



Council on  
the Arts



# Capital Projects Fund

Application Due:  
January 14, 2022

[www.arts.ny.gov](http://www.arts.ny.gov)



Top image: Hudson Valley Shakespeare Festival,  
Photo Credit: T Charles Erickson  
Bottom Image: Alvin Ailey American Dance Theatre,  
photo courtesy of Ailey

# NYSCA CAPITAL PROJECTS FUND

**Application Deadline: January 14, 2022 at 4PM**

The NYSCA Capital Projects Fund strives to make investments of public funds that serve all communities and people that comprise New York State's residents and visitors. Strong projects combine excellence in design with informed decisions about organizational capacity and community needs that will positively affect the future of arts and cultural organizations across the state.

## **Capital Projects Fund Program Overview**

Arts and cultural organizations that own or lease buildings face myriad challenges in managing those structures. Through its Capital Projects Fund, NYSCA makes strategic investments in supporting those organizations to

- Ensure that all people in New York have access to vibrant arts experiences
- Sustain and grow the arts' role as a critical sector of New York's economy
- Provide the necessary capital investments to maintain New York's globally-recognized role as a creative engine

## **Compelling projects will prioritize work that make cultural facilities:**

- Physically accessible and age-friendly
- Environmentally sustainable and energy efficient
- Safer and compliant with new public health guidelines and requirements
- Creatively compelling for artists and audiences alike
- Suited to attendance by a diverse set of participants

*Potential applicants are encouraged to watch the program webinar available to help determine the appropriate scope of their projects. All NYSCA Webinars are posted [here](#). Those with further questions should contact NYSCA Capital Fund staff at [capitalprojects@arts.ny.gov](mailto:capitalprojects@arts.ny.gov) by January 4, 2022 to schedule time to discuss their proposals. Please note that attending or watching a webinar has no bearing on your application.*

## CAPITAL PROJECTS FUND AT-A-GLANCE

**Total Funding Available:** Up to \$20 million

**Grant Sizes:**

- \$10,000 (flat amount, can fund up to 100% of project cost, organizations <\$1,000,000)
- \$49,500 - \$1,000,000 (max 50% of total project cost, all organization sizes)

**Award Announcement:** March 2022

**Grant Term:** July 1, 2022 – June 30, 2025 (3 years, extensions of up to 2 considered)

**Funding Categories:**

- Capital Equipment
- Capital Construction

**Funding Supports:**

- New construction, renovations and/or expansions of publicly accessible arts space(s)
- Modifications to improve sustainability and energy efficiency
- Renovations to improve accessibility or make physical health and safety upgrades
- Technology and/or equipment systems that would improve public access and experience

**NYSCA will prioritize the following:**

- Projects that improve, expand, or rehabilitate existing buildings to provide access for all
- Projects that address known health and safety deficiencies
- Projects that address issues of building stabilization
- Projects from organizations that further cultural development in rural or underserved communities
- Projects that reduce an organization's operating costs
- Projects that demonstrate environmental stewardship and/or sustainable building practices
- Organizations that have not received recent significant NYSCA or NYSCA-REDC capital funding (FY2018–FY 2020)
- Projects that improve buildings that currently house NYSCA-funded programs

**Please note:** While applicants are not required to have fully completed previously supported capital/facilities projects before applying for a new project, organizations that have significant ongoing NYSCA-funded capital/facilities projects are unlikely to receive funding.

## PROGRAM PREREQUISITES

**To be eligible to apply for Capital Projects Fund, an applicant organization must meet the following minimum criteria:**

- **The applicant must be Prequalified to do business with New York State in the Grants Gateway online portal by the application deadline. For more information, see <https://arts.ny.gov/FAQforApplicants#2A> or section 8 of the [FY2022 Application Manual](#).**
- The applicant must be a non-profit arts organization, incorporated or registered to do business in New York State. *Arts organizations that are embedded in private or public universities located in New York State may contact NYSCA to determine whether they are eligible to apply.*
- Requests for Capital Construction or Capital Equipment must prove ownership of the facility, or provide evidence of either a) lease agreement with a state or municipal entity with guaranteed rights of renewal, or b) a commercial lease agreement with at least 10 years remaining. (A renewal option contained in the current lease will be considered, provided such renewal does not require landlord approval). Note: For larger projects, NYSCA may require applicants with lease agreements to demonstrate a remaining term equal to or greater than the IRS Useful Life estimate of the resultant capital asset for which funding is sought.
- Organizations must own their facility to apply for any exterior rehabilitation projects, such as roof replacement and façade restoration.
- The applicant must demonstrate the capacity to manage financing for the project through completion, as the majority of funding is awarded on a reimbursement basis.

\*Organizations *do not* need to have received prior NYSCA support to be eligible for the Capital Projects Fund.

### Request Amounts

The program offers two grant request amounts, with the following eligibility requirements:

\$10,000 grants:

- Flat amount
- Can fund up to 100% of project costs
- Available to organizations with annual operating expenses of <\$1,000,000 on their IRS form 990 in any fiscal year ending on or after January 1, 2019

\$49,500-\$1,000,000 grants:

- Applicant requests a specific amount between \$49,500 and \$1,000,000, supported by application documentation
- Applicant may not finance more than 50% of the total project from state sources.
- No operating budget size restriction

### Eligible Costs

The general purpose of this program is to fund capital expenditures which are defined as: funds spent to acquire/upgrade physical non-consumable fixed assets in order to maintain or increase the scope of operations. These include:

- New construction
- Renovation or expansion of leasehold improvements
- Acquisition of fixed capital equipment/capitally eligible equipment systems
- *Soft costs of up to 15% of total grant amount*
  - *Furniture, fixtures, equipment, and initial outfitting*
  - *Design services which result in construction documents*
  - *Construction manager*
  - *General conditions (indirect costs of construction manager, contract staff associated with the project)*

### Ineligible Costs

- Developer fees
- Training
- Recapitalization/refinancing
- Conceptual design services that do not result in construction documents
- Staff salaries (even if associated with the furtherance of the capital project)
- Expenses reimbursed from any other source or agency
- Food and/or beverages for consumption, including alcoholic beverages
- Legal fees, insurance/liability insurances and / or membership fees
- Competition prizes, prize money and monies paid to participants
- In-kind, donated, volunteer services
- Fringe benefits (such as health insurance, retirement benefits and other non-mandated benefits)
- Wayfinding signage (permanent signage produced for city, county, state roads)
- Operational/overhead expenditures (e.g. rent, utilities, etc.)
- Residential development (although program funds may be used for the commercial component of a mixed-use project)
- Grant-related expenses incurred prior to the grant period start date of July 1, 2022
- Design studies

### Ineligible Organizations

*These organizations are not eligible:*

- Religious institutions or arts organizations requesting funds for a facility they share with or lease from a religious institution
- Public school districts, public universities, or state agencies, or arts organizations leasing their facility from such an entity
- Sponsored groups or projects that do not have their own 501(c)3 tax-exempt status; fiscal sponsors are not accepted in this opportunity.

The FY2022 NYSCA Application Manual (pdf):

[http://www.nysca.org/downloads/guidelines/FY2022/FY2022\\_Application\\_Manual.pdf](http://www.nysca.org/downloads/guidelines/FY2022/FY2022_Application_Manual.pdf) explains how to:

1. Review NYSCA's general requirements
2. Become Prequalified in the Grants Gateway

The FY2022 NYSCA Application Portal for this opportunity will open online on November 22, 2021. See here for Technical Instructions on submitting an online application through the FY2022 NYSCA Application Portal: <https://arts.ny.gov/FAQforApplicants>.

## TYPES OF CAPITAL SUPPORT

**The Capital Projects Fund includes support for:** 1) the acquisition and installation of capital equipment, and/or 2) the construction and renovation elements of capital projects. Applicants may opt to apply funds to one or both categories by selecting the relevant use of funds in the application portal. Applicants will be prompted to provide the necessary information and materials for each type of support they are requesting.

### Capital Equipment

If your request includes the acquisition of capitolly-eligible equipment systems, we will require specific information to evaluate your application.

Support may be requested for the purchase of major equipment, to be used on the premises of the applicants' facility, that is essential to the production and/or presentation of an art form. Examples include: theatrical lighting or sound systems, gallery lighting, sprung flooring, assisted listening systems, large-type and Braille printers, theatre seats, projectors, and fire curtains. Museum collections storage systems are also eligible. Such professional equipment may also be requested for programs focused on professional training/rehearsal as well as arts education. For example, sprung flooring might be requested for a rehearsal space for professional dancers or dance education programs.

Stage rigging, wheelchair lifts, and elevators may be supported as a construction expense in the Capital Projects category.

Examples of ineligible equipment requests include: vehicles, generators, office furniture, office shelving, stackable chairs, office computers and software, distance learning equipment, food service equipment, telephones, and musical instruments.

Recognizing that the latest technology may need to be run with computers, applicants may only include computers if the applicant can clearly make the case that the equipment is part of a capitolly-eligible system, and is critical to producing an art form (and is not for daily, office/administrative use).

## Capital Construction

Support is available for renovation, expansion, or restoration projects for eligible buildings, or new construction projects. Note: Requests for capital equipment acquisition only should select the “Capital Equipment Category” at the time of applying (see below); requests for capital projects that also include equipment should answer questions for both categories.

Capital projects submitted for consideration must be sufficiently developed and be able to secure all required permits and approvals. Construction must be able to occur during the NYSCA contract period in order to be eligible. Additionally, applicants requesting support for installation of elevators, wheelchair lifts, boilers, and HVAC systems should apply under this category. All applications in this category are reviewed by New York State licensed engineers and architects.

## COMPLETING YOUR APPLICATION

### Application Requirements

Applicants must complete and submit an application through the NYSCA FY22 Application Portal by the application deadline. ([Click here](#) for the Technical Instructions to register and submit an application on the NYSCA FY22 Application Portal). The Application will be reviewed by NYSCA staff and a panel of professionals with relevant expertise.

Applicants will be required to respond to a series of questions in the application and upload support materials:

- Detailing the project activities
- Demonstrating how arts and culture is a central component of the project and the mission of the applicant organization
- Addressing how the project aligns with the program goals
- Making the case for whether the applicant has the institutional capacity to undertake the work
- Outlining the potential benefit that will be derived for the organization, its audience, and the broader community.

Full lists of questions and required supplemental materials by request type are listed in the sections below.

### Financing Requirements (For Grants Of \$49,500 - \$1,000,000 Only)

- The combination of NYSCA and other state funds can support no more than 50% of overall project costs.
- Applicants must be able to demonstrate how they will finance the remainder of the overall project (and the most competitive applications will be those that have already raised the majority of that financing).

## Tips for Completing Your Application

- **Do not assume reviewers have familiarity with your organization, project, or region.** Panelists come from many areas across the state and from a variety of professional backgrounds. Make your case thoroughly and concisely for a diverse audience; be specific about your needs, goals, capacity, proposed activities, and composition of your community. Be as detailed as possible in the space provided, and avoid redundancy.
- **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. Common eligibility issues include: lacking prequalified status in Grants Gateway at the time of the application deadline; requesting an amount below the minimum threshold for the program; proposing ineligible activities; and sourcing more than 50% of the financing for a project from state funds.
- **Double check your budget totals.** Make sure itemized costs add up to your request and overall project totals, and that proposed costs adhere to eligibility requirements.
- **Specify expense allocations.** Explain the itemized costs in your budget in the space available. Be sure to indicate how funds will be expended specifically, and how your costs were calculated.
- **Explain organizational financial statements.** If there are abnormalities in your operating budgets or other financial materials (e.g. large deficits, endowment principal depletions, significant increases in expenses), add budget notes to explain them.
- **Provide letters of support.** These are not required, but demonstrated support from a diversity of stakeholders in your community will strengthen your application. Please include no more than three.

## APPLICATION CHECKLIST SUMMARY

<b>Project Type</b>	<b>Narrative Questions</b>	<b>Uploads</b>	<b>Budget</b>
Capital Equipment Projects (No Construction)	Standard Project Questions Design/Technical Review Questions (Equipment) Managerial/Fiscal Questions (Equipment) Community Access/Relevance (Equipment)	Site control documents Equipment brochures or URL links. At least two comparable contractors' estimates Contractor's estimate summary form. Useful Life Documentation Up to 20 images	For Grant Requests of \$10,000:  Short Form Budget
			For Grant Requests of \$49,500 - \$1,000,000:  Short Form Budget
Capital Construction Projects (No Equipment)	Standard Project Questions Design/Technical Review Questions (Construction) Managerial/Fiscal Questions (Construction) Community Access/Relevance (Construction)	Site control documents Bidding, permitting, and construction documents (work scopes, drawings and technical specifications) At least two comparable contractors' estimates Contractor's estimate summary form. Useful Life Documentation Up to 20 images	For Grant Requests of \$10,000:  Short Form Budget
			For Grant Requests of \$49,500 - \$1,000,000:  Full Budget
Hybrid Capital Projects with Equipment and Construction	Standard Project Questions Design/Technical Review Questions (Hybrid Projects) Managerial/Fiscal Questions (Hybrid Projects) Community Access/Relevance (Hybrid Projects)	Site control documents Bidding, permitting, and construction documents (work scopes, drawings and technical specifications) Equipment brochures or URL links. Contractors' estimates (both equipment and construction) Contractor's estimate summary form (both equipment and construction) Useful Life Documentation (both equipment and construction) Up to 20 images	For Grant Requests of \$10,000:  Short Form Budget
			For Grant Requests of \$49,500 - \$1,000,000:  Full Budget

## APPLICATION DETAILS

*While the application portal opens on November 22, 2021, we are including all narrative application questions within these guidelines to assist with your preparation.*

### STANDARD NARRATIVE QUESTIONS (ALL APPLICANTS)

(STANDARD) BACKGROUND: (up to 3,000 characters)

Tell us about your organization, including its history and cultural and community context. Include your organization's mission and artistic/cultural vision. Describe your organization's staff, governance and community. Contextualize it with demographic data.

(STANDARD) PROJECT DESCRIPTION, STATEMENT OF NEED, AND DISCUSSION OF COMMUNITY BENEFIT: (Describe the project, address why this is a good fit for your organization, and why this is a good fit for your community *at this point in time*. What will these funds enable you to accomplish that you wouldn't otherwise be able to? Note: If this project will help your organization better conform to local/state/federal guidelines or requirements (such as the Americans with Disabilities Act (ADA) or safety recommendations related to COVID-19, please explain in your response). (Max 5,000 characters)

(STANDARD) SITE CONTROL: Briefly describe the building. For Ownership: include date of deed, liber number. For Lease: include dates of current lease and type of owner (state, municipal, commercial). If the unexpired period of the lease is less than ten years from the application deadline on a commercial lease, the project is not eligible. If there is a renewal option, not requiring landlord approval, please describe. (Max 2,000 characters)

(STANDARD) BUILDINGS OF 50 YEARS OR OLDER: If the facility is 50 years or older, please note. Additionally, if the building is on the National or State Registry, please identify when it was approved and the registry number. If the facility is currently in the nomination stage, please indicate. (Max 2,000 characters)

(STANDARD) FACILITY USE: Identify and describe the NYSCA-supported arts and/or cultural program activities and services that take place in the part of the facility that the organization plans to renovate/expand/restore. (Max 2,000 characters)

(STANDARD) PRIOR CAPITAL SUPPORT FROM NYSCA: If you have had NYSCA Capital or Facilities support since FY18, please note the status of each grant (open/closed) and provide a brief update on the progress of the project. (Max 2,000 characters)

### EQUIPMENT ONLY NARRATIVE QUESTIONS

*Each question in each section will have its own text box in the application portal, max 2,000 characters.*

*Please note:* Requests for funds to support stage rigging, wheelchair lifts, and elevators should be made in the Capital Construction or Hybrid category and may be included as a construction expense, as these items are cannot be obtained as standalone units ready-for-use without professional installation by a contractor.

**DESIGN/TECHNICAL REVIEW (EQUIPMENT ONLY)**

1. **Equipment Description:** Describe the equipment to be purchased. Please also describe how it will supplement, complement or replace current inventory.
2. **Program Enhancement:** Establish the need for this equipment, why the particular equipment was chosen, and how this equipment will enhance the NYSCA-funded activities for which it is intended.
3. **Consultant's Qualifications:** If applicable, briefly describe the consultant's qualifications as they relate to this request.

**MANGERIAL/FISCAL (EQUIPMENT ONLY)**

4. **Project Manager:** Detail who will manage this project, whether someone on staff or an outside consultant, and their relevant qualifications.
5. **Project Timeline:** Detail the project's timeline within the NYSCA contract period.
6. **Project Financing:** Since NYSCA can only support up to 50% of any project's total cost (except in the case of groups applying for \$10,000 grants), briefly describe how the organization will raise the funds necessary to complete the project. This should build on the financing, fundraising, and cash management plan included in your uploaded materials, and list what resources are available, and whether they are confirmed or projected (including in-kind support).
7. **Financial Capacity and Long-Range Plans:** Explain your organization's current financial position, discuss historical obstacles that your organization has faced, and detail plans, opportunities, and challenges you anticipate in the future. Explain why you feel the organization has the capacity to take on the proposed project, and explain how the finished project will impact the organization's financials. Please also indicate any other facility-related projects planned for the next three to five years. Note any capital campaign goals and discuss how these capital projects will be supported by the board and your broader institutional plans.
8. **Maintenance:** Discuss the ability of the organization to maintain the equipment after purchase and installation.
9. **Sustainability:** If relevant, please detail how this equipment will make the facility more environmentally and economically sustainable.
10. **Certified Minority and Women-Owned Contractors:** Describe efforts made to obtain estimates from certified minority-and/or women-owned vendors. Will the project contract with a New York State-certified minority or women-owned business?

**COMMUNITY ACCESS/RELEVANCE (EQUIPMENT ONLY)**

11. **Constituency:** Detail how the purchase of this equipment will affect the audience experience and communities served by the organization.
12. **Funding Priorities:** Describe how this project will best serve the public by meeting one (or more) of NYSCA's funding priorities for this category. (NYSCA is more likely to support projects that meet at least one of the following priorities: Projects that improve, expand, or rehabilitate existing buildings to provide access for all; projects that address known health and safety deficiencies; projects that address issues of building stabilization;

projects from organizations that further cultural development in rural or minority communities; projects that reduce an organization's operating costs; projects that demonstrate environmental stewardship and/or sustainable building practices.)

### **CONSTRUCTION-ONLY NARRATIVE QUESTIONS**

*Each question in each section will have its own text box in the application portal, max 2,000 characters.*

#### **DESIGN/TECHNICAL REVIEW (CONSTRUCTION ONLY)**

1. **Project Planning:** Establish the need for the project by detailing how you determined that this solution was the best means of addressing the problem and why it must be done now.
2. **Codes and Permits:** Please identify any local codes your project must meet and how you will meet them. Additionally, identify any required permits including building permits and certificates of appropriateness.
3. **Construction Work:** Provide a detailed description of the work to be performed by the contractors. If this request is part of a larger capital project, briefly describe the full construction project to provide context as to how this request will fit in and be coordinated with the entire construction project. Please also provide a rationale for the selection of the contractors you will choose to work with.
4. **Project Impact:** Describe the impact of the completed project on the organization's artistic and/or cultural operations, focusing on those supported by NYSCA.
5. **Consultant's Qualifications:** Briefly describe the architect or engineer's qualifications as they relate to the project for which support is requested. List some similar projects that they have recently completed. Why is this consultant the right one for this project?

#### **MANAGERIAL/FISCAL (CONSTRUCTION ONLY)**

6. **Project Management:** Discuss who will manage the construction project. Describe their relevant experience. Additionally, please provide a rationale for the contractors you will work with.
7. **Project Timeline:** the project's timeline within the NYSCA contract period. Include provisions for securing all applicable local and state compliance approvals (including SHPO) in this timeline.
8. **Project Financing:** Since NYSCA can only support up to 50% of any project's total cost (except in the case of groups applying for \$10,000 grants), briefly describe how the organization will raise the funds necessary to complete the project. Refer to the financing, fundraising, and cash management plan included in your support materials, and list what resources are available, and whether they are confirmed or projected (including in-kind support).
9. **Financial Capacity and Long-Range Plans:** Explain your organization's current financial position, discuss historical obstacles that your organization has faced, and detail plans, opportunities, and challenges you anticipate in the future. Explain why you feel the organization has the capacity to take on the proposed project, and explain how the finished project will impact the organization's financials. Please also indicate any other

facility-related projects planned for the next three to five years. Note any capital campaign goals and discuss how these capital projects will be supported by the board and your broader institutional plans.

10. Maintenance: Describe the ability of the organization to operate and maintain the facility after improvements are made, particularly as related to the organization's business plan.
11. Certified Minority and Women-owned Contractors: Detail efforts made to obtain estimates from certified minority- and/or women-owned construction contractors. Will the project contract with a New York State certified minority or women-owned business?

#### COMMUNITY ACCESS/RELEVANCE (CONSTRUCTION ONLY)

12. Constituency: Discuss how this project will affect the audience and communities served by the organization, and why it is important to them.
13. Funding Priorities: Describe how this project will best serve the public by meeting one (or more) of NYSCA's funding priorities for this category. NYSCA is more likely to support projects that meet at least one of the following priorities: Projects that improve, expand, or rehabilitate existing buildings to provide access for all; projects that address known health and safety deficiencies; projects that address issues of building stabilization; projects from organizations that further cultural development in rural or minority communities; projects that reduce an organization's operating costs; projects that demonstrate environmental stewardship and/or sustainable building practices.

#### **HYBRID PROJECTS (EQUIPMENT AND CONSTRUCTION) NARRATIVE QUESTIONS**

*Each question in each section will have its own text box, max 2,000 characters.*

#### DESIGN/TECHNICAL REVIEW (HYBRID)

1. Project Planning: Establish the need for the project by detailing how you determined that this solution was the best means of addressing the problem and why it must be done now.
2. Codes and Permits: Please identify any local codes your project must meet and how you will meet them. Additionally, identify any required permits including building permits and certificates of appropriateness.
3. Construction Work: Provide a detailed description of the work to be performed by the contractors. If this request is part of a larger capital project, briefly describe the full construction project to provide context as to how this request will fit in and be coordinated with the entire construction project. Please also provide a rationale for the selection of the contractors you will choose to work with.
4. Project Impact: Describe the impact of the completed project on the organization's artistic and/or cultural operations, focusing on those supported by NYSCA.
5. Consultant's Qualifications: Briefly describe the architect or engineer's qualifications as they relate to the project for which support is requested. List some similar projects that they have recently completed. Why is this consultant the right one for this project?

## MANAGERIAL/FISCAL (HYBRID)

6. **Project Management:** Discuss who will manage the construction project. Describe their relevant experience. Additionally, please provide a rationale for the contractors you will work with.
7. **Project Timeline:** Detail the project's timeline within the NYSCA contract period. Include provisions for securing all applicable local and state compliance approvals (including SHPO) in this timeline.
8. **Project Financing:** Since NYSCA can only support up to 50% of any project's total cost (except in the case of groups applying for \$10,000 grants), briefly describe how the organization will raise the funds necessary to complete the project. Refer to the financing, fundraising, and cash management plan included in your support materials, and list what resources are available, and whether they are confirmed or projected (including in-kind support).
9. **Financial Capacity and Long-Range Plans:** Explain your organization's current financial position, discuss historical obstacles that your organization has faced, and detail plans, opportunities, and challenges you anticipate in the future. Explain why you feel the organization has the capacity to take on the proposed project, and explain how the finished project will impact the organization's financials. Please also indicate any other facility-related projects planned for the next three to five years. Note any capital campaign goals and discuss how these capital projects will be supported by the board and your broader institutional plans.
10. **Maintenance:** Describe the ability of the organization to operate and maintain the facility after improvements are made, particularly as related to the organization's business plan.
11. **Certified Minority and Women-owned Contractors:** Detail efforts made to obtain estimates from certified minority- and/or women-owned construction contractors. Will the project contract with a New York State certified minority or women-owned business?

## COMMUNITY ACCESS/RELEVANCE (HYBRID)

12. **Constituency:** Discuss how this project will affect the audience and communities served by the organization, and why it is important to them.
13. **Funding Priorities:** Describe how this project will best serve the public by meeting one (or more) of NYSCA's funding priorities for this category. (NYSCA is more likely to support projects that meet at least one of the following priorities: Projects that improve, expand, or rehabilitate existing buildings to provide access for all; projects that address known health and safety deficiencies; projects that address issues of building stabilization; projects from organizations that further cultural development in rural or underserved communities; projects that reduce an organization's operating costs; projects that demonstrate environmental stewardship and/or sustainable building practices.)

## APPLICATION UPLOADS

### STANDARD UPLOADS (ALL APPLICANTS)

All Applicants must upload the following materials:

1. **Timeline:** a detailed project timeline (and construction schedule, if applicable, in Gantt Chart format, if possible). Include a description of the project's timeline as it relates to the NYSCA contract period. Include provisions for securing all applicable local and state compliance approvals (including SHPO).
2. **CVs:** CVs/bios for key staff and consultants.
3. **Site Control Documents:** copies of the deed or lease agreement. *Requests for Capital Construction or Capital Equipment must prove ownership of the facility, or provide evidence of either a) lease agreement with a state or municipal entity with guaranteed rights of renewal, or b) a commercial lease agreement at least 10 years remaining. (A renewal option contained in the current lease will be considered, provided such renewal does not require landlord approval). Note: For larger projects, NYSCA may require applicants with lease agreements to demonstrate a remaining term equal to or greater than the IRS Useful Life estimate of the resultant capital asset for which funding is sought.*
4. **Itemized Project Budget** (form provided) detailing anticipated grant expenditures, use and source of financing for the remainder of the project, and breakdown of soft versus hard costs (*please view the "Application at-a-glance" to determine whether you should complete the short-form or full budget*).
  - [click here](#) to view the long-form budget
  - [click here](#) to view the short- form budget
5. **A four-year operating income and expense comparison**, including your two most recently completed fiscal years (audited or finalized) and your current and next fiscal years (projected). (*\$10,000 requests only need to supply a two-year comparison – current and next year projections.*) For each year, financial comparisons should:
  - a. detail types and amounts of earned and contributed income, and high-level expense categories
  - b. indicate both annual and accumulated surpluses/deficits below the operating lines
  - c. list the balances of any designated reserve or endowment funds below the operating lines
6. **Budget notes** to accompany both the itemized budget form and operating financials with explanations for each line item.
7. **A fundraising/financing/cash management plan (for requests of \$49,500 to \$1,000,000 only)** that details the following:
  - a. The amount and sources of funding already secured for the project (and whether that funding is already in hand or an anticipated date of receipt).
  - b. A detailed list of potential sources of funding for the remainder of the project, including the status of any discussions/applications/proposals, expected amount and likelihood for successfully obtaining funds (with rationale for this expectation), and timeline for award/donation decisions.
  - c. A cultivation plan for identifying and approaching donors or funders that have not yet been engaged (if applicable).
  - d. A detailed financing and cash management plan for bridging the time between cash outlays and actual receipt of project-restricted funds (*including a portion of*

*this grant, which, if awarded, would not be paid until majority completion of the project*). Please include:

- i. A list of sources, confirmation of whether or not financing has been secured, or a plan for doing so.
  - ii. Cash flow projections for the duration of the project
8. **Letters of Support (Optional)** from key partners, stakeholders, and/or members of your community, expressing their support for the project.

### **CAPITAL EQUIPMENT UPLOADS**

*All applicants to CAPITAL EQUIPMENT must also submit the following support materials:*

1. Equipment brochures or URL links.
2. At least two comparable contractors' written estimates or purchase orders for the equipment described in the application. Components should be listed separately.
3. Contractor's estimate summary form. Download the form [here](#).
4. Useful Life Documentation: Letter from an appropriate individual who can state the useful life of the proposed equipment.
5. Up to 20 images or website reference of the facility and area which is part of this request.

### **CAPITAL CONSTRUCTION UPLOADS**

*All applicants to CAPITAL CONSTRUCTION must also submit the following support materials.*

1. One set of 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 contractor bids 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.
2. At least two comparable contractors' written estimates based on the construction documents.
3. Contractor's estimate summary form. Download the form [here](#).
4. Useful Life Documentation: Letter from an architect, engineer, or contractor stating the useful life of the proposed capital project.
5. Up to 20 images or website reference of the facility and area which is part of this request, and up to 5 images of the consultant's work with descriptive text, for a maximum of 25 images.

### **HYBRID CAPITAL PROJECTS (EQUIPMENT AND CONSTRUCTION) UPLOADS**

*All applicants to CAPITAL EQUIPMENT AND CONSTRUCTION must also submit the following support materials:*

#### Equipment

1. Equipment brochures or URL links.
2. At least two comparable contractors' written estimates or purchase orders for the equipment described in the application. Components should be listed separately.
3. Contractor's estimate summary form. Download the form [here](#).
4. Useful Life Documentation: Letter from an appropriate individual who can state the useful life of the proposed equipment.

5. Up to 20 images or website reference of the facility and area which is part of this request (max 20 images in combination with construction images).

Construction:

1. One set of 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 contractor bids 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.
2. At least two comparable contractors' written estimates based on the construction documents.
3. Contractor's estimate summary form. Download the form [here](#).
4. Useful Life Documentation: Letter from an architect, engineer, or contractor stating the useful life of the proposed capital project.
5. Up to 20 images or website reference of the facility and area which is part of this request (max 20 images in combination with equipment images), and up to 5 images of the consultant's work with descriptive text, for a maximum of 25 images.

*Reminder: In addition to submitting a completed application in the NYSCA FY2022 Application Portal, applicants must also be Prequalified to do business with New York State in the separate Grants Gateway online portal by the application deadline. For more information, see <https://arts.ny.gov/FAQforApplicants#2A> or section 8 of the [Application Manual](#).*

## EVALUATION CRITERIA

The following rubric explains three overarching criteria that will be considered in evaluating your application. Each criterion will be given a rating from 5-0. The application will receive an overall score which averages all three criteria. However, any application scoring 2 and below in any criterion will not be eligible for support.

<b>Design &amp; Technical Review (0-5)</b>	<b>Managerial &amp; Fiscal (0-5)</b>	<b>Community Relevance/Access (0-5)</b>
<ul style="list-style-type: none"> <li>- Applicant has identified a problem or need that the project is likely to address.</li>   <li>- Project is well designed excellence, as reflected in construction documents, specifications, drawings, equipment selections and other technical information and/or the selection of consultants appropriate to the project.</li>   <li>- Bids demonstrate the information given to contractors is complete and thorough.</li>   <li>- For Capital Projects: passes engineering review.</li> </ul>	<ul style="list-style-type: none"> <li>- Applicant demonstrates the ability to finance, fundraise, and manage cash flow through the duration of the project.</li>   <li>- Staff, consultants and contractors have the expertise and capacity to manage this project.</li>   <li>- Timeline, Project Plan, and Fundraising and Financing plan demonstrate capacity to fund and support the project through completion.</li>   <li>- Organization has the capacity to operate and manage these improvements after project is complete.</li>   <li>- Applicant has met all other requirements of the application – eligibility, support material, etc.</li> </ul>	<ul style="list-style-type: none"> <li>- Project is likely to improve the organization’s ability to serve its audience and community.</li>   <li>- Demonstrates engagement with the relevant communities that informs project decision-making.</li>   <li>- Project will improve or maintain safety and accessibility within the facility in ways that make it more useable by a diverse set of participants.</li>   <li>- Organization is contracting with, or has made good-faith effort to contract with MWBE businesses as part of this project.</li> </ul>

Category Score	Scoring Guide
5	Meets or exceeds all benchmarks.
4	Meets most benchmarks.
3	Meets some benchmarks.
2	Meets few benchmarks.
1	Does not meet any benchmarks.
0	Question left unanswered, activities not arts/culture, response provides insufficient detail to understand programming.

## FISCAL REVIEW

NYSCA will review the basic financial information in your recent IRS Form 990s as well as your submitted application. If your IRS Forms 990 between FY2017-2019 show consecutive years of more than 10% decline in net assets, we may require additional information to determine your eligibility for funding.

## POST-AWARD PROCESS

*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 grant services contract with New York State.*

Grantees must meet the following requirements prior to approval and execution of a contract with New York State and disbursement of funds:

1. Continue to be Prequalified in the New York State Grants Gateway online portal.
2. Be registered and up to date with filings with the New York State Office of the Attorney General's Charities Bureau.
3. Be enrolled in ePayments, New York State's electronic payment program.

For information on the NYSCA contract forms required for grants of different award amounts, see <https://arts.ny.gov/manage-your-grant#2>.

### **NYSCA FY2022 Capital Fund Payment Terms And Reporting Requirements**

**For Grants of \$10,000:** NYSCA will make a payment to the grantee in the amount of 100% of the grant following contract execution. Grantees will be required to submit a final report no later than 60 days after the completion of the project and prior to the end date of the contract.

**For Grants of \$49,500 - \$1,000,000:** The following payment and reporting terms will apply:

#### **Payment 1:**

NYSCA will make one initial payment to the grantee in the amount of 25% of the grant following contract execution.

The following additional documents are required to complete contract execution:

- a) Completed Contract Forms in the New York State online contracting portal.
- b) Notarized Project Budget form showing itemized hard and soft costs.
- c) MWBE Utilization Plan.
- d) Facility Use Affidavit.
- e) Subcontractor Identification Form.
- f) Submit executed copies of all sub-contractor contracts valued above \$100K.
- g) Adherence to other NYSCA requirements, including New York State Vendor Responsibility review and up-to-date proof of NYS workers compensation and disability insurance. For more information on Vendor Responsibility, see <https://arts.ny.gov/manage-your-grant#7>.

**Payment 2:**

An additional 35% of the grant will be payable upon submission and approval of a progress report demonstrating completion of at least 60% of the total project, and containing the following:

- a) Updated Project Summary and Performance Measures.
- b) Completed NYSCA Reporting Affidavit–Second and Third Claim for Payment and Interim/Final Reporting form, including: Project Narrative (summary outlining progress of scope completed to date, including any material changes to design or scope objectives, anticipated costs, and expenditures); MWBE utilization progress report; list of sub-contractor contracts valued above \$100K; and confirmation of fundraising toward the total project to-date. (Must be notarized.)
- c) Updated notarized Project Budget form showing progress payments of at least 60% of project cost, including backup – bills of sale, photos of work in place and stored materials.
- d) Subcontractors backup – bills of sale, photos of work in place and stored materials, and copies subcontracts valued over \$100K executed after execution of the NYSCA contract.

**Payment 3:**

The remaining 40% of the grant will be payable upon submission and approval of a final progress report demonstrating substantial completion of at least 95% of the total project, and containing the following:

- a) Updated Project Summary and Performance Measures.
- b) Completed NYSCA Reporting Affidavit–Second and Third Claim for Payment and Interim/Final Reporting form, including: Project Narrative (summary outlining progress of scope completed to date, including any material changes to design or scope objectives, anticipated costs, and expenditures); MWBE utilization progress report; list of sub-contractor contracts valued above \$100K; and confirmation of fundraising toward the total project to-date. (Must be notarized.)
- c) Updated notarized Project Budget form showing progress payments of at least 95% of project cost, including backup – bills of sale, photos of work in place and stored materials.
- d) Subcontractors backup – bills of sale, photos of work in place and stored materials, and copies subcontracts valued over \$100K executed after submission of the interim report.
- e) Evidence of Project Substantial Completion as certified by Grantee CFO and CEO (for construction projects only).

*\*All three payments will be reconciled upon submission and approval of the final progress report.*

**Participation by Minority Group Members And Women With Respect To State Contracts:**

In accordance with the requirements of Article 15-A of the New York State Executive Law: Participation by Minority Group Members and Women with Respect to State Contracts, projects awarded funding shall be reviewed by the agency that may set business and participation goals for minorities and women. Established goals for awarded projects will be designated in the contract.

Please note that NYSCA's agency-wide MWBE utilization goal is 30 percent (30%). Projects may be assigned an individual contract-specific goal, which may be **higher or lower** than 30 percent (30%). Should an applicant receive a funding award, the applicant shall be required to use good faith efforts to achieve the prescribed MWBE goals assigned to this project. Applicants must maintain records and take the necessary actions to demonstrate such compliance, which includes, but is not limited to updating compliance and utilization records in the New York State online contracting portal. Failure to comply with MWBE requirements may result in award reductions.

**Additional Information:***Covenants*

If awarded a grant, NYSCA will require that the grantee execute a certification agreeing that the funded project facility will be used primarily for the arts and cultural uses described in the application for at least ten years from the completion of the funded project.

*Deferred Maintenance*

NYSCA is unlikely to fund maintenance projects and capital projects that have resulted from deferred maintenance. Examples may include roof repair, servicing of HVAC equipment, and painting.

*Americans with Disabilities Act and Section 504*

Capital Projects Fund support is particularly concerned with ensuring access to cultural events and services for all New Yorkers. Applicants whose facilities are not fully accessible to both audience members and artists with disabilities are urged to learn about and work toward compliance with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

*Dormitory Authority Review*

Projects of proposing budgets of \$1 million or greater must be referred to the Dormitory Authority of the State of New York for technical review and recommendations. This review typically takes 30 days. If the Dormitory Authority determines that a project is technically flawed, it may recommend to NYSCA that funding be denied. In such an event, it is highly unlikely that the project would be funded by NYSCA.

*State Historic Preservation Office Review*

Per Section 14.09 of the New York State Preservation Act, New York State's Historic Preservation Office (SHPO) must review capital projects funded by New York State to "ensure that the effects or impacts on eligible or listed properties are considered and avoided or

mitigated during the project planning process.” Organizations must go to: <http://www.nysparks.com/shpo/environmental-review/documents/ProjectReviewSubmissionCoverForm.pdf> and submit the form, requesting a SHPO consultation.

### *Technical Support*

The Preservation League of New York State administers two grant programs on behalf of NYSCA. Technical Assistance Grants provide support for modest projects including buildings conditions assessments and structural analyses. Additionally, within the Preserve New York program, Building Condition Reports are now available.

Information on the application guidelines and deadlines can be found at Preservation League of New York State: [www.preservenys.org](http://www.preservenys.org)

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### **\*\*For All Applicants Who Apply for Funds Under This Program:**

- Awarded grants are not transferable.
- All project expenditures must be demonstrated to have been expended from Grantees accounts.
- Expenditures made by partners and/or consultants are not eligible unless the grantee can demonstrate that the partner and/or consultant was directly reimbursed for the expenses and/or services rendered.
- Grant award payments may only be made to the awardee.
- Being awarded a grant does not imply automatic approval of elements in the submitted project plan if they do not comply with local/state/federal laws and/or regulations, including the requirements of the Capital Projects Fund grant program itself.
- All grantees will be required to adhere to the terms outlined in the award letter and contract, including all requested documentation, including interim and final reports.
- All grantees are fully responsible for being aware of any taxes required to be paid as a part of accepting an awarded grant. NYSCA is not able to provide assistance on tax reporting status.
- Major changes to the scope of the project may cause a proportional reduction of award amount or termination of the awarded grant. All grantees have an obligation to promptly notify NYSCA of such changes.
- There are no fees associated with this program.

## CONTACT/ADDITIONAL PROGRAM INFORMATION

For more information, applicants should contact:

New York State Council on the Arts  
300 Park Avenue South, 10<sup>th</sup> Floor  
New York, NY 10010  
Call 212-459-8800 or Email [capitalprojects@arts.ny.gov](mailto:capitalprojects@arts.ny.gov)

Potential applicants are encouraged to watch the program webinar to help determine the appropriate scope of their projects. Those who still have questions should contact NYSCA Capital Fund staff at [capitalprojects@arts.ny.gov](mailto:capitalprojects@arts.ny.gov) by January 4, 2022 to schedule time to discuss their proposals. Beyond this date, we cannot guarantee that staff will be able to respond to inquiries before the application deadline. All inquiries should reference the applicant organization's name in the subject.

NYSCA's appeals process set forth in the Application Manual will apply if NYSCA's State Fiscal Year 2022-2023 budget appropriation includes additional funds for capital grants.