

# INSTRUCTIONS FOR COMPLETING YOUR NYSCA CAPITAL CONTRACT

*Updated May 2024*

This document provides instructions for submitting your contracting documents and carrying out additional steps needed to execute a NYSCA Capital Contract.

## **Capital Projects Team – [capitalprojects@arts.ny.gov](mailto:capitalprojects@arts.ny.gov)**

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## ***PROCESS OVERVIEW***

The document below outlines the requirements for executing your contract. There are several steps to this process, and the Capital Projects team will host a webinar and office hours to review all of the requirements. The webinar will be recorded and be available on the [Manage Your NYSCA Capital Projects Grant](#) page of the NYSCA website.

### *CONTRACTING PORTALS – SMARTSIMPLE AND SFS*

To execute a capital contract with New York State, the documents listed in these instructions must be submitted and included as part of your contract package. We will begin the process by collecting the necessary forms and attachments from your organization in the SmartSimple portal ([nysca.smartsimple.com](https://nysca.smartsimple.com) - where you submitted your application). Once the Capital Projects team has reviewed and approved your materials (including any necessary revisions), we will upload the final documents to the official contract in the State Financial System (SFS – [sfs.ny.gov](https://sfs.ny.gov)), where it will be finalized, signed by you, and marked executed by the Office of the State Comptroller (OSC).

### *DOCUMENT SUBMISSION AND REVIEW*

You, the grantee, will upload your documents in an Uploads folder in SmartSimple. This folder is connected to your application, and should be easily located on your organization’s dashboard when you log in. Once all documents are uploaded, you will press submit for NYSCA staff to review. It is customary for NYSCA to have feedback or need more information, and documents may go through one or more revisions, all of which will be handled by uploading items and submitting them through the Smart Simple Uploads folder. Most of the required forms must be signed by a representative of the grantee organization. All documents requiring signatures should be signed by a staff or board member who holds organization-wide oversight and responsibility, such as the Executive Director, Chief Operating Officer, Chief Financial Officer, or Board President (applicable to all-volunteer organizations or those in leadership transitions only).

If NYSCA requests revisions, the primary contact listed for your organization will receive an email from Smart Simple to alert you of the request (so please make sure the email address for your primary contact is up-to-date). There is a “Notes” tab in the left menu bar of the uploads folder in Smart Simple where you will find the details of what Capital Projects staff needs you to do if revisions are requested. You may also share notes about your documents with NYSCA staff through the same “Notes” tab.

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Please remember to click the “submit” button when you have completed uploading requested documents, as this will notify the Capital Projects team that your documents are ready for review (you will need to “submit” for your initial uploads, *and* each time NYSCA staff has requested you upload revised documents). If you need to exit SmartSimple before you have uploaded all documents, please click “save draft,” rather than “submit” to save your uploads, otherwise your folder will be locked. If this happens, just email [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) to request your folder be unlocked. Please keep in mind that any notes you write in the Smart Simple “Notes” tab will only be visible to NYSCA once you hit “submit” - if you have pressing questions about your documents that you need answered in order to submit, please email them to us.

Once NYSCA has approved your documents, you will receive notification through SmartSimple letting you know you can notarize your budget and upload it into SmartSimple. Once NYSCA receives the notarized budget, Capital Projects staff will upload all documents into your contract in SFS (State Financial System) and enter the budget information into the contract. Once this is complete, it advances to NYSCA’s operations team for contract packaging. At this point you will be asked to sign the contract. After signature, the operations team will conduct a compliance review, which includes Vendor Responsibility Certification for your organization and any of your subcontractors\* with contracts over \$100,000 to be paid with NYSCA funds; insurance documentation; and Charities Bureau status. Once compliance is cleared with NYSCA, the contract will move outside the agency for final review with the AG and State Comptroller.

While many contracts are executed within a month or two, it can take up to several months to fully execute some contracts, depending on the complexity of the budget, the ability to meet the MWBE utilization goal, the speed with which subcontractors complete their VendRep profiles, and the results of the compliance review. Once your contract is executed, grantees can usually expect payment within 30 to 60 days.

*\*Note: New York State considers you, the grantee, the contractor, and the agreement between New York State and the Grantee the contract. Every vendor you engage in business with for the purposed of completing your NYSCA funded capital project is considered a subcontractor, and the agreements executed between you and your vendors the subcontracts.*

## **CONTRACT CHECKLIST**

*(Detailed instructions for each item are included in the following sections)*

**CAPITAL CONTRACT UPLOADS – SMART SIMPLE** – *The following documents must be uploaded in your Capital Contract Uploads folder in [Smart Simple](#). This folder is located on the main dashboard when you log in. Detailed instructions for accessing the folder are included, below.*

- Itemized Budget Form in **Excel format** – *This is the form that was uploaded to Smart Simple with your application. Should you need to start over or you completed a Short Form Budget, follow this link for a [Blank Itemized Budget Form](#).*

Contact [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) with any questions.

## **INSTRUCTIONS FOR COMPLETING YOUR NYS CA CAPITAL CONTRACT**

- [Facility Use Affidavit](#)
- [Subcontractor Identification Form](#)
- Copy of Site Control Documentation for the property receiving capital funding.
- Proof of Workers Comp and Disability Insurance

### **OTHER REQUIREMENTS – MULTIPLE LOCATIONS**

*(Detailed Instructions are included following the Contract Uploads Instructions)*

- Complete Vendor Responsibility Questionnaire (for your organization and applicable subcontractors) - <https://onlineservices.osc.state.ny.us/>
- State Financial System - <https://esupplier.sfs.ny.gov>
  - Verify Access and Organizational information in SFS
  - Confirm Prequalification in SFS.
  - Sign up for ePayment through SFS.
- Stay current with required annual financial filings with the Office of the NYS Attorney General's Charities Bureau - <https://ag.ny.gov/resources/organizations/charities-nonprofits-fundraisers>

## **DETAILED INSTRUCTIONS**

### **UPLOADING CONTRACT DOCUMENTS IN SMART SIMPLE**

- **Login** to [Smart Simple](https://nysca.smartsimple.com/) at <https://nysca.smartsimple.com/> and navigate to your Organizational Profile to make sure all contacts are correct.
- To access the uploads module, you may either go to your dashboard and look for the "Capital Contracting" tile under "My Current Grant Awards." You can also find it by navigating to your accepted application, and selecting "Upload" from the menu bar at the left of the screen.
- Click on "Primary Contact" to make sure the organizational contact is assigned for the Contracting process.
- Once you are in "Upload," you will see a drop down for "Upload Item" the drop down will look different based on the size of your grant (refer to list in "Contract Uploads," above).
- Select the appropriate document type from the drop down, and the upload your file. Smart Simple will automatically assign a file name based a predetermined naming convention. If you upload multiple versions of the same document type – such as with subcontracts – it will add a numbering suffix.
- Once all documents have been uploaded, please click "Submit" at the bottom of the page
- If you need to communicate with Capital Projects staff about your uploaded documents as part of your submission or revisions, use the "Notes" tab found in the lefthand menu bar.
- If you have questions about the process or completing the documents prior to submitting them, reach out to [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov)

Contact [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) with any questions.

## INSTRUCTIONS FOR COMPLETING YOUR NYSCA CAPITAL CONTRACT

- When all documents have been approved, the status will change to “Document Signatures Requested” at which point you will upload your Notarized Capital Budget and resubmit.

## INSTRUCTIONS FOR COMPLETING FORMS AND DOCUMENTS TO UPLOAD

### **ITEM 1 – ITEMIZED BUDGET AND REPORTING FORM**

(*link to blank form here if needed: [Blank Itemized Budget Form](#)*). This should be the form that was submitted with your application in Smart Simple. If you do not have the completed form to work from, please use the link to the blank form. Please follow the bullets below as a guide to work through the form, in order. When complete, upload the excel version of the document for review and approval by NYSCA staff before signing, notarizing, and scanning a PDF.

- If you submitted a short form budget with your application, you will need to carry over the total project cost and NYSCA funded portions of your project from your application to Columns C, D, E, & F in the long form budget. Refer to the [Budget Webinar](#) for detailed instructions.
- Complete both worksheets in the excel budget form.
- **START ON TAB 2**, titled “Itemized Budget.”
  - **ACTION NEEDED – Clerical Information:** Complete the fields at the top left corner if they are not already filled in:
    - Applicant/Grantee name is your organization’s name
    - Payment No is 1
    - Payment Request Date is the date you submit your contract
    - Contract Period is July 1, 2024 – June 30, 2027 for FY24 grants.  
*(If you are completing your budget for a prior year, the period is three years from July 1 in the year your grant was awarded).*
  - **No Action Needed: Columns C, D, E, and F** should already be complete with the funding source for the expense, the status of that funding, the itemized total project cost, the proposed grant allocation, respectively. Do not make any changes to the information in these columns. If you need to reallocate expenses originally listed in E or F (*for example, breaking out General Construction across specific trade lines*), you may copy an existing blank row and insert new rows, so that the original information in C, D, E, & F exists for reference. Copying the row before inserting it is essential for necessary formulas to populate.
  - **ACTION NEEDED: Fill in columns H and I** to reflect any project cost changes since you submitted your application.
    - H should show your proposed NYSCA expenses
    - I should show the total project costs inclusive of NYSCA expenses.
    - If there have been no changes in project cost or proposed NYSCA expenses, please fill in the same figures that were listed in Columns E and F. *Please note that the for the application, the total project is listed first (Column E) and is followed by the NYSCA portion (Column F). For contracting, these are reversed; NYSCA portion comes first (Column H), and total project comes second (Column I).*

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- **No Action Needed: Column G** has a formula and will auto populate once you complete column H. DO NOT ENTER ANY TEXT INTO COLUMN G.
- **No Action Needed: J-M.** For the purposes of the contract and first payment leave Columns J-M blank. These will be used to report on grant progress in future payment requests.
- **POSSIBLE ACTION NEEDED: Scope Changes** If you have scope changes (automatically shown in Column G) between your Application Budget (Column E) and Revised Contract Budget (Column H), that total more than 10% of your total grant amount, or if you are adding elements (*following discussion with NYSCA staff*) that were not included in your application, please add notes to a third sheet explaining the changes.
- **No Action Needed: The grey rows and columns** are locked for editing and will automatically calculate as needed.
- **THEN MOVE TO TAB 3**, titled “Budget Summary”
  - **ACTION NEEDED: Clerical Information.** Be sure that the fields starting with "Applicant/Grantee Name" in the top section are all complete (information is the same as in the prior tab).
  - **POSSIBLE ACTION NEEDED: Update NYSCA Address.** If you are executing a contract for a grant awarded in FY23 or prior, please update NYSCA’s address to 411 Fifth Avenue, Suite 700, New York NY 10016
  - **ACTION NEEDED: Update Total Project and Grant Amounts.** In the lower section, update the cell for Total Project Cost (F23) with your most current projection of the total project expense from column I on the previous sheet, and update the cell for Program Grant Sum (F26) with the amount of your award from NYSCA from column H on the previous sheet (if you were awarded your full request amount and your total project cost has not changed, these may stay as is; if there are differences, please update these cells).
  - **ACTION NEEDED: Fill in the cell for Current Payment due (F42).** Note: “current payment due” should equal 25% of the grant sum awarded to you. Please enter the dollar amount.
  - **ACTION NEEDED: Cross check amounts between tabs:** Cell F23 on the Budget Summary should match the total for column I on the Itemized Budget and Cell F26 on the Budget Summary should match the total for column H on the Itemized Budget.
- **WAIT FOR APPROVAL TO SIGN AND NOTARIZE.** Once your budget is approved by NYSCA, you will receive an email notification through Smart Simple to upload a PDF of the itemized budget sheet and the signed notary page as a single document. **DO NOT DO THIS UNTIL INSTRUCTED.**

### ITEM 2- FACILITY USE AFFIDAVIT

(link to form: [Facility Use Affidavit Form](#))

Complete the Facility Use Affidavit form to confirm your agreement to the terms of use for the facility benefiting from NYSCA capital support.

### ITEM 3 – SUBCONTRACTOR ID FORM

Contact [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) with any questions.

## INSTRUCTIONS FOR COMPLETING YOUR NYSCA CAPITAL CONTRACT

(link to form: [Subcontractor Identification Form](#))

*Reminder: For the purposes of your NYSCA contract, New York State considers you, the grantee, the “contractor,” and all contracts you sign in the execution of this project are considered “subcontracts.”*

If your grant is less than \$100,000, you must still complete this form.

- Indicate “N/A” in the section that asks to list your subcontractors.
- Circle “N” for any additional contracts
- Check the box to acknowledge your understanding that these vendors must be identified by the time of your first report, even though there will not be any.

### **ITEM 4 – SITE CONTROL DOCUMENTATION**

Upload a copy of the deed or long-term lease for the property where the funded project will take place.

- Leases must have a term remaining that is at least as long as the useful life of the project, starting from the time of the application (January 11, 2024 for FY24 applications).
- If the name listed on the deed or lease differs from the legal name of the grantee, add a memo that explains the discrepancy, and explains why the grantee organization maintains the control of the property. The memo should either be on the first page of the pdf document with the deed or lease, or uploaded as a separate document, under document type “Site Control.”

### **ITEMS 5 & 6 – WORKERS COMPENSATION AND DISABILITY INSURANCE CERTIFICATES**

**Insurance Documentation.** Please upload proof of workers’ compensation and disability insurance coverage for your organization as individual documents. You do not need to upload proof of insurance for your subcontractors.

- On documents where a certificate holder can be indicated, New York State Council on the Arts and the agency’s full address (411 Fifth Avenue, Suite 700, New York, NY 10016) must be listed.
- If your certificates expire before your contract is approved, you will need to resubmit updated proof of coverage.
- Insurance documents must be valid and cover your contract period.
- An ACORD form is not an acceptable proof of insurance coverage.
- Acceptable Forms for Worker’s Compensation Coverage:
  - Form C-105.2 – Certificate of Workers’ Compensation Insurance issued by private insurance carriers
  - Form U-26.3 – Certificate of Worker’s Compensation Insurance issued by the State insurance fund
  - Form SI-12 – Certificate of Worker’s Compensation Self-Insurance
  - Form GSI-105.2 – Certificate of Participation in Worker’s Compensation Group Self-Insurance
  - CE-200 Certificate of Attestation of Exemption from NYS Works’ Compensation
- Acceptable Forms for Disability Benefits Insurance:

Contact [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) with any questions.

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- DB-120.1 – Certificate of Disability Benefits Insurance
- From DB-155 Certificate of Disability Self-Insurance
- CE-200 – Certificate of Attestation of Exemption from New York State Disability Benefits Coverage

*NYSCA does not need paper copies mailed to us. Contact [Omar.Estrada@arts.nys.gov](mailto:Omar.Estrada@arts.nys.gov) with any specific questions on your insurance documentation.*

### **OTHER REQUIREMENTS**

#### **Vendor Responsibility Questionnaire (for your organization AND major subcontractors)**

The grant contract requires an additional New York State Vendor Responsibility review at the time of contract execution. Complete and certify a Vendor Responsibility Questionnaire in the Office of the New York State Comptroller's online VendRep System. *Any contractors listed on the Subcontractor ID Form (Item 3) must also enroll and complete this questionnaire.*

- For instructions on how to enroll in the VendRep System, click here: <https://www.osc.state.ny.us/state-vendors/vendrep/enroll-vendrep-system>
- For instructions on how to complete your Vendor Responsibility Questionnaire, click here: <https://www.osc.state.ny.us/state-vendors/vendrep/file-your-vendor-responsibility-questionnaire>
- For assistance with the VendRep System, click here: <https://www.osc.state.ny.us/online-services/get-help-businesses-and-governments>
- Any subcontractors or second tier subcontractors with contracts over \$100,000 must also submit a Vendor Responsibility Questionnaire. Please alert them of their obligations as soon as possible.
- The certification must have been completed within the last six months by the time the contract gets to the Comptroller's Office, so any organizations or subcontractors who have recertified more than three months prior to submitting contracting documents are encouraged to re-certify.

**Verify access to SFS** by having your organization's primary contract (SFS Vendor Delegated Admin) log into the SFS Vendor Portal - <https://esupplier.sfs.ny.gov>

- Add user access to Grants Management functionalities in SFS
  - Navigate to: View Your Information > Maintain Users
  - Select a user and click "Add a User Role"
- Click the checkbox(es) associated with the applicable role(s) for the user:
  - Prequalification Processor: to apply and review existing prequalification applications.
  - Grants Contract Approver: to review, approve, and sign grant contracts.
- Make sure to update your organization's grant profile information. From the homepage, navigate to the following tiles and verify your organization's:
  - Address: View Your Information > View Address Information
  - Contact Information: View Your Information > View Contact Information

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- Charities Registration No.: View Your Information > View Grants Information
- Review the information and if changes are needed, initiate a Supplier Change Request.
- [Click here for SFS provided Role Mapping video tutorial](#)

**Add a Grant Contract Approver's Name** to your organization's profile:

- From the NavBar, navigate to: Menu > Maintain Supplier Information > Manage User Profiles
- Find your Contract Approver's User ID and enter the contract approver's name in the Description field in this format: Last Name, First Name.
- Click Save
- [Click here for SFS provided Adding a Contact video tutorial](#)

**Confirm prequalification status or to update a prequalification application:**

**To be eligible for funding, you are required to be prequalified at the relevant application deadline, as well as maintain prequalified status at contract execution and at time of payment(s).**

- Log into the SFS Vendor Portal
- To view your prequalification status, navigate to: View Your Information > View Grants Information
- To update an expiring or expired Prequalification Application, navigate to the Prequalification Welcome Page by clicking the Grants Management Tile and then the Prequalification Application Tile
- On the Welcome Page, under "Select an Activity Below," you will see one of three activities indicating the status of your prequalification:
  - "Initiate a Prequalification Application" will display if you have no prior prequalification applications in SFS. You will need to start a new application and submit it for review in SFS to be eligible for prequalification approval.
  - "Collaborate on a Prequalification Application" will display if you have an application in SFS that is in progress but has not yet been submitted in SFS for NYS Agency approval. You will need to finish the application and submit it to be eligible for prequalification approval.
  - "Update a Prequalification Application" will display if you have a previous application in SFS that has been approved or expired. You will need to start a new application and submit it in SFS to be eligible for prequalification approval.
- [Click here for the SFS provided Prequalification Video Tutorial](#)

NOTE: If you were prequalified in Grants Gateway at the time of the transition to SFS, you will continue to be prequalified in SFS until your annual expiration.

To stay updated on your prequalification status, make sure you are added as an organizational contact in SFS so you receive email updates from the system.

Contact [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) with any questions.



## INSTRUCTIONS FOR COMPLETING YOUR NYSCA CAPITAL CONTRACT

For assistance with prequalification applications that have already been submitted for review in SFS, please email [prequal@arts.ny.gov](mailto:prequal@arts.ny.gov)

### **Sign up for ePayment through SFS:**

If you have not signed up for ePayment (direct deposit) within the State Financial System (SFS), please log into the vendor portal and sign up for ePayments. [Click here for instructions on signing up for ePayments.](#)

Please contact the SFS Help Desk if you need additional assistance including log in and password information and refer to the [SFS Handbook: Grantee Processing in SFS \(Grantee User Manual\)](#). When contacting the SFS Help Desk, please provide your organization's name, vendor ID, and any other relevant information. The SFS Team provides live help desk support weekdays 8:00 am to 5:00 at [helpdesk@sfs.ny.gov](mailto:helpdesk@sfs.ny.gov) or 518-457-7717 / 855-233-8363 (toll-free).

### **Stay current with required annual financial filings with the Office of the NYS Attorney General's Charities Bureau.**

We are required to check with the Charities Bureau that you are current when we are completing your contract - <https://ag.ny.gov/resources/organizations/charities-nonprofits-fundraisers>

### **REPORTING REQUIREMENTS AND INSTRUCTIONS**

NYSCA is in the process of building out a new reporting portal in the Smart Simple interface. Instructions will be posted here as soon as they are available, so please check back at these links when you are ready to submit a report.

[Reporting instructions for Capital Grants under \\$100,000](#)

[Reporting Instructions for Capital Grants at \\$100,000 and above](#)

As a reminder, you can submit an interim report to request the next 35% of the grant when you reach 60% total project completion (with receipts demonstrating payment of 60% of expenses), and a final report to request the last 40% when you reach 95% total project completion (with receipts demonstrating payment of 95% of expenses).

***Please keep in mind you will need to provide proof of all project expense and payment, not just those supported with NYSCA funds.*** Acceptable forms of documentation include invoices and proof of payment (bills of sale, contractors' lien waivers, receipts, credit card or bank statements). Payments through third party bill payers has proven difficult to acquire appropriate documentation for, so please speak with [CapitalProjects@arts.ny.gov](mailto:CapitalProjects@arts.ny.gov) if you do not think your organization can provide proof of expenditures in one of the preferred forms of documentation above.

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