

**ZOOS, BOTANICAL GARDENS and AQUARIA
(ZBGA)**

ZBGA CAPITAL GRANTS PROGRAM

Combined Fiscal Year's

2023-24 & 2024-25 Request for Applications

DUE DATE 8/23/2024 by 4pm est

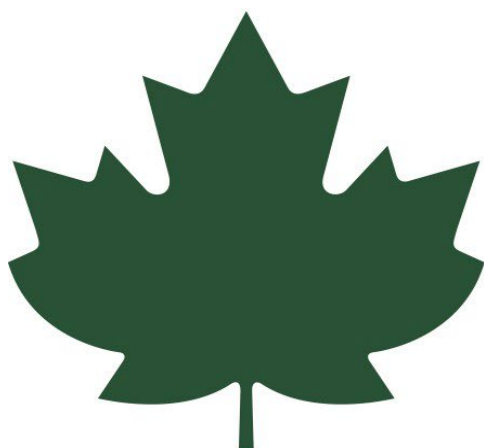
<https://parks.ny.gov/grants/zbga-capital-program/default.aspx>

Revised June 21, 2024

Revisions/updates in red

Revised August 1, 2024

Revisions/updates in green



**New York State
Parks, Recreation and
Historic Preservation**

OVERVIEW

This is a request for applications for the combined fiscal years of 2023-24 and 2024-25, \$10 million each, non-competitive Zoos, Botanical Gardens, and Aquaria (ZBGA) Capital Grant Program totaling a combined amount of \$20 million dollars. These grants provide eligible local governments and not-for-profit organizations funding to undertake strategic capital improvements to their facilities to help deliver on their missions, contribute economic benefit to their local areas, and provide their communities with robust educational programs and natural heritage collections in a safe and accessible environment. Through the ZBGA Capital Program, the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) will make strategic investments in those facilities to:

- Attract visitors to the state and ensure that New York State's residents and visitors have access to natural heritage collections;
- Sustain and grow the zoo, botanical gardens and aquaria's critical sector of New York's economy;
- Advance environmental sustainability, health, and safety; and
- Provide capital investments that contribute to local community development efforts.

The ZBGA Capital Program is funded through an appropriation from the New York State **Budget Environmental Protection Fund (EPF)** and is administered by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). This grant program is administered on a reimbursement basis. Successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement. Applicants must plan their financial arrangements accordingly.

PROGRAM PRIORITIES

Applicants should demonstrate how the project will support program priorities, including, but not limited to, any of the following goals:

Positive Impact to the Natural Heritage Collection. Projects that prolong the life of collection, benefit the site, tourism and public education.

Accessibility. Projects that increase accessibility.

Environmental Sustainability. Demonstrate environmental stewardship and/or sustainable building practices, improve energy efficiency and mitigate the negative effects of climate change on the organization's ability to operate.

Health and Safety. Address known health and safety deficiencies and adhere to new public health guidelines and requirements.

Structural and/or Historical Improvements. Address issues of building stabilization and/or historic preservation per the Secretary of Interior Standards.

Shovel Ready Projects.

ELIGIBILITY

Eligible Applicants. Applicants must be a current awardee of a 2021-2026 OPRHP Zoo Botanical Gardens & Aquaria grant, which funds operational expenses for their Natural Heritage Collection.

Eligible Capital Projects. This program is for capital projects and related expenses **that will benefit your current awarded ZBGA natural heritage collection.** This can include the construction of new facilities and the renovation or restoration of existing buildings or collection sites, as well as the permanent installation of new, complete equipment systems.

- **Ineligible Projects.** Maintenance, acquisition of real property, repairs, and other types of equipment **do not** qualify as capital.

Each applicant must meet and be able to comply with **ALL** of the following criteria:

- be a municipality or a not-for-profit organization which is a current awardee of a traditional annual 2021-2026 OPRHP Zoo Botanical Gardens & Aquaria grant, which funds operational expenses for their organizations Natural Heritage Collection
- be Registered in and if a not-for-profit be Prequalified in the New York Statewide Financial System (SFS) **prior to submitting a grant application** (See the “Register and Prequalify in the SFS” section below for instructions.),
- Ownership Interest. This application requires the applicant prove their ownership of the subject property through submission of a copy of the deed to the property or a submission of a lease agreement with the owner providing the applicant the permission to develop the property.
- conduct all institutional operations in accordance with requirements of Title VI of the Federal Civil Rights Act of 1964 and of the Rehabilitation Act of 1963, as amended, which bar discrimination on the basis of race, age, color, nationality, handicap or place of residence,
- comply with the Equal Employment Opportunity (EEO),
- 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,
- all reimbursements for projects on property eligible or listed on the National or State Registers of Historic Places must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- if affiliated with a larger (parent) organization, the applicant must have a separate budget.
- agree to adhere to applicable provisions of the:
 - Sexual Harassment Prevention in the Workplace Policy
 - Non-Discrimination Policy Related to Executive Order 177
 - Executive Order 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia

FUNDING

Overall funding is determined during the New York State's budgeting process and approved by the New York State Legislature. OPRHP **does not** guarantee Capital support in any succeeding year.

Award amounts are based on the 2023-24 and 2024-25 ZBGA Capital budget appropriations of \$10 million dollars each (\$20 million combined), the number of eligible applications and their associated project scopes, budgets, and reimbursable expenses.

If total aggregate grant requests surpass the combined total of \$20 million, applicants will receive a prorated amount of their eligible request amount in proportion to the total qualified requests. The maximum award to any applicant may not exceed one-third of the annual ZBGA Capital appropriation, capped at \$6 million.

This grant program is administered on a **reimbursement basis**. Successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement. Applicants must plan their financial arrangements accordingly. Depending on the award amount a matching share (also referred to as applicant share) may be required.

Request Amounts & Match requirements.

Grant Awards Amounts, **match is based on the total project cost:**

- \$10,000-\$100,000; no match is required
- \$100,001 - \$1 million; **minimum of 20% match of the total project cost (1:4)**
- Over \$1 million - \$6 million; **minimum of 50% match of the total project (1:1)**

Ex. 50% match

NYS grant award = \$2m

grantee match = \$2m

project total= \$4m

Ex. 20% match

NYS grant award = \$1M

grantee match = \$250k

project total = \$1.25M

Capital Construction

The ZBGA Capital Improvement Grants includes support for the construction and renovation elements of capital projects, and the purchase and installation of capital equipment systems (if applicable). Applicants will need to provide documentation to support their request for funding.

Support is available for renovation, expansion, or restoration projects for eligible buildings, as well as new construction projects.

Capital projects submitted for consideration must be sufficiently developed and be able to secure all required permits and approvals.

Projects that are comprised of activities that are designated as “operating” costs cannot be considered for support. Examples of common projects that are considered operating rather than capital expenses include but are not limited to:

- Interior and exterior painting (except in the following cases: the initial paint application after new construction or renovation, specialty paint applied for the purposes of weatherization, or paint as part of a complete building envelope restoration);
- Landscaping (except in cases where planting complies with local mandates as part of construction; hardscaping is considered eligible);
- Minor repairs that do not extend beyond the useful life of the building.

Capital Equipment

For equipment to be considered capital, it needs to be part of a system that serves the mission of the organization, is permanently installed, and has an IRS useful life estimate of at least 10 years. The applicant's proposal must include the new purchase of all equipment elements that would be required for the system to function. New components cannot be added to existing components that are pre-owned, or the useful life of the full system will not meet the minimum requirements for capital. If your request includes the purchase of capital equipment systems (ex. life support systems, HVAC systems, wheelchair lifts), specification of equipment will be required, as later mentioned in this application.

Eligible Costs

The purpose of this program is to fund capital expenditures which are defined as: funds spent to sustain/upgrade physical non-consumable fixed assets that increase the value and extend the IRS estimated useful life of a piece of real property. These include:

- New construction
 - Include only the costs of permanent capital improvements to the property (may include labor, materials, and other necessary costs) that are directly related to the purposes of the grant program. The budget should be broken down by

- categories of expenditure, such as utilities/infrastructure, site preparation, landscaping, carpentry, etc.
 - The budget may include purchase of permanent equipment necessary to achieve the project purposes.
 - The budget may include costs to undertake construction, such as rent/lease of heavy equipment, but cannot offset overhead and operating expenses, such as office rental.
- Renovation, restoration, or expansion of leasehold improvements.
- Purchase and or installation of fixed capital equipment such as HVAC, wheelchair lifts, life support systems.
- Fixtures, equipment and initial outfitting for new spaces, and renovations resulting in a change of use of the space (this is not an eligible cost if the project is not new construction or adaptive re-use of an existing space that changes its purpose).
- Project sign noting the funding assistance.

Allowable Match (if applicable)- MUST BE APPLICABLE TO AN ELIGIBLE COST listed above.

Principal types of match may be:

- **Cash.** Includes grants other than this grant request.
 - Other Environmental Protection Fund grants **cannot** be used as match.
- **Force Account.** Applicant's payroll expenses itemized according to job title or job assignment on project. Grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services.** The value of services provided by professional and technical personnel and consultants.
- **Supplies and Materials.** The fair market value of items warehoused (not yet installed).
- **Volunteer Labor.** Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at <https://independentsector.org/>. The current value of volunteer time for New York State can be found at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>. For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State.
- **Equipment Usage.** Valued according to its fair market rental cost in the project location.

Ineligible Costs

- All costs reimbursed or to be reimbursed under the traditional 2021-2026 Zoos, Botanical Gardens and Aquaria Program for expenses related to the care, maintenance, security and interpretation of eligible collections. Costs submitted for reimbursement under the annual ZBGA grant program cannot also be claimed under this ZBGA Capital grant program.
- Work completed prior to award is not eligible for reimbursement or for match.
- Maintenance/repairs that do not qualify as capital improvements.
- Administration costs
- Grant application preparation
- Pre-development costs
- Contingencies, training, travel, OJT wages, working capital, marketing, taxes, interest.

- Partial equipment systems or individual pieces of equipment that are not part of a whole system.
- Recapitalization/refinancing.
- Conceptual design services that do not result in construction documents.
- Comprehensive Planning/Master Planning/Management Plans/Open Space Plans.
- Staff salaries (even if associated with the furtherance of the capital project).
- Operational/overhead expenditures (e.g. rent, utilities, etc.).
- Fringe benefits (e.g. health insurance, retirement and other non-mandated benefits).
- Food and/or beverages for consumption, including alcoholic beverages.
- Lobbying Expenses.
- Legal fees, insurance/liability insurances and/or membership fees.
- Costs that are not adequately justified or that do not directly support the project.

Project Timeline

Projects should be prepared to commence construction upon contract execution. For awards that require a matching share, they are expected to raise their share within one (1) year of the award, or risk cancellation of the grant.

APPLICATION REQUIREMENTS

SFS Registration

On the Grants Management Website at <https://grantsmanagement.ny.gov/register-your-organization-sfs> download a copy of [Grants Management Registration Form for Statewide Financial System \(SFS\) Vendors](#) and accompanying documentation where required by email to grantsreform@its.ny.gov.

Registration help: Help Desk: [Contact the Help Desk](#) for assistance with your registration form. **Register now to allow time for processing!**

Prequalification

In addition to registering, not-for-profit organizations must also complete the Vendor Prequalification process in the SFS to be considered eligible to apply for this grant opportunity. Government entities and public authorities do not need to complete the Vendor Prequalification Process.

Pursuant to the New York State Division of Budget Bulletin H-1032, effective January 16, 2024, New York State instituted key reform initiatives to the grant application and contract processes. These initiatives require not-for-profit organizations to complete the Vendor Prequalification process to be considered eligible to apply for a grant. All information and helpful guidance regarding becoming and maintaining prequalification status can be found on the NYS Grants Management website at <https://grantsmanagement.ny.gov/get-prequalified>.

Disclaimer: *New York State reserves 5-10 business days from the receipt of complete Prequalification applications to conduct its review. If supplementary information or updates are required, review times will be longer. Due to the length of time this process could take to complete, it is advised that nonprofits Prequalify as soon as possible. Failure to successfully complete the Prequalification process early enough may result in a grant application being disqualified.*

Roles

Prospective grantees interested in responding to a grant opportunity must have credentials to access the SFS Vendor Portal.

The SFS Delegated Administrator within each organization is responsible for managing SFS Vendor Portal account changes, designating roles for User IDs within their organization, and managing address and contact information. Roles control what an individual has access to do and the tasks they can perform in the SFS Vendor Portal. Roles with the following permissions can apply:

- **Bid Response Initiator (NY_GM_VENDOR_EVENT_INITIATE)** - Note: This role allows you to initiate a bid response to a bid event but not submit the bid response to the agency.
- **Bid Response Submitter (NY_GM_VENDOR_EVENT_SUBMIT)**- Note: This role allows you to both initiate a bid response and submit a bid response to the agency.

All SFS guidance can be found in the Grantee SFS Handbook: [Grantee / Vendor User Manual](#)

Applications

Applications and required documents will be accepted in the Statewide Financial System (SFS) which is the NYS government's accounting and financial management system used to manage contracts and payments.

To apply from the [SFS Vendor Portal](#), click on the tile "Grants Management- State", then search under the tile "Bid Event search". You may search under event ID "ZOO23CAP".

Applications must be transmitted through the SFS Portal and will be accepted until August 23, 2024, 4pm est.

Required Documentation for All Applicants - The following documentation will be required with the application. Applications lacking these attachments are considered incomplete and may cause the application to be deemed ineligible. Applicants can contact the ZBGA representative at ZBGAGrants@parks.ny.gov with any questions regarding their proposal prior to submitting an application.

- ✓ **Detailed project narrative**
- ✓ **Itemized Project Budget.** Budget detailing anticipated grants expenditures, uses and source of financing and a breakdown of costs. The ZBGA Budget template can be found in the grant application or the OPRHP Grants website, <https://parks.ny.gov/grants/zbga-capital-program/default.aspx>. Applicants must be able to show how they will finance the overall projects.
- ✓ **State Environmental Quality Review Act (SEQRA)** compliance documentation
 - Not-for-profit corporations must complete the Environmental Review Form available at <https://parks.ny.gov/grants/consolidated-funding-app.aspx>.
 - Municipalities must document compliance with SEQRA or provide status of SEQRA. <https://dec.ny.gov/regulatory/permits-licenses/seqr>
 - Type II – statement and justification.
 - Unlisted – Short Environmental Assessment Form (SEAF) – Parts I – III.
 - Type I – Full Environmental Assessment Form (FEAF) and either a negative declaration or Final Environmental Impact Statement (FEIS) and SEQRA Findings;
- ✓ **Photos** showing the project area and/or the type of equipment to be purchased.
- ✓ **Schematic Site Plan.** A conceptual plan that identifies the project elements in relation to property boundaries and existing features.
 - If the project is on a historic property, two dimensional plans or elevations which identify the areas of the structure or site with the conditions as they

currently exist that are the subject of the application (i.e., arrows to mortar joints, cracks, bricks); these would have a legend or some other way to link back to photos which show the areas of concern, the narrative and work detail which describe both existing conditions and the proposed work to correct issues, and the budget showing the estimated costs to accomplish the work.

- ✓ **Map of project site** with the subject property circled.
- ✓ For projects **purchasing capital equipment only**, provide the following:
 - Equipment brochures or URL links which can outline the useful life and or a letter from an appropriate individual who can state the useful life of the proposed equipment.
 - Up to 20 images or website references of the facility and area which is part of this request which detail the purchase purpose and proposed use.
- ✓ **For Applicants proposing to undertake work in a State-owned Park or Historic Site.** Letter(s) of support from the Regional Director AND Capital Facilities Manager. One letter of support may be provided with both signatures.

Tips for Completing Your Application

- Preparing the detailed cost share summary and budget;
 - Identify the status of matching funds (i.e., currently on hand, committed, and requested). Specify the source and identify whether it is federal, state, or private in origin. Note any restrictions on matching funds (i.e., date and conditions of release). For each source of matching funds identify whether it is cash, in-kind or donation, and when funds will be available. Documentation of match (e.g., pledge/award letters, bank statements, etc.) may also be uploaded with the Cost Share Summary.
 - Sample Cost Share Summaries are provided at <https://parks.ny.gov/grants/zbga-capital-program/default.aspx> for your guidance. Applicant should complete the appropriate blank ZBGA Capital Cost Share Summary form provided in Excel (spreadsheet) to upload to the appropriate application attachment question.
 - Demonstrate alignment with program priorities. Make sure your responses in the questionnaire collectively explain how your project aligns with the goals of the program.
 - Adhere to eligibility requirements. Read the program guidelines carefully to ensure your application is not disqualified.

SUCCESSFUL APPLICANT PROCESS

OPRHP staff will review all applications received. Applications which meet the Eligibility Requirements and Application Requirements listed above will be awarded, based on equitable distribution of the ZBGA appropriation. If total aggregate grant requests surpass the FY's combined \$20 million, applicants will receive a prorated amount of their eligible request amount in proportion to the total qualified requests.

Applicants granted awards under this program will receive an award letter detailing grant amount, terms and requirements. If the grantee accepts the award, the grantee will be required to enter into a contract with New York State. Our agency will contact you to clarify the specifics about the project, including those elements of the proposed scope and budget that have been accepted for funding, next steps, reimbursement terms, goals, employment requirements, environmental and historic preservation review requirements, and other terms and conditions.

Successful applicants are highly advised **NOT to begin work until a project contract with the State has been fully executed**. Proceeding without advance OPRHP approval will jeopardize grant reimbursement.

Award Requirements

- **Project sign.** All grant-funded projects must have a project sign noting the funding assistance. Signs are available for purchase through the State for approximately \$61. Sign specs and order forms can be found here: <https://parks.ny.gov/grants/forms-resources.aspx>
- For designated historic sites, ~~preservation covenants will be conveyed to the State, at no charge to grantee, for projects awarded to sites that are listed on the State or National Register of Historic Places.~~ **Preservations Covenants will not be required.**

Certain **conditions of award must be met** to the satisfaction of OPRHP **before** a contract can be executed with the grantee. These will include, but are not limited to:

- grantees must be enrolled in ePayments, New York State's electronic payment program prior to approval and execution of a contract with New York State, and prior to disbursement of funds. Information on how to enroll can be found here: <https://www.osc.state.ny.us/vendors/index.htm>
- submission of a signed Prevention of Sexual Harassment in the Workplace Policy certification.
- submission of a signed Non-Discrimination certification.
- submission of a signed Executive Order 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia
- evidence of ownership interest, including:
 - property deed and affidavit of title or opinion of municipal counsel. if the grantee does not own the property in fee, documentation of the ownership interest, such as a lease, management agreement, or memorandum of agreement. Also,
 - the owner must agree to sign the project agreement and any long-term protection document.
 - If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.
- environmental and historic preservation reviews, (including archeological review).
- documentation of all necessary approvals to undertake the project.
- For **not-for-profit** grantees:
 - maintenance of pre-qualification status in the SFS.
 - documentation of current coverage or exemption for Workers' Compensation and Disability Insurance.
 - charity filings are up to date. Being current with pertinent filings under Section 501 of the United States Internal Revenue Code and the following New York State Laws, as applicable: Article 7-A of the Executive Law; Section 8-1.4 of the Estates, Powers and Trusts Law; Section 1508 of the Not-for-Profit Corporation Law; or Section 215 of the Education Law.
 - completion valid New York State Vendor Responsibility Questionnaire.

Grant contracts will require that **prior to commencement of project work**, certain procedures must be followed, and documentation provided to and approved by OPRHP including, but not limited to:

- for any project involving ground disturbance (trenching, grading, demolition, new construction, etc.), prior ground disturbance documentation or an archeological investigation will be required.
- any permits required from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE) must be filed with the State before construction begins.

- one set of construction documents sufficiently detailed for bidding, permitting and construction. These materials must be prepared by New York State licensed architects or engineers and shall be the basis for all engineer estimates submitted with the application. Roofing, HVAC, boilers and wheelchair lift projects may also require review by an architect or engineer. At minimum such projects must submit work scopes, drawings and technical specifications for adequate panel review. If awarded, a formal competitive procurement process with NYS's review may be required before any construction can begin.
- at least two comparable cost estimates for each major component of the project, based on the construction documents. (An estimate from a third-party estimator will suffice for one of the estimates if quotes from actual contractors cannot be obtained.) You should provide comparable estimates for each area of the project where you intend to hire a different contractor for the work. (If the project requires separate contracts for plumbing and masonry, you should have two estimates for plumbing and two for masonry.)

OPRHP **must accept/approve** plans and specifications, bidding documents, competitive bidding, etc.

Project costs will be eligible for reimbursement only if the specified grant work is included in the approved contract, meets State standards and the expenditures are made in compliance with State requirements, including, but not limited to:

- 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.
- all reimbursements for projects on property eligible or listed on the National or State Registers of Historic Places must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- at the discretion of the State, an Agreed Upon Procedure Review may be required by the State, performed by a representative of the State or a Certified Public Accountant.

Failure to comply with these requirements could jeopardize full reimbursement.

Inspections

OPRHP will conduct a final inspection of the project (either an onsite or through photos) and will require a submission of a final report.

Where the project involves acquisition of equipment or improvement of real property, the grantee shall be responsible for maintaining and operating the equipment, property, and/or improvements; providing public access; maintaining public signage related to the project; and seeking any required State approvals. The State shall have the right and responsibility to inspect the project and property for compliance.

Payment and Reporting Requirements

- Quarterly progress reports will be required, as well as a detailed final report. Submitted by email to ZBGAGrants@parks.ny.gov.
- Payment request(s) must be submitted by email to ZBGAGrants@parks.ny.gov
- All payment will be reimbursed on a Reimbursement basis as Requested by grantee; up to 90% of grant award. Final 10% upon approval of final report. For each payment submission, an expense summary that details the eligible project costs by type of work/materials/services,

grantee/vendor/employee, invoice/bill number and date, check number and date, should be submitted for review and approval to the satisfaction of the STATE.

PROCUREMENT

All goods and services required for this project must be procured in a manner so as to assure the prudent and economical use of grant moneys, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud and corruption.

1. If the Contractor is subject to General Municipal Law, documentation of the Contractor's compliance with the procurement and bidding requirements of General Municipal Law shall be included with the applicable request for reimbursement.
2. If the total amount of the goods or services is less than the dollar threshold for competitive bidding, or **if the Contractor is not subject to General Municipal Law, the Contractor must follow procurement procedures designed to achieve the purpose of this clause.** Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc. When submitting a request for reimbursement, the Contractor must include a copy of the organizational procurement policy applicable to the relevant expenditures and/or documentation of the specific procurement process used for those expenditures.

FOIL

Applications to the State, including their accompanying documents, are subject to the Freedom of Information Law (FOIL) found in [Article 6 of the N.Y. Public Officer Law](#). FOIL provides that certain records are exempt from disclosure, including those that contain (1) trade secrets, (2) information that, if disclosed, would cause substantial injury to the competitive position of your organization, or (3) critical infrastructure information. All efforts should be made to provide such information in the questions marked "restricted".

CONTACT

ZBGAGrants@parks.ny.gov

Application DUE DATE 8/23/2024; 4pm est