GUIDELINES AND BID INSTRUCTIONS

New York State
Department of Environmental Conservation
Hudson River Estuary Management Program

Round 52
2026 Hudson River Estuary Grants
for
River Education

NYS SFS Grants Management Bid Event No.:
HRER52

Apply through the SFS Vendor Portal

Webinar Date: Thursday, October 8, 2026, 3:00-4:30 PM
https://meetny-gov.webex.com/weblink/register/r02083b69f18128c4acbc0579f9ec1e19

Bid Due Date: (3:00 P.M. EST, December 17, 2026)

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Introduction

The New York State Department of Environmental Conservation is pleased to announce funding for projects that implement priorities of the Hudson River Estuary Action Agenda to conserve, restore and revitalize the estuary and its ecosystem.

Bids must be submitted through the State Financial System (SFS) Grants Management System (https://esupplier.sfs.ny.gov/). Paper bids will NOT be accepted. Bidders are strongly encouraged to submit their bids prior to the bid deadline. Late bids will not be accepted.

Grant bid information is also available on the Department's website at https://www.dec.ny.gov/nature/waterbodies/oceans-estuaries/hudson-river-estuary-program/grants-funding-opportunities.

Timetable of Key Events

Event:	Date:
Bid Period Begins	September 23, 2026
Webinar	October 8, 2026; 3:00 p.m. ET
Question & Answer Period Ends	December 10, 2026
Bids Due	December 17, 2026; 3:00 p.m. ET
Award(s) Announced By (anticipated)	Approximately June 2027

Bidder Eligibility

For the purposes of this grant program, the following entities are considered eligible bidders: 501(c)(3) not-for-profit corporations, Governmental Entities, Municipalities, and Quasi-Governmental Entities, including but not limited to Counties, Cities, Towns, Villages, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof, Public Benefit Corporations, Public Authorities, Municipal Corporations, Soil and Water Conservation Districts, School Districts, and Universities and Colleges whose projects are located within the eligible geographic boundaries defined in this RFA.

For this grant opportunity, a "Not-For-Profit Corporation" (NFP) is subject to New York State's Not-For-Profit Corporation Law and is qualified for tax-exempt status under Section 501(c)(3) of the Federal Internal Revenue Code, has filed a Certificate of Incorporation to be incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

Individuals and unincorporated groups are not eligible for this grant opportunity. However, an eligible bidder may apply on behalf of an individual or unincorporated group as a fiscal sponsor. The fiscal sponsor accepts responsibility of the grant and serves as a fiscal conduit for a DEC-funded project, receiving and disbursing funds related to the grant, and administering the requirements throughout the DEC grant process, including final reporting of grant activity.

For Multi-Partner and Inter-Municipal Projects: If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead bidder must submit the bid for grant funding. The lead bidder must assume the responsibility for the project bid, performance of work consistent with this RFA, and the New York State Contract for Grants. Letters substantiating the collaboration from each partner are required.

Grant Opportunity General Information and Conditions

- **Funding**

Approximately $250,000 is available from the NYS Environmental Protection Fund.

- **Proposed Project Timeframes**

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a three-year contract period/term of September 1, 2027 through August 31, 2030. Bidders should not begin their projects or incur costs until a New York State Contract for Grants has been fully approved by DEC, and if applicable, approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end date will be determined by the DEC based upon written justification from the Grantee. Bidders should not submit a bid if they do not anticipate their project can be completed within the specified contract term.

- **Minimum and Maximum Award Amounts**

The minimum grant amount is $20,000. The maximum grant amount is $100,000.

- **Bid Limit/Award limit**

Bidders may submit up to two (2) bids. Multiple bids may not be for the same project or project location. Additionally, bidders who submit more than one grant bid will only be eligible to receive one grant award in this grant round, unless additional funding remains after all qualifying grant awards are made (at one per grantee). Additional grants for qualifying projects will be awarded to an entity already receiving a grant award in this grant round, starting with the next highest scoring bid, in accordance with bid evaluation and scoring on page 17.

- **Eligible Project Locations**

Eligible projects for grant funding must be located within defined geographic boundaries of the Hudson River Estuary watershed (see map in Appendix I). “Hudson River Estuary” refers to the legislatively designated Hudson River Estuarine District established in Environmental Conservation Law §11-0306, which extends from the Troy dam to the Verrazano Narrows and includes Upper New York Bay to Kill Van Kull and the East River to Hell Gate, focused on the tributaries that flow into any of these waters. The map of eligible boundaries may also be viewed at https://dec.ny.gov/sites/default/files/hregrantmap.pdf. To find out if a potential project is located within these boundaries, please type the location of the project into the Hudson River Estuary Grant Program Interactive Boundary Map on the NYS GIS Clearinghouse at https://data.gis.ny.gov/maps/385d9cc6311946ac84425734327f6f6a. The Hudson River Estuary Grant Program Boundaries are also available on the interactive Hudson Valley Natural Resource Mapper at https://gisservices.dec.ny.gov/gis/hvnrm/.

- **Match Requirement and Expenditures**

Match is the portion of project expenditures not paid for with grant funds. Match can be from local and/or in-kind contributions. Local sources can include funding from other non-state and/or non-federal grant sources or from project partners. In-Kind contributions are non-cash donations provided by non-state and/or non-federal third parties, which can include equipment, supplies, services, and other expendable property. Matching share contributions must support the objectives outlined in the Work Plan.

For this grant opportunity, bidders must match at least 15% of the grant funding amount. Bidders providing 25% match or more will receive additional points in the scoring.

Eligible sources of match funds cannot come from other New York State or federal funding sources. Bidders will be required to provide the sources of all matching funds using the Match Worksheet in SFS

Grants Management.

- **New for this Grant Round**
  - Bidders providing 25% match or more will receive additional points in the scoring.
  - A Bid Application Form was developed to help address formatting challenges and simplify writing the Bid. Some questions that were previously published directly in the electronic SFS Application Form are now asked in the Bid Application Form.
  - Scoring and method of award were updated. Review Bid Evaluation, Scoring, and Selection and Method of Award sections and Appendix III to understand how bids will be evaluated.
  - Appendix IV: Reporting on Measures of Success is updated to reflect the *Hudson River Estuary Action Agenda 2026-2030*

- **Inquiries & Designated Contact Information**

For general information on completing this bid and for clarification of bid requirements, contractual terms and procedures, contact: Susan Pepe, Hudson River Estuary Program Grants Coordinator, HREPgrants@dec.ny.gov.

For technical information regarding the Grants Management Bid Event, direct questions to: NYS SFS Grants Management, helpdesk@sfs.ny.gov or 518-457-7737; 877-737-4185 (toll-free).

Include **2026 Round 52 Education RFA** in the **subject line** of the email. Questions regarding this grant opportunity will be accepted by the DEC until **C.O.B. December 10, 2026**. All questions, and answers, will be uploaded in the Grants Management System Bid Event for all bidders to view.

- **Department of Environmental Conservation Oversight**

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Partially fund a bid if the partially-funded portion can be demonstrated to meet the criteria for this RFA.
- Award an agreement for any or all parts of the RFA in accordance with the method of award or withdraw of the RFA at any time at the Department's sole discretion.
- Reject any or all bids in response to the RFA at the agency's sole discretion.
- Reduce an award from the amount requested in the bid, so long as the reduced funding does not jeopardize the viability of the project to proceed at the reduced funding level.
- Reduce an award from the amount requested in the bid, should the project budget contain costs considered ineligible under this grant program.
- Refuse to fund projects that are determined to be inconsistent with NYS's Smart Growth Public Infrastructure Policy Act.
- Refuse to fund projects that are determined to be inconsistent with the Climate Change Leadership and Community Protection Act or its' implementing regulations.
- Award an agreement for any or all parts of the RFA in accordance with the method of award, or withdraw the RFA at any time, at DEC's sole discretion.
- Award to the next highest scoring bid in the event a grantee fails to execute a grant contract with DEC within 60 days of a grant award.
- Deny a change in workplan tasks from the application project description because of fairness to competitive process.
- Monitor the progress of all grant awards and withdraw grant funding, if the grantee fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.

- **Bid Submission**

Bids must be submitted through the NYS SFS Grants Management System. Using **Google Chrome** to access the SFS Grants Management System (GM) is recommended. Using other browsers may cause errors.

If you do not have access to the SFS Vendor Portal and if your organization is already established within the SFS Vendor portal, an SFS Delegated Administrator has been authorized within your organization to provision user login credentials, unlock accounts, or reset passwords. Please reach out to your SFS Delegated Administrator directly. Also, if you do not have a login and if you are new to the SFS Vendor portal, and would like to establish an account for the purposes of doing business with the State of New York, contact the SFS Help Desk at 518-457-7717, 855-233-8363 or HelpDesk@sfs.ny.gov for more information.

Paper bids will NOT be accepted. Bidders are strongly encouraged to submit their bids prior to the bid deadline. Late bids will not be accepted. Please note staff with a Bid Response Initiator role can begin a bid, but only staff with the Bid Response Submitter role can submit the bid response.

All bidders must be Registered with SFS Grants Management to apply. Please visit https://grantsmanagement.ny.gov/transition-SFS to register.

In addition to registration, not-for-profits must also be Prequalified at the time and date that the bid is due. If you are not Prequalified at that time and date, your bid will not be considered.

PLEASE DO NOT DELAY IN BEGINNING AND COMPLETING THE PREQUALIFICATION PROCESS. PLEASE VISIT THE GRANTS MANAGEMENT Prequalification Page TO GET STARTED.

THE STATE RESERVES 5 DAYS TO REVIEW SUBMITTED PREQUALIFICATION BIDS. PREQUALIFICATION BIDS SUBMITTED TO THE STATE FOR REVIEW LESS THAN 5 DAYS PRIOR TO THIS BID DUE DATE MAY NOT BE CONSIDERED.

BIDDERS SHOULD NOT ASSUME THAT THEIR PREQUALIFICATION INFORMATION WILL BE REVIEWED IF THEY DO NOT ADHERE TO THIS TIMEFRAME.

a) Bidder Prequalification
   Pursuant to the New York State Division of Budget Bulletin H-1032 Revised, effective July 16, 2014, New York State instituted key reform initiatives to the grant contract. Information on these initiatives can be found on the Grants Management Website.

   All bidders must be Prequalified in the SFS Grants Management System at the time and date that the bid is due. Bids from non-prequalified entities will be rejected. The system will not allow you to submit your bid.

   The SFS Handbook: SFS Training for Vendors guide is available on SFS Coach and includes guidance for prequalification. Additional training is available on SFS Coach.

Grant Bid Requirements and Conditions

1. Project Objectives

This Hudson River Estuary Grant RFA for River Education seeks to assist Hudson Valley municipalities and organizations build their capacity to become partners in implementing the *Hudson River Estuary Action Agenda 2026-2030* goal for "An Informed and Engaged Public," and to help achieve the related Measures of Success.

Visit (https://www.dec.ny.gov/nature/waterbodies/oceans-estuaries/hudson-river-estuary-program/action-agenda) for an overview of the Hudson River Estuary Action Agenda and Measures of Success. *Action Agenda* Measures of Success, by goal, can be found in Appendix IV of this RFA.

Funding under this RFA is available to support projects and plans to enhance education about the estuary along the tidal waters of the Hudson and make opportunities to learn about the Hudson River Estuary more accessible for a wide range of people, especially:

- communities traditionally underrepresented in science careers; and
- people from economically disadvantaged communities, PEJA areas, people with disabilities, federal and state-recognized Indigenous communities, and/or people from groups underrepresented in STEM or conservation fields.

Eligible Project Types are described under #3, below. Projects involving boats are applicable in this RFA only if the vessel is a locally-based facility for learning about the River (see Project Type 1). ***For any project type***, projects that fund advocacy and/or water quality monitoring using analytical chemistry data collected to regularly track turbidity, conductivity, nutrients, or bacteria, using separate off-site facilities for analysis are not eligible. Eligible projects include water quality sampling for education purposes of dissolved oxygen, temperature, pH, clarity, and salinity, using techniques at the point of collection.

2. Minimum Eligibility (Pass/Fail criteria)

- The bidder must be eligible, as shown on page 3 of this RFA. A not-for-profit organization must also be prequalified in SFS Grants Management by the bid due date to be determined as eligible under this grant opportunity.
- Proposed projects must provide or improve estuary-focused education as defined in eligible project types. If the project involves improvements to an educational facility (Project Type 1), the facility must be on, near, or tightly-focused on the tidal Hudson or relevant portions of NY Harbor.
- Location: The project must be located within the defined geographic boundaries of this RFA (see map in Appendix I). The bidder must provide a map showing the project location, uploaded to SFS Grants Management.
- The bidder must provide photos of the project location, and condition of the site (if applicable), uploaded to SFS Grants Management.
- Projects must implement one of the eligible project types identified in this RFA.
- Projects must include consultation with Estuary Program Staff for project management purposes as step one in the timeline (e.g. a project kick-off meeting). Additionally, Bidders are strongly encouraged, but are not required, to invite Estuary Program staff to attend project meetings and provide technical assistance.
- The uploaded project timeline indicates completion of project objectives, tasks and deliverables on or before August 31, 2030.
- All project funding comes from eligible sources and at least 15% in eligible match is identified.
- If applicable, letters of collaboration that include the "Lead" bidder designation are provided from all bidder partners.
- Construction projects must have all required permits in place at the time of bid.

- For projects involving work on property owned by an entity that is not the bidder, the bidder must provide as an upload to the bid, written documentation from the landowner indicating willingness for the project to take place on their property. For example, a "Friends of the Park" group must have documentation from the park owner.
- The Bidder must provide the required certification for sexual harassment prevention ("Attachment S"), as required by State Finance Law §139-l.
- The Bidder must provide the required EO 16 Certification.
- The Bidder must provide the required Gender-Based Violence and the Workplace Certification ("Attachment G") as required by State Finance Law §139-m.
- Bid completeness: Bidders must complete the electronic bid and upload any required documentation. See the checklist in this RFA as a reference.

3. Project Types

Funding must be used to implement one of the following four project types to meet the above Project Objectives. Bidders must identify which Project Type (1-4) for which they are applying.

(1) Locally-based facilities for learning about the Hudson River Estuary (planning, programming, interpretation, and/or construction)

Bidders may apply for projects at locally-based facilities tightly focused on learning about the Hudson River estuary, including New York Harbor. Projects can be to plan, design, equip and/or construct exhibits, as well as improve programs, materials, and visitor experiences to be used for education of students, families, tourists and residents. Such projects must be consistent with the Americans with Disabilities Act (ADA), so that people of all abilities can learn about and enjoy the river. Projects should also be designed to be resilient to future storms and sea-level rise, and may focus entirely on making a facility more resilient. This category may include the purchase, construct or repair vessels specifically and primarily used as floating classrooms with education programming purposely focused on estuarine ecology, natural history, and water quality. Up to 60% of the grant request may be allocated towards program costs, including personnel costs. The proposed project should provide a lasting change or improvement.

This project should align with these *2026-2030 Hudson River Estuary Action Agenda* Measures of Success:

- 10 or more locally based facilities for learning about the river will be enhanced with state-of-the-art exhibits, as well as improved programs, materials, field trips, hands-on learning modules, and visitor experiences.
- At least 35% of participants engaging in education programs delivered by the Hudson River Estuary Management Program or through grants and technical assistance to partners will be from DACs or PEJAs—an increase over the 25% 2020 baseline.

(2) Education programs and resources about the Hudson River Estuary

Bidders may apply for program design, delivery, equipment, materials, transportation, or other capital investments that will be used to help students, families, tourists and residents directly learn about the estuary. This may include transportation equipment used to provide accessibility to existing river education facilities and waterfront sites. Transportation of students to the site of programs is also applicable for this grant. This may also include projects to expand the audience for science-based information about the natural history of the Hudson estuary, promote a natural history-based sense of place, and create a multiplier effect for learning about the estuary through engaging use of the internet, Web bids for mobile devices, and social media. Project budgets may include up to 60% for program

costs, including personnel costs, related to program delivery. The proposed project should provide a lasting change or improvement.

(3) Educator professional development or curriculum development directly linked to the *Hudson River Estuary Action Agenda*

Bidders may apply for projects to design and implement professional development for formal and informal educators, or to develop new curriculum, improve, or build on existing curriculum directly linked to the *Hudson River Estuary Action Agenda*. The bid must demonstrate commitment to teach about the Hudson River and demonstrate consistency with New York State Next Generation Learning Standards or other learning standards from the New York State Education Department. Curriculum development projects must indicate which of the NYS Learning Standards this curriculum addresses. The final product must include training agendas, lesson plans, or other curriculum products which will be made available uncopyrighted for NYSDEC to post on its public web site of Hudson River lesson plans, so that it may be widely shared with other educators. Project budgets may include up to 60% for program costs, including personnel costs, related to testing, delivering, and improving the curriculum. See https://dec.ny.gov/nature/waterbodies/oceans-estuaries/hudson-river-estuary-program/teaching for more information about teaching about the Hudson River Estuary. The proposed project should provide a lasting change or improvement. Projects proposing curriculum development should demonstrate how the curriculum will continue to be used beyond completion of the grant.

(4) Intensive environmental science research programs for young adults

Bidders delivering environmental science and conservation education programs may apply for projects that support a paid environmental science research program for high school students, college students, and young adults focused on the Hudson River Estuary ecosystem. The goal is to provide an opportunity for people that may have strong barriers to otherwise accessing intensive research opportunities to develop skills in science, technology, engineering, art and math (STEAM) as it applies to conservation of the environment, particularly the estuary and its ecosystem. Such barriers may include lack of transportation, lack of paid internships, and/or lack of previous outdoor experiences or mentoring. Programs should emphasize:

- Student- and young adult-led research;
- field and/or lab work opportunities that are hands-on and interactive;
- a culminating presentation or science communication output (poster, article, video, etc.);
- tiered mentorship among participants;
- career-building opportunities (resume, interview, job opportunity discussions); and
- group educational, team building, and professional experience.

Practicing scientist(s) and/or environmental educator(s) should serve in an advisory/mentorship role for participants. The duration and timing of program can be flexible, but bidders need to demonstrate enough contact hours to allow for student-led projects and career development. Open recruitment from communities traditionally underrepresented in science and education careers is encouraged. Depth of experience for emerging scientists is valued over total number of youth served. Repeat participation year to year in the program by individuals is permitted. Key components that remove barriers to inclusion are: participants are paid at least minimum wage; and travel to and from site is offered (personal transportation not required). Bids need to demonstrate student pay and transportation offerings in budget details. Budgets can also include supplies and equipment, staff pay, and teacher pay. Project budgets may include up to 60% for program costs, including personnel costs, related to all

components.

Bids may propose establishing a new program or support an existing program. Grant awardees will participate in networking meetings with organizational leaders of similar research programs. The proposed project should provide a lasting change or improvement.

4. Bid Application Form

A Bid Application Form (Word Document template available for download in SFS) was developed to help streamline the application process. Several questions that were previously published directly in the electronic SFS Application Form are now asked in the Bid Application Form. The intention of the Bid Application Form is to help reduce some of the cumbersome aspects of the electronic SFS Application Form. Bid questions are now addressed in the Bid Application Form, with the electronic SFS Application Form acting primarily as a repository for document uploads

5. Project Objective and Impact

Describe the objective for the proposed project, including methods, deliverables, and the need for the project. The geographic focus must be on the Hudson River Estuary, its tributaries, or parts of the New York Harbor waterways, or the bid will not score high enough to be funded. Also see the preceding Project Type descriptions for additional details required to address the Project Objective.

6. *Action Agenda* Measures of Success

Describe how the project will help achieve one or more Measures of Success as outlined in the *Hudson River Estuary Action Agenda 2026-2030*. *Action Agenda* Measures of Success, by goal, can be found in Appendix IV of this RFA. *As noted in Appendix IV, reporting for grants arising under this RFA will require updates on how the project is achieving specific Measure(s) of Success.*

7. Project Timeline

Bidders **MUST** provide a timeline for meeting project objectives and identified tasks between September 1, 2027 and August 31, 2030. **Project expenditures prior to the New York State Contract for Grants start date and after the end date are not eligible for reimbursement or match.**

All project timelines must include:

(i) Consultation with Estuary Program Staff for project management purposes as step one in the timeline.

(ii) As appropriate, either (a) participation in reporting findings at a meeting/event, or (b) providing a very clear summary of the work completed, appropriate for posting online, including several photos and a description. Photos will not be for commercial use, and the bidder is responsible for permission of any subjects in photos, if needed.

For Project Type 1 (“Locally-based facilities for learning about the Hudson River Estuary including NY Harbor”):

- Projects that involve construction of facilities, should include an activity to complete the permit process, including SEQR review, if applicable, in the project timeline (see #10, Permit Requirements).
- Projects that propose planning for construction should include an activity to complete a NYSDEC jurisdictional review with the applicable regional permit administrator in the project timeline, if applicable (see #10, Permit Requirements).

Should an award be made, bidders will be required to connect with the applicable Estuary Program Project Manager (to be assigned during the contracting stage) before work is started on the project.

8. Bid Partners
The Bid Partner is a collaborator who has a significant role in the conduct of the project and is fundamentally a co-bidder for the grant. Projects involving a Bid Partner (i.e. multi-partner and inter-municipal projects, page 3) require letters substantiating the commitment to collaborate that include the designation of a "Lead" bidder from each partner. A single PDF file of all letters should be uploaded to meet this requirement, if applicable for your project.

9. Target Audience Benefit & Engagement
Projects should describe or demonstrate effective engagement of the target audience that will benefit as a result of the project. Describe the target audience of the project, including the number of people to be served by the proposed project. Describe how key partners, stakeholders, and end users will be engaged throughout different stages of the project. Engagement should be included in the project work plan component of SFS Grants Management.

Letters from people whose support or involvement is necessary for the project to succeed, including local schools, educators, and other stakeholders, and/or describe how the target audience will benefit from the grant project, will improve scoring of a Bid. Support letters from the government body offering the grant, or institutions or organizations who are fiscal sponsors and/or will provide services under the grant, will not be considered as evidence of stakeholder or target audience engagement. If letters are submitted, letters must be submitted at the time of bid. Bidders will be asked in SFS Grants Management to upload, in a single PDF file, a copy of all letters of support.

10. Permit Requirements, Project Type 1
If applicable, for Project Type 1, Hudson River shoreline facilities for education about the Hudson River Estuary, the bidder agrees to obtain all required permits including, but not limited to local, state, and federal permits prior to the commencement of any project-related work. The bidder agrees that all work performed in relation to the project by the bidder or its agents, representatives, or sub-contractors will comply with all relevant federal, state, and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

See Appendix II of this RFA for more information on potential permit requirements. It is strongly encouraged for Bidders to request a NYSDEC jurisdictional review from the applicable regional permit administrator (https://dec.ny.gov/about/contact-us/permit-administrators) to confirm what permit needs may apply. Preparing permit application materials is considered to be an appropriate work activity covered by the grant.

For projects requiring a permit, engineering designs must meet the minimum requirements of applicable local, state, or federal permit requirements, as applicable, including but not limited to:

- Protection of Waters Program: https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program#Application_Checklist
- Tidal Wetland Permit Program: https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/tidal-wetlands-permit-program
- Freshwater Wetland Permits: https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/freshwater-wetlands
- NYS's Coastal Consistency requirements: https://dos.ny.gov/coastal-consistency-review

Permit requirements for Project Type 1 are as follows:

- *Shovel-ready construction projects*: Construction projects **MUST** have all required permits in place at the time of bid, if applicable. Permit requirements are typically underestimated by bidders; most

construction projects on or near the water will require some type of permit. Bidders will be asked in SFS Grants Management to upload, in a single PDF file, a copy of the cover letter(s) received for approved permit(s) or substantiate why no permits are needed.

- *Projects that propose planning and construction*: For projects that propose a combination of planning and construction, preparing permit application materials is considered to be an appropriate work activity covered by the grant. Bidders should include the permit process in the Work Plan and project timeline.

- *Projects that propose planning for construction*: For such projects, bidders should include an activity to complete a NYSDEC jurisdictional review with the applicable regional permit administrator in the Work Plan and project timeline.

11. Landowner Permission, if applicable

Projects must be open and available to the public. For projects involving work on property owned by an entity that is not the bidder, the bidder must provide as an upload to the bid, written proof from the landowner (signed letter, formal written agreement, municipal endorsement or resolution, etc.) indicating willingness for the project to take place on their property and remain available to the public. For example, a "Friends of the Park" group must have documentation from the park owner. A single PDF file of all written documentation of proof of permission should be uploaded to meet this requirement, if applicable for your project. **To avoid disqualification, bidders must provide proof of landowner permissions at the time of bid**.

12. Knowledge, Skills and Experience (Qualifications)

Bidders must possess the knowledge, skills, and/or track record to successfully implement the project. Bidders must identify lead staff who will be working on the project. Priority is given to bidders with excellent qualifications or a successful track record with this type of project.

For purposes of this RFA, experience and track record include performance on current and prior Estuary grants, including quality and timeliness of grant reporting, progress on performance schedules, and completion of deliverables.

13. Project Cost Effectiveness

The cost-effectiveness of the proposed project will be evaluated as provided in the Bid Review and Scoring Standards in Appendix III. The answer to this question, as well as the information provided in the Expenditure Budget will be used to determine scoring for cost effectiveness. Cost effectiveness will be evaluated from the standpoint of budget detail, cost match, balance, and value. Bidders may compare the project costs to other similar work and explain the balance of expenses across budget categories. To sufficiently respond to this question, bidders are encouraged to upload documentation to support specific budget items, such as standard government wage rates, current market prices for equipment, and cost-estimates from potential contractors / vendors. Bidders that provide 25% eligible match or more above the minimum 15% may be eligible for additional points for cost effectiveness (see Appendix III).

14. Statewide Priority

- **Alignment with Regional Economic Development (REDC) Strategies**

New York State directed the establishment of Regional Economic Development Councils (REDCs) to analyze the most significant business clusters in their respective areas. Any grants awarded by the State of New York shall take into consideration the recommendation of the relevant REDC or the Commissioner's determination that the proposed project aligns within the regional strategic priorities of the region where the proposed project is located.

The Bidder can provide a brief narrative describing the economic benefits of the proposed project and how the project aligns with the strategies of the REDC plan for the project's region. The narrative must be included with the bid to receive points in the bid review.
Each region has a unique plan. Visit http://regionalcouncils.ny.gov for information on your region's Economic Development Council.

- **Priority for Projects Affecting Environmental Justice (EJ) and Disadvantaged Communities**

DEC is committed to underserved and vulnerable populations, and providing remedies for communities that may be burdened by negative environmental consequences. Environmental Justice (EJ) is defined by the DEC as the fair treatment and meaningful involvement of all people, regardless of race, color or income, with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

Potential Environmental Justice Areas (PEJA) are U.S. Census block groups of 250 to 500 households each that, in the Census, had populations that met or exceeded at least one of the following statistical thresholds: at least 52.42% of the population in an urban area reported themselves to be members of minority groups; or at least 26.28% of the population in a rural area reported themselves to be members of minority groups; or at least 22.82% of the population in an urban or rural area had household incomes below the federal poverty level.

Disadvantaged Communities (DAC) are identified by New York's Climate Justice Working Group (CJWG) using indicators that include climate-related risks, environmental burdens, health vulnerabilities, and socio-economic factors.

Maps of PEJA and DAC areas in New York State are available at: https://dec.ny.gov/get-involved/environmental-justice/gis-tools and https://climate.ny.gov/resources/disadvantaged-communities-criteria/, respectively.

Bidders can identify DAC communities by referring to the DAC maps on New York's Climate Act website showing these areas: https://climate.ny.gov/resources/disadvantaged-communities-criteria/ or by clicking the Disadvantaged Communities box in the Public Involvement section on the DEC info Locator https://gisservices.dec.ny.gov/gis/dil/index.html?cat=pi.

Or bidders may also serve EJ community, as defined in DEC Commissioner Policy 29, Environmental Justice and Permitting (available on DEC's website at: https://dec.ny.gov/get-involved/environmental-justice/related-policy-regulations).

Bidders can identify EJ communities in the following ways:

- Refer to maps on DEC's website showing these areas: https://dec.ny.gov/get-involved/environmental-justice/gis-tools.
- Refer to census tracts and block numbering areas which have a poverty rate of at least 20 percent and an unemployment rate of at least 125 percent of the New York State unemployment rate.
- Refer to census tracts and block numbering areas which have a poverty rate of at least two times the poverty rate for the county in which the tract is located.
- Refer to other authoritative documentation demonstrating the community's low-income population or minority population. Demonstrate low income or minority populations. The bidder must provide authoritative documentation to support their community demographics in a single pdf upload in the Statewide Financial System (SFS). In this context, "authoritative documentation" means any map, report or document issued by a local, state, or federal government agency.

Projects can integrate EJ principles into projects through meaningful and inclusive engagement with affected community members and with place-based projects that address climate equity-related challenges, water quality issues, health disparities, lack of access to green spaces, environmental education, or other such impacts.

Projects that are located within a PEJA or DAC, or projects that provide direct benefits to a PEJA or DAC areas are eligible to receive will “EJ and DAC Benefits” points in the evaluation of a bid, To qualify for “EJ and DAC Benefits” points, your bid must: specify the exact street location(s) where the project is to be implemented (no P.O. Box) or where the benefit will be provided, and provide a summary narrative describing how project activities will benefit populations in PEJA or DAC areas.

- **Points for Bidders who do not have open (uncompleted) grants with the Estuary Program**
  Awarded based on Hudson River Estuary Program records as of the RFA deadline)

In order to help new Bidders to receive grants and to encourage speedy completion of grants, points are available for Bidders who do not have an open, uncompleted grant with the Estuary Program. To determine if the Bidder has an open grant or not, a Bidder with an existing grant must have submitted its final report and invoice and have received confirmation of completion by the deadline date for which this RFA is due.

- **Community Support**

Bidders are encouraged to engage public officials in their bid process to generate awareness of the project and its objectives. Bids which demonstrate support from a variety of local, county, or state appointed or elected officials, as evidenced by letters of support uploaded with the bid, will receive points.

15. Expenditure Based Budget

Bidders must complete an itemized budget in SFS Grants Management that provides details of the proposed project-related expenses. Budget detail must clearly distinguish between expenses to be claimed under the State grant share and expenses comprising the match. The itemized budget should also include appropriate level of information for the breakdown of costs for each budget item (depending on the budget category this information is provided in the budget detail and/or budget narrative). Eligible and ineligible costs are identified in this RFA. A project’s reasonableness of costs is at least 20% of the evaluation factor in the scoring of the bid; therefore, attention to budget accuracy will increase your project score.

16. Work Plan

Bidders must complete a Work Plan in SFS Grants Management that provides a clear overview of the project. Bids must include proposed project objectives, tasks associated with meeting each objective, and the performance measures associated with each task (performance measures should include desired project outcomes or deliverables). The Work Plan should include anticipated time frames in meeting project objectives, tasks and deliverables. Time frames must be consistent with the timeline bidders are required to upload in SFS Grants Management.

17. Sexual Harassment Prevention Certification

State Finance Law §139-l requires all bidders of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor’s model policy and training standards) to all its employees.

Where bidding for grant funding is required pursuant to statute, rule or regulation, every bid submitted to the state or any public department or agency of the state must contain the following statement: “By submission of this bid, each bidder and each person signing on behalf of the bidder certifies, and in the case of a partnering bid each party thereto certifies as to its own organization, under penalty of perjury,

that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law."

Bids that do not contain the certification will not be considered for award; provided however, that if the bidder cannot make the certification, the bidder may provide a signed statement with their bid detailing the reasons why the certification cannot be made. After review and consideration of such statement, the Department may reject the bid or may decide there are sufficient reasons to accept the bid without such certification.

Bidders are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their bid detailing the reasons why the certification cannot be provided. The certification form or statement must be signed by an authorized staff of the contractor, and dated after the application start date.

18. Executive Order 16

Executive Order No. 16 provides that "all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia." The complete text of Executive Order No. 16 can be found at https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities-contracting-businesses-conducting. The Executive Order remains in effect while sanctions against Russia imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an "entity conducting business operations in Russia" means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Vendors responding to this solicitation are required to complete and submit the form entitled "Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia".

ALL bidders must download, complete, and save the Executive Order No. 16 Certification form, prior to uploading the completed form back into the GM. The certification form must be signed by an authorized staff of the contractor, and dated after the application start date.

19. Attachment G: Gender-Based Violence and the Workplace Certification

State Finance Law §139-m requires bidders on state procurements to certify that they have a written policy addressing gender-based violence and the workplace and have provided such policy to all of its employees, directors and board members. Such policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law.

Where competitive bidding is required pursuant to statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, every bid made to the state or any public department or agency of the state must contain the following statement:

"By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing gender-based violence and the workplace and has provided such policy to all of its employees, directors and board members. Such

policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law."

Bids that do not contain the certification will not be considered for award; provided however, that if the bidder cannot make the certification, the bidder shall provide a signed statement with their bid detailing the reasons why the certification cannot be made. After review and consideration of such statement, the Department may reject the bid or may decide that there are sufficient reasons to accept the bid without such certification.

Bidders are required to sign and submit the Gender-Based Violence and the Workplace Certification form, (Attachment G) If the bidder cannot make the certification then a signed statement must be submitted with the bid detailing the reasons why the certification cannot be made. The certification form must be signed by an authorized staff of the contractor, and dated after the application start date.

20. Smart Growth Infrastructure Policy Act
New York State's Smart Growth Public Infrastructure Policy Act (ACT), Environmental Conservation Law Article 6, requires the DEC and all State infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State Smart Growth Public Infrastructure criteria specified in the Act, or that compliance is considered to be impracticable, before making any commitment to fund such project(s). ALL bidders must complete and save the Smart Growth Assessment form, prior to uploading the completed form back into SFS Grants Management. Important note: Be sure to check the form after uploading to ensure the correct file is uploaded and is completed as required.

21. Historic Preservation Review Requirements (if applicable to your project)
For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

Questions about or proposals for listing on the State or national Register should be directed to the OPRHP National Register Unit at (518) 237-8643. To ensure the public benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

22. Coastal Consistency Requirements
SEQR Type I and Unlisted actions located within the NYS Department of State's coastal zone boundaries must meet the consistency requirements of the Secretary of State's Coastal Management Program. This consistency determination will be performed by the Department as part of the grant review process. If the proposed project is located within a municipality that has an approved Local Waterfront Revitalization Plan (LWRP), the policies of that LWRP apply. Projects in other areas will need to be consistent with the State's 44 coastal policies. The coastal policies can be found at https://dos.ny.gov/coastal-consistency-review. Bidders are encouraged to determine if their project is located within the coastal zone, and to include in their site plan or sketch map their project's location within the coastal zone boundaries if applicable. Maps of the coastal zone boundaries can be found at https://dos.ny.gov/using-coastal-atlas-gis-gateway.

23. Secular Purpose
If services performed pursuant to the New York State Contract for Grants are secular in nature, or are performed by a secular organization, they shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs

Bid Evaluation, Scoring and Selection

All bids will be reviewed and scored by a review team in accordance with the evaluation and scoring criteria contained in this RFA. **Bidders are strongly encouraged to read and address the Bid Review and Scoring Standards in Appendix III in the process of developing a bid.** Knowledge of the scoring criteria is valuable for designing and proposing a relevant and quality project. Scoring consists of:

Step 1: Bid and Project Eligibility Determination
Pass/Fail criteria – please refer to the Bid Evaluation and Scoring Standards in Appendix III.

Step 2: Project Evaluation, Scoring and Selection
If your bid meets all eligibility pass/fail criteria it will be further evaluated and scored by a review team in accordance with the Evaluation and Scoring Standards contained in this RFA. These include:

- Evaluation of the project type, methods, budget and bidder qualifications;
- Assessment of the project impact, and priority project eligibility.

Method of Award

The total maximum score an application may receive is 100 points. A bid must score a minimum of 40 points to be eligible for funding. To distribute available funding across the Hudson River Estuary Management Program boundary, and in the best interest of the State, DEC reserves the right to determine the best selection of applications for project funding in the following way:

All eligible bids will be individually evaluated and scored by at least 3 technical review team members. Technical reviewer scores will be averaged and statewide priority points will be added to the average score to determine a final composite score.

Based on the average score for Project objectives, Impact, and Methods (Question #8 in the Bid Application Form and evaluation criteria #I, questions 1-3 in Appendix III of this RFA), applications will be assigned to one of five tiers.

Tiers are determined as follows:

Primary Project Objective Score Thresholds by Tier		
Tier Number	Lowest Average Score	Highest Average Score
Tier 1	32.0	40.0
Tier 2	20.0	31.9
Tier 3	10.0	19.9
Tier 4	3.0	9.9
Tier 5	0.0	2.9

Tier placement and final composite score will be used to determine which projects receive funding. Applications will be selected for funding based on the highest to lowest scoring projects within each Tier as follows: Applications in Tier 1 will be the priority for funding, followed by Tier 2, Tier 3, and then Tier 4. Tier 5 Bids or Bids with final composite score under 40 points will NOT be funded. Based on the scoring and evaluation process, these projects are deemed to be sufficiently flawed and should not be implemented with state funds. The Department may, at its discretion, decide to fund only one grant project if multiple applications are received for the same project.

Award limit – Bidders will only be eligible to receive one grant award in this grant round (the bidder's highest scoring bid). However, in the event additional funding remains after all qualifying grant awards are made (at one per grantee), additional grants for qualifying projects will be awarded to an entity already receiving a grant award in this grant round, starting with the next highest scoring bid. In the event there is a tie among remaining bids submitted by same organizations, the tie breaker will be addressed as described in the following paragraph.

Tie breaker – If there is a numerical tie in a bid's final score, the bid that scores the highest in "Project Objectives and Methods" in the evaluation criteria will determine placement on the ranked list. If a tie remains, the bid that scores the highest in "Project Success Factors" in the evaluation criteria number will determine placement on the ranked list. If there is a numerical tie between multiple bids within a funding category, the bid that scores the highest in Cost-Effectiveness will determine placement on the ranked list. If a tie remains, the order bids were received will determine placement on the ranked list, with the earliest bid placing highest.

Grant Program Payment

Advance payments of up to 25% of the awarded grant amount may be available to not-for-profit grantees once a New York State Contract for Grants has been fully approved by all applicable State agencies. Only not-for-profits are eligible to receive advance payments under State Finance Law.

Project costs eligible for reimbursement and project match must be incurred between the New York State Contract for Grants term start and end dates. Costs incurred prior to the New York State Contract for Grants term start date or after the term end date will not be considered eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the DEC for costs to be eligible for grant reimbursement.

Eligible and Ineligible Expenditures

Eligible Project Expenditures

- Personal Services: Staff salaries, including fringe benefits, directly devoted to the project implementation. Itemize salaries according to job title and roles/responsibilities on the project. Grantees will be required to document time worked, tasks, pay ratio and payment.
- Administrative salaries: Staff salaries devoted to grant administration including preparing the final workplan (DEC contract), preparation of quarterly narrative and expenditure reports, reimbursement request documentation, and preparation of the final report upon project completion. Administrative salaries may not exceed 10% of the total grant request.
- Contractual Services: The value of services provided by responsible professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a facility, archaeological field work, report writing, curation of artifacts and interpretation, teachers in Project Type 2, etc.) Equipment and other non-property rentals directly required to implement the project.
- Student Stipends: For Project Type 4, minimum of hourly NYS minimum wage stipends for young adults participating in intensive research programs.
- Construction enhancements: Costs directly associated with facility improvements.
- Supplies and materials: Directly needed to implement the project. Construction projects should include funds to cover required signage (see 3.b. on page 23).
- Equipment: Equipment (purchase/rental) that is directly necessary to implement the project, however, long-term rental fees for facilities such as port-a-potties or temporary/removable accessible ramps are not allowable for reimbursement.
- Advertising costs: Publicity, promotion and public education directly related to an operating or functioning project.
- Land accessibility costs: eligible direct project costs such as appraisals by a certified appraiser, title searches, surveys and associated legal fees. The land must be owned by the grant bidder.
- Travel: Travel costs directly required to implement the project (within New York State only). Includes transportation for students in Project Type 2.

- Training costs: costs are eligible if they are directly related to holding a training or workshop that will improve estuary stewardship outcomes.
- Facility Use Fees: Facility use, room, or event fees directly related to holding a training or workshop to implement the project.

Ineligible Project Expenditures

- Indirect costs: Overhead or operating expenses (space, real property, rent, utilities, insurance, etc.).
- Travel: Out-of-state travel costs, and any travel not directly required to implement the project.
- Land: Value of land.
- State and/or federal funding: project costs funded from other state and/or federal funding sources are not eligible for grant reimbursement.
- Also ineligible are projects that fund advocacy or water quality monitoring using analytical chemistry data collected to regularly track turbidity, conductivity, nutrients, or bacteria, using separate off-site facilities for analysis.

Budget limitation: Programming to engage user groups, students, or other target audiences in the design, use, and/or roll-out of the funded education products and/or improvements, as described for each project type, may comprise up to 60% of the grant request.

Match Requirement and Expenditures

Bidders must provide **15% in match funds based on the amount of grant funds.** Bidders who provide double the minimum match (25%) or more will qualify for extra points in the scoring.

Formula: Requested Grant Funds x 15% = Required Match

Eligible Forms of Match

- Cash: Includes other grants from non-state or non-federal funding sources.
- Personal Services: Staff salaries devoted to the project, including fringe benefits expenses. Itemize salaries according to job title or job assignment on the project. Grantees will be required to document time worked, tasks, pay ratio and payment.
- Contractual Services: The value of services provided by responsible professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a facility, archaeological field work, report writing, curation of artifacts and interpretation, etc.).
- Supplies and materials: The current market value of items warehoused (not yet installed); use value current at time items were obtained.
- Volunteer Labor: Skilled and professional labor can be computed at the job rate. Unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of

expertise must be computed at the minimum wage (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the same lawyer donating time painting walls must calculate the value using minimum wage).

- Equipment: Compute the value according to its fair market value in the project location.
- Facility Use Fees: Facility use, room, or event fees directly related to holding a training or workshop to implement the project.
- Land accessibility costs: eligible direct project costs such as appraisals by a certified appraiser, title searches, surveys and associated legal fees. The land must be owned by the grant bidder.
- Travel: Travel costs (within New York State) directly required to implement the project.
- Administrative Salaries: Administrative salaries must be documented and must fall within the grant contract term to be eligible as match. For the purposes of this RFA, administrative salaries are defined as follows:
    - Preparing the final workplan (DEC contract).
    - Preparation of equal employment opportunity and women and minority business enterprises documentation.
    - Preparation of quarterly narrative and expenditure reports.
    - Preparation of payment reimbursement request forms and backup cost documentation.
    - Preparation of Final Report upon project completion.

    Bidders must clearly identify administrative salaries to be used towards match in the personal services detail section of the expenditure budget.

Ineligible Forms of Match

- Indirect costs: Overhead or operating expenses (space, real property, rent, utilities, insurance etc.).
- Travel costs: Out-of-state travel costs, and any travel not directly required to implement the project.
- Land: Value of land.
- Other State or Federal funding: Project costs paid from other state and/or federal funding sources.

Grant Program Reporting

Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the calendar quarter. The reports will summarize how the project progressed toward meeting project objectives and deliverables during the respective quarter.

Quarterly Expenditure Reports, detailed by object of expense as defined in the Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the calendar quarter. These reports must correlate to subsequent vouchers submitted

for payment.

Quarterly payment reimbursement requests will be accepted prior to submission of a final closeout reimbursement request. An approved project design, required permits, and landowner permissions must be in place to submit a reimbursement request.

Final Report must be submitted and approved by the DEC prior to the release of the final contract payment to the Grantee. The Contractor must submit the Final Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the use of grant funds were utilized in achieving the goals set forth in the approved Attachment C Work Plan. Copies of appropriate documents (i.e. inventory and/or management plan) must be submitted and approved by the DEC.

A DEC on-site inspection may be required to confirm all work was completed in accordance with the approved project Work Plan (including the installation of interpretive signage, if applicable, at the project site).

Any project involving volunteer time will be required to report the number of volunteers and the number of volunteer hours in their project quarterly status reports. The total number of volunteers and volunteer hours for the entire project must be reported in the Final Report.

Projects already receiving funds from another NYS or Federal assistance grant program are not eligible to receive funding for the same project activities identified in this RFA.

What to Expect If You Receive an Award

1. Notification of Award

Bidders selected to receive a grant award will be notified by email and in an official DEC award letter. NYS SFS Grants Management will also provide you with an award status.

IMPORTANT NOTE: By accepting an award, Bidder agrees to abide by all New York State Contract terms and conditions. Any changes to the terms and conditions will not be accepted and may affect Bidder's award.

2. State of New York Contract for Grants

Bidders selected to receive a grant award will be required to execute a within 60 - 90 days from the time of their award notification. Failure to submit timely required documents could cause a grantee to lose their grant award. Bidders should review and be prepared to comply with all terms and conditions should grant funding be awarded. The New York State Contract for Grants and attachments include:

- Grants Face Page
- New York State Contract Standard Terms and Conditions
- Appendix A – Statewide Terms and Conditions
- Attachment A-1 Agency Specific Terms and Conditions

- Attachment A-2 Program Specific Terms and Conditions
- Attachment B-1 Expenditure Based Budget (*project expense categories and detail)*
- Attachment C Work Plan (project objectives, tasks and performance measures)
- Attachment D Payment and Reporting Schedule (claims for reimbursement and grant reporting provisions)

IMPORTANT NOTE: Project-related costs must be incurred within the term of the contract to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the DEC until a contract is fully approved by the DEC, and as applicable the Attorney General and the State Comptroller. All contracts must be fully approved by the contract start date of

Bidders (referred to as "Contractor" following award of Grant Contract) Should Be Prepared to Comply With the Following Requirements:

a. Insurance Requirements

Contractor will be required to carry appropriate insurance as specified in the Contract, Attachment A-1 Agency Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the contractor as an additional insured, with appropriate limits, covering contractor's public liability and property damage insurance, contractor's contingency liability insurance, "all-risk" insurance and workers' compensation/disability benefits coverage for the project.

b. Signage Requirements (if applicable)

The Department will require project signs for construction projects under this RFA (see Appendix V for specifications). All signs shall be constructed in accordance with the specifications identified in the New York State Contract for Grants (size: 24" wide by 18" high or as appropriate to sign location, construction materials: aluminum blank sign boards with vinyl sheeting). The cost of the sign is a reimbursable project cost and should be included in the "other" category in the expenditure-based budget. The Department may, in its discretion, waive this requirement if the sign cannot be reasonably maintained, the sign is not consistent with other laws, or the location of the sign would not provide a public purpose.

c. Permit Requirements (if applicable)

Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project-related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

d. State Environmental Quality Review Documentation

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply, with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the DEC. The Contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

e. Vendor Responsibility Questionnaire

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at https://www.osc.state.ny.us/vendrep/enroll.htm, or go directly to the VendRep System at https://onlineservices.osc.state.ny.us/Enrollment/login?0.

f. Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the OGS website at: http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the New York State Contract for Grants, Attachment A-1 Program Specific Terms and Conditions.

g. Minority/women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (MWBE Regulations) for all State contracts with a value (1) in excess of $25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of $100,000 for real property renovations and construction.

Bidders subject to executing a future NYS Contract for Grants agree, in addition to any other nondiscrimination provision of the Contract and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include Equal Employment Opportunities (EEO) for minority group members and women and contracting opportunities for certified Minority and Women Owned Business Enterprises (MWBEs). Contractor's demonstration of Good Faith Efforts (GFEs) pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, state or local laws.

Failure to comply with MWBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages, or enforcement proceedings.

Please refer to the NYS Contract for Grants - Article IV (J) and Attachment A-1 Agency Specific Terms and Conditions - Article X, to review MWBE and EEO requirements.

- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.

- A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp

MWBE reporting for Department of Environmental Conservation contracts must now be completed using the New York State Contract System (NYSCS). https://ny.newnycontracts.com/.

All contracts of $25,000 or more will be assessed for MWBE goals. Contracts which meet the established MWBE-EEO thresholds require the Contractor to submit the Utilization Plan prior to the execution of the contract and Monthly Compliance Audits in the NYSCS after the contract is executed. To submit the required MWBE Utilization Plan, log-in to NYSCS and access the Utilization Plans section displayed on the user dashboard. Plans requiring action will be displayed in red.

All contractors shall complete an Equal Employment Opportunity (EEO) Policy Statement and Staffing Plan form and submit it prior to the execution of the contract.

For more information regarding MWBE compliance and reporting guidelines, and to download required forms, please visit https://dec.ny.gov/about/doing-business#MWBE.

The following M/WBE-EEO "Fair Share" goals are established as follows:

Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:

Construction/Engineering – up to 30%
Commodities – up to 30%
Services/Technologies – up to 30%

DEC M/WBE Compliance
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/MWBE Program
625 Broadway, 10th Floor
Albany, New York 12233-5028
Mwbe@dec.ny.gov
Phone: (518) 402-9240

h. Service-Disabled Veteran-Owned Business Participation Requirements

The Department is required to implement the provisions of New York State Veteran's Law Article 3. The contractor must make Good Faith Efforts to subcontract a goal of 6% of the contract amount to New York State Certified Service-Disabled Veteran-Owned Businesses (SDVOBs), for purposes of providing meaningful participation by SDVOBs.

The contractor is required to complete and submit a SDVOB Utilization Plan detailing how the contractor intends to meet the SDVOB goal. In addition, the contractor must complete and submit quarterly compliance reports detailing the amount spent on SDVOBs in the previous quarter. In addition, all forms and guidance can be located at https://ogs.ny.gov/veterans/division-service-disabled-veterans-business-development-compliance-and-reporting. Please contact the Department's SDVOB compliance staff with any questions at:

DEC SDVOB Compliance Unit
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/SDVOB Program
625 Broadway, 10th Floor

Albany, New York 12233-5028
SDVOB@dec.ny.gov
Phone: (518) 402-9240

i. Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

j. Americans With Disabilities Act

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas https://www.access-board.gov/guidelines-and-standards.

k. Diesel Emissions Reduction Act 2006

In 2007, New York State passed legislation establishing the Diesel Emissions Reduction Act 2006 (DERA). This Act amended the Environmental Conservation Law (ECL) by adding Section 19-0323 which requires the use of best available retrofit technology (BART) and ultra-low sulfur diesel fuel (ULSD) for heavy duty vehicles owned or operated by, including on behalf of, state agencies and state or regional public authorities. The Department has promulgated regulations (6 NYCRR Part 248) to provide guidance on provisions of the law. The regulations may be found on the Department's website at https://dec.ny.gov/regulatory/regulations/chapter-iii.

If applicable, the contractor must comply with the specifications and provisions of ECL Section 19-0323 and 6 NYCRR Part 248, which require the use of BART and ULSD, unless specifically waived by the Department. Qualifications for a waiver under this law are the responsibility of the Contractor.

l. Debriefing Request

In accordance with section 163 of the NY State Finance Law, DEC must, upon request, provide a debriefing to any unsuccessful offeror that responded to the Program Overview, regarding the reasons that the proposal or bid submitted by the unsuccessful offeror was not selected for an award. An unsuccessful offeror wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice that their proposal did not result in an award. Debriefings requested after fifteen calendar days may be denied.

m. Protest Procedure

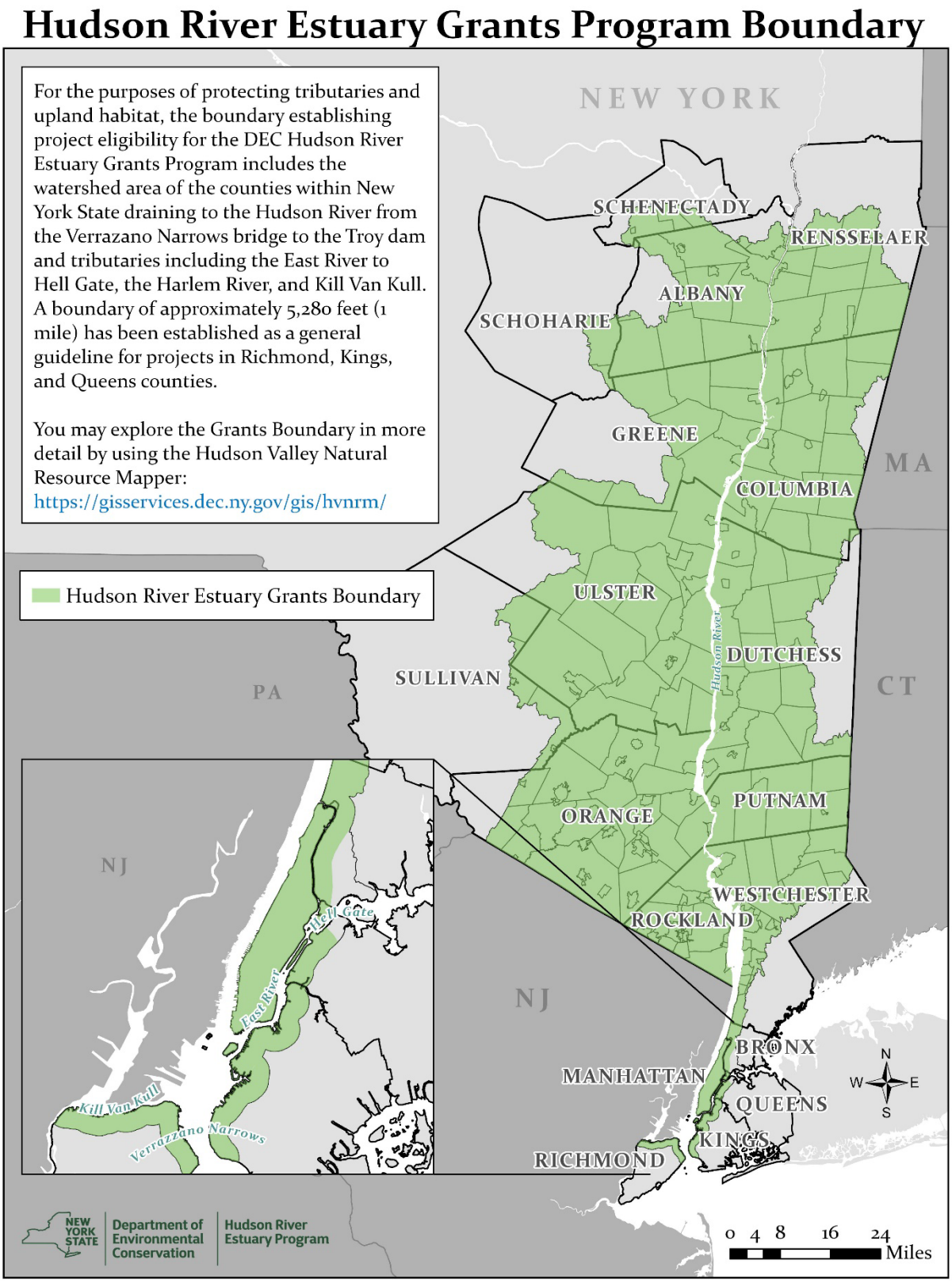
DEC does not have a formal protest procedure, therefore a bidder may file an initial protest with

OSC's Bureau of Contracts (BOC) after the Department has made a contract award. The protest must be in writing and filed with BOC within ten business days of notice of the contract award or if a debriefing has been requested by the interested party, within five business days of the debriefing (whichever is later). If the interested party is not provided with notice of the contract award, the interested party may file a protest with BOC at any time after the contract award and prior to the Comptroller's final action on the contract.

Formal protests concerning a pending contract award must be received within five (5) business days after the protesting party knows or should have known of the facts that constitute the basis of the formal protest.

The protest must be filed with:
Bureau Director at bidprotests@osc.ny.gov or
Bureau of Contracts
New York State Office of the State Comptroller
110 State Street, 11th Floor
Albany, NY 12236

Appendix I: Map of Eligible Project Locations



Appendix II: Budget, Work Plan, and Permit Requirement Guidance

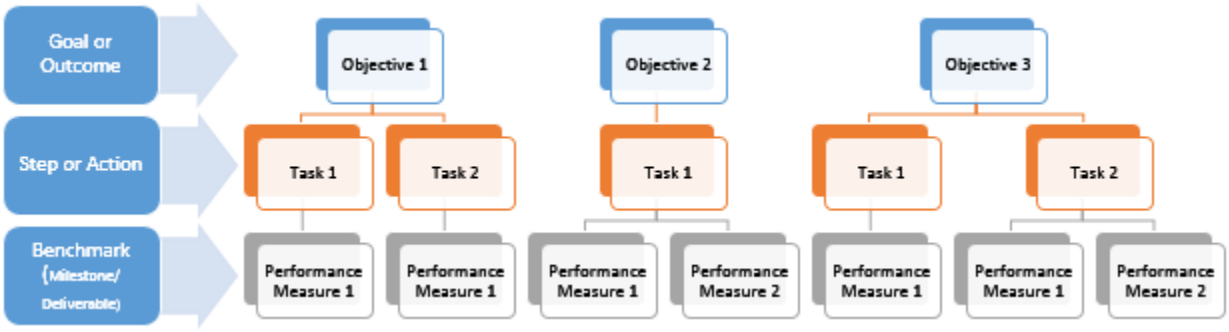
BUDGET

General:
Eligible expenditures for grant and match are noted on pages 19-21 of this RFA.

***Budget limitation*: Programming to engage user groups, students, or other target audiences in the design, use, and/or roll-out of the funded education products and/or improvements, as described for each project type, may comprise up to 60% of the grant request.**

WORK PLAN

General:
The Work Plan is an outline of the project plan and consists of Objectives, Tasks, and Performance Measures. Objectives are essentially the goals or outcomes of the project. Tasks are the detailed steps or actions required to meet the Objective. Performance Measures are the benchmarks used to determine if the corresponding task is achieved (often a milestone or deliverable that will identify task completion). The majority of the detail should be included at the task level.



The Work Plan Summary should be a brief Statement of Work that provides an overview of the project. The bulk of the information about the project should be input in the Work Plan Detail as Objectives, Tasks, and Performance Measures.

The following items must be included in the Work Plan:

All projects:

For all projects, the work plan should include tasks for consultation with Estuary Program Staff for project management purposes as step one in the timeline.

It is strongly encouraged to incorporate opportunities for Estuary Program staff to be involved in the project as applicable.

Selected grantees will be expected to either (a) participate in presenting their findings at a meeting/event, or (b) provide a very clear summary of their work appropriate for posting online, including several photos and a description. Photos will not be for commercial use, and the bidder is responsible for permission of any subjects in photos, if needed.

Project Type 1, Hudson River shoreline facilities for education about the Hudson River Estuary

- Projects proposing a combination of Planning and Construction: For projects that propose a combination of planning and construction, preparing permit application materials is considered to be an appropriate work activity covered by the grant. Bidders should include the permit process in the Work Plan and project timeline.

- Projects that propose planning for construction: For such projects, bidders should include an activity to complete a NYSDEC jurisdictional review with the applicable regional permit administrator in the Work Plan and project timeline. (https://dec.ny.gov/permit-administrators).

Permit Requirements that may apply to your project:

Overview and links to permits that may be required (from DEC Division of Environmental Permits):
- https://dec.ny.gov/regulatory/permits-licenses/environmental-permits/forms-requirements
- https://dec.ny.gov/regulatory/permits-licenses/environmental-permits/forms-requirements/jurisdictions-other-agencies

A Freshwater Wetlands Permit is required to conduct any regulated activity in a jurisdictional New York State freshwater wetland or its adjacent area. For more information, visit: https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program.

A Tidal Wetlands Permit is required to conduct any regulated activity in a jurisdictional New York State tidal wetland or its adjacent area For more information, visit: https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/tidal-wetlands-permit-program.

A Protection of Waters Stream Disturbance permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified as "protected," and a permit for **Excavation and Fill in Navigable Waters** for any excavation or fill below the mean high-water line of any waterbodies and contiguous wetlands identified as "navigable." Any structures on, in or over waterbodies may require a **Docks and Moorings permit**. For more information, visit: https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program.

Most of the underwater lands of the Hudson River are the property of the State of New York. Administration of the lands underwater is the responsibility of the Office of General Services and a license or **permit may be required for installation of a structure on or over NYS-owned lands underwater** (https://ogs.ny.gov/real-estate/lands-now-or-formerly-underwater). If an OGS permit or license is required, then a Docks and Moorings permit is waived.

Any work within Waters of the United States or associated wetlands may require a permit from the **Army Corps of Engineers pursuant to Section 404** of the Clean Water Act). If a Section 404 permit is required, then a **Section 401 Water Quality Certification** is required. Issuance of these certifications in New York is delegated to DEC. All of these projects are in the Coastal Management Zone and if a federal permit is required, then a **Coastal Consistency determination** by NYS Department of State, Office of Planning & Development will be required. https://dos.ny.gov/coastal-consistency-review-federal-agency-actions.

Any work in the vicinity of known occurrences of threatened or endangered species may require a **permit for Incidental Taking** (https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/endangered-species/regulations); this includes loss of habitat and interference with essential behaviors such as nesting or foraging. Measures to avoid a take may be required.

A local Floodplain Development Permit may be required for a project that occurs in the Federal Emergency Management Agency (FEMA) designated regulatory floodway. This permit may require a hydrological and hydraulic (H&H) analysis conducted by a professional engineer demonstrating the proposed project will have 0.00 feet of rise in the base flood elevation when comparing pre- and post-project conditions. If the rise cannot be mitigated, a FEMA Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) would be required. Floodplain and floodway maps are available from the FEMA Flood Map Service Center: https://msc.fema.gov/portal/home. Additional guidance and information for meeting this requirement is available at: https://dec.ny.gov/get-involved/grant-applications/wqip-program.

Appendix III: Bid Evaluation and Scoring Criteria

PROJECT PASS/FAIL CRITERIA: a "Fail" to any statement will disqualify the bid

- The bidder must be eligible, as shown on page 3 of this RFA. A not-for-profit organization must also be prequalified in SFS Grants Management by the bid due date to be determined as eligible under this grant opportunity.
- Proposed projects must provide or improve estuary-focused education as defined in eligible project types. If the project involves improvements to an educational facility (Project Type 1), the facility must be on, near, or tightly-focused on the tidal Hudson or relevant portions of NY Harbor.
- Location: The project must be located within the defined geographic boundaries of this RFA (see map in Appendix I). The bidder must provide a map showing the project location, uploaded to SFS Grants Management.
- The bidder must provide photos of the project location, and condition of the site (if applicable), uploaded to SFS Grants Management.
- Projects must implement one of the eligible project types identified in this RFA.
- Projects must include consultation with Estuary Program Staff for project management purposes as step one in the timeline (e.g. a project kick-off meeting). Additionally, Bidders are strongly encouraged, but are not required, to invite Estuary Program staff to attend project meetings and provide technical assistance.
- The uploaded project timeline indicates completion of project objectives, tasks and deliverables on or before August 31, 2030.
- All project funding comes from eligible sources and at least 15% in eligible match is identified.
- If applicable, letters of collaboration that include the "Lead" bidder designation are provided from all bidder partners.
- Construction projects must have all required permits in place at the time of bid.
- For projects involving work on property owned by an entity that is not the bidder, the bidder must provide as an upload to the bid, written documentation from the landowner indicating willingness for the project to take place on their property. For example, a "Friends of the Park" group must have documentation from the park owner.
- The Bidder must provide the required certification for sexual harassment prevention ("Attachment S"), as required by State Finance Law §139-l.
- The Bidder must provide the required EO 16 Certification.
- The Bidder must provide the required Gender-Based Violence and the Workplace Certification ("Attachment G") as required by State Finance Law §139-m.
- Bid completeness: Bidders must complete the electronic bid and upload any required documentation. See the checklist in this RFA as a reference.

I. PROJECT OBJECTIVES, IMPACT, AND METHODS

Scoring Criteria 1. Project Objective and Impact (maximum 20 points):

How well does the project, its location, statement of need, methods, and deliverables fulfill the objective of this RFA and the selected project type?

- Project as scoped (location, need, methods, commitment to implementation, deliverables, budget details) clearly addresses the RFA objective for the project type, and is likely to result in an exceptional educational impact and/or educational experience for the target audience to learn about the Hudson River Estuary:
  Exceptional.....20 Points
- Project as scoped (location, need, methods, commitment to implementation, deliverables,

budget details) clearly addresses the RFA objective for the project type, and is likely to result in a strong educational impact and/or educational experience for the target audience to learn about the Hudson River Estuary:
Strong ..... 15 Points

- Project as scoped (location, need, commitment to implementation, deliverables, budget details) clearly addresses the RFA objective for the project type, and is likely to result in a beneficial educational impact and/or educational experience for the target audience to learn about the Hudson River Estuary:
  Beneficial ..... 10 Points
- Project as scoped (location, need, users, commitment to implementation, deliverables, budget details) clearly addresses the RFA objective for the project type, but educational impact and/or level of educational experience for the target audience to learn about the Hudson River Estuary is modest ..... 5 Points
- Bid meets one or more of the following:
  (i) the proposed project method, statement of need, and/or deliverables are insufficiently described to determine objective or impact;
  (ii) long-term benefit of the project is not substantiated;
  (iii) project scope does not address the RFA objective for the project type; and/or
  (iv) educational and/or positive impact on opportunities for a wide range of people, and/or provides a deeper educational experience for the target audience to learn about the Hudson River Estuary is insignificant.
  ..... 0 points

Scoring Criteria 2. Methods and Work Plan (maximum 15 points):

Are the project methods and work plan robust and thoroughly documented?

- The project is thoroughly scoped and detailed, and proposes effective approach and methods ..... 15 Points
- The project is moderately scoped with sufficient details, and proposes acceptable approach and methods ..... 10 Points
- The project is adequately scoped but missing some important details ..... 5 Points
- The project is inadequately described and/or proposes questionable approach or methods ..... 0 Points

Scoring Criteria 3. Estuary, Tributary, and Harbor Focus (maximum 5 points):

Does the project focus on the Hudson River estuary, its tributaries, or parts of New York Harbor waterways included in this grant's geographic scope?

- Yes, clearly indicated focus ..... 5 points
- Yes, these areas are included within a wider scope that includes other areas ..... 2 points
- No, there is no particular focus on these areas ..... 0 points

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II. PROJECT SUCCESS FACTORS

Scoring Criteria 4. Target Audience and Partner Support (maximum 7 points):

How well does the project identify and demonstrate support from key partners and/or the target audience, including teachers, educators, and other stakeholders, who will benefit from the project and whose support is needed for the project to succeed?

- Bidder demonstrates an existing positive relationship with the target audience and letters of support are provided from relevant partners, including teachers or educators ..... 7 points

- Bidder demonstrates an intent to build positive relationship with the target audience and letters of support are provided from relevant partners ..... 5 points
- Bidder demonstrates an existing positive relationship with the target audience, but no letters of support are provided ..... 3 points
- Target audiences are not clearly identified, and no letters of support are provided ..... 0 points

Scoring Criteria 5. Target Audience (including underserved communities) and Partner Engagement (maximum 6 points):

How well does the project engage and inform the target audience and key partners who will benefit from the project?

- Partner and target audience engagement is robust, includes underserved communities, and demonstrated throughout multiple stages of the project ..... 6 points
- Partner and target audience engagement is adequate, includes underserved communities, and demonstrated in more than one stage of the project ..... 4 points
- Partner and target audience engagement is limited and does not include underserved communities ..... 2 points
- Bidder does not adequately demonstrate how partners or target audience will be engaged to assure project success ..... 0 points

Scoring Criteria 6. Knowledge, Skills and/or Experience (maximum 8 points):

Does the bidder, including partners, demonstrate the knowledge, skills, and/or track record to successfully undertake a project of this nature? For purposes of this RFA, experience and track record includes performance on current and prior Estuary grants, including quality and timeliness of grant reporting, progress on performance schedules, and completion of deliverables.

- Exceptionally well-qualified and/or superior track record for this type of project ..... 8 points
- Very well-qualified and/or established track record for this type of project ..... 5 points
- Qualified and/or satisfactory track record ..... 3 points
- Not well-qualified and/or has a poor track record ..... 0 points

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III. <u>PROJECT COST EFFECTIVENESS</u>

Scoring Criteria 7. Project Cost Effectiveness (maximum 20 points):

How well does the budget demonstrate value for cost? Cost effectiveness will be evaluated from the standpoint of both cost match, balance, and value. Bidders may compare the project costs to other similar work and explain the balance of expenses across budget categories. If applicable, provide justification for costs that exceed what is customary for the work to be completed. To sufficiently respond to this question, Bidders are encouraged to upload documentation to support specific budget items, such as standard government wage rates, current market prices for equipment, and cost-estimates from potential contractors / vendors.

<u>Scoring Criteria 7.A. Project Cost Effectiveness and Funding, Budget balance and cost-benefit ratio</u>:

How well does the budget demonstrate value for cost?

- Budget is well-balanced and does not contain any extraneous expenses. Cost-to-benefit ratio is exceptional for the complexity and size of the project, compared to other similar projects ..... 10 points
- Budget is well-balanced and does not contain any extraneous expenses. Cost-to-benefit ratio is appropriate for the complexity and size of the project ..... 7 points
- Budget appears well-balanced, but cost-to-benefit ratio is unclear or not well-defined for the

complexity and size of the project ..... 5 points
- Budget does not appear to be cost effective or well-aligned with the project as proposed ..... 0 points

Scoring Criteria 7.B. Project Cost Effectiveness and Funding, Budget detail: Does the budget detail adequately reflect and correspond to the work needed to produce the deliverables?

- The budget contains an exceptional level of detail to assess cost effectiveness, including explanation for each line item, documentation for cost estimates and contractor quotes, where applicable, and explanation of staff time dedicated to the project ..... 5 points
- The budget contains sufficient level of detail to assess cost effectiveness, but is missing some details ..... 3 points
- The budget contains an inadequate level of detail to assess cost effectiveness ..... 0 points

Scoring Criteria 7.C. Project Cost Effectiveness and Funding, Additional match: How much match is contributed in the application?

- Funds above and beyond the minimum match are provided (total of 25% match or more) ..... 5 points
- Project meets minimum match requirement ..... 0 points

IV. STATEWIDE PRIORITY POINTS

Scoring Criteria 8. Regional Economic Development Plan:

Has the bidder demonstrated the project implements part of a Regional Economic Development Council (REDC) Plan?

- If yes, add ..... 5 points

Scoring Criteria 9. Environmental Justice and Disadvantaged Communities:

Will the proposed project benefit a Potential Environmental Justice Area and/or a Disadvantaged Community, and is the benefit to the population(s) documented?

- If yes, add ..... 10 points

V. ADDITIONAL POINTS

Scoring Criteria 10. Bidders who do not have open (uncompleted) grants with the Estuary Program:

Is the Bidder an organization or municipality that does not have an open (uncompleted) Hudson River Estuary grant?

- If yes, add ..... 2 points

Scoring Criteria 11. Community Support:

Does the bid demonstrate support from a variety of local, county, or state appointed or elected officials?

- If yes, add ..... 2 points

TOTAL ELIGIBLE POINTS ..... 100 points

Appendix IV: Reporting on Measures of Success

As part of reporting requirements for a grant under this RFA, grantees will be expected to report on how their project is helping to achieve the Measures of Success outlined in the *2026-2030 Hudson River Estuary Action Agenda*. Measures of Success, by Goal, are bulleted below. Goal(s) that apply to this specific grant opportunity are highlighted in yellow. River Education grantees will be expected to report on the number of students, educators, and volunteers engaged during the course of the grant.

A Vital River Ecosystem

1. Goal: Robust estuarine fisheries
    - EF1: Three actions from ASMFC Atlantic sturgeon assessment priority recommendations will be implemented, and an abundance index is developed annually and used to complete a population analysis.
    - EF2: Monitoring of acoustic-tagged shortnose sturgeon will be used to minimize impacts to the species.
    - EF3: River herring populations will be sustainable through the implementation of the NYS-approved ASMFC Sustainable Fishery Management Plan for New York River Herring Stocks.
    - EF4: Five actions in the Shad Recovery Plan are implemented.
    - EF5: An index of abundance for the Hudson River striped bass spawning stock will be developed and incorporated into ASMFC management. Factors contributing to the recent decline of striped bass populations have been determined. Continued implementation of the community science cooperative angler program will help collect data on recreational use of the resource and develop regulations.
    - EF6: Progress towards sustainable management of Hudson River blue crabs.
    - EF7: Contaminants (PCBs, dioxins, cadmium, mercury) in fish will approach a level that is safe for human consumption, as established by the NYS Department of Health (DOH).
    - EF8: Impacts of non-native and invasive taxa will be minimized through preventive measures such as education, outreach, regulatory efforts, and control projects.
    - EF9: An assessment of impacts of bycatch of select Hudson River fish occurring in ocean fisheries will be completed and actions to reduce impacts to the recovery of signature Hudson River fish will be identified.
    - EF10: All industrial and municipal facilities operating water intakes on the estuary will have minimized mortality to all life stages of fish.
    - EF11: Data from eel monitoring efforts are incorporated into future stock assessments and used to support fisheries management decisions and at least two migratory habitat enhancement projects.

2. Goal: Robust river habitats
    - RH1: The Hudson River Aquatic Invasive Species Task Force's priority lists and resources will be used to monitor and manage invasive species to protect native plant and animal communities. Partner programs within the Task Force will manage or prevent the establishment of at least five invasive species on the Task Force's priority list.
    - RH2: Habitat value has been increased for at least 1 mile of shoreline, and at least 75% of permitted shoreline projects will incorporate sustainable shoreline BMPs.

- RH3: Intertidal, shallow water (less than 6 ft deep at low tide), and benthic habitats will be increased by 15 acres through restoration and enhancement, and an additional 15 acres of habitat restorations will be designed with bid documents and all necessary permits.
- RH4: Three hundred seventy-five acres of floodplain pathway for wetland migration will be conserved or protected to provide future habitat in response to sea level rise.
- RH5: Contaminated sites in the Hudson will be prioritized for remediation and restoration using geospatial data on contaminants and fish and wildlife habitats.
- RH6: Ten new acres of deep (greater than 6 ft at low tide) benthic habitat will be enhanced and/or restored.

3. Goal: Clean Hudson River water
    - CW1: The water quality assessment for the lower Hudson River will be updated based on new monitoring by DEC and U.S. Geological Survey (USGS), and results will be communicated to the public.
    - CW2: A study will be underway to understand possible impacts of future salt-front shifts to water supply resilience and fisheries.
    - CW3: HRECOS will be evaluated and updates will be assessed so that the system is incorporated into all Hudson River estuary monitoring programs by researchers to evaluate river conditions and used by educators to communicate the value of the Hudson River.

A Thriving & Resilient Watershed

4. Goal: Healthy tributaries
    - HT1: Ten monitoring projects that support community interests to better understand ambient water quality conditions in tributaries will be completed
    - HT2: Ten municipalities or watersheds will have new or updated road-stream crossing management plans, riparian assessment plans, or dam removal reconnaissance and feasibility plans that include priority actions.
    - HT3: Five or more new miles of streamside vegetation will be planted through the Hudson Estuary Trees for Tribs program, with least 5 miles of the 30 miles planted since 2007 demonstrating effective riparian buffer function.
    - HT4: Twenty miles of stream will be restored through at least 10 projects that reconnect habitat and improve stream integrity through dam removal and culvert replacement.
    - HT5: Fifteen local projects addressing priority actions identified in source water protection plans or relevant drinking watershed-based studies or plans will be completed, with 35% in or serving PEJAs or DACs.
    - HT6: Ten watersheds will have one or more of the following studies, plans, or policies created: a watershed-based characterization, flood mitigation study, flood mitigation plan, or intermunicipal cooperative agreement.

5. Goal: Climate-adaptive communities
    - CC1: 100 CSC adaptation and resilience actions will be completed and 150 municipalities will have completed a CSC adaptation or resilience action since 2021.
    - CC2: 25 Climate Change Adaptation and resilience plans or adaptation chapters in a climate action plan will be completed, with 9 (35%) plans in or serving PEJAs or DACs.

- CC3: 25 practices, plans, policies, or projects will be implemented locally to reduce flood vulnerabilities.
- CC4: Five municipalities will develop conceptual designs to enhance waterfront resilience (CaD Phase II or a similar process).
- CC5: Five climate-adaptive shoreline projects will be implemented to increase Hudson River waterfront resilience to sea level rise and flooding.

6. Goal: Conserved natural areas
   - CA1: Five new connectivity planning projects will be completed to support landscape-scale conservation, regional biodiversity priorities, and habitat connections.
   - CA2: 5 municipalities in the Hudson River estuary watershed will establish new local conservation financing programs (e.g., Community Preservation Act or open space bond) for the protection of priority lands and waters, and 50% of municipalities with conservation financing established since 2021 will have made successful acquisitions.
   - CA3: New or updated conservation practices, plans, and policies will be completed in 25 municipalities, including at least 10 located in Significant Biodiversity Areas, on the estuary shoreline or in other areas identified as conservation priorities and at least 9 (35%) in or serving PEJAs or DACs.
   - CA4: Fifty percent of municipalities with NRIs completed since 2015 will use their NRIs for a conservation plan or policy (e.g., open space plan or conservation overlay zone) or comprehensive plan

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People Living Well with Nature

7. Goal: An informed and engaged public
   - EP1: Effective curricula and programs will engage 125,000 students, educators, and volunteers within the school districts and communities of the Hudson River Watershed and NY–NJ Harbor area
   - EP2: Ten or more locally based facilities for learning about the river will be enhanced with state-of-the-art exhibits and improved programs, materials, field trips, hands-on learning modules, and visitor experiences.
   - EP3: At least 35% of participants engaging in education programs delivered by the Hudson River Estuary Management Program or through grants and technical assistance to partners will be from DACs or PEJAs—an increase over the 25% since 2020 baseline.
   - EP4: At least 10,000 people will participate in community science and/or public programs focused on the Hudson River and its watershed.
   - EP5: At least 80% of educators annually participating in Hudson River Estuary Program trainings (including Teachers on the Estuary) will use our professional development content in their classrooms.
   - EP6: Annually, at least three programs will continue to be supported that build student engagement through intensive research programs for young adults, such as TIDES—inspiring a more diverse conservation movement.
   - EP7: Ten Programs will be piloted and curricula will be developed or updated to align with NYS standards and to introduce youth to their drinking water sources and the watershed management that goes into protecting drinking water, drinking water treatment processes, wastewater treatment processes, and the careers associated with those functions.

8. Goal: An accessible Hudson River Estuary for all
    - AR1: General access and/or Americans with Disabilities Act (ADA) accessibility will be improved at a minimum of 10 sites along the Hudson River estuary and tidal tributaries, with 50% serving PEJAs or DACs (geographically or programmatically).
    - AR2: Ecologically sound flood-resiliency plans have been developed for 10 access sites in the anticipated 100-Year floodplain, with 50% located in PEJAs or DACs. Implementation of resilience projects will be underway at three new sites by 2030.
    - AR3: An updated swimming-access feasibility study will be completed, vulnerabilities at existing Hudson River beaches will be assessed, and planning for at least one new swimming area improvement on the Hudson River will be initiated, and planning for at least one new swimming area improvement on the Hudson River will be initiated.

Appendix V: Credit Sign Specifications

NYS ENVIRONMENTAL PROTECTION FUND
Hudson River Estuary Management Program

Size: Horizontal format - 24" wide by 18" high or as appropriate to sign location

Construction Materials: Aluminum blank sign boards with vinyl sheeting

Inserts: "Project Site Name," "Local Project Sponsor" indicate position, size and topography for specific project names and sponsor to be inserted.

Color Scheme:

NYS logo and text – "DEPARTMENT OF ENVIRONMENTAL CONSERVATION" - Pantone 350 C

Text: Environmental Protection Fund	PMS 3005 C
Hudson River Estuary Management Program	PMS 3005 C
Project Site Name/Local Project Sponsor	Pantone 350 C

Type Specifications: All type is Arial 540, with the exception of the logo type.
Format is: center each line of copy with small caps and initial caps.

Production Notes: 24" wide by 18" high (or as appropriate to sign location)
Aluminum blanks will be covered with vinyl sheeting to achieve background color. Copy and logo will be silk screened on this surface.

Grant recipients must provide a project site name, and the local project sponsor to be inserted on the sign.

Example Sign:

Appendix VI: Accessibility Requirements and Sources

ACCESSIBILITY REQUIREMENTS

DEC requires that all projects, involving the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, are compliant with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas. See https://www.access-board.gov/guidelines-and-standards to find the relevant standards for your project.

U.S. ACCESS BOARD
www.access-board.gov
The U.S. Access Board is designated by the Americans with Disabilities Act (ADA) as the agency responsible for developing minimum accessibility guidelines to ensure that new construction and alteration of facilities covered by ADA are accessible and useable by people with disabilities. The Access Board has put out the following guidelines that should be used by *Access to Recreation* bidders to determine the criteria they must meet to achieve accessibility:

- Recommendations for Accessibility Guidelines for Outdoor Developed Areas
  https://www.access-board.gov/ada/guides/

Summary of Accessibility Standards for Federal Outdoor Developed Areas at https://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas/a-summary-of-accessibility-standards-for-federal-outdoor-developed-areas.

The Access Board also has a website that provides links to a number of organizations whose mission is to provide access for persons with disabilities at:
https://www.dol.gov/odep/topics/disability.htm

United States Access Board
1331 F Street, NW, Suite 1000
Washington, DC 20004-1111
Voice: (800) 872-2253 TTY: (800) 993-2822 FAX: (202) 272-0081

Bid of the Americans with Disabilities Act (ADA)
The Americans with Disabilities Act of 1990 (ADA), along with the Architectural Barriers Act of 1968 (ABA) and the Rehabilitation Act of 1973, Title V, Section 504, has a profound effect on the manner by which people with disabilities are afforded equality in their recreational pursuits. The ADA is a comprehensive law prohibiting discrimination against people with disabilities in employment practices, use of public transportation, use of telecommunication facilities, and use of public accommodations.

Consistent with ADA requirements, DEC incorporates accessibility for people with disabilities into siting, planning, construction, and alteration of recreational facilities and assets supporting them. In addition, Title II of the ADA requires, in part, that services, programs, and activities of DEC, when viewed in their entirety, are

readily accessible to and usable by people with disabilities. DEC is not required to take any action which would result in a fundamental alteration to the nature of the service, program, or activity, or would present an undue financial or administrative burden. When accommodating access to a program, DEC is not necessarily required to make each existing facility and asset accessible, as long as the program is accessible by other means or at a different facility.

In accordance with the US Department of Justice's ADA Title II regulations, all new DEC facilities, or parts of facilities, that are constructed for public use are to be accessible to people with disabilities. Full compliance is not required where DEC can demonstrate that it is structurally impracticable to meet the requirements [28 CFR § 35.151 (a)]. Compliance is still required for parts of the facility that can be made accessible to the extent that it is not structurally impracticable, and for people with various types of disabilities. In addition, all alterations to facilities, or part of facilities, that affect or could affect the usability of the facility will be made in a manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities [28 CFR § 35.151 (b:1-4)].

DEC uses the Department of Justice's 2010 Standards for Accessible Design in designing, constructing, and altering buildings and sites. For outdoor recreational facilities not covered under the current ADA standards, DEC uses the standards provided under the ABA to lend credibility to the assessment results and to offer protection to the natural resource (ABA Standards for Outdoor Developed Areas (https://www.access-board.gov/files/aba/guides/outdoor-guide.pdf); Sections F201.4, F216.3, F244 to F248, and 1011 to 1019).

Appendix VII: Certification for Sexual Harassment Prevention

Attachment S

Sexual Harassment Prevention Certification Form

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a partnering bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

Company Name:_____

Signature:_____

Print Name and Title:_____

Date:_____

If the above certification cannot be made, the bidder must submit a signed statement below detailing the reasons why the certification cannot be made.

_____
_____
_____
_____
_____

Company Name:_____

Signature:_____

Print Name and Title:_____

Date:_____

Appendix VIII: Executive Order 16 Certification

Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia

Executive Order No. 16 provides that "all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia." The complete text of Executive Order No. 16 can be found here.

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an "entity conducting business operations in Russia" means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

☐ 1. No, Vendor does not conduct business operations in Russia within the meaning of Executive Order No. 16.

☐ 2.a. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)

☐ 2.b. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)

☐ 3. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16.

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor's business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Vendor Name: (legal entity) _____

By: (signature) _____

Name:_____

Date: _____ _____

Appendix XI: Gender-Based Violence and the Workplace Certification

New York State Finance Law §139-M requires bidders on competitive state procurements to certify that they have a written policy addressing gender-based violence and the workplace and that such policy meets the following minimum requirements:

- **Share Information:** Employers must provide information regarding gender-based violence where employees can see and access it, including displaying the NYS Domestic and Sexual Violence Hotline information and a gender-based violence and the workplace poster.
- **Refer Employee-Survivors to Services:** The policy must require that the employer refer employees who disclose current or past victim status to the NYS Domestic and Sexual Violence Hotline and/or a local service provider. For bidders outside of New York State, referrals should be made to a local provider or statewide hotline. While referrals are required to be provided by the employer, it is not required for the employee to access services.
- **Prohibit Retaliation:** The policy must clearly state that discrimination or retaliation against employees who identify as victims or survivors of gender-based violence is prohibited.
- **Comply with Laws:** Ensure your policy follows State law. For employers based in New York State, this means that the policy must follow the SAFE Leave Act, New York State Human Rights Law, and any other relevant laws and regulations.
- **Offer Implementation Support:** OPDV is able to assist employers in developing and implementing this policy. Employers must provide information to supervisors and human resources, where available, about this technical assistance from OPDV. OPDV can be contacted at workplace@opdv.ny.gov.

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing gender-based violence and the workplace and has provided such policy to all of its employees, directors and board members. Such policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law.

Organization's signature below certifies its compliance with State Finance Law §139-M.

Organization: _____

By (signature): _____

Name (Please Print): _____

Title: _____

Date: _____

This form must be signed by an authorized executive or legal representative.

If the organization cannot make the above certification, they must provide an attached statement with their bid detailing the reasons therefor.

Appendix X: Bid Checklist

Use this checklist to ensure bidder eligibility, project eligibility, and proper bid completion. Incomplete or ineligible bids will not be evaluated for funding.

- **PASS/FAIL CRITERIA**
  (Check the following boxes (☒) to indicate the item is addressed in the bid, or is N/A)
  1. ☐ Bidder is registered in SFS Grants Management as an eligible bidder for this program.
  2. ☐ *NOT-FOR-PROFIT ORGANIZATIONS*: Bidder is prequalified in SFS Grants Management by the bid due date.
  3. ☐ Project is located within the defined geographical boundaries of the Hudson River Estuary, and a map of the project location is uploaded.
  4. ☐ Project must provide or improve estuary-focused education as defined in eligible project types. If the project involves an educational facility, the facility must be on, near, or tightly-focused on the tidal Hudson or relevant portions of NY Harbor.
  5. ☐ Photos of the current location that show the condition of site are uploaded.
  6. ☐ Project implements one or more of the specified eligible project types.
  7. ☐ Project workplan includes consultation with Hudson River Estuary Program staff for project management.
  8. ☐ Project timeline indicates completion of project objectives, tasks and deliverables within a three-year contract term.
  9. ☐ All project funding sources are eligible and at least 15% in eligible match has been identified.
  10. ☐ If applicable, letters of collaboration are provided for all bidder partners.
  11. ☐ Construction projects have all required permits in place.
  12. ☐ For projects involving work on property owned by an entity that is not the bidder, written documentation from the landowner indicating willingness for the project to take place on their property is uploaded.
  13. ☐ The required certification for sexual harassment prevention is uploaded.
  14. ☐ The required certification for Executive Order 16 is uploaded.
  15. ☐ The required certification for Gender-Based Violence and the Workplace is uploaded.
  16. ☐ Bid is complete in SFS Grants Management.

- **FORMS (Program Information, Expenditure-Based budget, and Work Plan)**
  (Check the following boxes (☒) to indicate the item is addressed in the bid, or is N/A)
  1. ☐ Program Information: Project site information is provided, and ALL questions are answered and applicable/required documents are uploaded for each question. (Mandatory)

     Mandatory uploads: (All must be in *PDF*)
     a. ☐ The Bid Application Form is completed in full and is uploaded in SFS.
     b. ☐ Location map showing the project area.
     c. ☐ A project timeline, showing project start of September 1, 2027 with a completion date of August 31, 2030.
     d. ☐ This *Bid Checklist* is completed and uploaded.

     Optional uploads, as applicable: (All must be in *PDF*)
     a. ☐ Availability to the public/landowner permission provided.
     b. ☐ Letters of support as evidence of target audience benefit & engagement.
     c. ☐ Support for cost-effectiveness (i.e. vendor quotes).
     d. ☐ Above and beyond letters of support.
     e. ☐ Smart Growth Assessment Form
  2. ☐ The expenditure-based budget is completed, including justifications for all budget items.
  3. ☐ The Work Plan is provided with clear objectives, tasks, and performance measures.

* ☐ ***CHECK ALL DOCUMENTS AFTER UPLOADING TO ENSURE THE CORRECT DOCUMENT IS UPLOADED.***