

**OFFICE OF THE NEW YORK
STATE ATTORNEY GENERAL**

Eric T. Schneiderman



**Community Revitalization Initiative
Round 1: Request for Applications (13-001)
from Designated Land Banks under New York
State Law**

July 31, 2013

**STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL**

ROUND 1: REQUEST FOR APPLICATION (RFA)

Application Number: 13-001	Dated: July 31 st , 2013
Description Community Revitalization Initiative (CRI)	Contract Period: 24 months
Due Dates and Times (ET): September 15 th , 2013 by 4 PM	Location of Service: Grantee's Premises or Grantee Designated Premise
Designated Contact: Dina Levy Special Assistant Executive Bureau Office of the New York Attorney General 120 Broadway, 25 th Floor New York, NY 10271 Dina.Levy@ag.ny.gov	Package Contains: *Grant Application Guidelines *Grant Application Format and Content * Application Certifications *Frequently Asked Questions *Appendix A (Standard Clauses for NYS Contracts) *NYS Vendor Responsibility Questionnaire for Not-For-Profit Entity

Submission of Applications:

Applications may be sent electronically. Electronic copies may also be sent by certified or first class mail. The applicant is responsible for ensuring 4:00 PM arrival on the deadline date.

Hand-delivered applications or walk-ins will not be accepted. Faxed submissions will not be accepted. The Office of the Attorney General will not acknowledge receipt of applications delivered by fax or in person.

Applications and attachments may be submitted in PDF format either electronically or in electronic media, including CD ROMs and USB flash drive.

Completed applications sent by certified mail, first class mail, or overnight delivery service should be sent to the Designated Contact :

Office of the New York State Attorney General
Attention: Dina Levy
Executive Bureau
120 Broadway, 25th Floor
New York, NY 10271-0332

Completed applications sent electronically should be sent to Dina.Levy@ag.ny.gov . "Community Revitalization Initiative RFA" should be included in the subject line.

The projected date for Notice of Awards for Round 1 of this RFA is October 15, 2013. The Office of the Attorney General (OAG) in its discretion may extend the application deadline. Any such extension will be announced on the OAG website.

The OAG anticipates soliciting a second round of Request for Applications for state-designated Land Banks in July of 2014.

By submitting an application with signed cover letter, you indicate full knowledge and acceptance of this Request for Applications (“RFA”) including Appendix A (Standard Clauses for New York State OAG Contracts).

Upon submission to the Office of the Attorney General, all applications shall become property of the Office of the Attorney General for use as deemed appropriate.

Community Revitalization Initiative GRANT APPLICATION GUIDELINES

I. STATEMENT OF PURPOSE:

These guidelines govern the distribution of funds awarded to New York as a result of the February 2012 National Mortgage Settlement obtained by New York, along with 48 other state Attorneys General and the federal government, and five of the nation's largest mortgage servicers concerning improper foreclosure and loan servicing practices.

The housing foreclosure crisis has had a devastating impact not only on families whose homes are subject to foreclosure, but on surrounding communities and the State as a whole. In 2009 the Center for Responsible Lending projected that homeowners living near foreclosed properties, on average, would lose \$7,200 in property value, and projected a four year increase in losses to \$20,300 per household. Deteriorating, neglected properties and neighboring property value losses create neighborhood blight, diminish critical local tax revenues, and contribute to neighborhood crime.

For these reasons, the New York State Attorney General is dedicating a portion of funds awarded to New York under the National Mortgage Settlement to support the community revitalization efforts of legally designated Land Banks, formed under the New York State Land Bank Act of 2011. As stated under that law, “there is an overriding public need to confront the problems caused by vacant, abandoned and tax-delinquent properties” resulting in large measure from the foreclosure crisis. The OAG recognizes that Land Banks are one of the tools that can be utilized by communities to “facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use... for the benefit of the public and the State as a whole.” The OAG’s Community Revitalization Initiative Request for Applications is consistent with the intended uses of the direct payments awarded to each state under the terms of the National Mortgage Settlement which encouraged the utilization of funds for “foreclosure relief and housing programs” and “community blight remediation.”

The OAG anticipates awarding, through this Request for Applications, grants of varying amounts to individual New York State designated Land Banks that will undertake revitalization and renewal activities to address community-based challenges stemming from the aftermath of the foreclosure crisis.

Applications should support the goals of preserving and stabilizing communities that face high rates of foreclosures. Qualified organizations interested in applying for these funds must complete this application.

II. DESCRIPTION OF THE APPLICATION AND ELIGIBILITY

A. Summary of the Application

The OAG proposes to award individual grants of varying amounts for a grant period of 24 months to New York State-designated Land Banks for project-specific activities or projects that address community revitalization and housing stabilization necessary as a direct result of the foreclosure crisis. Such projects may include, but are not limited to:

- Capacity building support for Land Banks to enable implementation of property acquisition and disposition
- Acquisition and/or rehabilitation of vacant or distressed properties resulting from the foreclosure crisis;
- Acquisition and/or demolition of blighted properties as defined by the American Planning Association, <http://www.planning.org/policy/guides/adopted/redevelopment.htm>;
- Repurposing of underutilized housing and/or land for the benefit of a local community and/or region;

The OAG is looking to distribute the available funds across the State, targeting those communities that have been hardest hit by the foreclosure crisis and have the greatest need for additional resources. In an effort to ensure that projects are carried out in an efficient and cost-effective manner, and to ensure that projects are meeting goals and objectives stated in the project proposals, the OAG will assign a Project Manager/Grant Intermediary who will provide oversight, technical assistance and support for funded Land Banks during the grant period. The duties of the Project Manager will include, but are not limited to:

- Overall management, coordination and oversight of grantees on behalf of the OAG
- Contract management including project performance, monitoring and evaluation of all grantees
- Fiscal oversight and financial auditing where necessary
- On-going assurance of project compliance with federal/state rules and regulations
- Project Evaluation

B. Organizational Eligibility.

Applicants should be Land Banks organized under NY State Land Bank Act of 2011 and in good standing pursuant to Section 1603 (a) 1-5. To be eligible for funding under this Request for Applications the Land Bank must have been established and received official designation on or before May 1, 2013.

Applicants should have demonstrated capacity to carry out the activities or projects stated in the application, must have a functioning Board of Directors, and must have dedicated staff who will be responsible for executing the goals and objectives stated in this proposal.

Applications must target a particular community and/or region. Applicants are encouraged to undertake collaborative efforts that include multiple partner organizations and stakeholders who will assist in carrying out the goals and objectives of the community revitalization initiative. However, only designated Land Banks are eligible to apply for funds

under this RFA and must serve as the sole sponsor of the project or initiative if awarded funding. Applicants must specify each community or region they will serve, in whole or in part and identify these regions from the guide of New York State regions in attached **Appendix B**.

Applications from Land Banks that serve multiple communities and/or regions through established partnerships with local community development agencies, government housing agencies and/or community organizations that are actively working to address the foreclosure crisis are eligible to apply.

C. Project Requirements

Purchase Price – Any foreclosed upon or blighted residential property acquired with OAG funds must be purchased at a price that does not exceed the current value of the site, based on an independent appraisal or Broker Price Opinion, assuming that all outstanding tax liens are forgiven.

Construction/Rehabilitation – In all work under this RFA, Land Banks must adhere to all applicable state and local laws, codes, zoning and other requirements relating to construction, rehabilitation and housing safety, quality, and habitability.

Environmental Review -- Notwithstanding any provisions of this RFA or of resultant OAG contract(s), all community development projects undertaken with OAG funds under this program must demonstrate to the OAG or its designee satisfactory completion of an environmental review in compliance with the scope and limitations of ASTM Practice E 1527-05 Phase I Environmental Site Assessment standard prior to the release of OAG funds for the project. In certain circumstances, a National Environmental Policy Act (NEPA) review will be accepted. Land Banks must agree that the release of grant funds by the OAG for projects funded under this RFA will be conditioned on a determination by the OAG or its designee to proceed with, modify or cancel the project based on the results of a subsequent environmental review. Land Banks may be required to contract for environmental consulting services to provide the information required, which shall be an eligible project soft cost.

Property Standards -- All newly constructed or rehabilitated projects funded with OAG funds must meet local codes and zoning ordinances. Plans should be of good design that will enhance the quality of life for residents and neighbors. Development meeting Enterprise Green Communities criteria is highly encouraged.

Sale Price Limitation –In the case of home ownership, the price for selling homes to households under the OAG program cannot exceed the cost to acquire and redevelop/rehabilitate the home plus an administrative fee and related costs. Sales price will be further limited by Area Median Income guidelines, outlined in the Grant Application Format and Content section below. In determining the sale price, maintenance costs, such as boarding up units, lawn mowing, etc., cannot be included.

Affordability Requirements- Properties assisted with OAG funds that do not have other financing or subsidy with affordable requirements must retain all affordability restrictions

outlined in the Grant Application Format and Content section below for at least five (5) years from date of occupancy.

III. METHOD OF AWARD AND EVALUATION CRITERIA

Grant funds may be used to support community revitalization efforts in different counties or geographic areas. If an applicant plans to use funds in multiple counties, the applicant must specify which regions will be served and identify the regions from the guide of New York State regions in attached **Appendix B**. Within each region, specify which counties the applicant intends to serve and the estimated percentage of funds expected to be expended in each county.

The OAG will have sole discretion to determine the number of awards granted, if any, and the dollar amount of each award, based upon the OAG's evaluation of the applications submitted.

The evaluation criteria will be divided into six components. The total combined score of the six components will have a maximum value of 100 points, specified below.

The OAG may request additional information from applicants with respect to their applications. The OAG reserves the right to interview any applicant and key management of the applicant entity.

IV. TERMS OF THE GRANT

Successful applicants will be required to enter into a contract with the OAG governing the grant and report as prescribed in the grant contract to the Project Manager/Grant Intermediary. Applicants are encouraged to evaluate the need in their proposed service area and estimate the specific outcomes and deliverables that will be generated as a result of funding awards. The term of the grant will be for a period of 24 months.

Applicants are encouraged to request funding that reflects the actual anticipated costs of their proposed projects and that corresponds to the specific outcomes/deliverables that will be achieved as a result of funding awards. As a guidepost, we expect funding requests to fall within the range of \$1 Million – \$3 Million for the two year grant period. However, the OAG will consider requests that fall outside of these parameters assuming there is adequate documentation in the proposal to support the request. The OAG reserves the right to reject and/or modify any funding request made through this Request for Applications process.

Successful applicants shall agree to comply with all federal and State laws, rules, and regulations applicable to this grant and shall provide proof of Workers' Compensation and Disability Insurance coverage.

The OAG reserves the right to award grantees less than their full funding requests. In the event that the OAG chooses to award less than the amount that an applicant originally requested,

the applicant will have the opportunity to revise the scope of their application to appropriately reflect the actual funding allocation.

Grantees must assume full responsibility for execution and implementation of the project for the duration of their agreement with the OAG, including situations in which the grantee has partnered with another organization for a portion of the work described in the application.

All brochures, booklets, flyers, resource materials, programs, posters, advertisements, multi-media presentations, online materials, videos or other printed or electronic materials prepared with funds from this grant shall state that the material was funded from a settlement of claims brought by the Office of the New York State Attorney General and there shall be a disclosure that the views and statements expressed therein do not necessarily reflect the views and opinions of the Attorney General of the State of New York and that the Office of the Attorney General is not responsible for the accuracy of the content of the materials.

Additional legal provisions will be included in the Office of the Attorney General's agreement with the grantee (the "Agreement"), as follows, without limitation:

NYS Ethics Compliance

All grantees and their employees must comply with the requirements of Public Officers Law Sections 73 and 74, and other State codes, rules and regulations establishing ethical standards for the conduct of business with New York State.

Public Information

Disclosure of items related to the Agreement shall be permitted consistent with the laws of the State of New York and specifically the Freedom of Information Law (FOIL) contained in Section 87 of the Public Officers Law. The New York Office of the Attorney General shall take reasonable steps to protect from public disclosure any records relating to the grantee or its application that are otherwise exempt from disclosure under that statute. Information constituting trade secrets, for purposes of FOIL, must be clearly marked and identified as such upon submission. If the grantee intends to seek an exemption from disclosure of these materials under FOIL, the grantee shall, at the time of submission, request the exemption in writing and provide an explanation of why the disclosure of the identified information would cause substantial injury to the competitive position of the grantee. Acceptance of the identified information by the New York Office of the Attorney General does not constitute a determination that the information is exempt from disclosure under FOIL. Determinations as to the availability of the identified information will be made in accordance with FOIL at the time a request for such information is received by the New York Office of the Attorney General.

Indemnification

All grantees agree to indemnify and hold harmless the State of New York, the New York Office of the Attorney General, and their officers, agents, and employees, from liability for loss or damage to the extent caused by the negligent acts, misconduct, or omissions of the grantees, their agents, employees or subcontractors.

Independent Contractor

Grantee, in accordance with its status as an independent contractor, covenants and agrees that it shall conduct itself consistent with such status, that it shall neither hold itself as, nor claim to be an officer, agent or employee of the State New York or Office of the Attorney General by reason hereof, and that it shall not make any claim, demand or application to, or for, any right or privilege applicable to an officer or employee of the State, including but not limited to Workers' Compensation coverage, Unemployment Insurance Benefits, Social Security coverage or Retirement membership.

Dispute Resolution Policy (Protests and Appeals)

It is the policy of the Office of the Attorney General, Budget & Fiscal Management Bureau, to provide grantees with an opportunity to administratively resolve disputes, complaints or inquiries related to bid solicitations or contract awards. The Budget & Fiscal Management Bureau encourages grantees to seek resolution of disputes through consultation with OAG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes.

Confidentiality

All the reports, information, data, and other papers and materials in whatever form prepared or assembled by the grantee under this Agreement are confidential, and the grantee shall not discuss them with or make them available to any individual or organization without the prior written approval of the Attorney General or his representative. These provisions do not apply in whatever form to information that is in the public domain nor shall they restrict the grantee from giving notices required by law or complying with an order to provide information or data when such order is issued by a judge. If disclosure of confidential information is required of the grantee by any subpoena or other court process, the grantee agrees to immediately notify the Office of the Attorney General of such process, and to allow the Office of the Attorney General to inspect any such data or information and interpose objections prior to delivery to the court.

Publications, Copyrights, and Software Licenses

The Office of the Attorney General and State of New York expressly reserves the right to a royalty-free, non-exclusive and irrevocable license to reproduce, publish, distribute or otherwise use, in perpetuity, any and all copyrighted or copyrightable material resulting from this grant contract or activity supported by this grant contract. Grantee shall grant the Office of the

Attorney General and the State of New York a non-exclusive, perpetual license to use, execute, reproduce, display, perform, or merge any custom software application created as a result of the grant funds awarded to a grantee under the grant.

VI. AWARDS, PAYMENT AND PERFORMANCE:

The use of the funds will be monitored by the Attorney General's Office and its designees. All grantees will be required to document project expenditures using generally accepted accounting principles (GAAP). Grantees will submit financial reports relative to the provision of their community revitalization efforts at least twice a year to the OAG or its designees, and will comply with periodic programmatic and financial audits as requested by the Attorney General or its designees.

All grantees will also be required to document project results and cooperate with reasonable requests of the OAG, or its designees. Reporting policies and procedures will be set forth in the grant requirements.

All reporting of financial and project data will be submitted by the grantees to the OAG or its designee.

Should the grantee fail to comply substantially with the grant requirements, funding may be suspended or terminated, or the grantee may be subjected to other appropriate sanctions.

VII. PRE-APPLICATION CONFERENCE:

There will be one Pre-Application Conference Call to address questions regarding this RFA on August 20, 2013. The time and access information for this call will be posted on the OAG website at <http://www.ag.ny.gov/feature/land-bank-community-revitalization> by no later than August 10, 2013.

Potential applicants are required to participate in a Pre-Application Conference Call. Written questions to be answered on this Pre-Application call may be submitted via email to Dina.Levy@ag.ny.gov at least 5 business days prior the call.

Notices about the conference call, call-in number, transcripts of questions and answers from the call, along with any additional information about the RFA, will be posted on the OAG website at <http://www.ag.ny.gov/feature/land-bank-community-revitalization>. Consult the OAG website prior to application submission for any amendments to the RFA.

VIII. QUESTIONS AND ANSWERS:

All interested applicants will be afforded the opportunity to e-mail questions regarding this RFA. Applicants must e-mail these questions to Dina.Levy@ag.ny.gov. Responses to applicant emailed questions will be posted on the OAG website at <http://www.ag.ny.gov/feature/land-bank-community-revitalization>.

Applicants may not contact anyone other than Dina.Levy@ag.ny.gov in the New York State Attorney General's Office with questions about this RFA. In the event that the OAG identifies the Project Manager during the pendency of this RFA, applicants are barred from contacting the Project Manager with any questions about this RFA.

IX. OTHER CONDITIONS:

The Office of the Attorney General reserves the right to:

- Reject any applications received that do not comply with the rules outlined in this RFA.
- Communicate with an applicant for the purpose of assuring a full understanding of responsiveness to the RFA solicitation
- Modify minor irregularities in applications after notifying the applicant
- Adjust or correct arithmetical errors in applications
- Utilize any and all ideas submitted in the application received unless such ideas are covered by legal copyright, patent, or property rights, and the Office of the Attorney General is notified in the received submission
- Adopt or utilize all or any part of an Applicant's application
- Negotiate with the Applicant on all aspects of the application to serve the best interest of the Office of the Attorney General.

GRANT APPLICATION FORMAT AND CONTENT

APPLICANTS ARE TO SUBMIT THEIR APPLICATIONS IN THE ORDER PRESCRIBED BELOW. APPLICANTS MUST INCLUDE A SIGNED COVER LETTER WITH A CONTACT NAME, PHONE NUMBER, E-MAIL ADDRESS, NOTING THE REGION(S) AND COUNTY/COUNTIES BEING SERVED

I. NARRATIVE (maximum of six pages, single-spaced, 11 point font, not including budgets and other attachments)

In selecting recipients for these funds, the OAG will evaluate applications based on the following six criteria, and the final scores given to each application will be based on the point system listed next to each section.

A. Organizational Capacity: 20 Points

1. Provide a brief overview of your organization. At minimum please include answers to the following questions: when was the Land Bank officially designated, how long has it been in operation, and what is the current budget of the Land Bank (both operating and capital projects).

2. Describe your current community revitalization projects and activities. Identify projects undertaken by your organization that are similar in scope to the community revitalization initiative you are proposing. (The OAG recognizes that all New York State designated Land Banks were recently created and that historic projects and/or activities may be limited. Please provide detailed information about what planning and pre-development activities the Land Bank has executed in anticipation of future community revitalization efforts.)

3. Describe your organization's capacity to commence your community development initiative within 45-60 days of commitment of funds and to meet proposed milestones within 24 months of commitment. Grantees should show evidence of sufficient capacity and staffing to achieve proposed goals. Applicants demonstrating "readiness" will:

- Submit an application with as specific and detailed a proposal as possible, including evidence of research to determine eligible sites and progress toward site acquisition and eventual disposition
- Identify a list of strategically located properties that meet program and eligibility requirements
- Present evidence of site control and/or clear indications of timely schedule for obtaining site control
- Present clear preliminary financial analysis that includes cost estimates for acquisition and/or rehabilitation, revenue estimates for sale and/or lease, and resultant subsidy request to City and other public sources

- Sufficient financing/leveraged funds identified and/or secured to complete the community revitalization initiative described in this proposal, including letters of commitment or of interest from recognized community development lenders.

4. Discuss proposed staffing and management to deliver the proposed community revitalization initiative; include the names, titles, relevant experience and resumes of key individuals, if available. Include proposed Full Time Employees (FTE) that you intend to fund under this grant. Please provide a list of current staff, including titles and resumes, a list of your Board of Directors, and a description of any advisory committee or other governance structures relevant to the Land Bank. If staffing is provided through contracts with local jurisdictions, submit Memorandums of Understanding or agreements related to that arrangement. Submit by-laws, strategic plan, policies and procedures, and most recent board minutes, if available.

For each identified acquisition, provide a project narrative and an overview of the development team. Provide information about recent development projects by the principal members of the team, if applicable, including any relevant financial partners.

B. Problem and Geographic Area Served: 20 Points

1. Problem statement: Describe, with specificity, the problem your community revitalization program aims to address. What population or institutions are most directly impacted by the problem, and what are the socio-economic characteristics of those most directly affected. Please include any quantitative research that speaks to the scope and magnitude of the problem.

2. Discuss the geographic area and population(s) you plan to serve, the need for the proposed community development initiative in this area and how the population(s) will benefit from your project, including the number of people who will benefit.

3. Please describe any formal or informal partnerships you will undertake that will extend the geographic reach and/or impact of your community revitalization work.

C. Outcomes and Deliverables: 20 Points

1. What are the goals, milestones, and anticipated deliverables involved in this request? Describe your specific activities using a timeline over the course of the grant period. How do the goals correspond to the goals of the jurisdictions covering the proposed geography?

2. Provide proposed qualitative and quantitative outcomes for your expected deliverables. Who are the primary and secondary beneficiaries of your proposed community revitalization initiative? How do these stakeholders directly benefit from your Land Bank's current or future community revitalization efforts?

Note to Applicants: With respect to proposals that include a plan to re-sell housing units, a minimum of 80% of units in all funded projects must serve residents with incomes at 120% percent AMI or below. The OAG seeks to support housing projects that provide a deeper level of affordability and will award additional points for projects that serve homeowners below 80% percent of the AMI.

3. Describe the features and benefits of your application, including any features or services that are unusual or innovative.
4. Discuss the potential obstacles and limitations associated with your proposal and the strategies you will use to address those obstacles and limitations;

D. Leveraging of OAG Funds/Sustainability: 10 Points

1. Please describe how your organization will use OAG awarded funds to leverage additional resources, both to support the specific project(s) described in this proposal and any future community revitalization efforts you plan to engage in.
2. What other sources of funding have been committed to your organization. What are your plans for increasing future income/revenues to sustain your community revitalization activities beyond the grant period?
3. If the proposed community revitalization program for which you are seeking funds under this RFA will require additional funds in order to execute and complete the project(s) proposed herein, please list the sources of income that have been committed or are pending.
4. Please note whether the local jurisdiction currently has or plans to commit dedicated line item funding, or supports the implementation of sharing of tax revenues for parcels that are acquired and conveyed by the Land Bank.

E. Collaboration/Community Support: 10 Points

1. Please describe how the Land Bank will collaborate with other institutions including non-profit community development organizations, local contractors, property managers, units of local government or other stakeholders, in carrying out the proposed project(s) or initiative(s). Note whether relationships have already been established with relevant local agencies that address vacant, abandoned, tax delinquent, and foreclosed properties, as well as expedited efficient processes to transfer public properties to the land bank, if applicable.
2. Please describe how the Land Bank has or will involve community stakeholders, including intended beneficiaries of the project, in designing the proposed program or initiative.

3. Please describe the anticipated community response to your proposal, both positive and negative, and include three (3) letters of support for your proposed proposal or initiative. At least one letter of support must come from a unit of local government.

II. FINANCIAL MANAGEMENT: 20 Points

A. Proposal Budget

Provide an overall proposal budget outlining uses of funds, including a breakdown of administrative costs and separate budgets outlining estimated sources and uses for each acquisition, if already identified.

FINANCIAL INFORMATION REQUESTED

For each identified component of your community revitalization proposal, provide the following financial information:

- For rental properties, pro forma cash flows for the proposed project for ten (10) years (including construction and operations), including details of any as-of-right or discretionary real estate tax, other tax, energy, or other governmental benefits. Outline all assumptions on which the pro forma document is based. The pro forma document should include all necessary capital improvements over time, reserve, and debt service payments. Include a brief marketing plan.
- For homeownership properties, a breakdown of sources and uses, including expected sales price, and estimated affordability level. Include a brief marketing plan.
- Sources and uses of design and construction funds, including details of equity and debt financing sources and a break out of all soft and hard costs and development and financing fees to be paid on the “uses” side. Clearly indicate escalation rates to account for any increases in construction costs in budget or contingencies. Also include a detailed description of proposed equity investment, construction and permanent financing and credit enhancement, if any;
Letters of interest and/or intent from equity, debt, and subsidy sources, should be provided, if applicable.
- For demolition projects, provide information on demolition costs, timeline and a budget for costs associated with the planned repurposing of parcels, if applicable.
- For open space projects, provide information on acquisition costs, maintenance costs and costs associated with future use of parcel that will be incurred by the Land Bank.

Note to Applicants: Developer fees – Developer or administrative fees, along with any other fees earned by the Developer or affiliated entities, including contractor and realty fees, must be approved by the OAG, and may not exceed 15% of the total project budget. Costs included in the developer fee must be distinguished from costs billed separately to the grantee.

- Excess proceeds of sale – In order to avoid undue enrichment, as required by program rules, excess proceeds from the sale of units, after all approved costs and approved

developer fees are paid, shall be dedicated for use in the production of additional units under the Developer Agreement.

III. CERTIFICATIONS:

It is required that applicants complete, sign and notarize the four (4) attached certifications: Privacy Certification, Civil Rights Certification, Labor Certification and Declaration.

IV. VENDOR RESPONSIBILITY QUESTIONNAIRE

All applicants must complete a New York State Vendor Responsibility Questionnaire for a Not-For-Profit Business Entity. It may be obtained and provided either electronically through the OSC's VendRep System, or in paper format, a copy which has been provided.

The website for electronic filing is: http://www.osc.state.ny.us/vendrep/forms_vendor.htm.

Please print out a copy of the form that indicates you have completed this questionnaire and submit it with your application.

PRIVACY CERTIFICATION

Each organization receiving a grant must have an established privacy policy for protecting the confidentiality of personally identifiable information or "private information."

I hereby certify that _____ maintains a privacy policy that, at a minimum:

- restricts the use and/or disclosure of "private information" to the purpose for which it was obtained;
- requires the person's consent for other uses or disclosures;
- limits access to "private information" to those employees with a need to fulfill the purpose for which it was obtained; and
- provides adequate precautions to ensure administrative and physical security of "private information."

Signature of Authorized Certifying Official

Date

Name/Title

Sworn to before me this _____ day of _____, 20____;

_____ Notary Public

CIVIL RIGHTS CERTIFICATION

I hereby certify that _____, the applicant organization:

- will comply with all applicable federal, state, and local laws relating to nondiscrimination in employment;
- will not discriminate against any individual who receives or applies for services on the basis of actual or perceived aged, race, creed, religion, color, national origin, gender, disability, marital status, sexual orientation, alienage, or citizenship; and
- will forward to the Office of the New York State Attorney General a copy of any finding by a court or administrative agency that it has violated any federal, state, or local law relating to nondiscrimination.

Signature of Authorized Certifying Official

Date

Name/Title

Sworn to before me this _____ day of _____, 20____;

_____ Notary Public

LABOR CERTIFICATION

I hereby certify that _____, the applicant organization:

- will comply with all applicable federal, state, and local labor and employment laws and regulations, including any applicable schedules or determinations made by the State Labor Department in accordance with the Labor Law; and
- will forward to the Office of the New York State Attorney General a copy of any finding by a court or administrative agency that it has violated any federal, state, or local law relating to labor or employment.

Signature of Authorized Certifying Official

Date

Name/Title

Sworn to before me this _____ day of _____, 20____;

Notary Public

DECLARATION

I hereby declare under penalty of perjury that the information contained in this application and attachments thereto are accurate and complete and understand that false statements made herein are punishable as a Class A Misdemeanor pursuant to NY Penal Law Section 210.45.

Signature of Authorized Certifying Official

Date

Name/Title

Sworn to before me this _____ day of _____, 20____;

Notary Public

Appendix B – New York State Regions

Northeast Region	St. Lawrence, Franklin, Clinton, Essex, , Hamilton, Warren, Washington, Saratoga, Fulton, Montgomery, Schenectady, Schoharie, Albany, Greene, Columbia, and Rennsselaer
Western Southern Tier	Monroe, Wayne, Ontario, Livingston, Yates, Seneca, Tompkins, Tioga, Chemung, Schuyler, Steuben, Allegany, Cattaraugus and Chautauqua
Buffalo-Niagara	Genesee, Orleans, Niagara, Seneca, Wyoming, and Erie
Mid Central	Jefferson, Lewis, Oswego, Oneida, Herkimer, Otsego, Delaware, Chenango, Broome, Madison, Cortland, Onondaga, Cayuga
Hudson Valley	Ulster, Dutchess, Putnam, Westchester, Rockland, Orange and Sullivan
Long Island	Nassau and Suffolk
New York City	Bronx, Kings, Manhattan, Queens, and Richmond