

DEPARTMENT OF AGRICULTURE AND MARKETS REQUEST FOR APPLICATIONS

for State Assistance Payments for

AGRICULTURAL FAIRGROUNDS INFRASTRUCTURE IMPROVEMENTS

INTRODUCTION

The New York State Department of Agriculture and Markets invites applications for financial assistance to aid in the construction, renovation, alteration, rehabilitation, improvements or repair of fairground buildings or facilities used to house and promote agriculture in New York State. Applications submitted pursuant to this Request for Applications (RFA) will be funded with funds from a State Fiscal Year 2006-2007 budget appropriation.

Applications should conform to the format and content specified in this RFA. Applications will be accepted until 4:30 p.m. EST on **March 30, 2007**. Applications delivered after the scheduled date and time will be returned to applicants and not considered for funding. Applicants, not delivery services or other intermediaries, are responsible for the timely submission of applications. Faxed and e-mailed applications will not be accepted.

Envelopes should be clearly marked: "RFA – Agricultural Fairgrounds." Applicants should submit an original plus two (2) copies of each application plus a completed Checklist for Application Completeness. Applications must be submitted to:

Lucy Roberson, Director
Division of Fiscal Management
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

QUESTIONS CONCERNING THE RFA

All questions about requirements contained in this RFA **must be submitted in writing** (facsimile or e-mail will be accepted) to:

Karen Dybas
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12235
Phone: (518) 457-3136
Fax: (518) 457-3087
E-mail: karen.dybas@agmkt.state.ny.us

All questions must be submitted to Ms. Dybas by Thursday, March 15, 2007. Applicants should note that all clarifications are to be resolved prior to the submission of an application. A list of questions about the program which are received from potential applicants, and answers to those questions, as well as any changes, additions or deletions to the RFA, will be posted in the "Funding Opportunities" section of the Department's website, www.agmkt.state.ny.us, along with the electronic version of this RFA. Questions and responses will be posted as questions are received with the final list posted by Monday, March 19, 2006. Applicants are urged to check the Department's website frequently for notices of any changes, additions or deletions to the RFA. If you are unable to access the website, please contact Ms. Dybas to arrange for alternate delivery.

BACKGROUND AND PURPOSE

The State fiscal year 2006-2007 budget includes \$3 Million for payment to agricultural or horticultural corporations and county extension service associations that are eligible to receive premium reimbursement pursuant to section 286 of the Agriculture and Markets Law. The funds were provided for construction, renovation, alteration, rehabilitation, improvements or repair of fairground buildings or facilities used to house and promote agriculture. Each eligible agricultural and horticultural corporation or county extension service shall receive an amount of \$30,000 for a fair or exposition plus a portion of the remaining amount available, based upon the average five-year total attendance of each such event from 2001 through 2005.

Based upon the attendance figures that have been reported by each organization the Department has allocated the funds as follows:

| 2001-2005 Average Attendance | # of Fairs | Base Distribution | Additional Distribution Based on Attendance | Total Distribution Available for each Fair | Total Allocation |
|------------------------------|------------|-------------------|---|--|------------------|
| 0-4,999 | 6 | 30,000 | 2,500 | 32,500 | 195,000 |
| 5,000-9,999 | 5 | 30,000 | 5,000 | 35,000 | 175,000 |
| 10,000-14,999 | 6 | 30,000 | 7,500 | 37,500 | 225,000 |
| 15,000-19,999 | 4 | 30,000 | 10,000 | 40,000 | 160,000 |
| 20,000-29,999 | 7 | 30,000 | 15,000 | 45,000 | 315,000 |
| 30,000-39,999 | 6 | 30,000 | 20,000 | 50,000 | 300,000 |
| 40,000-59,999 | 7 | 30,000 | 30,000 | 60,000 | 420,000 |
| 60,000-79,999 | 5 | 30,000 | 40,000 | 70,000 | 350,000 |
| 80,000-119,999 | 6 | 30,000 | 60,000 | 90,000 | 540,000 |
| 120,000-499,999 | 1 | 30,000 | 100,000 | 130,000 | 130,000 |
| >500,000 | 1 | 30,000 | 160,000 | 190,000 | 190,000 |
| | | | | | |
| | 54 | | | | \$3,000,000 |

ELIGIBILITY

Applicant Eligibility

Eligible applicants are agricultural or horticultural corporations and county extension service associations that are eligible to receive premium reimbursements from the Department pursuant to section 286 of the Agriculture and Markets Law. A list of organizations that the Department has determined are eligible to apply for funding pursuant to this RFA is attached. (See Attachment 1).

Project Eligibility

Projects for construction, renovation, alteration, rehabilitation, improvements or repair of fairground buildings or facilities used to house and promote agriculture in New York State will be considered.

Eligible projects include the purchase or repair of temporary structures that are used to house exhibits such as tents and portable livestock enclosures.

Applicants can submit multiple applications, however the total dollar amount requested for all projects cannot exceed the amount that the Department has determined the applicant is eligible to receive.

Project Duration

Proposed projects should be completed within two construction seasons.

Eligible Costs

Funds distributed pursuant to this RFA may be used for any of the following purposes directly related to completion of the project:

- contractual services (professional, technical, operational)
- supplies and materials
- equipment and structures
- permit fees

Funds cannot be used for salaries and wages of fair personnel, administrative costs and indirect or overhead charges.

Costs incurred prior to the approval of funding by the Department shall not be eligible for reimbursement. *However, applicants located in Broome, Delaware, Herkimer, Montgomery, Otsego, Cortland, Chenango, Schoharie, Sullivan, Orange, Ulster, Oneida and Tioga Counties are eligible to receive reimbursement for costs incurred on or after June 28, 2006 to repair fairground buildings and facilities used to house and promote agriculture which were damaged by flooding.*

APPLICATION FORMAT

Submit applications using the attached Application Form.

General Instructions for Completing the Application Form

1. Provide all information requested in the application form. Type or print legibly.
2. Submit original plus two (2) copies of the Application.
3. Staple each copy of the application in the upper left hand corner of the Application. Do not use binders, folders, report covers etc.
4. Identify all pages of the Application in numerical order.
5. Attach all required attachments, drawings, photos, etc. at the end of the Application Form.

The Department and State Comptroller's Office reserve the right to audit the applicant's books and records relating to the performance of the project during and up to six years after the completion of the project.

Checklist for Application Completeness (See Attached Form)

Please complete and sign the checklist and submit it with your application to ensure that your application is complete.

**NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
REQUIREMENTS**

Projects which include ground disturbing activities, construction of new buildings, or modification of buildings over 50 years old will be subject to further review by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The Department reserves the right to request such additional information as is necessary to allow OPRHP to make a determination regarding the potential impacts of the project on historical sites or artifacts and possible alternatives which avoid or mitigate adverse impacts.

NYS ENVIRONMENTAL QUALITY REVIEW ACT REQUIREMENTS

All projects are subject to review under the New York State Environmental Quality Review Act (SEQRA). Please complete the attached Part 1 of the Environmental Assessment Form. The Department reserves the right to request additional information as needed to comply with SEQRA requirements. *NOTE: Failure to provide the information requested in the EAF may result in a delay in the project start date.*

AWARDS

All applications will be reviewed for eligibility and completeness based upon the attached checklist. All eligible applicants shall receive funding for approved project costs. *The total amount awarded to each eligible applicant for all approved projects shall not exceed the funding amount that the Department has allocated for that applicant based upon the statutory directive.*

A contract defining all terms and conditions and responsibilities of the applicant shall be developed by the Department upon the Department's receipt and approval of a complete application and if applicable, a review of the project by the OPRHP and the Department's completion of SEQRA.

The contract will incorporate the project description, plan of work form, and a budget approved by the Department, among its provisions. A copy of the standard clauses that set forth the general terms and conditions required in all contracts awarded by the Department under this program is attached to this RFA. (Attachment 2)

Upon agreement by the contractor and the Department to the provisions of the contract, it will be submitted for approval to the Attorney General of the State of New

York and the Comptroller of the State of New York. Once the contract is fully executed, *i.e.*, has been signed by all involved parties, ninety percent (90%) of the budget amount shall be disbursed to the contractor. The Department shall retain ten percent (10%) of the budget amount to be disbursed to the contractor upon successful completion of the project.

REPORTING REQUIREMENTS

The Department of Agriculture and Markets will monitor contract performance. An interim progress report that summarizes work completed on the project shall be submitted on a quarterly basis. A final report will be required within sixty (60) days following completion of the project. The final report shall include photographs of the completed improvements, and a copy of any required permits or certificates. The Department reserves the right to modify reporting requirements during the course of the project.

LIABILITY

The Department shall not be held liable for any costs incurred by any party for work performed in the preparation of and production of an application or for any work performed prior to the formal execution of a contract.

OTHER CONSIDERATIONS

The Department reserves the right to:

- reject any or all applications received with respect to this RFA;
- waive or modify minor irregularities in applications received after prior notification and concurrence of the applicant;
- request from an applicant additional information as deemed necessary to more fully evaluate the project eligibility and determine the reasonableness of the project costs;
- amend the program's specifications after their release, with appropriate written notice posted on the Department's website;
- make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant; and
- negotiate the terms of the budget.

All applications submitted in response to this RFA will become the property of the New York State Department of Agriculture and Markets.

FREEDOM OF INFORMATION

All applications submitted and all related contracts and reports may be subject to disclosure under the Freedom of Information Law.

APPENDIX A ***(Standard Clauses for All State Contracts)***

Appendix A, (9/04 version), which is posted on the Department's website at www.agmkt.state.ny.us contains standard clauses which are required in all State contracts. Appendix A will be a part of any contract awarded under this RFA, and successful applicants will be responsible for complying with the terms and conditions contained therein.

**DEPARTMENT OF AGRICULTURE AND MARKETS
REQUEST FOR APPLICATIONS
for State Assistance Payments for
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Application Form

Instructions:

1. *Submit a separate Application Form for each project.*
2. *Provide all the information requested. Failure to do so may result in a delay in the project start date.*
3. *Type all information if possible. Handwritten applications should be clearly legible*
4. *Submit 3 copies of this application.*

PART A – APPLICANT INFORMATION

Name of Applicant: _____

Name of Fair: _____

Address: _____

Principal Contact:

Name: _____

Address: _____

Phone/Fax: _____ **E-mail:** _____

***** ATTACH A RESOLUTION FROM THE BOARD OF DIRECTORS AUTHORIZING THE SUBMISSION OF THIS APPLICATION**

PROJECT DETAILS

1. Briefly describe the proposed project and explain how the subject fairground buildings and/or facilities are or will be used to house and promote agriculture. (NOTE: applicants *located in Broome, Delaware, Herkimer, Montgomery, Otsego, Cortland, Chenango, Schoharie, Sullivan, Orange, Ulster, Oneida and Tioga Counties* should indicate if any or all of the project involves work that has already been completed to repair flood damage.)

2. Please complete the attached Plan of Work Chart. List the major tasks to be performed; the key personnel that will be responsible for completing each task; the estimated number of days to complete the task; and the cost of completing each task.

(Photographs, drawings, diagrams and blueprints should be included to expedite the review of the project by the OPRHP and the Department's review of the project pursuant to SEQRA)

3. a.) Does the applicant own the fairgrounds?

YES

NO

NOTE: A fully executed written agreement between the property owner and the applicant, or a resolution if the property is owned by a municipality, allowing the applicant to use the property as a fairgrounds through the year 2017 must be included with the application.

**New York State Department of Agriculture and Markets
Plan of Work**

AGRICULTURAL FAIRGROUNDS INFRASTRUCTURE IMPROVEMENTS

| Applicant Name: | | | |
|------------------------|------------------------------|--|---------------|
| Task | Responsible Personnel | Completion Date (number of days after project start date) | Budget |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

FORM B

Project Budget

Applicant: _____

Using the form below, provide a summary of the project budget. Attach a separate page that provides a reasonably detailed breakdown of each expenditure category. Include detail regarding how budget amounts for contractual services (if any) were derived. List the names of known contractors.

NOTE: The Department may request additional information as deemed necessary to more fully determine the reasonableness of project costs.

| Expenditure Category | Total |
|--|--------------|
| Contractual Services (Non-Construction) | |
| Contractual Services (Construction) | |
| Equipment and Structures | |
| Supplies and Materials | |
| Permit Fees | |
| Total | |

**Salaries and wages of fair personnel, administrative costs and indirect or overhead charges are ineligible costs.*

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CHECKLIST FOR APPLICATION COMPLETENESS

Please fill out this checklist and submit it with your application form.

Name of Applicant: _____

Name of Fair: _____

- Applicant is listed as an eligible organization on Attachment 1 of the RFA
- Proposed project is for the construction, renovation, alteration, rehabilitation, improvements or repair of fairground buildings or facilities used to house and promote agriculture.

Application

- Original & 2 copies submitted
- All questions answered
- Plan of work form completed
- Budget form completed
- Resolution from Board of Directors attached
- Completed Part 1 of EAF attached
- A fully executed written agreement between the property owner and the applicant, or a resolution if the property is owned by a municipality, allowing the applicant to use the property as a fairgrounds through the year 2017 must be included with the application. (Not applicable if the applicant owns the fairgrounds)

Budget

- Funds requested do not exceed the dollar amount the applicant is eligible to receive
- Costs for salaries and wages of fair personnel are not included
- Administrative costs are not included
- Indirect or overhead charges are not included
- Applicant includes a detailed breakdown of each expenditure category

Signature of applicant representative _____