

**General Administrator
for the
Greenpoint Environmental Benefit
Projects Program**

***Request for Application
#12-006***

**State of New York
Office of the Attorney General
Department of Environmental Conservation**

July 6, 2012

STATE OF NEW YORK
Office of the Attorney General
Department of Environmental Conservation

REQUEST FOR APPLICATION #12-006

Dated: July 6, 2012

Description: General Administrator for the Greenpoint (Brooklyn) Environmental Benefit Projects Program

Contract Period: Four (4) years, with State option to extend

Due Date and Time (EST): August 22, 2012, 4:00 PM

Designated Contacts:

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Package Contents:

- Information for Applicants
- Application
- Appendix A: Standard Clauses for OAG Grant Contracts
- Appendix B: Preliminary List of Community Project Ideas
- Appendix C: NYS Vendor Responsibility Questionnaire Not-for-Profit Business Entity

GENERAL STANDARD INFORMATION AND INSTRUCTIONS

Application Submission

When submitting an Application, the Applicant must:

- Respond to all elements requested in the Application;
- Attach all necessary supporting information; and
- **Sign the Application.** By submitting an application with a signed cover letter, the Applicant indicates full knowledge and acceptance of this Request for Application, including Appendix A, Standard Clauses for New York State Contracts.

The Application must be completed in the name of the Applicant or, in the case of an Application submitted by a partnership, the lead entity in the partnership. The Application must be fully and properly executed by an authorized official of the Applicant or lead entity in a partnership.

The State prefers that Applications be submitted electronically, in PDF format. Electronic submittals should be sent to purchase@ag.ny.gov.

Applications may also be submitted in hard copy. If submitting an Application in hard copy, submit four (4) complete copies, and send by mail or overnight delivery addressed to:

Office of the New York State Attorney General
Budget and Fiscal Management Bureau
The State Capitol
Albany, NY 12224-0341
Attn: Ron Wachenheim, Purchasing Team Supervisor

Hand-delivered Applications or walk-ins will not be accepted. Faxed submissions will not be accepted.

Applications must be received by August 22, 2012, 4:00 PM. Applicants submitting Applications in hard copy must allow sufficient delivery time to ensure receipt by the deadline, as no Applications will be accepted after the deadline. The State will not acknowledge receipt of Applications.

The State anticipates selecting the General Administrator by October 5, 2012.

**General Administrator
for the
Greenpoint Environmental Benefit Projects Program**

INFORMATION FOR APPLICANTS

I. STATEMENT OF PURPOSE

The Office of the Attorney General of the State of New York and the New York State Department of Environmental Conservation (collectively, the "State") are seeking Applicants to serve as the General Administrator ("GA") for the Greenpoint Environmental Benefit Projects Program ("Program"), a grant program to fund projects that will secure significant environmental improvements in Greenpoint, Brooklyn, New York.

II. DEFINITIONS

For the purposes of this Request for Application ("RFA"), the following definitions are used:

- **Applicant** -- The term "Applicant" means a single not-for-profit entity, or a partnership of not-for-profit entities, applying for the position of GA for the Program.
- **Organization** -- The term "Organization" is synonymous with "Applicant." If a partnership is proposed for the GA, the term applies to each of the partner entities in their respective role.
- **Program Administration** -- The term "Program Administration" means grant program management (i.e., proposal solicitation, development and evaluation, and project implementation), fiscal/fiduciary management, community engagement/collaboration, and program tracking, recordkeeping and reporting.

III. PROGRAM OBJECTIVE AND BACKGROUND

A. Program Objective

The objective of the Program is to fund projects that will secure significant environmental improvements in Greenpoint, Brooklyn by addressing areas of concern for the community, including water quality, groundwater, open space, toxic pollution and air quality. In achieving the Program Objective, the State is committed to implementing a

transparent and objective process, and fully engaging and partnering with the Greenpoint community.

B. Program Background

In 2011, a federal court approved a legal settlement between the State of New York and ExxonMobil¹ that committed the company to perform a comprehensive cleanup of its oil and related environmental contamination at its Greenpoint, Brooklyn facility and in the surrounding community. The settlement also required ExxonMobil to pay approximately \$25,000,000 in penalties, costs and local improvements.

The payment included \$19,500,000 for "Environmental Benefit Projects" ("EBPs") to benefit the environment in Greenpoint, Brooklyn.² According to the settlement, the EBPs will be designed to secure significant environmental improvements and address areas of concern in the community, such as water quality, groundwater, open space, toxic pollution and air quality.

The State has established the Program for the purpose of implementing the EBPs specified in the settlement. The Program is being conducted in three phases:

Phase 1: Identification of Greenpoint community preferences for projects and project types to be funded, as well as criteria to be used by the State in selecting a GA for the Program.

Phase 2: After selection of a GA, management by the GA of a grant program to solicit, review and recommend to the State projects to be funded by the Program.

Phase 3: After State approval of projects to be funded, management by the GA (either itself or in coordination with not-for-profit entities contracted to administer individual projects or groups of projects) of the implementation of the funded projects.

The State is committed to working closely with the Greenpoint community to ensure the Program is implemented in a transparent and objective manner, and that the funding supports projects that serve the community's environmental improvement priorities. To this end, the State intends to fully engage and partner with the Greenpoint community in each phase of the Program, including ensuring the community has a direct, continuing role in guiding the Program's development and implementation.

¹ Consent Decree in the matter of State of New York v. Exxon Mobil Corporation, No. 07-CV-2902 (KAM/RML) (E.D.N.Y.), ordered on March 1, 2011.

² For the purposes of the Program, "Greenpoint" is defined as the area of Brooklyn, New York encompassed by the U.S. Postal Service postal code 11222, and the entirety of McCarren Park.

The State has already taken several significant steps to engage and partner with the Greenpoint community with respect to the Program, including:

- Contracting with Enviro-Sciences Engineering/ARC Engineering & Construction, P.C. ("ESE") to serve as an Outreach Consultant ("OC") to the State, and assist the State to effectively collaborate with the community in executing the Program.
- Establishing an advisory group comprised of members of the Greenpoint community -- the "Greenpoint Community Advisory Panel" or "CAP" -- for the purpose of providing guidance to the State on the Program's development and implementation. The State and CAP have met regularly and a subcommittee of the group had a direct role in developing this RFA.
- Hosting, with the OC and CAP, the first of several planned Greenpoint community meetings relating to the Program, and its development and implementation.
- Creating a webpage³ to serve as a public resource on the Program and its progress, including updated information on its latest activities and accomplishments.

As mentioned above, on March 21, 2012, the State, OC and CAP hosted the first of several planned meetings with the Greenpoint community. The purpose of this meeting was to provide background to the community on the Program, and solicit its ideas for possible EBPs and its preferences for criteria to be used in selecting a GA. Approximately 170 members of the Greenpoint community attended the meeting.

At the meeting, community members identified over 100 different ideas for environmental benefit projects and project types. A list of the project and project type ideas generated at the March community meeting, as well as subsequently submitted by community members, is provided as **Attachment B**. These project ideas have been used in the development of this RFA. They will be used further in developing a Request for Proposal ("RFP") to solicit project proposals that address the community's project ideas.

Community members participating in the March meeting also identified preferences for criteria to be used in soliciting, evaluating and selecting the Program's GA. The preferences were:

- Expertise in managing a large Request for Proposal and proposal technical review processes
- Local presence/experience
- Community outreach experience
- Financial management experience
- Cost-effective administration

³ www.ag.ny.gov/environmental/greenpoint-environmental-benefit-projects.

- Current knowledge of advanced principles of sustainability and demonstrated experience/capacity in environmental improvements
- Experience in construction and project management
- Prior experience in Program Administration

These community preferences have been incorporated into this RFA with respect to eligibility requirements and evaluation criteria for Applicants.

IV. SCOPE OF SERVICES FOR THE GENERAL ADMINISTRATOR

The State expects the entity, or partnership of entities, selected to serve as the GA for the Program to provide the following Scope of Services:

- Grant Program Management
- Fiscal/Fiduciary Management
- Community Engagement/Collaboration
- Program Tracking, Recordkeeping and Reporting

In providing these services, the GA is expected to fully support the State's commitment to ensuring that the Program is implemented in a transparent and objective manner, and that the projects funded to serve the Greenpoint community's environmental improvement priorities. To this end, the GA is expected to work with the OC⁴ to ensure that the Greenpoint community is engaged and partnered with in each phase of the Program, including ensuring the community has a direct role in guiding the Program's development and implementation. It is expected that the GA will consult with the CAP on all significant elements of the Program.

The GA is expected to develop a work plan, in concert with the State, CAP and OC, that describes the tasks to be undertaken in performing the Scope of Services and achieving the Program Objective.

A. Grant Program Management

The State expects the GA to manage a grant program that solicits, develops, evaluates project proposals, and then implements those projects approved by the State for funding by the Program.

⁴ The State plans to continue to retain an OC to support the Program. The State expects the GA to work closely with the OC, with the latter taking the lead on developing and implementing community outreach and consultation activities.

1. Project Solicitation, Development and Evaluation

With respect to the solicitation, development and evaluation of project proposals, the GA will be expected to provide the following services:

- In collaboration with the OC, plan and administer one or more Greenpoint community meetings for the purpose of: 1) refining the community's ideas for environmental benefit projects or project types; and 2) linking community members advancing specific project ideas with entities capable of developing those ideas into project proposals.
- In collaboration with the OC, plan and administer regular CAP meetings for the purpose of consulting with the Panel on the solicitation, development, evaluation and recommendation of project proposals. The GA will be expected to assist the OC in developing summary documents and other materials necessary to support CAP meetings.
- Develop and disseminate an RFP, and accompanying application materials, to solicit proposals for projects to be funded by the Program.⁵ Such RFP must be consistent with the terms of the legal settlement between the State of New York and ExxonMobil and the New York State Department of Environmental Conservation's "Environmental Benefit Projects (EBP) Policy," and responsive to the community's ideas for environmental benefit projects and project types.
- Identify and recruit RFP respondents, with a specific emphasis on respondents capable of developing proposals that respond to the community's ideas for environmental benefit projects and project types.
- Organize and conduct one or more informational workshops for prospective RFP respondents for the purpose of providing background on the Program and RFP, and addressing the questions of potential respondents.
- As necessary, provide assistance (e.g., in developing scopes of work, budgets and schedules for proposed projects, as well as identifying financial leveraging opportunities) to prospective RFP respondents.
- Establish and administer an Independent Review Committee (IRC), comprised of State and non-State experts, for the purpose of conducting a technical and budgetary review, and scoring of proposals.⁶ The GA will be expected to develop

⁵ The RFP will include the solicitation of proposals for "small projects." Such projects, for which funding would be capped (e.g., at a level of \$50,000), would be expected to be relatively narrow in scope, technically straightforward and low cost. A separate, streamlined application and evaluation process for small projects would be expected.

⁶ As part of the scoring process, the IRC will be tasked with defining a threshold score that identifies project proposals of sufficient quality to merit further consideration for Program funding.

summary documents and other materials necessary to support the work of the IRC.

- In collaboration with the OC, plan and administer one or more Greenpoint community meetings for the purpose of defining community preferences related to, and, as appropriate, providing for the community's relative ranking of, project proposals deemed by the IRC to be of sufficient quality to merit consideration for Program funding. The GA will be expected to assist the OC in developing summary documents and other materials necessary to support the community meetings.
- Prepare a report to the State that summarizes the results of the IRC review and the input received from Greenpoint community meetings, and includes recommendations on projects to be funded by the Program. The report should also include recommendations on whether additional "rounds" of granting should be conducted.

For the purposes of the Application, Applicant budgets should include, as a contingency, projections of costs associated with additional rounds of granting. Applicants should assume that each additional round of the grant program will include the provision of the above services.

2. Project Implementation

At the time the State approves projects to be funded by the Program, and in consultation with the CAP, the State will decide whether additional not-for-profit entities -- called "Project Administrators" or "PAs" -- will be contracted to administer the implementation of certain individual projects or groups of projects.

For this reason, regarding expected services to be provided by the GA with respect to project implementation, Applicants should consider the following three (3) potential scenarios:

Scenario 1 -- GA Administration of All Projects

Under this scenario, the GA will administer the implementation of all projects funded by the Program and be expected to provide the following services:

- Develop and complete a Memorandum of Agreement (MOA) with each project implementer.
- Ensure the expeditious transfer of Program funds to each project.
- Oversee the implementation of each project, including conducting periodic Implementation Reviews (IRs) of each project's progress-to-completion and budgetary status. IRs are expected to be conducted in sufficient detail and

frequency to identify problems, barriers and other issues related to projects that necessitate intervention by project implementers, the GA or State to ensure expeditious resolution.

- Provide implementation support and assistance to project implementers, as necessary, to resolve problems, barriers and other issues that may adversely affect timely, on-budget or effective completion.
- Assist the OC in convening periodic outreach meetings, and employing other methods (e.g., website, e-newsletters), to share progress on projects on an on-going basis with the CAP and Greenpoint community.

Scenario 2 -- GA Oversight of Project Administrators

Under this scenario, the GA will manage PAs contracted to administer the implementation of funded projects. The GA will be expected to provide the following related services:

- Develop and complete an MOA with each PA.
- Oversee each PA, including conducting routine reviews of the PA's administration of project implementation, as well as the progress-to-completion and budgetary status of the projects being implemented. Such reviews are expected to be conducted in sufficient detail and frequency to identify problems, barriers and other issues related to projects that necessitate intervention by project implementers, the PA, GA or State to ensure expeditious resolution.
- As needed, provide support and assistance to PAs in the administration of project implementation, including the execution of appropriate MOAs with project implementers, the expeditious transfer of funds to projects, the oversight of project implementers, and the identification and resolution of problems, barriers and other issues that may adversely affect timely, on-budget or effective project completion.
- Assist the OC in convening periodic outreach meetings, and employ other methods (e.g., website, e-newsletters), to share progress on projects with the CAP and the Greenpoint community.

Scenario 3 -- GA Administration of Some Projects, Oversight of Some Project Administrators

Under this scenario, the GA will administer the implementation of certain individual or groups of the funded projects, while also managing PAs contracted to administer the remaining projects. In this role, the GA will be expected to provide the following services:

- Develop and complete an MOA with the implementer of each project that the GA is administering.
- Develop and complete an MOA with each PA administering a project.
- Develop and implement plan for the expeditious transfer of funds to the implementer of each project that the GA is administering.
- Oversee project implementation, including conducting periodic IRs of each project's progress-to-completion and budgetary status. IRs are expected to be conducted in sufficient detail and frequency to identifying problems, barriers and other issues related to projects that necessitate intervention to ensure expeditious resolution.
- Oversee each PA, including conducting routine reviews of the PA's administration of project implementation, as well as the progress-to-completion and budgetary status of the projects being implemented. Such reviews are expected to be conducted in sufficient detail and frequency to identify problems, barriers and other issues related to projects that necessitate intervention to ensure expeditious resolution.
- Provide implementation support and assistance to project implementers, as necessary, to resolve problems, barriers and other issues that may adversely affect timely, on-budget or effective completion.
- As needed, provide support and assistance to PAs in the administration of projects, including the execution of appropriate MOAs with project implementers, the expeditious transfer of funds to projects, the oversight of project implementers, and the identification and resolution of problems, barriers and other issues that may adversely affect timely, on-budget or effective project completion.
- Assist the OC in convening periodic outreach meetings, and employ other methods (e.g., website, e-newsletters) to share progress on projects with the CAP and the Greenpoint community.

B. Fiscal/Fiduciary Management

In relation to the fiscal and fiduciary management of the Program, the GA will be expected to provide the following services:

- Serve as the fiduciary and administrator of the Program funds on behalf of the State.
- Exercise wise and prudent investment strategies in order to minimize risk, while maximizing the net investment income earned on the balance.

- Implement adequate financial and accounting processes and procedures to safeguard the Program from waste, misuse and fraud.
- Ensure timely payment of funds to PAs/project implementers.

C. Community Engagement/Collaboration

The GA is expected to support the State's commitment to ensuring the Greenpoint community is engaged and partnered with in each phase of the Program, and that the community has a direct role in guiding the Program's development and implementation. To this end, the GA will be expected to work closely with the OC to ensure consistent and effective collaboration with the CAP and the Greenpoint community at large, including assisting in the OC to develop and execute a community outreach plan in support of the Program.

The GA is also expected to ensure the Program is effectively coordinated with current and past government community development or environmental improvement efforts in the Greenpoint area that may be relevant to the Program. This includes, in coordination with the State, ensuring effective communication and collaboration with appropriate federal, state, and local agencies.

D. Program Tracking, Recordkeeping and Reporting

The GA is expected to provide the following services related to tracking, recordkeeping and reporting for the purpose of supporting the State's oversight of the Program, as well as its commitment to ensuring the Program is implemented in transparent and objective manner:

- Track project status, including progress-to-completion and budget, at a detail and frequency necessary to prepare required reports to the State, and to identify problems, barriers and other issues related to projects that necessitate intervention to ensure expeditious resolution.
- Maintain complete, detailed and organized records related to the Program and all elements of its implementation.
- Prepare a semiannual report to the State that addresses the implementation of each project, including its progress-to-completion and budgetary status, and provides a summary of the overall status and accomplishments of the Program.

V. PROSPECTIVE PROGRAM TIMELINE

The following is a tentative timeline, up to the time of project funding, for major Programmatic events to follow the selection of the GA:

	Event	Date
1	Selection of Program GA	October 5, 2012
2	Community Meeting #2 (Project Ideas)	November 7, 2012
3	Release of RFP for Projects	December 5, 2012
4	Closing Date for Project Proposals	February 28, 2013
5	Community Meeting #3 (Ranking of Proposals)	June 26, 2013
6	Announcement of Project Funding	July 31, 2013

VI. ELIGIBILITY REQUIREMENTS

The eligibility requirements represent prerequisites necessary for a GA to perform the Scope of Services and achieve the Program Objective. **Only Applicants that meet each of the following requirements will be eligible for consideration as the GA:**

- The Applicant must be a not-for-profit entity, tax-exempt under 501(c)(3) of the Internal Revenue Code, with an active New York State Charities registration number, or an approved exemption, and in good standing.
- The Applicant must be in compliance with all local, state and federal laws.
- The Applicant must have at least 5 years experience in Program Administration related to community development or environmental improvement projects. If a partnership of entities is proposed for the GA, the partner(s) conducting grant program management and fiscal/fiduciary management must have at least 5 years experience in their respective role(s).
- Applicant must have administered a grant program involving funds of \$1 million or more. If a partnership is proposed, the partner(s) conducting grant program management and fiscal/fiduciary management must have participated, in their respective role(s), in the administration of a grant program involving funds of at least \$1 million.
- Applicant must have administered a grant program in New York City. If a partnership is proposed, the partner(s) conducting grant program management and fiscal/fiduciary management must have performed their respective role(s) in relation to a grant program administered in New York City.
- Applicant must provide one (1) letter of reference from a funder of a grant program administered by the Applicant. If a partnership is proposed, one (1) such reference is required for each partner and in relation to its respective role.
- Applicant must provide one (1) letter of reference from a resident or community-based organization located in a community in which the Applicant has administered a grant program. If a partnership is proposed, one (1) such reference is required for each partner, with the exception of any partner with responsibility

solely related to fiscal/fiduciary management or program tracking, recordkeeping and reporting.

VII. EVALUATION AND AWARD

A. Evaluation Criteria/Scoring

All complete Applications will be reviewed to ensure that the Applicant meets the **Eligibility Requirements** described in **Section VI** above. Applications that meet those requirements will be further evaluated, using the criteria and scoring guidelines described below, with respect to their qualifications and ability to be successful in performing the Scope of Services and achieving the Program Objective.

The evaluation criteria are divided into five (5) categories:

1. Grant Program Management
2. Fiscal/Fiduciary Management
3. Community Engagement/Collaboration
4. Program Tracking, Recordkeeping and Reporting
5. Budget

The total combined score of the five (5) categories is a maximum of 100 points.

1. Grant Program Management (30 points; 6 x 5 points, maximum)

Applicants will be evaluated with respect to their demonstration of experience, resources and capabilities related to:

- Management of grant programs that include technical review and community input as part of the project selection process. (5 Points)
- Management of grant programs involving the types of environmental projects identified on the **Preliminary List of Community Project Ideas** provided in **Appendix B**. (5 Points)
- Management of grants for projects located or performed in Greenpoint, Brooklyn. (5 Points)
- Leveraging third-party funds and in-kind services to support grant projects. (5 Points)
- Building or enhancing the capacity of prospective RFP respondents to develop high-quality project proposals and to successfully implement projects (including providing technical support to prospective respondents and project implementers). (5 Points)

In addition, Applicants will be evaluated with respect to their demonstration of:

- Well-defined and effective grants policies and procedures (Applicants should provide a copy of any such written policies and procedures with their Application). (5 Points)

2. Fiscal/Fiduciary Management (20 points; 4 x 5 points, maximum)

Applicants will be evaluated with respect to their demonstration of:

- Experience in maintaining grant funds through prudent investment, particularly with respect to funds of \$1 million or more. (5 Points)
- Success in achieving positive returns on invested funds, particularly with respect to program funds of \$1 million or more. (5 Points)
- Well-defined and effective fiscal management policies or procedures (Applicants should provide a copy of any such written policies and procedures with their Application), and the participation of a certified investment planner. (5 Points)
- Well-defined and effective fiduciary management policies or procedures, particularly as related to safeguarding grant programs against waste, misuse and fraud (Applicants should provide a copy of any such written policies and procedures with their Application). (5 Points)

3. Community Engagement/Collaboration⁷ (20 points; 2 x 5 and 1 x 10 points, maximum)

Applicants will be evaluated with respect to their demonstration of experience, resources and capabilities related to:

- Engagement/collaboration with communities comparable to Greenpoint, Brooklyn, especially communities that have been subject to a legacy of environmental injustice and/or varied, serious environmental harms. (5 Points)
- Community engagement/collaboration in Greenpoint, Brooklyn, especially with respect to local organizations involved in community development or environmental improvement projects in Greenpoint. (10 Points)

⁷ While the OC will take the lead on community outreach and consultation activities, the GA is expected to work closely with the OC to engage and partner with community in each phase of the Program.

In addition, Applicants will be evaluated with respect to their knowledge of:

- Current and past federal, state and local government community development or environmental improvement efforts in the Greenpoint area that may be relevant to the Program. (5 Points)

4. Program Tracking, Recordkeeping and Reporting (5 points; 1 x 5 points, maximum)

Applicants will be evaluated with respect to their demonstration of experience, resources and capabilities related to:

- Tracking, recordkeeping and reporting on all aspects of grant programs (including overall program and project-specific implementation schedules and budgets), especially with respect to grant programs involving funds of \$1 million or more. (5 Points)

5. Budget (25 points: 5 x 5 points, maximum)

Applicants will be evaluated with respect to their demonstration of:

- Completeness of budget (i.e., responsiveness to each item required in the Application). (5 Points)
- Clarity of budget, including identification of staff roles and responsibilities, estimated hours and hourly rates. (5 Points)
- Justification of budgeted resources and level of effort. (5 Points)
- Consideration and detailing of contingency costs. (5 Points)
- Policies and/or procedures related to budget tracking (Applicants should provide a copy of any such written policies and procedures with their Application). (5 Points)

The State may request additional information from Applicants with respect to their Applications and reserves the right to perform management interviews.

B. Award

Applicants submitting the highest scoring Applications will be considered most qualified to serve as the GA for the Program.

The State reserves the right to select, among the highest scoring Applications, that Applicant for the position of the GA who, in the opinion of the State, will provide the best value in performing the Scope of Services and achieving the Program Objective.

If, in the opinion of the State, no Applicant is capable of adequately performing the Scope of Services and achieving the Program Objective, the State reserves the right not to make a selection from among the respondents to this RFA and to re-issue an RFA for the GA position at a later date.

VIII. TERMS OF THE POSITION:

The successful Applicant will be required to enter into a contract with the State that governs the GA position for the Program.

The term of the contract will be a minimum of four (4) years, with a State option to extend the term. The State will administer periodic performance reviews during the course of the term, and the contract will provide for the termination of the Agreement upon a determination by the State of unsatisfactory performance by the GA.

The contract will incorporate by reference the Request for Application and the successful Applicant's Application, Appendix A (Standard Clauses for New York State Contracts), a copy of which is included herein, will be incorporated by reference into the contract. The successful Applicant 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.

Additional legal provisions will be included in the agreement with the successful Applicant (the "Agreement"), as follows, without limitation:

NYS Ethics Compliance

All grantees and their employees must comply with the requirements of Public Officers Law, 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 agency 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, Department of Environmental Conservation 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, Department of Environmental Conservation 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.

Compliance with Executive Order #4, Establishing a State Green Procurement and Agency Sustainability Program

Grantees will comply with the provisions of Executive Order 4. Publications shall be printed on 100% post-consumer recycled content paper. Where paper with 100% post-consumer recycled content is not available, or does not meet required form, function and utility, paper used shall have post-consumer recycled content to the extent practicable. Non-recycled content shall be derived from a sustainably-managed renewable resource to the extent practicable, unless the cost of the product is not competitive.

IX. PRE-APPLICATION CONFERENCE:

The State will hold a voluntary Pre-Application Conference on the RFA on July 25, 2012, from 6:00 to 8:00 PM Eastern Time, for the purpose of reviewing the RFA and addressing related questions of prospective Applicants.

If an Applicant plans to attend, the Applicant must RSVP (by email) to Peter Washburn at peter.washburn@ag.ny.gov by at least two (2) days prior to the date of the Pre-Application Conference (i.e., by July 23). Each Applicant is requested to limit the number of representatives attending the Conference to three (3), and each representative should bring a business card. Location and other meeting details will be provided to those who RSVP.

Answers to questions raised at the Pre-Application Conference may be deferred by the State, and addressed through a memorandum provided to all prospective Applicants or an Application addendum, as necessary and appropriate. The State will not respond to questions regarding the RFA outside of the Pre-Application Conference.

X. SUBMISSION OF APPLICATIONS:

The State prefers that completed Applications be sent electronically (in PDF format) to purchase@ag.ny.gov.

Alternatively, Applications may be submitted in hard copy. If submitting the Application in hard copy, submit four (4) complete Applications, and send by mail or overnight delivery to:

Office of the New York State Attorney General
Budget and Fiscal Management Bureau
The State Capitol
Albany, NY 12224-0341
Attn: Ron Wachenheim, Purchasing Team Supervisor

Hand-delivered Applications or walk-ins will not be accepted. Faxed submissions will not be accepted.

Applications must be received by August 22, 2012, 4:00 PM. Applicants submitting Applications in hard copy must allow sufficient delivery time to ensure receipt by the deadline, as no Applications will be accepted after the deadline. The State will not acknowledge receipt of Applications.

The State anticipates selecting the GA by October 5, 2012.

XI. OTHER CONDITIONS

The State 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 State is notified in the received submission;
- Adopt or utilize all or any part of an Applicant's Application; and
- Negotiate with the Applicant on all aspects of the application to serve the best interest of the State.

**General Administrator
for the
Greenpoint Environment Benefit Projects Program**

APPLICATION

I. APPLICANT INFORMATION

The Applicant should provide the following information:

- Name of Organization
- Mailing Address
- City, State, Zip
- Telephone Number
- Organizational Website Address, if any
- Federal Not-for-Profit ID #
- New York State Charities Registration #
- Name and Title of Contact Person
- Telephone # and E-mail Address of Contact Person

II. APPLICATION SUMMARY (250 word limit)

The Applicant should provide a concise summary of the Application, including a description of the Organization, its qualifications related to the Scope of Services and Program Objective, and the proposal budget.

III. DESCRIPTION OF THE ORGANIZATION (500 word limit, exclusive of attachments):

A. Overview

The Applicant should provide a brief overview of the Organization, its mission and history. A list of staff currently committed to Program Administration, particularly as related to projects involving community development or environmental improvement, should be provided.

If a partnership is proposed, the overview must include a full description of the structure of the partnership, including its management and decision-making processes.

B. Supporting Information

The Applicant should provide copies of the following supporting information as attachments:

1. Annual Operating Budget of the Organization. The Organization's operating budget for the two (2) most recently completed fiscal years and the current fiscal year. Any recent deficits or dramatic changes in funding should be explained. If applicable, contingency plans for expected changes in funding this fiscal year or next should be discussed.
2. Financial Statement. The Organization's most recent Audited Financial Statement, Federal Form 990 including Schedule A.
3. Financial Report. The organization's most recent Annual Financial Report, if any.

IV. DESCRIPTION OF QUALIFICATIONS

A. Eligibility Requirements

1. Description (500 word limit)

The Applicant should provide a brief description of the Organization's satisfaction of each of the **Eligibility Requirements** outlined in **Section VI of Information for Applicants**.

2. Supporting Information

The Applicant should provide the following supporting information as attachments:

- The Organization's most recent IRS 501(c)(3) Determination Letter indicating tax exempt status or, if not available, an explanation.
- One (1) letter of reference from a funder of a grant program administered by the Applicant. If a partnership is proposed, one (1) such reference is required for each partner and in relation to its respective role in the partnership.
- One (1) letter of reference from a resident or community-based organization located in a community in which the Applicant has administered a grant program. If a partnership is proposed, one (1) such reference is required for each partner, with the exception of any partner(s) with responsibility solely

related to fiscal/fiduciary management or program tracking, recordkeeping and reporting.

B. Performance of Scope of Services

1. Abstract (250 word limit)

The Applicant should provide a brief description of the Organization's experience, resources and capabilities related to performing the Scope of Services and achieving the Program Objective.

2. Narrative (750 word limit)

The Applicant should provide an elaboration of the Organization's experience, resources and capabilities related to performing the Scope of Services and achieving the Program Objective. The narrative should specifically address grant program management (including both proposal solicitation, development and evaluation, and project implementation), fiscal/fiduciary management, community engagement/collaboration, and program tracking, recordkeeping and reporting, and should be responsive to the **Evaluation Criteria/Scoring** outlined in **Section VII(A) of Information to Applicants**.

The narrative should include proposed staffing of the Organization with stated responsibilities, including the names, titles, and resumes of key individuals.

3. Supporting Information

Where possible, the Applicant should provide, as attachments, documentation (e.g., reports, brochures) of the Organization's related experience, resources and capabilities, including that relating to any past or present involvements of the Organization in community development or environmental improvement projects, particularly those of a size, scope or nature similar to that of the Program.

V. DESCRIPTION OF PROGRAM BUDGET

A. Budget Narrative (500 word limit)

The Applicant should provide a narrative discussion of the Organization's proposed budget for performing the Scope of Services and achieving the Program Objective.

The budget narrative should describe:

- Assumptions used in formulating the Proposal Budget;
- Strategies proposed for budgeting (the Applicant may propose different strategies for different Program activities, e.g., fixed-fee budgeting for project solicitation and evaluation, and percentage-based budgeting for project implementation administration);
- Contingencies addressed by the Proposal Budget, including general contingencies for major budgetary items, as well as those related to additional rounds of grant program funding; and
- Budgetary implications of the three (3) potential project implementation scenarios described in **Section IV(A)(2) of Information for Applicants**.

B. Detailed Proposal Budget

The Applicant should provide a detailed accounting of the proposed budget for the Program, including on a task by task basis for each of the core services:

- Grant Program Management (separately addressing Project Solicitation, Development and Evaluation, and Project Implementation);
- Fiscal/Fiduciary Management
- Community Engagement/Collaboration
- Program Tracking, Recordkeeping and Reporting

For the overall Program and each core service, the detailed Proposal Budget should provide dollar amounts and explanations for the following categories (as applicable):

- Personnel
- Fringe Benefits
- Travel
- Supplies and Materials
- Other

Project implementation scenarios and contingencies should be specifically addressed.

VI. 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 Office of the State Comptroller'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.

VII. CERTIFICATIONS AND SIGNATURE

The undersigned, as an authorized official of the Applicant, does hereby certify under penalty of perjury that:

- *The information contained within this Application, and all documents submitted with this Application, are true, accurate and complete;*
- *The Applicant is a not-for-profit entity, tax-exempt under 501(c)(3) of the Internal Revenue Code, with an active New York State Charities registration number, or an approved exemption, and in good standing;*
- *The Applicant is in compliance with all local, state and federal law; and*
- *The Applicant understands 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

ATTACHMENT A

STANDARD CLAUSES FOR OAG GRANT CONTRACTS

ATTACHMENT B

PRELIMINARY LIST OF GREENPOINT COMMUNITY PROJECT IDEAS

STORMWATER MANAGEMENT

Green roof projects/programs

1. Roof top gardens and farming
2. Green roof program and garden at 370 Greenpoint Ave
3. Green roofs and solar panels on a) community facilities and schools, b) residences, and c) park facilities. Project to include metering, where appropriate, to allow revenue sharing with community and one year of professional training (possibly at McCarren Park) for building owners
4. Program for green roofs and solar panels for small businesses
5. Small business program to adopt a school and construct green roofs
6. Green roof on boathouse
7. Green roof on GMDC buildings
8. Business/job retention program: green roofs stormwater management in industrial areas

Combined Sewer Overflows (CSOs)

1. Stormwater management related to CSOs, specific locations TBD
2. Rainwater alert for overflow prevention

Street improvements

1. Permeable paving program
2. Porosity improvements to streets/curbs to improve drainage; curbside water infiltration
3. Bio-swales for stormwater capture and filtration

Resurfacing improvements

1. Remove concrete from Greenpoint backyards to increase infiltration of stormwater
2. Convert schoolyards to green infrastructure playgrounds
3. "Green" park spaces – install trench drains and permeable surfacing

COMMUNITY FACILITIES

1. Off grid community center for environmental education programs and shared tool space using stacked containers
2. Science museum with focus on environmental projects via art
3. Creation of public environmental science school, K-12, such as a NYC magnet school

4. LEED-certified Environmental Science center covered with moss/grass, roof top gardens; use building at Transmitter Park, McGolrick Park, or on Newtown Creek, or at Maspeth tank site
5. Science-technology-culture center; film/art/horticulture
6. Writers' community workspace on waterfront with solar panels, green roof, teaching garden
7. Greenpoint Monitor Museum with environmental programs, solar lighting and new bulkhead/dock on museum-owned waterfront property at Bushwick Inlet and Quay Street.
8. Expand Greenpoint Gallery to add environmental education program, community garden, green roof and clean energy adaptations
9. Expand and green Greenpoint Library: include environmental history and education program and/or alternative energy and film industry training program, achieve LEED certification with clean energy adaptations.
10. Renovate Greenpoint Shul.
11. Expand food distribution program at GIFT (Greenpoint Interfaith Food Team) garden
12. Children/Family Environmental Center in Transmitter Park
13. Renovate and upgrade YMCA; achieve LEED certification

OPEN SPACE AND PARK IMPROVEMENTS

1. Community gardens, community gardens with farm space
2. De-map Commercial Street from Franklin to water for parkland
3. Homeless task force for parks; funds for clergy coalition to rent space for the homeless
4. Greenpoint Ave street-end "pocket" park, Newtown Creek side
5. Community gardens on Greenpoint Avenue
6. Improvements to McGolrick Park Playground
7. Re-surface Barge Park softball field at Commercial and Franklin
8. McGolrick Park improvements including: drainage improvements, greening around monuments; preserve the pavilion; repair foundation and perimeter fence, improve restrooms and pathways, install solar lighting, hire dedicated gardener
9. Tree health maintenance program at McGolrick Park
10. Fund for maintenance of/improvements to Newtown Creek Nature Walk
11. Develop industrial lot on south side of McGuinness Blvd (between Green and Freeman) into a community garden
12. Assist in acquisition of Motiva property on Bushwick inlet;, use funds to leverage city commitment to purchase property and turn into a park
13. Ice skating rink at McCarren Pool/Park
14. Lighting on dog runs
15. Construct playground at Sgt Dougherty Park on Cherry Street
16. Purchase lot between Calyer Street and Greenpoint Ave for community garden
17. Street end park at Oak Street
18. Provide start-up funds to develop open space on MTA lot

CLEAN ENERGY

1. Wind turbine on Newtown Creek
2. Gym in which exercise machines create energy (“energy gym”)

ENERGY CONSERVATION

1. Paint roofs white
2. Grant program for homeowners to install new locally-made windows for energy efficiency
3. Energy retrofits of municipal buildings

WATERFRONT & WATERFRONT INFRASTRUCTURE

1. Public docks, especially at Bushwick inlet
2. Enhance pier at Transmitter Park and Kent Street
3. Waterfront access at Noble Street
4. Boat access at Transmitter Park
5. Acquisition of waterfront lands for public access
6. Esplanade around Greenpoint
7. Additional funding for North Brooklyn boat club on Newtown Creek
8. Acquire land between Noble and Quay streets
9. Dog runs on waterfront

WATER ACCESS

1. Kayaking program for Bushwick Inlet
2. Enviro-barge for Bushwick Inlet
3. Fund purchase of boats for, or building of boats at, boathouse being constructed with Newtown Creek EBP funds at GMDC

URBAN FORESTRY

1. Smart greening program: trees/stormwater management on Greenpoint Ave and Manhattan Ave
2. Smart Green corridor/canopy from Bushwick inlet to McCarren Park
3. Tree-planting in residential areas
4. Tree pit expansion for mature trees
5. Personnel to care/manage urban forest
6. Tree planting, maintenance and education; create whole canopy of trees over Greenpoint
7. Locally-made ornamental tree guards for residents
8. Backyard planting program for homeowners/tenants
9. Replicate and expand Borough President’s “Neighborhood Beautification Fund” which allows block associations and civic groups to apply for tree pit expansions, wrought-iron tree guards and new street trees
10. Provide free enrollment in NYC Street Trees citizen tree pruner courses for Greenpoint residents

TRANSPORTATION

Pedestrian/bike paths

1. Greenpoint Ave bike path, widen and improve safety
2. McGuinness Blvd pedestrian walkway
3. Improve Pulaski Bridge bike lane
4. Bike and pedestrian bridge to Manhattan
5. Build a pedestrian bridge to Queens

Traffic

1. Air quality improvements via changed traffic pattern at BQE and Apollo Street
2. Program to enforce use of designated truck routes
3. Traffic calming on McGuinness Blvd

Transportation Service

1. Solar powered streetcar for waterfront
2. Green Bus – mobile education center
3. Ferry service to Manhattan

Other

1. Placement of sound barriers, especially around bridges under construction

AIR QUALITY IMPROVEMENTS/MONITORING

1. Program to assist business with “process optimization” to reduce carbon footprint
2. Community air monitoring program with locally placed equipment
3. Retro-fit oil boilers in schools
4. Pollution prevention program for factories
5. Install planters with air-filtering plants identified in NASA Clean Air Study
6. Retrofit large truck fleets with particulate filters

ECOLOGICAL RESTORATION/WATER QUALITY IMPROVEMENTS

1. Water remediation and wetland restoration outside area impacted by ExxonMobil spill
2. "Green Eggs" wetlands on North Henry Street and Newtown Creek, i.e., vegetative digesters for stormwater treatment
3. Opflex sorbent usage for stormwater and oil (can be combined with other projects)
4. Plant oyster beds to filter water; especially at Bushwick Inlet
5. Habitat restoration at Bushwick Inlet Park

SOIL TESTING AND REMEDIATION

1. Bio-remediation of surface soils in Greenpoint residents' backyards
2. Soil remediation program at McGolrick Park

3. Bio-remediation of soils with mushrooms (mycoremediation)

ENVIRONMENTAL EDUCATION PROGRAMS

1. Enviro-mobile
2. Environmental education programs at McGolrick Park
3. Park ranger program for environmental/nature education programming and education
4. Basic community education/information materials for community residents on water quality and other topics
5. Education program around actions to take if Newtown Creek floods
6. Exhibit of land pictures at Community Board
7. Environmental organizing program with children
8. Volunteer water quality monitoring program with Citizen Science, connection to Nature Walk
9. Citizen Science project – soil testing in back yards across Greenpoint

YOUTH ENVIRONMENTAL EMPLOYMENT

1. Environmental training summer program for youth
2. Expand boathouse to create youth employment via boat-building
3. Program for high school students to support wetlands

WASTE MANAGEMENT/COMPOSTING

1. Composting at McGolrick Park
2. Solar powered recycling bins
3. Pneumatic garbage tubes
4. In-vessel composting system; business assistance program for composting/recycling; compost facility, perhaps on NYC Dept of Sanitation property, using \$150,000 American-made containers
5. Construction debris material exchange – re-use center
6. Public art with recycled materials from local artists
7. Recycling and waste management plan for Greenpoint

FINANCIAL SUSTAINABILITY OF ENVIRONMENTAL STEWARDSHIP

1. Property Investment program to create ongoing revenue for future environmental projects
2. Endowment to pay park worker salaries in event of future NYC budget cuts
3. Program to monetize filming in area to benefit Greenpoint
4. Create a reserve fund for future use
5. Land trust/easement to restrict use (no further details provided)

COMMUNITY ENGAGEMENT PROGRAMS

1. Greenest block competition
2. Incentive program for block by block greening

ENVIRONMENTAL PLANNING

1. Coordination of environmental planning in Greenpoint – Superfund activities, Brownfield Opportunity Area Program, and Environmental Benefit Projects
2. Implementation resources for Newtown Creek Brownfield Opportunity Area
3. Community conservancy and health think tank

ATTACHMENT C

**NYS VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY**