



**Homes and
Community Renewal**

Office of Resilient Homes
and Communities

New York State Homes and Community
Renewal

Office of Resilient Homes and
Communities (RHC)

Notice of Funding Availability
(NOFA)

**Resilient Investments through
Support and Capital (RISC)**

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PURPOSE

Resilient Homes and Communities (“RHC”), an office of the Housing Trust Fund Corporation (“HTFC”) and as part of New York State Homes and Community Renewal (“HCR”) invites eligible applicants to apply to the Resilient Investments through Support and Capital (RISC) program. This NOFA describes the purpose for which the available funds are to be used and the methodology for disbursing those funds.

Through this NOFA, RHC expects to make up to four million dollars (\$4,000,000) available to up to twenty (20) units of local government to implement flood mitigation projects in Dutchess, Nassau, Orange, Rockland, Suffolk, and Westchester Counties. Westchester County has been determined by HUD to be most impacted and distressed, and therefore units of local government in Westchester County will be awarded eighty percent (80%) or three million two hundred thousand dollars (\$3,200,000) of available funds through this NOFA.

Eligible applicants are invited to submit either an application for funding for Planning Grants or for Technical Assistance Awards.

In both cases the grants may be used to support pre-development work, including but not limited to architectural, engineering, feasibility studies, etc.; as well as support with raising capital funds for the implementation of the project from other federal and/or state sources.

Technical Assistance Grants will include additional support for applicants who require assistance from RHC staff and RHC-funded consultants in order to plan and implement a proposed capital project.

BACKGROUND

Hurricane Ida made landfall in New York on September 1, 2021 causing record-breaking rainfall and widespread flooding throughout New York City, Long Island, and Mid-Hudson region. Nearly 12,000 homes and apartments were impacted by flood damaged with sixty-five percent (65%) identifying as homeowners and thirty-five percent (35%) identifying as renters.

The U.S. Department of Housing and Urban Development (HUD) allocated that the State of New York will receive \$68,228,000 in funding to support long-term recovery efforts following Hurricane Ida (FEMA DR-4615) through the Office of Resilient Homes and Communities (RHC). Community Development Block Grant-Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted. This plan details how funds will be allocated to address remaining unmet need in the disaster-impacted areas of Dutchess, Nassau, Orange, Rockland, Suffolk, and Westchester Counties.

To meet disaster recovery needs, the statutes making CDBG-DR funds available have imposed additional requirements and authorized HUD to modify the rules that apply to the annual CDBG program to enhance flexibility and allow for a quicker recovery. HUD has allocated \$68,228,000 in CDBG-DR funds to the State of New York in response to Hurricane Ida (FEMA DR-4615), through the publication of the Federal Register, Vol. 87, No.100, May 24, 2022, and Federal Register, Vol. 88, No. 11, January 18, 2023. This allocation was made available through the Disaster Relief Supplemental Appropriations Act, 2022 (Pub. L. 117-43) approved September 30, 2021 (the Appropriations Act) and the Continuing Appropriations Act, 2023 (Pub. L. 117-180) approved September 30, 2022 (the “2023 Appropriations Act”).

The New York State Action Plan for Disaster Recovery (“Action Plan”) outlines New York’s plan for expending Community Development Block Grant-Disaster Recovery (CDBG-DR) funds allocated by the U.S. Department of Housing and Urban Development (HUD) to support long-term recovery efforts following Hurricane Ida (FEMA DR-4615).

PROGRAM OVERVIEW

The goal of Resilient Investments through Support and Capital (RISC) is to facilitate critical pre-development work that will support units of local government in securing Federal funding to implement flood mitigation projects. These projects will increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and the resulting suffering and hardship, by lessening the impact of future disasters.

Recipients of RISC Planning Grants and/or Technical Assistance Awards will be better positioned to apply for design / construction / implementation funding from sources that include, but are not limited to, FEMA Hazard Mitigation Grant (HMGP) and the Infrastructure Investment and Jobs Act.

To be eligible to receive CDBG-DR funds for planning or technical assistance under this Program, eligible planning activities must be focused on securing additional capital funds for proposed projects to increase resilience to disasters. The Program will prioritize projects that meet this requirement by reducing the risks of community flooding due to severe rain events similar to Hurricane Ida. Projects that reduce the likelihood of flooding will also reduce the risk of damages and property losses due to flooding, both for the responsible entity and the community beneficiaries. RISC assistance is awarded on a competitive basis.

As required by the Federal Register/Vol. 87, No. 100/May 24, 2022 (87 FR 31636), RHC will allocate the funds to address unmet needs with HUD-identified “most impacted and distressed” areas. HUD has identified Westchester County as the “most impacted and distressed” (MID) area and RHCS’s unmet needs assessment further localizes the greatest impacts and unmet needs in southern and western Westchester County. In addition to Westchester County, RHC is electing to identify the six (6) counties which received a Presidential declaration for individual assistance as

State MID areas. These include Nassau County, Suffolk County, Rockland County, Orange County; and Dutchess County.

ELIGIBLE APPLICANTS

Eligible applicants should be eligible to receive federal awards and include: units of local/county government; State agencies and authorities; Soil and Water Conservation Districts; public schools (K-12) and universities; first responders, including volunteer fire and EMS districts; not-for-profit entities that serve communities within Nassau, Suffolk, Rockland, Orange, Dutchess County, and Westchester Counties; or a consortium of any of the above.

ELIGIBLE ACTIVITIES

Eligible applicants can apply for a Planning Grant and/or Technical Assistance, defined as:

- A. Planning Grants – Funds are awarded directly to eligible applicants to manage planning and pre-development activities. Awardees are responsible for procurement and compliance with relevant federal requirements, in consultation with RHC (further defined below).
- B. Technical Assistance Awards – Funds will be administered by RHC and RHC consultants who will work closely with grantees on the coordination of planning, pre-development, and capital fundraising activities.

Eligible Uses of Funds

To apply for a grant under this program, applicants must specify in their application:

- The flood mitigation project/s they are seeking to implement;
- Services and activities needed to be able to apply for capital sources.

Eligible planning costs may include, but are not limited to, staff time and materials, consultations with industry professionals, scientific studies such as infiltration testing, geotechnical investigations, soil investigations, hydrology and hydraulics analyses, engineering design reports, conceptual design plans, and benefit cost analyses.

Awardees will have access to support from RHC to develop Federal applications and to secure capital funding to execute on proposed projects. If a grantee plans to procure professional services they are required to do so in accordance with Federal requirements at 2 CFR 200.318 through 2 CFR 200.327 to facilitate submission of the application and will receive funding from this award on a cost incurred basis after submission of a request for payment. Direct capital and construction costs are not eligible uses under this program.

Grant Amounts:

Grant requests should not exceed \$200,000 per project. In certain circumstances, and subject to State Agency Board approval, RHC in its sole discretion may approve adjustments to the grant award cap where there is a critical demonstrated need.

Applicants may submit up to three (3) separate applications to support distinct resiliency initiatives.

RHC anticipates making approximately 20 awards across both Planning Grants and Technical Assistance, based on available funding. However, these amounts are provided as guidelines for expected awards. RHC reserves the right to award additional funds, a portion of, or none of the funds based on funding availability.

PROPOSED PROJECTS

Proposed projects must be located in an eligible county or benefit a community located in an eligible county and must provide a public service or benefit as well as increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters. Proposed upgrades to existing facilities or systems must include tangible improvements in their ability to maintain operation while withstanding or responding to the impacts of likely hazard events. New facilities or systems must respond to identified deficiencies in a community's existing capacity to respond to disasters. Applicants should describe how the proposed project was impacted by Hurricane Ida and/or how the proposed work will create greater resiliency in the event of a future storm.

It is anticipated that the CDBG-DR award will allow the grantee to successfully apply to and leverage other funding sources such as, but not limited to, FEMA Hazard Mitigation Grant RISC (HMGP), and the Infrastructure Investment and Jobs Act (IIJA). Should subrecipients have an existing grant for project development costs that require a specific local contribution percentage, the CDBG-DR award may be used to satisfy this requirement. However, where additional local match is required for application for implementation funding, the applicant may be required to obtain / provide that match.

APPLICATIONS

Application materials will be available on the NYS Homes and Community Renewal website, <https://hcr.ny.gov>, by Thursday August 31, 2023. Applications will be due no later than 5:00 pm on Wednesday, November 1st, 2023. Applications must be submitted via email to RISCapplication@hcr.ny.gov.

The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding. Early submission of applications is recommended to avoid risks of ineligibility resulting from unanticipated delays. The initial contract shall be for three (3) years, with the potential for an extension depending on the need and at the discretion of HTFC staff.

HCR reserves the right to modify this schedule, at its discretion. Notification of changes in connection with this NOFA will be posted and made available to all interested parties via <https://hcr.ny.gov/funding-opportunities>

SELECTION CRITERIA

Eligible applicants must fill out attached applications for either a Planning Grant or Technical Assistance. The information received in those applications will be reviewed, scored, ranked, and awarded based on the scoring detailed below. Scoring priorities will be based on the following:

Selection Criteria	Points Available
Readiness to Proceed	20
Affordability and Access	30
Connection to Mitigation Needs	25
Nexus to the Storm	25
Total Points Available	100

Readiness to Proceed: Applicants should demonstrate how quickly a project can move from award to applications for other sources of funding, and construction completion in the event funding is secured. Other factors include the applicant’s demonstration of capacity to construct similar projects, the potential of the proposed project to qualify for one or more federal/state funding sources, and whether or not the project would have a greater likelihood of success if the planning funds are awarded.

Affordability & Access: Applicants must identify if the proposed project will serve low-to moderate-income communities or will further prioritize services in support of vulnerable populations. The applicant should also demonstrate how the proposed project will represent a community-wide improvement associated with the impacts of Hurricane Ida or how it will be used as preparation of response to similar future events.

Connection to Mitigation Needs: The applicant must demonstrate how the proposed project responds to the disaster mitigation needs of the area being served.

Nexus to the Storm: Applicants must demonstrate how the proposed project responds to RHC’s unmet needs assessment in its Hurricane Ida Action Plan.

- a. Was the project property/site directly impacted by Hurricane Ida?
- b. Is the project located within an area impacted by Hurricane Ida?
- c. Does the project represent a community-wide improvement associated with the impacts of Hurricane Ida?

AWARD RECOMMENDATIONS AND BOARD APPROVAL

Awards are recommended based on available funding, proposal quality and project feasibility as determined by the review and rating of an application. The evaluation and selection criteria are detailed in the NOFA. Recommendations are advanced to the State Agency Board for consideration and the award must be approved by that Board prior to the execution of a grant agreement.

APPLICATION STATUS AND NOTIFICATION

Applicants will receive one of the notifications below in response to their application:

- **Incomplete:** Application presents potentially eligible project but provides insufficient information. Applicant will be provided an opportunity to submit additional documentation.
- **Non-Award Notification:** Application presents an incomplete, non-competitive, not viable project and will not receive an award under this NOFA.
- **Preliminary Award Notification:** Application presents a complete, eligible, competitive, and feasible project. The project has been recommended to and approved by HTFC Board of Directors for funding.

REQUIRED ATTACHEMENTS

Completed Application for Grant Funding or Technical Assistance

Completed and Executed Duplication of Benefits Questionnaire

Organizational Chart

PLANNING GRANT AWARDEE REQUIREMENTS:

Grant funding recipients will be required to enter into a Subrecipient Agreement with the state and comply with its provisions. Requirements of the state Subrecipient Agreements include, but are not limited to:

All Architecture and engineering services must be procured in conformance with 40 U.S.C 1101 and 2 CFR 200. 318 through 2 CFR 200.327;

Conformance with 2 CFR part 200, 24 CFR Part 58, 24 CFR 570 as modified by Federal Register Notices applicable to PL 117-43 and PL 117-180 CDBG-DR grants;

Single Audit compliance as defined in 2 CFR 200, subpart F;

Compliance with State and NEPA environmental and historic preservation reviews, i.e., SEQRA and SHPO, as applicable to the subrecipient's awarded scope;

Compliance with Minority/Women-Owned Business Enterprises (MWBE) Program requirements;

Compliance with HUD Section 3 Program requirements;

Adoption of RHC's Citizen Participation Plan upon award;

Compliance with Equal Employment Opportunity requirements;

State and Federal reporting.

EQUAL EMPLOYMENT OPPORTUNITY/MINORITY AND WOMEN OWNED BUSINESS AND AFFIRMATIVE ACTION

Under Article 15A of the New York State Executive Law, all award recipients and their contractors are required to comply with the equal employment opportunity provisions of Section 312 of that Article. Also, all contractors and awardees are required to make affirmative efforts to ensure that New York State Certified Minority and Women-Owned Business Enterprises are afforded opportunities for meaningful participation in projects funded by HTFC pursuant to Section 313 of the Article.

All MWBE firms used to satisfy this requirement must be certified as such with the State's Empire State Development ("ESD"). All SDVOB firms used to satisfy this requirement must be certified as such with the State's Office of General Services.

Affirmative Action Policy Statement: It is the policy of the HCR to provide equal opportunity to all people without regard to race, color, sex, religion, age, national origin, disability, or sexual orientation.

COMPLIANCE WITH ALL FEDERAL AND NYS REQUIREMENTS

By submitting a NOFA Submission, the applicant acknowledges that, if awarded a contract, they will be solely responsible for ongoing compliance with any and all Federal and State requirements related to the Scope of Work outlined or included in this NOFA. The requirements included in this NOFA are not necessarily comprehensive, and it is the successful applicant's responsibility to remain knowledgeable of, and compliant with, any new or revised rules that are adopted during the life of the contract. Where there are contradictions between this NOFA and Federal Law, Federal Law will prevail and control

DUPLICATION OF BENEFITS QUESTIONNAIRE

Applicant:

Project Name:

Federal regulations require a duplication of benefits (DOB) analysis for projects receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) support to ensure that applicants do not receive more funds for a project than are needed. Applicants must report all assistance they have received or reasonably expect to receive for a project from such sources as insurance, Small Business Administration (SBA), Federal Emergency Management Agency (FEMA), and other local, State, or Federal programs, and private or nonprofit charitable organizations. Any funds received from these sources for this project must be considered when the amount of the CDBG-DR grant is determined. If a project has been included in the applicant’s annual budget or long-term capital improvement plan, there may be DOB, unless the subrecipient can document these funds are no longer available. CDBG-DR is a funding source of last resort, and should funds become available for a project in the future such that some or all of the CDBG-DR funds budgeted for the project would constitute a duplication of benefits, those CDBG-DR funds will be disallowed or, if outlaid, must be returned to the Governor’s Office of Resilient Homes and Communities (RHC). Please consult with RHC staff if you have any questions regarding whether a potential DOB exists. Please use the chart below to describe the funds the subrecipient has received, expected and/or committed for the project.

FUNDS RECEIVED, EXPECTED OR BUDGETED FOR THE PROJECT

SOURCE OF FUNDS	Amount received for the project	Additional funds expected
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FEMA		
Other Federal Agencies (Describe)		
State Agencies		
Budgeted Subrecipient Funds		
Private Insurance		
National Flood Insurance		
Nonprofit Organizations (Describe)		
Local Funds (Describe)		
Budgeted Program Participant Funds (Annual Budget)		
Estimated value of in-kind donation of services or materials for this project (Describe)		
Other Funds (Describe)		
TOTAL		

Documents Needed:

Along with this form, please provide documents that show the amounts received for the project from each source listed above. Note: All documents, including Program Participant budgets, must be retained and produced for review at the request of RHC and/or HUD.

CERTIFICATION:

I certify that the information provided in this questionnaire is true and accurate to the best of my ability. I understand that if this information is not correct, it may affect the amount of any grant I may receive or may lead to the recapture of disbursed funds by RHC and/or HUD

Program Participant

Signature of Authorized Certifying Official

Printed Name of Authorized Certifying Official

Date

WARNING: The information provided on this form is subject to verification by the State of New York and the Department of Housing and Urban Development (HUD) at any time. Title 18, Section 1001 of the U.S. Code states that knowingly and willingly making a false or fraudulent statement to a department of the United States Government can result in termination of assistance and civil and criminal penalties.