region	$92.96	$33.02
Central NY	$95.23	$33.9725
Finger Lakes	$96.12	$34.29
Long Island	$117.48	$41.91
Mid-Hudson	$99.68	$35.56
Mohawk Valley	$89.89	$32.0675
New York City	$117.48	$41.91
North Country	$89.00	$31.75
Southern Tier	$89.00	$31.75
Western NY	$96.12	$34.29

Section 6 – Scoring Criteria

Applications will be scored based on how they address the goals of the Restore NY Communities Initiative and statutory criteria. Awards will be made, to the fullest extent possible, in a geographically proportionate manner throughout the state. As such, funds may not be awarded to some applications with higher scores.

A maximum of 105 points can be achieved based the categories defined in the table below.

Points	Criteria	Scale
Up to 15	Economic Distress	15 – High 10 – Moderate 5 – Slight
Up to 25	Other Statutory Priorities	5 – Mostly in an Investment Zone –or– 5 – Mostly in a Brownfield Opportunity Area Up to 20 – Leverage of other State and Federal Programs
Up to 30	Program Goals	Up to 20 – Induce Commercial Investment Up to 10 – Improve Local Housing
Up to 20	Project Readiness / Feasibility	Up to 20
Up to 15	President/CEO Commissioner Discretion	Up to 15
Maximum: 105		

Section 7 – Definitions

AFFORDABLE HOUSING UNITS shall mean permanent housing that is affordable to low- and moderate-income households, such that the new housing achieves income averaging at or below fifty percent of the area median income, with residents' eligibility capped at a maximum of eighty percent of the area median income at the start of their lease.

BROWNFIELD shall mean any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

BROWNFIELD OPPORTUNITY AREA (BOA) shall mean an area of the municipality that has been approved for funding under the Brownfield Opportunity Area Program for the purpose of establishing a community-based revitalization plan and implementation strategy to achieve brownfield redevelopment in a proactive and systematic way.

BUILDING CATEGORY shall mean the following:

- ABANDONED shall mean a wrecked or derelict building that has been left abandoned and unprotected.
- CONDEMNED shall mean a building declared by official order to be unfit for use.
- SURPLUS shall mean a municipally owned building deemed surplus or no longer required.
- VACANT shall mean having no occupants or is mostly unoccupied.

BUILDING TYPE shall mean the following:

- COMMERCIAL shall mean real estate zoned for business or industrial use including retail, and that is at least 85% used for business, industrial and/or retail purposes.
- RESIDENTIAL shall mean real estate that is zoned for single-family homes, multi-family apartments, townhouses, condominiums, and co-ops, and that is at least 85% used for residential purposes.
- MIXED USE shall mean buildings that include a combination of commercial, office, retail, and residential uses.

ECONOMICALLY DISTRESSED COMMUNITY shall mean the following based on the city*, town, or village where the project is located:

- HIGHLY DISTRESSED COMMUNITIES shall have at least 25 households receiving public assistance income in the 2022 ACS 5-year estimate and meet at least seven of the criteria listed below:
- MODERATELY DISTRESSED COMMUNITIES shall have at least 25 households receiving public assistance income in the 2022 ACS 5-year estimate and meet at least five of the criteria listed below:
- SLIGHTLY DISTRESSED COMMUNITIES shall have at least 100 households receiving public assistance income in the 2022 ACS 5-year estimate and meet at least four of the criteria listed below:

    - Population loss between the 2022 ACS 5-year estimate and the 2018 ACS 5-year estimate – an absolute loss in population.
    - Unemployment rate (2022 ACS 5-year estimate) higher than the State's rate.
    - Private sector employment growth rate (2022 ACS 5-year estimate) over the preceding 5 years was lower than the State's OR private sector employment (2022 ACS 5-year estimate) as a percentage of total employment was less than the State's.
    - Percentage of households receiving public assistance (2022 ACS 5-year estimate) was greater than the

statewide percentage.

- Poverty rate (2022 ACS 5-year estimate) was greater than the State's poverty rate.
- Per Capita Income change (2022 ACS 5-year estimate) over the preceding five years was less than the growth in the consumer price index (CPI) for all urban consumers nationally OR per capita income was less than the State's per capita income.
- Full Value Assessment of Taxable Property growth over the preceding 5 years was less than the statewide growth.
- Taxable sales growth rate between the period of 2018 through 2022 in the county was less than the statewide growth in taxable sales.

*Per statute, cities with a population of one million or more may apply for funding through the Restore New York Communities Initiative for a project located in a severely economically distressed community as determined by the commissioner of ESD. Cities with a population of one million or more are eligible to apply for a project located in the census tracts listed on the Restore NY website determined using the subset of criteria listed above where data is available at the sub-municipal level or may apply for a project located in any other census tract that is located in an Urban Renewal Area or Urban Development Action Area as defined by New York General Municipal Law Articles 15 and 16. Cities with a population of one million or more are not eligible for a "Special Project" award as defined in this section.

ELIGIBLE APPLICANT shall mean any New York State County, City, Town, or Village. Cities over one million, and Counties therein, may only apply in distressed areas.

GREENFIELD shall mean a piece of property that is undeveloped, or a previously developed site that has been cleaned up and is ready for redevelopment. Greenfield projects are not eligible for Restore funding.

IN-KIND shall mean a contribution, service or administrative cost associated with the project including funds from other federal, state or local governments and private contributions. For Restore NY purposes, in-kind contributions will be allowed retroactive to the RFP release date (February 22, 2024).

HISTORIC AND/OR CULTURAL PLACE OR PROPERTY shall mean any building, structure, district, area, site or object, including an underground and underwater site, that is of significance in the history, architecture, archeology or culture of the state, community or nation.

LEAD AGENCY shall mean a public entity principally responsible for undertaking, funding or approving a project. Examples of lead agencies are county industrial development agencies; municipal planning agencies, boards, and councils; health departments; and zoning boards.

MATCH shall mean cash (which is encouraged) or the value of in-kind services, contributions or administrative costs dedicated to this project, including funds from federal, state (other than Restore NY funds), and local government sources, and funds from private contributions. Match amounts must be "firmly committed" and will support the proposed Restore NY project. "Firmly committed" shall mean there must be a signed, written agreement to provide the resources and services. The written agreement may be contingent upon an applicant receiving a Restore NY award.

MUNICIPALITY shall mean a municipal subdivision that is a county, city, town, or village, except a city having a population of one million or more, unless such area is in an economically distressed community as defined above.

PROJECT shall mean the demolition, deconstruction, rehabilitation, or reconstruction of a building or group of buildings that furthers the goal of revitalizing an urban center, encouraging commercial investment or adding value to the local housing stock. To constitute a coherent and cohesive project, a group of properties shall be selected because their reconstruction, rehabilitation, deconstruction, or

demolition are inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan.

PROJECT TYPE shall mean the following:

- DEMOLITION shall mean to completely tear down or raze a building.

- DECONSTRUCTION shall mean the careful disassembly of a building of architectural or historic significance with the intent to rehabilitate or reconstruct the building or salvage the disassembled material from the building for reuse.

- REHABILITATION shall mean structural repairs, mechanical systems repair or replacement, repairs related to deferred maintenance, emergency repairs, energy efficiency upgrades, accessibility improvements, mitigation of lead-based hazards, and other repairs that result in a significant improvement to the property, provided however, that to the extent possible, such rehabilitation shall be architecturally consistent with nearby and adjacent properties, or done in a manner consistent with a local revitalization or urban development plan.

- RECONSTRUCTION shall mean the construction of a new building, which is similar in architectural style, size, and purpose to a previously existing building at such location, provided however, that to the extent possible such reconstruction is architecturally consistent with nearby and adjacent properties, or in a manner consistent with a local revitalization or urban development plan.

PROPERTY ASSESSMENT LIST shall mean a list compiled by a municipality, after it conducts an assessment of vacant, abandoned, surplus or condemned buildings within its jurisdiction, and based upon that assessment: (i) sets forth for each property a description of each building that includes the location, size and residential or commercial natures of each building, and whether the building is proposed to be demolished, deconstructed, rehabilitated or reconstructed; (ii) that has been published in a local daily newspaper for no less than three consecutive days; and (iii) that has been the subject of public hearings in the municipalities where the buildings are located.

RESIDENTIAL APARTMENT UNIT shall mean a multiple dwelling consisting of one or more rooms containing at least one bathroom, which room or rooms are separated and set apart from all other rooms within a multiple dwelling.

RESIDENTIAL PROPERTY shall mean a separately assessed lot, parcel, piece, or portion of real property used, or that is to be used, as a private dwelling.

SITE CONTROL shall mean (i) ownership by the municipal applicant or (ii) written consent from the ownership entity and, if different, the entity that has legal control of the site consenting to the application for Restore NY funding and, if awarded, agreeing to use Restore NY funds as outlined in the application.

SOFT COSTS shall mean costs related to those items in a project that are necessary to prepare and complete the non-construction needs of the project. Soft costs include such items as architecture, design, engineering, permits, inspections, consultants, environmental studies, and regulatory demands needing approval before construction begins. Soft costs do not include construction, telecommunications, furnishings, fixed equipment, and expenditures for any other permanent components of the project.

SPECIAL PROJECT shall mean a project that results from a severe economic injury to the community, leaving

a highly visible and blighted property or properties in the central business district of a distressed community which has a depressing effect on the overall economic development potential of the community. This is limited to municipalities that are classified as moderately or highly distressed according to ESD's definitions in Section 7 and listed on the Restore NY website.

Section 8 – Terms and Conditions

A municipality that is granted an award or awards shall provide a matching contribution of no less than ten percent of the aggregated Restore NY award or awards amount. Such matching contribution may be cash or the value of in- kind services, contributions or administrative costs dedicated to this project, including funds from federal, state (other than Restore NY funds), and local government sources and funds from private contributions. Match amounts must be "firmly committed" to support the proposed Restore NY project. "Firmly committed" shall mean there must be a signed, written agreement to provide the resources and services. The written agreement may be contingent upon an applicant receiving a Restore NY award.

In-kind contributions may include, but shall not be limited to, the efforts of municipalities to conduct an inventory and assessment of vacant, abandoned, surplus, condemned, and deteriorated buildings, and to manage and administer grants awarded to the municipality from the Restore NY Communities Initiative.

Final funding awards will be subject to approval by ESDC Board of Directors following project selection and the anticipated availability of funds. A one percent commitment fee based on the grant amount awarded (not to be less than $100) will be assessed to all awardees. The commitment fee will be due upon Board approval.

ESD reserves the right to offer project awards to sponsors in different amounts and under different terms than requested. ESD reserves the right to review and reconsider project and property selections in the event of material changes in the project plans or circumstances. Expenditures incurred prior to the application due date (May 22, 2024) are not eligible for reimbursement by Restore NY grant funds.

Applications shall be reviewed by the ESD Office of Contractor and Supplier Diversity (OCSD), which shall, in consultation with the applicant and/or proposed recipient of Restore NY assistance and any other relevant interested parties, develop appropriate goals, in compliance with applicable law (including Section 2879 of the Public Authorities Law, Article 15-A of the Executive Law and Section 6254 (11) of the Unconsolidated Laws) and the policy of ESD, for participation by minority group members and women. Compliance with laws and the policy of ESD prohibiting discrimination in employment on the basis of age, race, creed, color, national origin, gender, sexual preference, disability or marital status shall be required.

A municipality that is granted an award shall make best efforts to ensure that NYS certified minority-owned and women-owned businesses enterprises are given the opportunity for maximum feasible participation in any municipal contracting opportunities.

A municipality that is granted an award for affordable housing units shall be solely responsible for enforcement and verification of compliance with the requirements set forth herein. The municipality shall be required to file an annual declaration confirming that the property containing affordable housing units has been inspected and has been found to have been maintained in good operating order and condition. Such declaration shall further state that incomes of tenants of affordable housing units have been verified and have been found to qualify for such housing in accordance with the requirements set forth herein. Additional requirements for affordable housing units shall be further defined in the Grant Disbursement Agreement. ESD reserves the right to full or partial recapture of affordable housing awards should the municipality fail to comply with such requirements.

Final funding awards will be subject to ESD Board of Directors approval; approval by the New York State Office of Parks, Recreation and Historic Preservation (if applicable); a public hearing; and approval by the Public Authorities Control Board.

It is expected the project will proceed in the time frame set forth by the applicant. If the implementation of a project fails to proceed as planned and is delayed for a significant period of time and there is, in the exclusive judgment of ESD, doubt as to its viability, ESD reserves the right to cancel its funding commitment to such project.

ESD encourages the environmentally sustainable practice of recycling construction/demolition (C&D) debris rather than disposition in a landfill. As this is an emerging practice that may not yet be available or commercially feasible in every region of the state, ESD's Environmental Division will survey municipalities receiving Restore NY awards and their deconstruction/demolition contractors to learn what options they had for C&D debris disposition and whether any of the material was recycled. As a condition of award, the municipality and its contractors must provide the information requested in this survey.
NOTE: While C&D recycling is encouraged, it is not required.

Section 9 – State Historic Preservation Office (SHPO) Consultation Instructions

Under the New York State Historic Preservation Act, Section 14.09 and its associated rules and regulations, State funded (in whole or in part) activities that have the potential to affect historic properties, either directly or indirectly, must be evaluated by the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Regulations associated with this law define a Historic and/or Cultural Place or Property as "any building, structure, district, area, site or object including underground and underwater sites, that is of significance in the history, architecture, archeology or culture of this state, its community or the nation."

The SHPO process does not need to be completed prior to the submission of the Restore NY application; however, it MUST be completed prior to the approval by ESD Board of Directors. No Restore NY grant funds can be disbursed prior to ESD Board approval.

In order to expedite the SHPO review process, the applicant must provide the information outlined below for the appropriate project category. Project information should be provided to OPRHP via their Cultural Resource Information System (CRIS). This interactive, web-based system offers the public and government partners convenient and extensive access to the agency's historic records while streamlining the agency's delivery of historic preservation programs. The system is available at https://cris.parks.ny.gov/. If you and/or your consultant have not already used NY-CRIS, please go to https://cris.parks.ny.gov/crishelp/, which provides answers to frequently asked questions, along with detailed instructions for the log-in and project submission process. OPRHP suggests that if you have not previously accessed the CRIS system that you sign up for an NY.GOV account when prompted to. This will give you more comprehensive access to the system. CRIS related questions can be submitted to CRISHelp@parks.ny.gov.

All new project entries into the CRIS program should enter the Project Name beginning with "Restore NY" then the name of the project and then the number of involved buildings.
Example: Restore NY/Smith Road Rehabilitation/12 Buildings

Demolition Projects

For a demolition project involving a single building (parcel) or a grouping of contiguous buildings (parcels) the information should be entered into CRIS as a single project. In Step 3 of CRIS you will be asked if your project includes one or multiple parcels. If your project is a single property, you will select that option in this step. If the project involves multiple adjacent buildings and parcels select the multiple parcel option and draw a boundary around the project area in CRIS Step 3.

Next, in CRIS Step 4 (Built Resources) you will be asked to add specific information about the building associated with your project. Complete this data and add current photographs (jpg.) of the building and any other building specific information. Please be sure to only link building specific photographs and data in this section. Project specific data will be added in a later step.

Once you complete a building's information you will be brought to the Built Resource grid where you can add another property if your project contains more than one building (multiple parcels). To add another building, you will select the "Enter Built Resource" tab and provide the requested information for the property (parcel). You will repeat this process for each building involved in your project.

For demolition projects of discontinuous buildings (parcels) the submission process follows the same guidance as above. However, in CRIS Step 3 when asked if the project includes multiple properties you will need to select the single property option. This will bypass the need to enter each individual building (parcel) site as a separate and new project in CRIS.

Complete CRIS Step 4 as outlined above. Once again, in CRIS Step 4 ONLY attach photographs and historic information for the individual building that you are recording at that time. Do not link project level information at this step, such as site plans or project scopes of work.

In CRIS Step 5 you will need to add a project map or maps (pdf) locating all the involved properties to be included in the project. This is accomplished by selecting the "Attachment" tab and linking a copy of the map (pdf). Additional information about the overall project or individual projects can also be attached here. Be sure to label them carefully when uploading the files. Additional project level photographs can also be added in this step under the "Photos" tab.

Rehabilitation Projects

For individual rehabilitation projects please follow the same CRIS project entry information provided above.

New Construction Projects

For new construction projects, please follow the same CRIS project entry information provided above.

However, in CRIS Step 2 you will need to select the "Will this project involve ground disturbance" option and respond. Documentation of prior ground disturbance will need to be linked in CRIS Step 5. Please be aware that standard farming activities are not classified as ground disturbing activities for the purposes of archaeological assessment.

Under CRIS Step 5 be sure to include photographs of the site to be built on and views looking from the site under the "Photos" tab. Under the "Attachments" tab please add a site plan and any elevations floor plans that are available that depict what is proposed for construction.

It is recommended that the municipality contact NYSHPO's regional staff associated with its area during the application process. Regional staff contact information can be found at https://parks.ny.gov/shpo/contact/. Scroll down and click on "View Map" under the "Survey & National Register" heading. Staff members are shown by the counties they service. Help with the CRIS system can be found by contacting CRISHelp@parks.ny.gov.

To check for National Register listed or known eligible properties, historic districts and archaeologically sensitive areas that may include or involve a project, please go to https://cris.parks.ny.gov/ and use the SEARCH function.

Section 10 – ESD Regional Offices and Other Resources

General Restore NY Questions: restoreny@esd.ny.gov

EMPIRE STATE DEVELOPMENT REGIONAL OFFICES AND COUNTIES SERVED

Capital – Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren and Washington

Empire State Development
Hedley Park Place
433 River Street, Suite 1003
Troy, NY 12180
P: 518-270-1130

Central NY – Cayuga, Cortland, Madison, Onondaga, and Oswego Empire State Development
620 Erie Boulevard West, Suite 112
Syracuse, NY 13204
P: 315-425-9110

Finger Lakes – Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates

Empire State Development
400 Andrews Street, Suite 710
Rochester, NY 14604
P: 585-399-7050

Long Island – Nassau and Suffolk

Empire State Development
nys-longisland@esd.ny.gov
P: 631-435-0717

Mid-Hudson – Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester

Empire State Development
33 Airport Center Drive, Suite 201
New Windsor, NY 12553
P: 845-567-4882

Mohawk Valley – Fulton, Herkimer, Montgomery, Oneida, Otsego, and Schoharie

Empire State Development
207 Genesee Street
Utica, NY 13501
P: 315-793-2366

North Country East – Clinton, Essex and Franklin and Hamilton

Empire State Development
401 West Bay Plaza
Plattsburgh, NY 12901
P: 518-561-5642

North Country West – Jefferson, Lewis and St. Lawrence Empire

State Development
Dulles State Office Bldg.
317 Washington Street, 2nd Floor
Watertown, NY 13601
P: 315-785-7941

New York City – Bronx, Kings, New York, Queens and Richmond

Empire State Development
New York City Regional Office
633 Third Avenue
New York, NY 10017
P: 212-803-3130

Southern Tier – Broome, Chenango, Chemung, Delaware, Steuben, Schuyler, Tioga and Tompkins

Empire State Development
Binghamton Office State Office Building 44
Hawley Street, Room 1508
Binghamton, NY 13901
P: 607-721-8605

Western NY – Allegany, Cattaraugus, Chautauqua, Erie and Niagara

Empire State Development
95 Perry Street, 5th Floor
Buffalo, NY 14204
P: 716-846-8200

Empire State Development Planning and Environmental Review Office

- (212) 803-3252 or 3253

NYS Department of Environmental Conservation

- http://www.dec.ny.gov

NYS OPRHP Office of State Historic Preservation Office

- https://parks.ny.gov/shpo/