

Mid-Size Capital Project Fund

Up to \$5 Million in Total Grants Available

Program Information, Questions & Support Materials

Program Goals

Arts and cultural organizations that own or lease buildings face myriad challenges in managing those structures. Through Capital Fund Project support, NYSCA makes strategic investments in supporting those organizations to help them become more physically accessible and age-friendly, stabilize their facility, support their artistic efforts, and become more sustainable for their communities. Strong Capital Fund projects combine excellence in design with informed decisions which will positively affect the future of arts and cultural organizations across the state.

The Council 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.

The NYSCA grant program strives to make investments of public funds that serve all communities and people that comprise New York State's citizens and visitors. NYSCA strongly supports, values and encourages the sustained and concerted efforts of non-profit art and culture organizations to be inclusive and have its workforce, artists and programmatic offerings reflect New York State's diversity of people, geography and artistic interests.

Eligible Projects

Organizations may apply for grants that include expenses that fall into **one or more** of the following categories:

Capital Equipment

Support may be requested for the purchase of major equipment to be used on the premises of the applicant's facility especially if it 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 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: generators, office furniture, office shelving, stackable chairs, office computers and software, distance learning equipment, food service equipment, and telephones.

Musical instruments are not supported through this category. Applicants may seek support through NYSCA's Musical Instrument Revolving Loan Fund.

The Council will award up to 50% of the costs of equipment purchase and installation. Organizations may not include other New York State funds in their project budgets. Project budgets may include in-kind goods and services.

Capital Projects

Support is available for renovation, expansion, or restoration projects for eligible buildings. Such projects must be sufficiently developed and be able to secure all required permits and approvals. Construction must be able to occur during the NYSCA three-year 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. Support in this category is not available for the construction of entirely new facilities. As required by legislation, all applications in this category are reviewed by New York State licensed engineers and architects.

Organizations may not include other New York State funds in their project budgets. Project budgets may include in-kind goods and services.

Design Studies

Funding is available for nonprofit arts and cultural organizations or local governmental agencies which manage a cultural facility in New York State to engage the services of a New York State licensed architect for the completion of concept design, schematic design, or design development for a planned capital project. Requests for an architect-designed master plan for a cultural facility are also accepted.

NYSCA encourages design work that generates creative solutions to the problem of adapting existing structures to new or expanded cultural uses.

Funds awarded are prioritized for up to 50% of consultants' fees for the design phases of a project. Support in this category is not available for the design of entirely new facilities.

Projects in this category may not include: purchase of real estate or capital construction costs, out-of-state travel, salaries or overhead of public agencies, or student projects. To apply for construction costs, please refer to Capital Projects.

ELIGIBILITY REQUIREMENTS

Applicants must complete and submit a Consolidated Funding Application (CFA) which will be reviewed by the New York State Council on the Arts (NYSCA) for the primary region in which the project is located or headquartered if there is not one single project location.

Applications must clearly demonstrate that the project is related to arts and culture in both the CFA application and the project plan. Projects that fail to establish this focus will be determined ineligible and will not be scored.

Only Not-For-Profit arts and cultural organizations incorporated in NY State or registered to do business in NY State may apply for funding. Not-for-profit corporations are subject to New York State's Not-For-Profit Corporation Law, and must have proof of incorporation (or equivalent document) from the NYS Department of State or NYS Board of Regents, a charities registration number from the NYS Office of the Attorney General and proof of tax-exempt status under the IRS code.

- Organizations that have already received 2017 *Arts and Cultural Facilities Improvement Program* cannot apply.
- If an organization has a pending NYSCA Facilities Program request for FY19 the applicant must withdraw that application in order to apply to this opportunity *for the same project*.
- The applicant must prove ownership of the facility or leasehold with an unexpired period of at least six years at the time of application. (A renewal option contained in the current lease will be considered, provided such renewal does not require landlord approval).
- Organizations must own their facility to apply for any exterior rehabilitation projects, such as roof replacement and façade restoration.
- Religious institutions or arts organizations requesting funds for a facility they share with or lease from a religious institution *are not eligible*.
- Public school districts, public universities, or state agencies, or arts organizations leasing their facility from such an entity *are not eligible*.
- The project for which funding is sought cannot be supported by any other New York State programs or agencies including Regional Economic Development opportunity. Projects which include other New York State support in the project budget are ineligible for NYSCA support.
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ADDITIONAL INFORMATION

- **Deferred Maintenance**
Competitive candidates are expected to demonstrate that they are good stewards of the properties for which they are responsible. As such, NYSCA is less likely to fund maintenance projects and capital projects related to disrepair *resulting from deferred maintenance*.

- **Americans with Disabilities Act and Section 504**
Capital Fund Project 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.
- **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 the New York State Council on the Arts. Within the Preserve New York program, Building Condition Reports are now available. Additionally, Technical Assistance Grants provide support for modest projects including buildings conditions assessments and structural analyses. Information on the application guidelines and deadlines can be found at www.preservenys.org.

Preservation League of New York State 44 Central Avenue
Albany, NY 12206
t: 518.462.5658
url: www.preservenys.org

GRANT REQUIREMENTS

Grant awards will range from a minimum of \$50,000 to a maximum of \$250,000 for any of the following categories. For Capital Fund grant requests above \$250,000, please review the guidelines for the NYSCA Regional Economic Development Council's Arts and Cultural Facilities Improvement [Large Capital Projects Fund](#). For requests smaller than \$50,000, please consider applying in 2019 for FY20 funding through NYSCA's Facilities program. For more information, please visit: <http://www.arts.ny.gov/programs/facilities>

Match Categories

- **50% Match Required**

No more than fifty percent (50%) of the financing for *the Mid-Size Capital Project Fund* projects will be considered. **An actual cash match of 50% of the Total Project Cost is required.** In-kind matches and/or staff time is not eligible for the match requirement. Additionally, funds from any other state agency (e.g. I LOVE NY Matching Funds, ESD or other NYSCA Fund) are ineligible to be used for the match.

Match Example: A \$1,000,000 total project cost requires a \$500,000 minimum match, regardless of the grant amount being requested.

- **Options for Grants Without Matching Requirements**

Within the mid-size capital fund pool, up to 10 grants of a maximum of \$50,000 each will be available for award with no matching requirement. Organizations must specify at the time of application whether they would like to be considered for one of these grants.

- Organizations that apply for a grant without a matching condition will not also be considered for a matching grant.
- Applications in the non-matched pool will be considered competitively only against other applications for non-matching grants.

In the event there are not enough applications for each category we will continue to make awards in rank order of scoring until the Mid-Size Capital Project Fund is exhausted.

Award and Payment Process

The grantee will receive an Award Letter after the grants have been announced with details of all requirements of the grant program and what is expected of the grantee if they choose to accept the grant. If the grantee accepts the award, the grantee will be required to prequalify with NY State and enter into a NY State Master Grants Contract (Grant Disbursement Agreement/GDA) with NYSCA in the Grants Gateway, after Council approval.

All grants contracts will be paid on a performance basis, as follows:

- Upon contract execution by the State Comptroller, the grantee receives a **50% advance** of the contract award amount.
- The grantee is eligible to receive the second and final installment payment of 50% of the contract amount when it is determined that at least 95% of the project has been completed, as determined by

the grantee, NYSCA, and the supervising project manager. The second and final installment payments will not be released until the Grantee submits to NYSCA a Progress Report comprised of a detailed narrative report, and can demonstrate how they have spent or intend to spend the funds to date, and that the grantee has successfully raised the 50% match for the project. Upon satisfactory submission and approval of the report, the grantee will be sent a Claim for Payment Form for the second installment payment.

Expenses incurred prior to the award of the grant may not be included in the project budgets; additionally, expenses incurred after submission of a CFA but prior to an award announcement are not eligible for reimbursement.

Fees

There are no fees associated with this Program.

Reporting

Requirements for progress reports and requests for reimbursement will be outlined with successful awardees in the Award Confirmation Letter and the GDA. Awardees will also be notified of reporting requirements pursuant to NY State's MWBE requirements and its Grants Gateway prequalification and Vendor Responsibility procedures.

Grantee Reporting Requirements:

- Milestone Payment # 1 (50%):
 - Project Budget showing hard and soft costs. Hard costs in G702/3 format listing all proposed sub-contractors known
 - Submit executed copies all sub-contractor contracts valued above \$100K
 - Compliance with other NYSCA requirements incl. VendRep

- Milestone payment # 3 (50%) Reporting requirements:
 - Progress Narrative
 - 1-3 pages summary outlining progress of scope completed to date, including any material changes to design or scope objectives
 - Anticipated costs and expenditure report summary (1-3 pages)
 - Grantee G702/3 showing progress payments = / > 95% of project cost including backup – bills of sale, photos of work in place and stored materials listed in G703 continuation sheet, columns "F" and "G"
 - Subcontractors G702/3, including backup – bills of sale, photos of work in place and stored materials listed in G703 continuation sheet, columns "F" and "G"
 - Evidence of Project Substantial Completion as certified by the Project Architect/Engineer. If no architect exists for the project, as certified by Grantee CFO and CEO

****FOR ALL APPLICANTS WHO APPLY FOR FUNDS UNDER THIS PROGRAM:**

- Awarded grants are not transferable.

- All project expenditures (grant and match) 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.
- If the information on the application regarding a project match is determined to not show any demonstrated “match” for the program, the overall project may be deemed ineligible.
- Applicants must demonstrate how *Mid-Size Capital Project Fund* support for these expenses will be used to achieve the desired outcome of their enhancement project, and how these expenses are expected to stimulate increased tourist visitation and spending to the corresponding region of New York State.
- 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. The New York State Council on the Arts is not able to provide assistance on your tax reporting status.
- Major changes to the scope of the project will cause a proportional reduction of award amount or termination of your awarded grant.

SCORING CRITERIA

NYSCA will work to determine a total score based on the NYSCA Technical Review Final score as outlined below.

Eligible applications will be reviewed by applying the review criteria described below. NYSCA will consider regional distribution in the determination of awards, to the extent practicable.

1. NYSCA REVIEW [100 Points Total]

This review will take into account such factors as:

ARTISTIC/PROGRAMMATIC EXCELLENCE

NYSCA believes in artistic excellence without boundaries, and its evaluation process embraces the widest variety of cultural and artistic expression being offered to the public in a broad array of settings and contexts, including classrooms and community centers, parks, open spaces, and traditional venues. The following are considered elements of Artistic/Programmatic Excellence.

Applicants will be evaluated based on their strength in these areas:

- **Idea:** the concept or artistic impetus behind the artistic work or services proposed.
- **Practice:** the effectiveness of the artistic work and the impact it has on those experiencing it, or in the case of services, the effectiveness of the services in practice and their impact on the community served.
- **Development:** the contribution the artistic work makes to the development of the artists involved, the art form, and the arts generally, or for services, the contribution the services make to the development of a vibrant arts and cultural community in the state.
- **Context:** the context in which the work or services are being presented and the appropriateness of the work or services in that context.

SERVICE TO THE PUBLIC

As a public funder, NYSCA must ensure that its grants support a broad array of cultural activity that fully represents the diversity of the state and that the supported events are accessible to the broadest possible public in every region of the state. In addition, it must ensure that the organizations and events it supports comply with public safety and accessibility laws. The following are considered elements of service to the public.

Applicants will be evaluated based on their strength in these areas:

- **Promotion and Outreach:** the organization demonstrates that it makes significant efforts to reach a broad and diverse audience through marketing and public relations efforts.
- **Audience Development:** the organization offers thoughtful and well-designed educational and interpretive activities that help build audience appreciation and understanding of the organization and its work.
- **Audience/Visitor Participation:** the organization's commitment to its programs and activities as demonstrated through attendance data (relevant to the population of the community served) as well as customer satisfaction surveys (if available and appropriate).
- **Safety & Accessibility:** the activities and events for which support is being sought will take place

in venues that are fully accessible to the public and comply with all safety and accessibility standards.

- **Diversity of Programming:** programming reflects significant efforts to reach a broad array of artists and audiences.
- **Community Service:** the organization brings value to its community through partnerships with local businesses and schools, free and low-cost events, and in other appropriate ways.

PROJECT TIMELINE & PERFORMANCE MEASURES/METRICS

How well does the project plan demonstrate:

- a timeline for individual project steps;
- performance measures/metrics to quantify the ROI and demonstrate the economic impact.

Additionally, NYSCA will look favorably on projects that meet one or more 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.

NYSCA shall have the discretion to consider additional factors in determining the relative merits of projects.

BUDGET & GRANT MATCH REQUIREMENT

- How well does the project plan/budget/match demonstrate:
- how the grant funds will be spent;
- how the Grantee's match will be spent;
- information illustrating the necessary minimum cash match for total project costs:
- letter(s) from partners confirming financial support/sponsorship, or
- a letter from the grantee committing a specific amount of actual cash to the project, or
- a letter from a bank showing a bank loan committed to the project, etc.
- additional consideration will be given for applications demonstrating additional funding for the proposal outside of the minimum required.

TOTAL POSSIBLE SCORE FOR PROPOSAL – [100 Points Total]

CONTACT AND ADDITIONAL PROGRAM INFORMATION:

Additional Resources: For more information, applicants should contact the New York State Council on the Arts, 300 Park Avenue South, 10th Floor, New York, NY 10010, call (212) 459-8800 or email NYSCA.MIDCAP@arts.ny.gov

Application questions should be submitted via email to (NYSCA.MIDCAP@arts.ny.gov) no later than July 09, 2018. Beyond this date, we cannot guarantee that staff will be able to respond to inquiries before the application deadline. All inquiries should reference “CFA Question” in the Subject line.