



Department of  
Environmental  
Conservation

# **GUIDELINES AND APPLICATION INSTRUCTIONS**

**New York State  
Department of Environmental Conservation  
Environmental Protection Fund  
Climate Smart  
Communities**

**2022 Municipal Zero-emission Vehicle (ZEV)  
Infrastructure Grant Program**

NYS Grants Gateway Application ID No.: DEC01-ZEVIN-  
2022

**Application Due Date:  
4:00 p.m. on September 30, 2022, until DEC  
withdraws this request for applications, or  
funding is exhausted, whichever occurs first**

# Contents

- Program Description..... 4
- Funding Available ..... 4
  - Funding for DCFC Installations ..... 4
  - Funding for L2 and HFC Installations ..... 4
  - Disadvantaged Communities ..... 4
- Minimum and Maximum Award Amounts..... 5
- Application/Award Limit ..... 5
- Match Requirement..... 5
  - Land Value ..... 6
  - Utility Make-Ready Programs..... 6
  - State and Federal Funds..... 6
- Project Timeframe ..... 7
- Grant Opportunity Inquiries..... 7
- Timetable of Key Events..... 7
- Eligibility..... 7
  - Eligible Applicants..... 7
  - Ineligible Applicants ..... 7
  - Eligible Infrastructure ..... 8
    - Electric Vehicle Supply Equipment ..... 8
    - HFC Dispensing Equipment..... 9
  - Eligible Project Locations ..... 10
  - Eligible Expenses ..... 10
    - EVSE ..... 10
    - HFC Dispensing Equipment ..... 10
    - Cost Categories..... 11
    - Ineligible Expenses..... 11
- Application Requirements..... 11
  - Grants Gateway Registration ..... 12
  - Work Plan..... 13
  - Budget ..... 13
  - Maps..... 13
  - Operations, Maintenance, and Mitigation Monitoring Plan..... 13
  - Shared-use Plan..... 14

Climate Change Mitigation Easement.....	14
Multi-Partner and Inter-Municipal Projects.....	15
Smart Growth Assessment Form.....	16
Sexual Harassment Prevention Certification.....	16
Executive Order 16.....	16
Application Evaluation and Scoring.....	17
Eligibility Determination.....	17
Review and Scoring.....	18
Awards and Contracting.....	22
Notification of Award.....	22
State of New York Master Contract for Grants and Letter of Agreement (LOA).....	22
Insurance Requirements.....	23
Permit Requirements.....	23
State Environmental Quality Review Documentation.....	23
Iran Divestment Act.....	23
Minority/women Business Enterprises (M/WBE) and Equal Employment Opportunities(EEO) Requirements.....	23
Service-Disabled Veteran-Owned Business Participation Requirements.....	24
Procurement of Contractors/Subcontractors.....	25
Americans With Disabilities Act.....	25
Signage.....	25
Mapping.....	26
Climate Change Mitigation Easement.....	26
Mitigation Monitoring and Reporting.....	26
Ownership.....	26
In-service Agreement.....	26
Pricing Information.....	26
Reimbursements.....	26
Reporting.....	27
Reserved Rights.....	27
Debriefing.....	28
Attachment A: Generic Work Plan.....	29
Attachment B: Using the U.S. Census Webpages to Obtain Median Household Income (MHI).....	34
Attachment C: Using DECinfo Locator to identify Disadvantaged Communities within Municipalities.....	40

## Program Description

The New York State (NYS) Department of Environmental Conservation (DEC or Department) is pleased to announce the 2022 round of the Municipal Zero-emission Vehicle (ZEV) Infrastructure Grant Program. The program provides funding for municipalities to install ZEV infrastructure, including Level 2 (L2) and direct current fast charge (DCFC) electric vehicle supply equipment (EVSE) and equipment for dispensing hydrogen to hydrogen fuel cell (HFC) vehicles, using hydrogen produced through electrolysis or biogas reformulation.

The program covers at least 80 percent of eligible ZEV infrastructure installation costs including, but not limited to, the purchase of materials, equipment, hardware and software, and site preparation work. Electric utility installations or upgrades before the location's electrical panel are eligible if the upgrade is intended solely to support the installation of the EVSE or upgrade to additional or higher capacity EVSE. See eligibility section for additional details regarding eligible expenses.

All infrastructure must be available primarily for public use. Charging or fueling of municipal fleet vehicles is acceptable if a shared use plan is included with the application. See Shared-use Plan section on page 14 of this request for applications (RFA) for details.

Funding for this grant opportunity is provided by the Environmental Protection Fund and administered pursuant to Environmental Conservation Law Article 54, Title 15 and 6 NYCRR Part 492, Climate Smart Community Projects.

## Funding Available

A total of \$5 million is available for the 2022 round of the ZEV Infrastructure Grant Program.

Of this \$5 million, 40 percent (\$2 million) will be prioritized for projects in Disadvantaged Communities, as identified by the Climate Justice Working Group (CJWG) draft criteria. The remainder (\$3 million) is available for ZEV infrastructure in all eligible project locations as discussed and defined herein.

See Attachment C for instructions on using the DECinfo Locator to locate census tracts identified as Disadvantaged Communities within a municipality and to create maps showing the location of the ZEV infrastructure. More information about Disadvantaged Communities is below.

### Funding for DCFC Installations

A total of at least \$2 million is available for DCFC installations.

### Funding for L2 and HFC Installations

A total of up to \$3 million is available for L2 and HFC installations.

### Disadvantaged Communities

The Climate Leadership and Community Protection Act (Climate Act) charged the CJWG with the development of criteria to identify Disadvantaged Communities to ensure that frontline and otherwise underserved communities benefit from the state's

historic transition to cleaner sources of energy, reduced pollution and cleaner air, and economic opportunities.

The CJWG developed draft criteria to identify census tracts that qualify as Disadvantaged Communities by evaluating 45 indicators, including environmental exposures, burdens, and climate change risks; sociodemographic factors, such as age, race, and income; pollution characteristics; and health vulnerabilities. Please see <https://climate.ny.gov/Our-Climate-Act/Disadvantaged-Communities-Criteria> for more information.<sup>1</sup>

DEC is committed to meeting or exceeding the requirements of the Climate Act with respect to Disadvantaged Communities, including the requirement in Environmental Conservation Law § 75-0117 that Disadvantaged Communities receive at least 35 percent of the benefits of spending on clean energy and energy efficiency programs, with a goal of 40 percent. Given this important objective of the Climate Act, 40 percent of the available funds for this round will be prioritized for projects in Disadvantaged Communities, as identified by the CJWG draft criteria.

DEC will make every effort, consistent with this RFA, to prioritize awards to projects in Disadvantaged Communities. In the event that awards to projects in Disadvantaged Communities do not exceed 40 percent of the total available funds, the remaining funds may be awarded to qualified projects that are not in Disadvantaged Communities.

## Minimum and Maximum Award Amounts

The maximum grant amount is \$250,000 per facility (location), except for infrastructure that is located in a Disadvantaged Community and is available to the public 24 hours a day, 365 days a year, which is eligible for up to \$300,000 per facility.

The maximum grant amount to any single municipality (for multiple locations) is \$500,000. There is no minimum grant amount.

## Application/Award Limit

There is no limit to the number of applications a municipality may file, the number of facilities for which a municipality may request grant funding, or the number of units per facility (other than the maximum award amounts shown above).

A separate application **must** be submitted for each facility (location). A facility is defined as a single location within a municipality that can be identified using institutional or commercial boundaries (e.g., an airport, a park, a mall, a street) at which the ZEV infrastructure will be installed. For on-street installations, a ¼-mile segment along the same street will be considered one location.

## Match Requirement

For ZEV infrastructure within a Disadvantaged Community, no match is required regardless of

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<sup>1</sup> Public comments on the draft Disadvantaged Communities criteria are currently being accepted through July 7, 2022. Although the draft criteria will be utilized for this RFA, once the criteria are finalized, future RFAs will utilize the final criteria.

the municipality's median household income (MHI).

For ZEV infrastructure not located within a Disadvantaged Community, a variable match is required based on the municipality's MHI. See Attachment B of this RFA for detail on how to determine MHI for the purposes of this program.

Match percentage is based on the total project cost (not the grant amount requested). For example, a project with a total project cost of \$100,000 and a 20-percent match is required to show \$80,000 as grant and \$20,000 as match in the budget. The applicant is responsible for calculating the correct match regardless of the match percentage returned by the Grants Gateway. Applications with incorrect match will be deemed ineligible.

For all municipalities that do not install ZEV infrastructure in a Disadvantaged Community, the required match percentage varies according to the 2016 – 2020 MHI of the applicant as compared to the 2016 – 2020 MHI for New York State, per the following:

- A local match equal to 20 percent of total eligible costs is required for municipalities with a MHI greater than or equal to the \$71,117.
- A local match equal to 10 percent of total eligible costs is required for municipalities with a MHI that is greater than \$56,893 but less than \$71,117.
- No local match is required for municipalities with a MHI less than or equal to \$56,893.

See Attachment B of this RFA for step-by-step instructions on how to determine MHI for the purposes of this program. The default setting for the match percentage calculation in the Grants Gateway application is zero. The applicant is responsible for correctly calculating the match based on the total project cost and the MHI as returned in census table B19013.

### Land Value

The current fair market value of the land (excluding buildings) on which a facility is installed (thesquare foot area of parking for the vehicles served) may be used toward local match. A map identifying the property, copy of the appraisal, deed showing municipal ownership, and calculation of the value must be uploaded **at the time of application and approved as part of the review process** to be considered eligible. ZEV Infrastructure Program funds may **not** be used for land acquisition costs.

### Utility Make-Ready Programs

Make-Ready funds from utilities may be used as match for installation of L2 or DCFC stations. Make-Ready does not support installation of hydrogen fuel cell infrastructure. Information and program details for individual utilities is available online: <https://jointutilitiesofny.org/ev/make-ready>

### State and Federal Funds

Other state grants and federal funding may not be used to meet the municipal match requirement. For example, awards made under this program may not be combined with awards from the New York State Energy Research and Development Authority (NYSERDA) Charge Ready NY Program. Federal funding includes American Recovery Act and American Rescue Plan Act funds.

## Project Timeframe

Funding is available to municipalities that have installed, or will install, eligible ZEV infrastructure as defined by the criteria listed in this RFA.

Expenses must be incurred within the contract period, which will be set at October 1, 2021, through September 30, 2024. The earliest date expenses may be incurred under this solicitation is October 1, 2021. All grantees should strive to complete the project within the contract term. Extensions of the contract term will be considered on a case-by-case basis upon written request and justification to the Department from the grantee. The absolute latest date to which a contract can be extended under this solicitation is September 20, 2026. Changes to the award amount are not permitted.

## Grant Opportunity Inquiries

For general information regarding the ZEV Infrastructure program, completing this application, clarification of application requirements, contractual terms, and procedures, use the following contact information. When emailing, put “**ZEV Infrastructure Program**” in the subject line of the email.

Myra Fedyniak  
Email: [zevrebate@dec.ny.gov](mailto:zevrebate@dec.ny.gov)  
Phone: 518-402-8448

Questions regarding this grant opportunity will be accepted by the Department until close of business on September 28, 2022. All questions and answers will be uploaded to the Grants Gateway to allow all potential applicants to view them.

## Timetable of Key Events

Application Period Begins	June 15, 2022
Question and Answer Period Ends	September 28, 2022
Applications Due	September 30, 2022
Applications Accepted and Award(s) Announced	Quarter 1 of 2023

## Eligibility

### Eligible Applicants

All municipalities in the State of New York are eligible to apply for funding in response to this RFA. For the purpose of this RFA and pursuant to 6 NYCRR § 492-1.1(j), a municipality is defined as a county, city, town, village, or borough (referring only to Manhattan, Bronx, Queens, Brooklyn, and Staten Island) residing within New York State.

### Ineligible Applicants

Non-profit and not-for-profit organizations and political subdivisions, such as municipal corporations, school districts, district corporations, boards of cooperative educational services, fire districts, public benefit corporations, industrial development authorities, and similar organizations are **not eligible** for this rebate program.

Municipalities may work together or with one or more non-eligible entities (e.g., a community college) to install ZEV infrastructure. If a proposed project involves a partnership, only the eligible lead municipal applicant may submit an application. This lead applicant must assume responsibility for the application, performance of work consistent with this RFA and the State of New York Master Contract for Grants or Letter of Agreement, own the infrastructure, and accept grant reimbursements. Written agreements substantiating the collaboration and agreeing to the provisions of a climate change mitigation easement, if required, and signed by each partner entity are required at time of application. If an award is made, formal agreements must be signed prior to contract execution.

## Eligible Infrastructure

### Electric Vehicle Supply Equipment

EVSE includes L2 electric vehicle charging stations with one or more SAE J1772 ports, DCFC pedestals with combined CHAdeMO/SAE or CCS/SAE ports, and off-grid charging units tied to solar panels or wind power for onsite electricity generation.

Charging hubs are permissible up to the funding limit per facility and the funding limit per municipality.

**ALL EVSE** must meet the following requirements to qualify for this program:

- The equipment must be intended for installation following the National Electric Code (ANSI/NFPA 70) and be indoor/outdoor rated.
- The equipment must be new and designed to pass inspection per the National Electrical Code, Article 625.
- The equipment must be certified by a nationally recognized testing laboratory (e.g., UL category FFWA).
- Equipment must be installed in publicly accessible sites primarily for public use. Charging of municipal vehicles is acceptable if a shared-use plan is included with the application. See Shared-use Plan section on page 14 of this RFA for details.
- Equipment must be capable of collecting data on greenhouse gas (GHG) emission reductions or tracking usage data that allows the grantee to calculate GHG emissions reductions. GHG reductions reporting is required on a quarterly basis as a component of the quarterly report for each quarter of the contract period.
- Charging equipment and all accessories must include a base warranty of no less than 24 months. The warranty period must start the day the equipment is installed and ready for use.
- Equipment must include a cable management system, including a holster or similar feature for the connector to protect the connector from the elements and keep it off the ground.
- Type 2 listed surge protective devices shall be installed to protect EVSE.
- Each networked unit must be covered by a minimum 10-year in-service agreement with the service provider to guarantee the equipment will be functional at least 80 percent of the time.
- If the unit is not networked, the applicant must provide information on how the unit will be maintained by the grantee to guarantee availability to the public at least 80 percent of the time over the 10-year expected lifetime. This information must be included in the operations, maintenance, and mitigation monitoring plan.

- Non-networked units will only be allowed in areas of the state without access to a mobile broadband network that can support the unit. Applicants requesting a non-networked unit must upload a letter, signed by the municipal chief executive officer (CEO), detailing the lack of access to such a network within the municipality. This letter must be uploaded as part of the application in the Program Specific Questions. The need for repeaters to boost signal is not considered adequate justification for a non-networked unit.

All on-grid L2 EVSE must meet the following requirements to qualify for this program:

- The equipment must be a L2 charging system with one or more SAE-J1772 standard compliant ports intended to provide alternating current (AC) power to an electric vehicle equipped with an onboard charger unit.
- The equipment must have a rated power output of 7.2kW (30A) or higher.
- Equipment must use no more than 10 watts of power per port when not connected to a vehicle.
- Equipment must be listed either as qualified for the NYSEERDA Charge Ready NY Program (<https://www.nyserda.ny.gov/All-Programs/ChargeNY/Charge-Electric/Charging-Station-Programs/Charge-Ready-NY/Qualified-Charging-Equipment-and-Networks>) or on the NYS Office of General Services EVSE and Network Services state contract (<https://online.ogs.ny.gov/purchase/spg/awards/4040423035CAN.HTM>).

All DCFC EVSE must meet the following requirements to qualify for this program:

- The equipment must be a direct current fast charging system with CHAdeMO/SAE or CCS/SAE combo ports intended to provide direct current (DC) power to an electric vehicle equipped with an onboard charger unit.
- The equipment must provide at least 50kW charging capacity.

All off-grid EVSE must meet the following requirement to qualify for this program:

- Off-grid charging units tied to solar panels or wind power for onsite electricity generation must have **one or more** SAE-J1772 standard compliant ports or at least one CHAdeMO/SAE or CCS/SAE combo port. Add-ons, including but not limited to digital screens, bench seating, branding packages, 120 volt and USB outlets are not eligible.

### HFC Dispensing Equipment

Hydrogen-dispensing equipment must supply hydrogen produced through electrolysis (splitting water into hydrogen and oxygen using only electricity) or biogas reformulation to be eligible. Hydrogen produced from methane or natural gas reformulation (except for biogas) is not eligible.

Hydrogen may be produced onsite or purchased and delivered to the project site. The station must supply hydrogen at a minimum pressure of 70 megapascals and have the capacity to dispense at least 100 kg/day.

Funds appropriated through the Volkswagen Beneficiary Mitigation Plan may be utilized as match in this funding program for HFC dispensing equipment only.

HFC fueling stations must be available for the general public. Dispensing equipment for

dedicated fuel cell vehicle fleets is not eligible. Fueling of municipal vehicles is acceptable if a shared-use plan is included with the application. See Shared-use Plan section on page 14 of this RFA for details.

Each facility must obtain a minimum 10-year in-service agreement with the service provider to guarantee the equipment will be functional at least 80 percent of the time for at least 10 years.

### Eligible Project Locations

All ZEV infrastructure projects funded through this program must be installed within the boundaries of the State of New York. Facilities funded in the past cannot be funded again unless additional charging ports or hydrogen dispensing capacity is being added to the facility. Locations of additional charging ports or dispensing capacity must be clearly delineated on the facility map uploaded to the application and differentiated from previously funded equipment. Paid parking and permit parking locations are allowable if the facility is also open to the public.

### Eligible Expenses

#### EVSE

Eligible costs include personnel services (salary and fringe) and non-personnel services (contractual, materials, equipment, and other project related costs) directly related to the installation of the infrastructure (excluding a building and its structural components).

Eligible costs include, but are not limited to, the purchase of materials and equipment (e.g., charging station equipment, cable management system, signage, paving materials, paint); hardware and software; labor in conducting site work, trenching, paving, wiring, installation of protective features such as wheel stops and bollards; and/or contractual services for installation of hardware, software, or electricity related to facility operation.

A grant request may include the cost of electricity for up to two years, including demand charges, if the municipality does not intend to charge users for electricity. Two years of networking fees and two years of warranty are also eligible expenses.

Electric utility installations or upgrades before the location's electrical panel are eligible if the upgrade is intended solely to support the installation of the EVSE or upgrade to additional or higher capacity EVSE.

#### HFC Dispensing Equipment

Eligible costs include personnel services (salary and fringe) and non-personnel services (contractual, materials, equipment, and other project related costs) directly related to the installation of the infrastructure (excluding a building and its structural components).

Eligible costs include, but are not limited to, the purchase of materials and equipment (e.g., dispensers, sensors, transmitters, storage tank, compressors, electrolyzer, vaporizer piping); hardware and software; labor in conducting site work, trenching, paving, wiring, installation of protective features such as wheel stops and bollards and/or installation of clean energy generation components such as solar or wind power for the purposes of performing onsite electrolysis; software related to facility operation; and/or electrical grid integration and/or installation of onsite energy storage; networking fees for up to two years and warranty for up to two years.

## Cost Categories

Personnel services: Salaries of staff, including fringe, directly devoted to project implementation. Grantees will be required to document date and hours worked and tasks completed via time records.

Contractual services: Tasks completed by professional and technical consultants (e.g., engineering, electrical, installation, and legal services) directly related to the project.

Equipment: Purchased equipment (e.g., charging station) or rental or use of equipment (e.g., backhoe) directly required to implement the project. In-kind use of equipment must be shown as matching funds in the application.

Space/Property: Land value can only be used as match. See the Match Requirement section of this RFA for further details.

Utilities: Utilities are defined as the direct cost of electricity for the EVSE. If there is not a separate meter, the cost must be calculated using the utility bill pricing and the amount of electricity used for the month via the tracking software. Municipalities that charge the user cannot request electricity reimbursement from the ZEV Infrastructure grant program.

Other: This line includes supplies and materials, defined as consumable products needed to directly implement the project (e.g., paving material, crushed stone, paint, electrical supplies).

## Ineligible Expenses

The following expenses are not eligible as match or for reimbursement:

- General maintenance of the site such as snow plowing, parking lot or street maintenance, or parking enforcement
- Indirect or overhead costs of the municipality (This category includes, but is not limited to, rent, telephone service, general administrative support, general-use computers, office equipment, general office supplies, and other general operations costs such as memberships and subscriptions, e.g., newspapers, professional and municipal associations.)
- Salaries and other expenses of elected officials incurred for purposes of project direction, execution, or legislation
- Fund-raising expenses
- Taxes, insurance, fines, deficit funding, bond interest, and associated fees
- Land acquisition
- Contingency costs
- Federal funds
- Other NYS grant funds

## Application Requirements

All applications must be submitted through the Grants Gateway:

[https://grantsgateway.ny.gov/IntelliGrants\\_NYSGG/module/nysgg/goportal.aspx](https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx)

**Paper, facsimile, or emailed applications will NOT be accepted.**

Pursuant to the New York State Division of Budget Bulletin H-1032 Revised, effective July 16, 2014, New York State has instituted key reform initiatives to the grant contract process.

Information on these initiatives can be found on the Grants Management website:

<https://grantsmanagement.ny.gov/>

### Grants Gateway Registration

Pursuant to the New York State Division of Budget Bulletin H-1032 Revised, effective July 16, 2014, New York State has instituted key reform initiatives to the grant contract process.

Information on these initiatives can be found on the Grants Management website:

[https://grantsmanagement.ny.gov](https://grantsmanagement.ny.gov/)

Registration in the Grants Gateway is required to complete an application, enter into a grant contract, amend an existing contract, and to apply for grant reimbursements. The process of registration takes a few weeks and potential applicants are strongly encouraged to begin the Grants Gateway registration process as soon as possible to participate in this grant opportunity.

To register an organization, send the completed Registration Form for Administrators (located at <https://grantsmanagement.ny.gov/register-your-organization>) and submit the required documentation, via email to [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The individual completing this paperwork will be designated the Grantee Delegated Administrator role in the Grants Gateway. This individual's only responsibility will be to assign and delete roles and responsibilities for other individuals of the organization within the Grants Gateway process flow. The Signatory and the intended project manager should NOT be designated the Delegated Administrator. See section 2 of the User's Manual linked below for details on roles and responsibilities within the Grants Gateway.

Resources are available in the following links to help you better understand how to use the NYSGrants Gateway:

- NYS Grants Gateway Registration: <https://grantsmanagement.ny.gov/register-your-organization>
- Videos: <https://grantsmanagement.ny.gov/videos-grant-applicants>
- User's Manual: <https://grantsmanagement.ny.gov/system/files/documents/2020/05/vendor-user-manual-3.2-5.7.20.pdf>
- Live Webinars: <https://grantsmanagement.ny.gov/live-webinars>

If you have previously registered and do not know your username, please email [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). If you do not know your password, click the Forgot Password link from the main log in page and follow the prompts.

Contact the Grants Management Team for additional assistance with Grants Gateway:

#### Main Help Desk

Contact the main help desk for assistance with registration, prequalification, applications, contracts, payments, and more.

Hours: Weekdays 8:00 a.m. to 4:00 p.m.

Email: [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov)  
Phone: (518) 474-5595

#### After Hours Support:

Contact the afterhours support desk on weekdays after 4:00 p.m. for help with account lockouts, lost User IDs, or basic information.

Hours: Weekdays 4:00 p.m. to 8:00 p.m.

Email: [helpdesk@agatesoftware.com](mailto:helpdesk@agatesoftware.com)

Phone: (800) 820-1890

## Work Plan

The application includes state-defined tasks and deliverables, most of which are required; optional tasks and deliverables will be labeled as such in the application.

Funding requests of

\$25,000 or more must include the MWBE tasks. Some of these tasks require the applicant to provide more information, such as detailing the site work. A copy of the generic work plan and required tasks is available as Appendix A of this RFA. All recipients, whether the award is administered through a Master Contract for Grants or a Letter of Agreement, will be required to provide the deliverables listed in the generic work plan.

## Budget

Each applicant must also complete a budget summary worksheet, a budget detail worksheet, and a match detail worksheet as a component of the application. The budget must be itemized and provide details on the project-related expenses. Budget worksheets require the applicant to distinguish between expenses to be claimed under the ZEV Infrastructure grant and expenses composing the municipal match. Eligible and ineligible costs are identified in previous sections of this RFA.

## Maps

A map showing the facility location with distance to downtown, highway, employment center, or other point(s) of interest must be uploaded to the application.

If additional charging or fueling stations are added to a facility, an additional map must be uploaded to the application. This additional map must distinguish between stations already in existence and the additional station(s) to be installed as part of the proposed project.

Applicants installing ZEV infrastructure within a Disadvantaged Community must submit two related maps. The first is a map depicting the Disadvantaged Community(ies) within the municipality. The second is a street-level map depicting the location of the ZEV infrastructure within the Disadvantaged Community. Attachment C provides instruction how to use the DECinfo Locator to identify disadvantaged communities within a municipality.

## Operations, Maintenance, and Mitigation Monitoring Plan

Each application must include a facility operations, maintenance, and mitigation monitoring plan (OMMM). The plan must describe how the unit will be maintained to guarantee availability to the public at least 80 percent of the time. This plan must include, but is not limited to, physical access (e.g., snow plowing, parking enforcement), software

functionality, port and cable maintenance (owner should check unit(s) weekly for physical needs/damage), a customer support number that is clearly visible and posted on or near the equipment to assist customers with difficulties accessing or operating the equipment at the facility, and public safety considerations. The plan must be uploaded in the Program Specific Questions as part of the application. Grantees must provide maintenance of, and access to, the ZEV Infrastructure for a minimum of 10-years from date of installation.

The OMMM plan must also describe how the applicant will track usage of the station and estimate reductions in GHG emissions. For EVSE, tracking ability is often included with the software for networked units. Unless expressly revoked after the close of the contract term, the grantee grants permission to the DEC to continue to access and use data from EVSE infrastructure funded through this rebate program indefinitely.

For non-networked units and HFC facilities, the applicant must create a monitoring plan to provide information on usage and GHG emissions reductions to DEC with each quarterly report for the duration of the contract. The monitoring plan must describe how usage will be monitored and the GHG calculation method to be used to determine reductions. The monitoring plan must be uploaded to the Program Specific Questions section of the application.

Non-networked units will only be allowed in areas of the state without access to a mobile broadband network that can support the unit. Applicants requesting a non-networked unit must upload a letter, signed by the municipal CEO, detailing the lack of access to such a network within the municipality to the Program Specific Questions section of the application. The need for repeaters to boost signal strength is not adequate justification for a non-networked unit.

### Shared-use Plan

All infrastructure must be available primarily for public use. Charging or fueling of municipal vehicles is acceptable if a shared-use plan is included with the application. The shared-use plan must describe when the facility will be available for public use and when the facility will be used for the municipal fleet. In order to qualify as “primarily for public use” the infrastructure must be available to the public for a minimum of 13 hours per day and dedicated to fleet charging for a maximum of 11 hours per day. Alternatively, a majority of installed ports can be made available for public use and a smaller portion for fleet charging. For example, if a total of six ports are installed through an award, four of those will be dedicated to public charging and two to fleet charging. The shared-use plan must be posted publicly onsite, with municipal parking information, and on the municipal website and provide a customer support number that is clearly visible and posted on or near the equipment to assist customers with difficulties accessing or operating the equipment at the facility. The shared-use plan must be uploaded in the Program specific Questions as part of the application.

### Climate Change Mitigation Easement

If the infrastructure facility will be located on property that is not owned by the applicant municipality, the applicant must obtain a climate change mitigation easement (CCME) from the owner of the property, pursuant to Environmental Conservation Law (ECL) § 54-1513 before installation of the infrastructure begins. The municipality and landowner shall develop and execute the CCME, which must ensure the following:

- The property shall be accessible to the municipality for any necessary work to

- achieve the funded purpose throughout the anticipated life of the project.
- The property shall provide the identified public benefit, e.g., publicly accessible ZEVcharging or fueling, throughout the anticipated life of the project.
- The property shall be used to achieve climate protection and mitigation goals pursuant to ECL Article 54 Title 15 “Climate Smart Community Projects,” e.g., reduction of greenhouse gas emissions from municipal and community transportation, throughout the anticipated life of the project.
- The property owner shall provide information and data to the municipality or will provide access to the municipality for collection of data, as specified in the rebate contract.
- The term for the easement shall adequately accommodate the required expected useful life of the project, which is 10 years.
- The CCME must be filed with the appropriate county clerk’s office.
- If a CCME is necessary, the applicant must submit proof of landowner agreement to enter into aCCME at the time of application as follows:
  - If the property owner is a municipality – a certified resolution by the municipal propertyowner in support of the project, indicating an agreement to enter into a CCME with the applicant.
  - If the property owner is not a municipality – a notarized written statement from the property owner in support of the project, indicating an agreement to enter into a CCME with the applicant.

The document must include the stipulations in the bulleted list above; the name, headquarters address, and contact information of both the property owner and municipality; and it must be signed and dated by the CEO or duly authorized representative of each party to the agreement. The letter of agreement must be uploaded to the Program Specific Questions as part of the application. Awards involving a CCME will not be moved to execution until the formal agreement is officially executed and a copy received by the DEC.

### Multi-Partner and Inter-Municipal Projects

If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead municipal applicant may develop and submit the on-line application for grant funding. The lead applicant must assume the responsibility for the project application, performance of work consistent with this RFA and the State of New York Master Contract for Grants or Letter of Agreement, own the infrastructure, and accept grant reimbursements.

Letters or other written agreements, signed by all parties, substantiating the collaboration, and detailing the responsibilities, roles, and match contributions of each party to the agreement are required and must be uploaded in the Program Specific Questions as part of the application.

If awarded, a formal, finalized agreement, such as a memorandum of understanding, executed by all parties, must be provided to the DEC and include the name, headquarters address, and contact information of all partners and the lead municipality; and must be signed and dated by the CEO or duly authorized representative of each party to the agreement. Awards involving a partnership agreement will not be moved to contract execution until the formal agreement is officially executed and a copy received by the

DEC.

### Smart Growth Assessment Form

New York State's Smart Growth Public Infrastructure Policy Act (Act), Environmental Conservation Law Article 6, requires the Department and all state infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State Smart Growth Public Infrastructure criteria specified in the Act, or that compliance with such criteria is considered to be impracticable, before making any commitment to fund such project(s).

**All applicants must download the Smart Growth Assessment form from the Pre-submission Upload section, complete and save the form, and then upload the completed form back into the Pre-submission Upload folder as part of the application.** Important note: Be sure to check the form after uploading to ensure the correct file is uploaded and is completed as required.

### Sexual Harassment Prevention Certification

State Finance Law § 139-l requires all applicants of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees. Where applying for grant funding is required pursuant to statute, rule or regulation, every application submitted to the state or any public department or agency of the state must contain the following statement: "By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law."

Applications that do not contain the certification will not be considered for award; provided however, that if the applicant cannot make the certification, the applicant may provide a signed statement with their application detailing the reasons why the certification cannot be made. After review and consideration of such statement, the DEC may reject the application or may decide there are sufficient reasons to accept the application without such certification.

**All applicants must download the Sexual Harassment Prevention Certification Form from the Pre-submission Upload section, complete and save the form, and upload the completed form back into the Pre-submission Upload folder as part of the application or upload a signed statement detailing the reasons why the certification cannot be made.**

Important note: Be sure to check the form after uploading to ensure the correct file is uploaded and is completed as required.

### Executive Order 16

Executive Order No. 16 provides that "all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia." The complete text of Executive Order No. 16 can be found at <https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities->

[contracting-businesses-conducting](#) . The Executive Order remains in effect while sanctions against Russia imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Vendors responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.

All applicants must download the Executive Order 16 Certification Form from the Pre-submission Uploads section of Grants Gateway, complete and save the form, and upload the completed form back into the Pre-submission Uploads folder as part of the application.

## Application Evaluation and Scoring

All applications will be reviewed and scored by a review team in accordance with the evaluation and scoring criteria included in this solicitation. Applicants are strongly encouraged to read and address the following eligibility determination and project review and scoring sections as part of the process of developing an application.

### Eligibility Determination

Eligibility of each application will be determined upon review of the factors listed below. Upon confirmation of eligibility, the application will move on to technical review.

<b>ZEV Infrastructure Program Pass/Fail Eligibility Criteria</b>
EVSE infrastructure is either a L2 charger with one or more SAE J1772 ports appearing on the NYSEEDA or OGS lists and having a minimum charge capacity of 7.2kW, <b>OR</b> a DCFC with a CHAdeMO and SAE or SAE/CCS combo port with a minimum charge capacity of 50kW, <b>OR</b> HFC fueling infrastructure utilizing hydrogen derived from biogas reformulation or electrolysis with a minimum pressure of 70 megapascals and the capacity to dispense at least 100 kg/day.
<b>If EVSE is not networked</b> , a letter from the municipal CEO detailing the lack of access to such a network within the municipality.
Site is municipally owned <b>OR</b> applicant has submitted a letter signed by both parties indicating that a climate change mitigation easement pursuant to ECL § 54-1513 will be executed and filed with the applicable County Clerk upon award.
Applicant is a municipality: county, city, town, or village of the State of New York.
Match is correct (based on either the 2016-2020 estimate of MHI from census data table B19013 or on the fact that the infrastructure is located in a Disadvantaged Community).
Operations, maintenance, and mitigation monitoring plan submitted.

Smart Growth Infrastructure Form completed and submitted.
Site of EVSE installation is publicly accessible. (Paid parking and permit parking are allowable if lot is also open to the public.)
Primary purpose of the facility is public charging or fueling of ZEVs.
If fleet use is planned for the facility, a shared-use plan has been developed and uploaded.
If a partnership is involved, applicant has submitted a letter signed by all parties that a formal partnership agreement will be executed upon award.

### Review and Scoring

Upon completion of eligibility review, the application will be evaluated and scored by at least two technical review team members. A minimum average score of 80 points is required for a successful HFC project. A minimum average score of 120 points is required for a successful L2 or DCFC project.

Criteria for L2	Points
Facility could be expanded or renovated to add more charging facilities in the future.	10
Facility is being expanded to add more charging stations.	15
Facility will be available to the public 24 hours per day, 365 days per year.	20
Facility is directly connected to a source of, or exclusively purchases, electricity from renewable sources.	15
Facility is directly connected to energy storage (battery).	15
Applicant is a registered or certified Climate Smart Community.	10
Unit uses Open Charge Alliance's Open Charge Point Protocol (OCPP) v1.6 or later. The OCPP is an open communication protocol enabling several payment options without restriction based on network membership or subscription.	30
Facility is located within ¼ mile of a downtown, local retail center, attraction, recreational area, or other popular local destination.	30
Facility is located between ¼ and ½ mile of a downtown, local retail center, attraction, recreational area, or other popular local destination	20
Facility is located on the street in a street-parking-only residential, mixed-use, or commercial area.	30
Facility is located at a popular regional destination (e.g., stadium, trailhead, tourist attraction).	20
Facility is located on a state or county route.	20
Facility can be converted to a cleaner source of energy in the future.	5
Budget does not contain extraneous or ineligible expenses and supports the	20

workplan.	
Applicant provided supplemental evidence of cost effectiveness such as quote(s). from vendors/contractors, standard government wage rates, current market prices for equipment, etc.	20
Budget lines are detailed with information such as type of contractor; title of personnel, hours expected, hourly or annual rate, list of materials to be purchased, etc.	20
Total available points	300

<b>Criteria for DCFC</b>	<b>Points</b>
Facility could be expanded or renovated to add more charging facilities and/or faster charging in the future.	10
Facility is being expanded to add more charging and/or faster charging.	15
Facility will be available to the public 24 hours per day, 365 days per year.	20
Facility is directly connected to a source of, or exclusively purchases, electricity from renewable sources.	15
Facility is directly connected to energy storage (battery).	15
Applicant is a registered or certified Climate Smart Community.	10
Unit uses Open Charge Alliance's Open Charge Point Protocol (OCPP) v1.6 or later. The OCPP is an open communication protocol enabling several payment options without restriction based on network membership or subscription.	20
Facility is located within ¼ mile of a downtown, local retail center, attraction, recreational area, or other popular local destination.	20
Facility is located between ¼ and ½ mile of a downtown, local retail center, attraction, recreational area, or other popular local destination.	10
Facility is located at an airport, train station, transit center, or tourist destination.	20
Facility is located on the street in a street-parking-only residential, mixed-use, or commercial area.	20
Charging capacity is greater than 50kW.	20
Facility can support upgrade to power output greater than of 50kW in the future.	15
Facility is located on a state or county route.	20
Facility can be converted to a cleaner source of energy in the future.	10
Budget does not contain extraneous or ineligible expenses and supports the workplan.	20
Applicant provided supplemental evidence of cost effectiveness such as quote(s) from vendors/contractors, standard government wage rates, current market prices for equipment, etc.	20
Budget lines are detailed with information such as: type of contractor; title of personnel, hours expected, hourly or annual rate; list of materials to be purchased, etc.	20
Total available points	300

<b>Criteria for HFC</b>	<b>Points</b>
Facility could be expanded or renovated to add more fueling stations in the future.	10
Facility is being expanded to add more fueling stations.	20
Facility will be available to the public 24 hours per day, 365 days per year.	30
Applicant is a registered or certified Climate Smart Community.	10
Facility is located within ¼ mile of downtown, retail center, attraction, recreational area, or other popular destination.	20
Facility is located between ¼ and ½ mile of downtown, retail center, attraction, recreational area, or other popular destination.	10
Facility is located at an airport, train station, transit center, or tourist destination.	20
Facility is located on a state or county route.	20
Facility is capable of dispensing at least 250 kg/day.	20
Budget does not contain extraneous or ineligible expenses and supports the workplan.	10
Applicant provided supplemental evidence of cost effectiveness such as quote(s) from vendors/contractors, standard government wage rates, current market prices for equipment, etc.	20
Budget lines are detailed with information such as type of contractor; title of personnel, hours expected, hourly or annual rate; list of materials to be purchased, etc.	10
Total available points	200

## Awards and Contracting

Awards will be made based on receiving a minimum score as described in the section above, in the order in which the applications are received in the Grants Gateway until allocated funds are exhausted, DEC withdraws this request for applications, or September 30, 2022, whichever comes first.

Successful applications for grant requests of \$50,000 or more will not be moved toward execution until the grant opportunity has closed and the entire procurement package has been approved by the Office of the State Comptroller and Attorney General, as applicable.

### Notification of Award

Applicants selected to receive an award will be notified by an official Department award letter.

**IMPORTANT NOTE:** By accepting an award, applicant agrees to abide by all Master Contract for Grants (MCG) or Letter of Agreement (LOA) terms and conditions. Any changes to the terms and conditions will not be accepted.

### State of New York Master Contract for Grants and Letter of Agreement (LOA)

Applicants selected to receive an award under \$10,000 will receive a “next steps” email requesting required insurance information and final budget and work plan. Once the insurance information is received and approved, a package consisting of the LOA, Attachment A-1 Program Terms and Conditions, signed purchase order, quarterly report form, and reimbursement forms will be emailed to the awardee. Applicants should review and be prepared to comply with all LOA and Attachment A-1 Program Terms and Conditions should grant funding be awarded. The LOA and attachments can be reviewed and/or downloaded in the Grants Gateway application under the screen name “Contract Document Properties,” or see <http://www.dec.ny.gov/energy/109181.html> for a copy of Attachment A-1 ZEV IN.

Applicants selected to receive an award of \$10,000 or more will be sent a “Next Steps” email with instructions on completing the contracting process in the Grants Gateway. Grantees are encouraged to execute a Master Contract for Grants (MCG) within 60-90 days from the time of their award notification. Failure to submit required MCG documents in a timely manner could cause a grantee to lose its grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded in the Grants Gateway application under the screen named “Contract Document Properties.” The generic MCG and Attachment A-1 Program Terms are also available online: <http://www.dec.ny.gov/energy/109181.html>

The MCG and attachments include the following:

- MCG Grants Face Page
- NYS Standard Terms and Conditions
- Attachment A-1 Agency and Program Specific Terms and Conditions
- Attachment B-1 Expenditure Based Budget
- Attachment C Work Plan

Applicants (referred to as “Contractor” following grant award) should be prepared to comply with the following MCG and LOA requirements:

### Insurance Requirements

Contractor will be required to carry appropriate insurance as specified in the MCG or LOA and Attachment A-1 Program Specific Terms and Conditions (see the Office of Climate Change funding page at <http://www.dec.ny.gov/energy/109181.html> for a copy of Attachment A-1 ZEV IN) and agree that each project consultant, project contractor, and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the State of New York and the New York State Department of Environmental Conservation as an additional insured, with appropriate limits, covering contractor’s public liability and property damage insurance, contractor’s contingency liability insurance, “all-risk” insurance and workers’ compensation/disability benefits coverage for the project.

### Permit Requirements

Contractors agree to obtain all required permits, including but not limited to local, state, and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state, and local laws, rules, regulations, and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

### State Environmental Quality Review Documentation

With respect to the project, the Contractor certifies that it has complied, and shall continue to comply, with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all SEQRA and environmental documents as may be required by the DEC. The Contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

### Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

### Minority/women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements

The DEC is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (MWBE Regulations) for all State contracts with a

value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Applicants subject to executing a future NYS MCG agree, in addition to any other non-discrimination provision of the MCG and at no additional cost to the DEC, to fully comply and cooperate with DEC in the implementation of New York State Executive Law Article 15-A. These requirements include contracting opportunities for certified minority and women-owned business enterprises (MWBEs). Contractor's demonstration of "good faith efforts" pursuant to 5 NYCRR § 142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, state or local laws.

For the purposes of the ZEV Infrastructure Grant Program, an MWBE requirement of up to 30 percent of the grant amount will pertain to awards containing contractual services for electrical work, engineering, project management, or similar work in which MWBE firms are well represented.

The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.

A list of certified MWBE enterprises can be obtained via the internet from the NYS Department of Economic Development:

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885>

Contracts which meet the established MWBE thresholds require the Contractor to submit quarterly MWBE reports. Required MWBE related forms can be found online: <http://www.dec.ny.gov/about/48854.html>

Failure to comply with MWBE requirements may result in a finding of non-responsiveness, non-responsibility, and/or a breach of contract leading to the withholding of funds or such other actions, liquidated damages, or enforcement proceedings.

Further information may be obtained from the following:

DEC M/WBE Compliance  
NYS Department of Environmental Conservation  
Bureau of Contract and Grant Development/MWBE Program  
625 Broadway, 10th Floor  
Albany, New York 12233-5028  
Phone: (518) 402-9240  
Fax: (518) 402-9023

### Service-Disabled Veteran-Owned Business Participation Requirements

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"), thereby further integrating such businesses into New York State's economy. The Department recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible

participation in the performance of Department contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders/Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, The Department conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed online:

<http://ogs.ny.gov/Core/SDVOBA.asp>

Bidder/Contractor is encouraged to contact the Office of General Services' Division of Service-Disabled Veteran's Business Development at 518-474-2015 or [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss methods of maximizing participation by SDVOBs on the Contract.

### Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Failure to comply with these requirements could jeopardize full reimbursement of approved eligible project costs.

### Americans With Disabilities Act

The Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act (ADA), and relevant sections of the New York State Uniform Fire Prevention and Building Code. Guidance on accessibility of EVSE can be found in the US Access Boards Guide to the Architectural Barriers Act:

<https://www.access-board.gov/aba/guides/chapter-5-parking/#electric-vehicle-charging-stations>

At least one parking space for every 10 ports installed with funds from this program must be made ADA-accessible by repainting the parking spot to provide an access lane 5 feet wide on the charger side and 3 feet wide on the other side. All equipment heights must be ADA-compliant. It is not required that the space be a dedicated accessible space allowing other users to access the space.

### Signage

The Contractor shall install signage onsite that identifies the site as a ZEV charging/refueling facility, promotes public use of the facility, and acknowledges rebate funding from the DEC. Signage developed for use at a DEC funded facility shall state "This infrastructure was funded in part by Title 15 of the Environmental Protection Fund through the NYS Department of Environmental Conservation." Signs may also limit use duration, allow for towing of non-ZEV vehicles, or any other enforcement needs the municipality deems necessary. Locations with public and municipal shared use will install signage

alerting users to the shared use and denoting the days and hours the EVSE is available to the public.

## Mapping

Awardees must add the location of all ZEV charging or fueling facilities funded by this program to the Department of Energy Alternative Fueling Station Locator Map at <https://afdc.energy.gov/stations/#/station/new> and any online mapping applications available to the municipality, such as PlugShare.

## Climate Change Mitigation Easement

See page 14 of this RFA.

## Mitigation Monitoring and Reporting

All successful grantees will be required to track customer usage, electricity usage, and GHG emission reductions for each piece of infrastructure installed.

## Ownership

Pursuant to ECL § 54-1515 all infrastructure must be owned by the grantee and cannot be transferred to another entity for the duration of the infrastructure's useful life (minimum of 10 years). Through a Climate Change Mitigation Easement, the infrastructure may be placed on real property not owned by the municipality.

## In-service Agreement

The minimum expected life of the infrastructure is 10 years. The grantee is expected to maintain public access and maintenance of the funded infrastructure for a minimum of 10 years. All grantees must obtain a minimum ten-year in-service agreement to guarantee the infrastructure will be functional at least 80 percent of the time for at least ten-years.

Grantees with non-networked EVSE must provide a detailed operations, maintenance, and mitigation monitoring plan.

## Pricing Information

If the customers will be charged for use of the EV charging facility, the grantee must display the pricing information through either a digital display on the equipment or appropriate signage including the unit of sale (kWh, time, etc.), pricing per unit of sale, and additional fees, if any (e.g., parking fees, dwelling time surcharges). Any limitations to extended parking after a charging session is completed should be clearly indicated on parking space signage.

## Reimbursements

Reimbursements (or installment payments) of the State grant will be made at the request of the municipality and will be based on the cost of the work performed, materials and equipment supplied and incorporated in, and services rendered in connection with, an approved project. Reimbursement request forms and appropriate backup documentation (paid invoices, receipts, cancelled checks, etc.) must be submitted, audited, and approved in order for reimbursement to be made.

Advance payments are not authorized as part of the Municipal ZEV infrastructure program. Project costs eligible for reimbursement and project match must be incurred between the MCG term start and end dates. Costs incurred prior to the MCG term start date or after the MCG term end date will not be eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the DEC for costs to be eligible for grant reimbursement.

If a reimbursement request exceeds 85 percent of the award amount before the project is completed, 15 percent of the total award amount will be held until the project is completed, the project is operating satisfactorily, DEC has approved all deliverables, and all grant requirements are met.

If the municipality fails to comply with any of the requirements of the Environmental Conservation Law or regulations of the Department applicable to the project, the Department may withhold all or part of further payments pending compliance. If the project is complete but not operating satisfactorily, the Department may withhold from the final payment an amount sufficient, in the judgment of the Department, to ensure correction of deficiencies. The amount withheld will be released when deficiencies are corrected.

Contract extensions will be considered on a case-by-case basis upon written request from the grantee. The absolute latest date to which a contract can be extended under this solicitation is September 30, 2026.

## Reporting

Quarterly reports must be submitted in narrative form, including data regarding GHG emissions reductions, no later than 30 days from the end of the calendar quarter. The reports will summarize how the project progressed towards meeting project objectives and deliverables during the respective quarter. Include expense information in section VI. Financial Status and GHG emissions reduction data in section VII. Greenhouse Gas (GHG) Emissions Reduction Report.

Quarterly reimbursement requests will be accepted prior to submittal of a final closeout reimbursement request. Approved project design, required permits, and landowner permissions must be in place and quarterly reports and deliverables must be approved in order to submit a reimbursement request.

A final report and all final deliverables must be submitted and approved by the DEC prior to the release of the final reimbursement to the grantee. The grantee must submit the final report no later than 60 days after the end of the contract period. The final report should detail all aspects of the program, how the grant funds were used in achieving the tasks set forth in the approved work plan, and the project outcomes.

A DEC onsite inspection may be required to confirm all work was completed in accordance with the approved project work plan and applicable laws and regulations (including the installation of signage, if applicable, at the project site).

## Reserved Rights

DEC reserves the right to do the following:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of this RFA in accordance with the method of award.
- Withdraw this RFA at any time at the Department's sole discretion.
- Award only one grant to a single project in the event there are several applications submitted for the same project or for components of the same project.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.
- Refuse to fund projects that are determined to be inconsistent with the Smart Growth Public Infrastructure Policy Act (ECL Article 6).
- Refuse to fund projects that are determined to be inconsistent with the Climate Leadership and Community Protection Act or its implementing regulations.<sup>2</sup>
- Reject any or all applications in response to this solicitation at the agency's sole discretion.
- Reduce the award amount based on ineligible match or ineligible project costs.
- Reclaim funds paid to grantee if false statements regarding eligibility of the project or any of its components are discovered after award or payment has been made.

## Debriefing

In accordance with section 163 of the NY State Finance Law, the Department must, upon request, provide a debriefing to any unsuccessful applicant that responded to the RFA, regarding the reasons that the proposal or bid submitted by the unsuccessful applicant was not selected for an award. An unsuccessful applicant wanting a debriefing must request a debriefing in writing, within fifteen (15) calendar days of receipt of the notice that their proposal did not result in an award. Email [zevrebate@dec.ny.gov](mailto:zevrebate@dec.ny.gov) to request a debriefing.

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<sup>2</sup> The Climate Leadership and Community Protection Act is Chapter 106 of the Laws of 2019.

## Attachment A: Generic Work Plan

Objective 1: Develop and execute climate change mitigation easement.

- Task 1: Grantee and property owner will develop, execute, and file with the appropriate county clerk's office a climate change mitigation easement that ensures the stipulations outlined in the request for application.
  - Performance Measure 1 - Climate change mitigation easement executed and filed. Copy of executed CCME submitted to the DEC.

Objective 2: Project Administration

- Task 1: Public relations
  - Performance Measure 1: Notify DEC of any press events, releases, or groundbreaking ceremonies at least 1 month before the event.
  - Performance Measure 2: The following attribution statement acknowledging DEC funding for the project must be included in any press releases or other public announcement, including newspaper articles and web posting, as well as all documents, brochures, reports, signage, maps, and exhibits: "This project has been funded in part by the Climate Smart Communities Grant Program, Title 15 of the Environmental Protection Fund through the New York State Department of Environmental Conservation."
- Task 2: Reporting
  - Performance Measure 1: Quarterly progress reports submitted to DEC within 30 days of the close of the quarter.
  - Performance Measure 2: Reimbursement requests submitted as needed, but only at the end of a quarter. Final reimbursement request due within 120 days of the contract end date.
  - Performance Measure 3: Final project summary report and all deliverables submitted to DEC within 60 days of the contract end date.

Objective 3: Purchase equipment and procure contractor(s) ensuring compliance with local procurement requirements and MWBE goals, if necessary.

- Task 1: Compile bid documents and purchase required equipment and supplies based on municipal procurement policies.
  - Performance Measure: Bid documents and purchase orders submitted to DEC
- Task 2: Prepare and advertise bid documents or RFP for contractor, electrician, and/or installer.
  - Performance Measure: Copy of final RFP/BID and copies of advertisements placed through appropriate media, such as local newspaper and professional journals, submitted to DEC.
- Task 3: Select consultant(s)/contractor(s)
  - Performance Measure 1: List of applicants, intent to hire letter, copy of executed contract(s) submitted to DEC.

Objective 4: Preparation of site

- Task 1: Preparation of site (e.g., excavation, installation of electric lines, survey, bollard installation, etc. (Edit this task to be specific about the work to occur on each site).

- Performance Measure 1: Photographs of site before, during, and after preparation submitted to DEC.

Objective 5: Installation and activation of Zero Emission Vehicle (ZEV) infrastructure

- Task 1: Installation of (make/model/type of infrastructure. (E.g., One ChargePoint CT 4000)
  - Performance Measure 1: Photographs of installed ZEV infrastructure submitted to DEC
- Task 2: Activation and testing of installed infrastructure
  - Performance Measure 1: Verification that infrastructure is operational, such as a screenshot of the verification page, submitted to DEC.
- Task 3: Add the ZEV infrastructure location with Department of Energy Alternative Fueling Station Locator Map: <https://afdc.energy.gov/stations/#/station/new>
  - Performance Measure 1: Screen shot of DOE map showing new location submitted to the DEC.

Objective 6: Signage and Information

- Task 1: Install wayfinding and acknowledgement signage
  - Performance Measure 1: Photographs of installed wayfinding, acknowledgement (and...list all other signs to be installed) signage submitted to DEC.
- Task 2: Shared-use plan posted publicly onsite, with municipal parking information, and on the municipal website.
  - Performance Measure 1: Photo of shared use sign posted on site, screenshot of shared use plan on municipal website, and screenshot or copies of municipal parking documents describing shared use plan submitted to DEC.

Objective 7: Data collection

- Task 1: Grant rights to OrgID ORG27201- New York State Department of Environmental Conservation and select “Detailed Usage Reporting” from the Rights Dropdown List.
  - Performance Measure 1: Notify DEC that rights have been granted.
- Task 2: Provide DEC with a username and password to view data.
  - Performance Measure 1: Log-on username and password provided to DEC.
- Task 3: Municipality will provide the DEC with a quarterly report of GHG emissions reductions. The report will include a total for each month of the quarter and an aggregate total for the quarter. Usage reports and calculations/calculator used will be provided to substantiate the totals reported.
  - Performance Measure 1: Quarterly GHG emissions reduction report submitted to DEC for each quarter of the contract period.

Objective 8: In-service Agreement

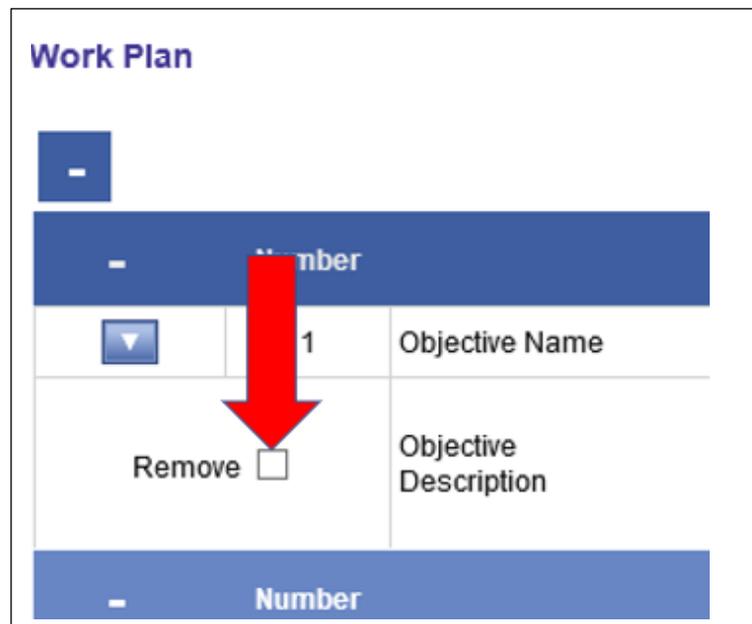
- Task 1: Municipality will obtain a minimum ten-year in-service agreement for EVSE infrastructure guaranteeing the equipment will be functional at least 80 percent of the time.
  - Performance Measure 1: Copy of in-service agreement submitted to DEC.

## ZEV Infrastructure Work Plan Completion Instructions

The purpose of this document is to clarify the objectives, tasks, and deliverables required for a ZEV infrastructure grant project under a variety of circumstances. The information below provides options within the State defined work plan to assist the applicant in drafting an appropriately specific and detailed work plan.

### A. Objective 1: Develop and execute climate change mitigation easement (CCME).

- This objective and its associated tasks and performance measures are required if the municipal applicant will be installing infrastructure on property that is owned by an entity other than the applicant municipality.
- For a CCME template, visit this page:  
<https://www.dec.ny.gov/energy/109181.html>
- Municipal applicants installing infrastructure on their own municipal property may delete this objective by checking the “Remove” box to the left of the Objective in the application.



The screenshot shows a web interface titled "Work Plan". It features a table with a blue header and footer. The header row contains a minus sign and the word "Number". The table has two columns: "Objective Name" and "Objective Description". The first row of the table has a dropdown menu with a downward arrow, the number "1", and the text "Objective Name". Below the "Objective Name" column, there is a "Remove" label followed by an unchecked checkbox. A large red arrow points down to this checkbox. The footer row contains a minus sign and the word "Number".

### B. Objective 2: Project Administration

- All tasks and associated performance measures are required and cannot be edited or deleted.

### C. Objective 3: Purchase equipment and procure contractor(s) ensuring compliance with local procurement requirements and MWBE goals, if necessary.

- This objective and all of its associated tasks and performance measures are required if the applicant plans to purchase its own equipment as well as hire a contractor(s) to complete all work or various pieces of the work.
- If applicant intends to hire an installer that will provide all supplies and equipment, task 1 and its associated performance measure can be deleted.
- If applicant intends to hire an electrician, general contractor, installer, project or grant manager, or any combination of contractors, the work plan must be edited to specify who will be hired in tasks 2 and 3.

**NOTE on MWBE Requirements:** Beginning in 2022, MWBE goals will be assigned during the contract execution process. If awarded a grant, the grantee will receive a determination from the DEC MWBE office pertaining to MWBE goals AFTER the contract has been submitted for execution. Attachment A-1 (Program Terms and Conditions) Section AX(b)(1) of the executed contract will contain the assigned MWBE goal. Contracts for less than \$25,000 in grant funds will continue to be exempt from MWBE goals.

D. Objective 4: Preparation of site

- This objective and its associated task and performance measure are required.
- Task 1 must be edited to detail what site work will take place at the location, E.g., install utility pole, install electricity, install meter, dig trench, install bollards, paving, painting, etc.

E. Objective 5: Installation and activation of Zero Emission Vehicle ZEV infrastructure.

- This objective and its associated tasks and performance measures are required.
- Task 1 must state what infrastructure will be installed. E.g., Two ChargePoint CT4000 dual port charging stations.
- Tasks 2 and 3 and the associated performance measures are required and cannot be edited or removed.

F. Objective 6: Signage and Information

- This objective and its associated tasks and performance measures are required.
- Task 1 – wayfinding and acknowledgement sign are required. If applicant will install additional signage such as limited parking time, parking only when charging, or towing of non-EVs, those signs must be detailed in task 1 and a photo provided as a performance measure, in addition to photos of the wayfinding and acknowledgement signs.
- Task 2 – this task and deliverable are required for facilities with shared public and fleet use. If the proposed project site will be available to the public 24 hours a day, 7 days a week, with no municipal fleet charging, this task and deliverable may be deleted.

G. Objective 7: Data collection

- This objective and its associated tasks and performance measures are required; however, the specifics will vary based on the equipment chosen.
- If installing a ChargePoint, task 1 and the associated deliverable will apply and tasks 2 and 3 will be deleted.
- If installing something other than a ChargePoint, task 2 and the associated deliverable will apply and tasks 1 and 3 will be deleted.

- For hydrogen fuel stations or non-networked units, task 3 and the associated deliverable will apply and tasks 1 and 2 will be deleted.

H. Objective 8: In-service Agreement

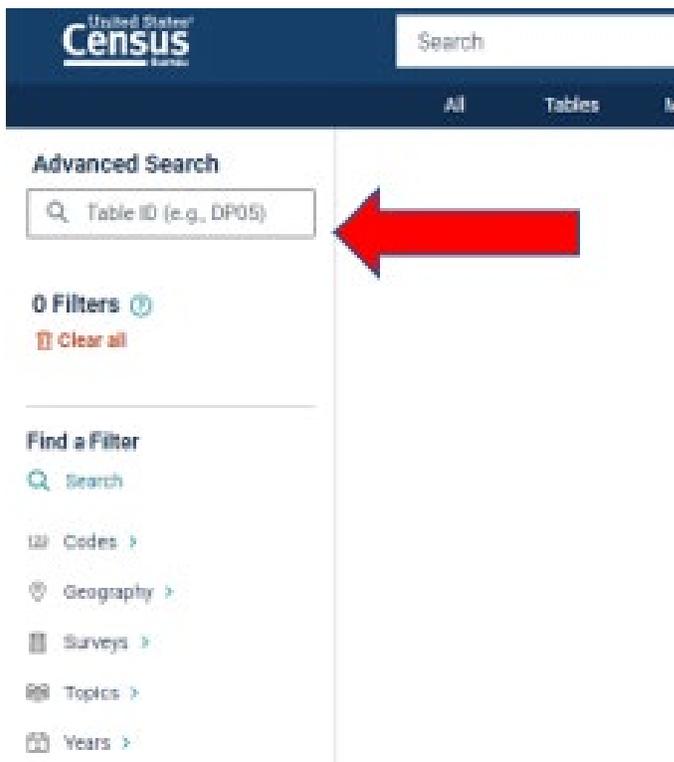
- All tasks and associated performance measures are required and cannot be edited or deleted.

## Attachment B: Using the U.S. Census Webpages to Obtain Median Household Income (MHI)

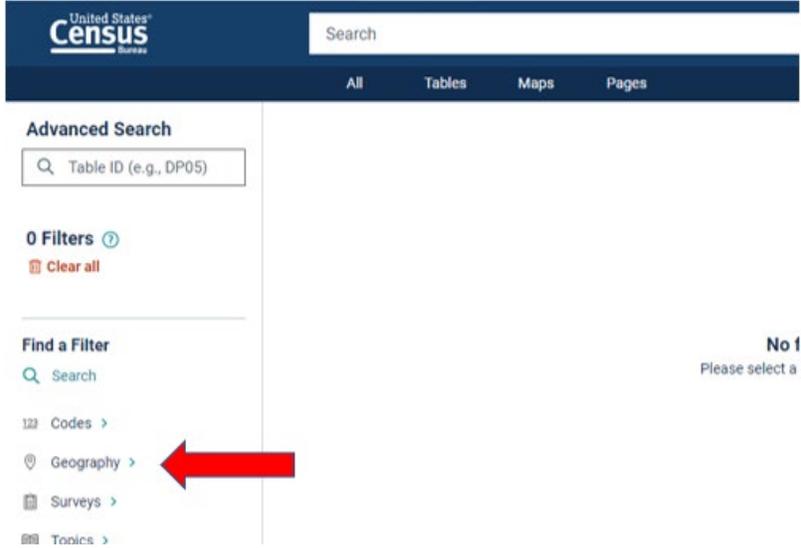
1. Open the U.S. Census data search page: <https://data.census.gov/cedsci/>
2. Click on “Advanced Search.”



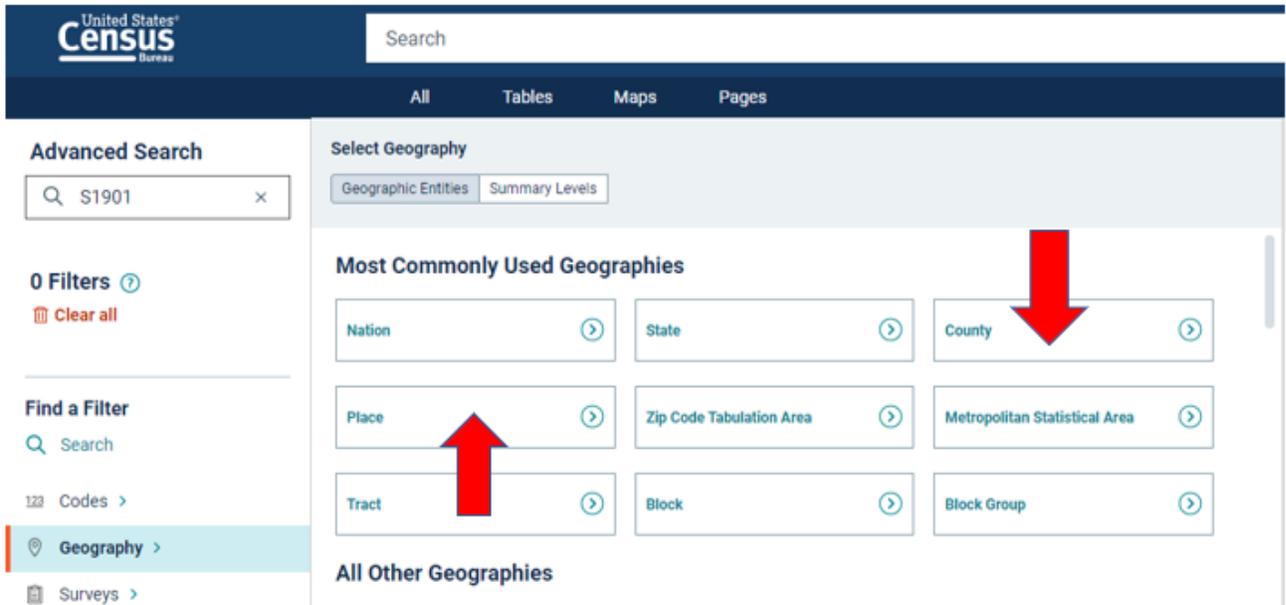
3. Type “B19013” under the words “Advanced Search.” This will cause the database to access the correct table - “Median Household Income in the Past 12 Months (In 2020 Inflation-adjusted Dollars).”



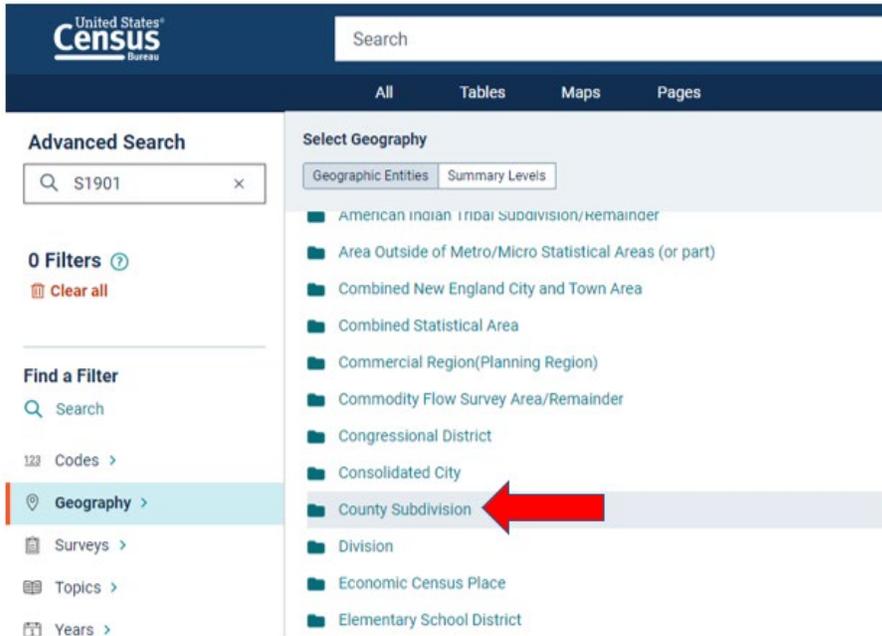
4. Select “Geography” below “Find a filter.”



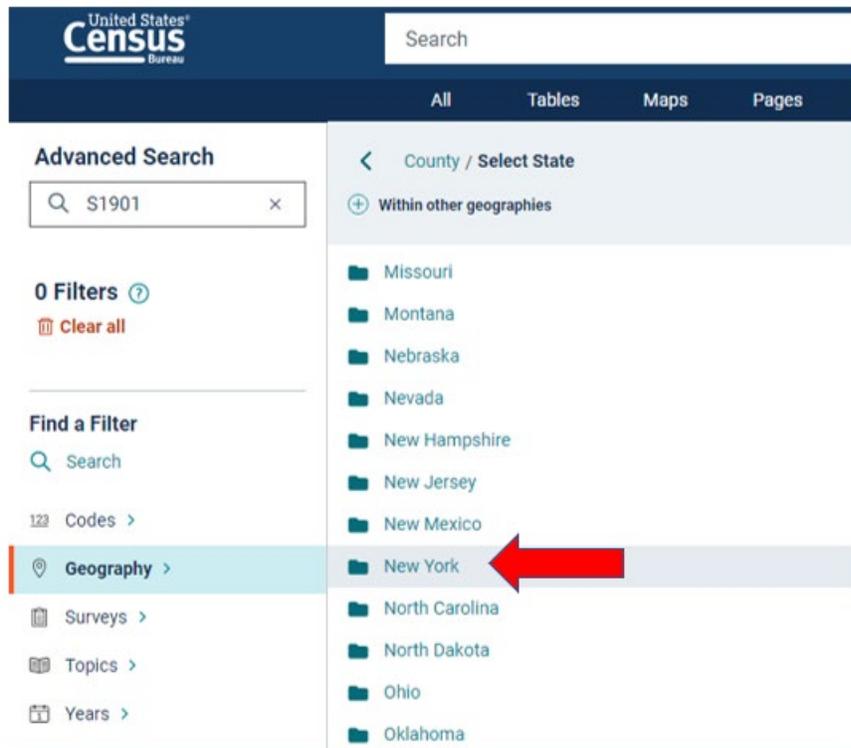
5. In the box to the right of “Geography,” counties will select “County” while cities and villages will select “Place.”



Towns will scroll down and select “County Subdivision.”



6. All applicants will then select New York State.



7. Select appropriate municipality and click the “Search” button in the lower right-hand corner.

The screenshot shows the United States Census Bureau website interface. At the top, there is a search bar and navigation tabs for 'All', 'Tables', 'Maps', and 'Pages'. The main content area is titled 'County / New York / Select County'. On the left, there is an 'Advanced Search' section with a search box containing 'S1901' and a '0 Filters' section with a 'Clear all' button. Below that is a 'Find a Filter' section with a search box and a list of filter categories: 'Codes', 'Geography', and 'Surveys'. The 'Geography' category is selected. The main list of options under 'Within other geographies' includes: 'All Counties within New York', 'Albany County, New York', 'Allegany County, New York', 'Bronx County, New York', 'Broome County, New York', 'Cattaraugus County, New York', 'Cayuga County, New York', and 'Chautauqua County, New York'. A red arrow points to 'Allegany County, New York'.

The screenshot shows the United States Census Bureau website interface. At the top, there is a search bar and navigation tabs for 'All', 'Tables', 'Maps', and 'Pages'. The main content area is titled 'Place / New York / Select Place'. On the left, there is an 'Advanced Search' section with a search box containing 'S1901' and a '0 Filters' section with a 'Clear all' button. Below that is a 'Find a Filter' section with a search box and a list of filter categories: 'Codes', 'Geography', 'Surveys', 'Topics', and 'Years'. The 'Geography' category is selected. The main list of options under 'Within other geographies' includes: 'All Places in New York', 'Accord CDP, New York', 'Adams Center CDP, New York', 'Adams village, New York', 'Addison village, New York', 'Afton village, New York', 'Airmont village, New York', 'Akron village, New York', 'Akwasasne CDP, New York', and 'Albany city, New York'. Red arrows point to 'Adams village, New York' and 'Albany city, New York'.

United States Census Bureau

Search

All Tables Maps Pages

Advanced Search

S1901

0 Filters

Clear all

Find a Filter

Search

123 Codes >

Geography >

Surveys >

Topics >

Years >

County Subdivision / New York / Cattaraugus County, New York / Select County Subdivision

Hide Geographics Components Show Geographics Components

Within other geographies

- All County Subdivisions within Cattaraugus County, New York
- Allegany Reservation, Cattaraugus County, New York
- Allegany town, Cattaraugus County, New York
- Ashford town, Cattaraugus County, New York
- Carrollton town, Cattaraugus County, New York
- Cattaraugus Reservation, Cattaraugus County, New York
- Cattaraugus Reservation, Cattaraugus County, New York
- Coldspring town, Cattaraugus County, New York
- Conewango town, Cattaraugus County, New York
- Dayton town, Cattaraugus County, New York

8. Click on “Table B19013 Median Household Income in the Past 12 Months (In 2020 Inflation-adjusted Dollars).”

United States Census Bureau

Search

Advanced Search

All Tables Maps Pages

Microdata Help FAQ Feedback

1 Filter

Clear all

Bainbridge village, New York

Find a Filter

Search

123 Codes >

Geography >

Surveys >

Topics >

Years >

10 Tables, 10 Maps

View: 10 | 25 | 50

Tables >

American Community Survey

**B19013** | MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)

View All 12 Products

American Community Survey

**B19013A** | MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS) (WHITE ALONE HOUSEHOLDER)

View All 10 Products

American Community Survey

**B19013B** | MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS) (WHITE ALONE HOUSEHOLDER)

View All 10 Products

American Community Survey

**B19013D** | MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS) (ASIAN ALONE HOUSEHOLDER)

View All 10 Products

American Community Survey

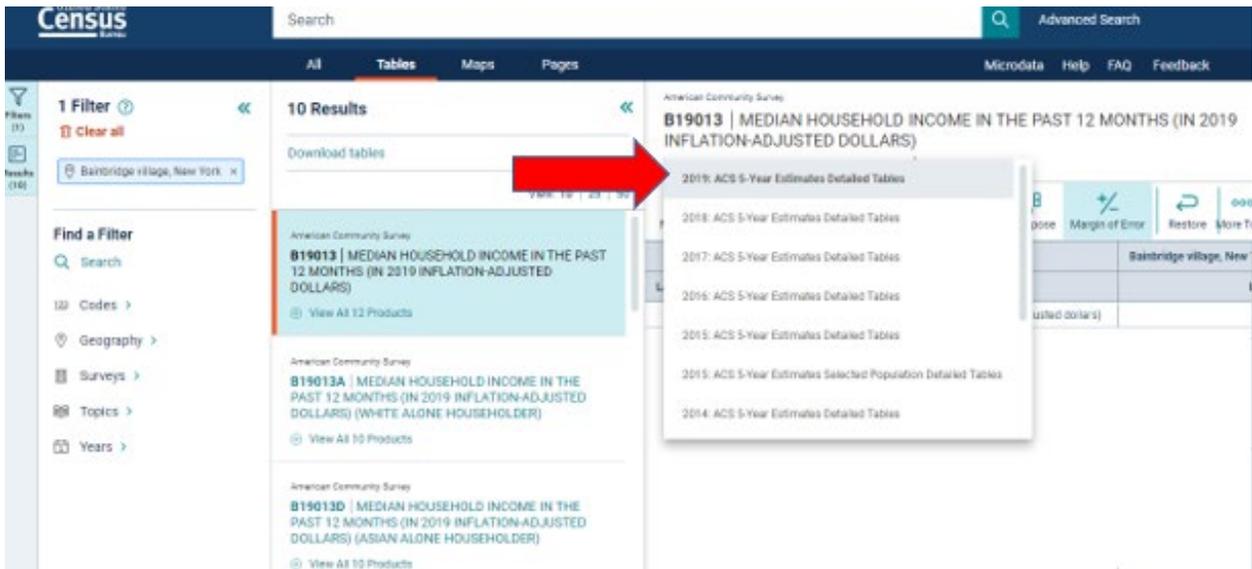
**B19013E** | MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS) (TWO OR MORE RACES HOUSEHOLDER)

View All 10 Products

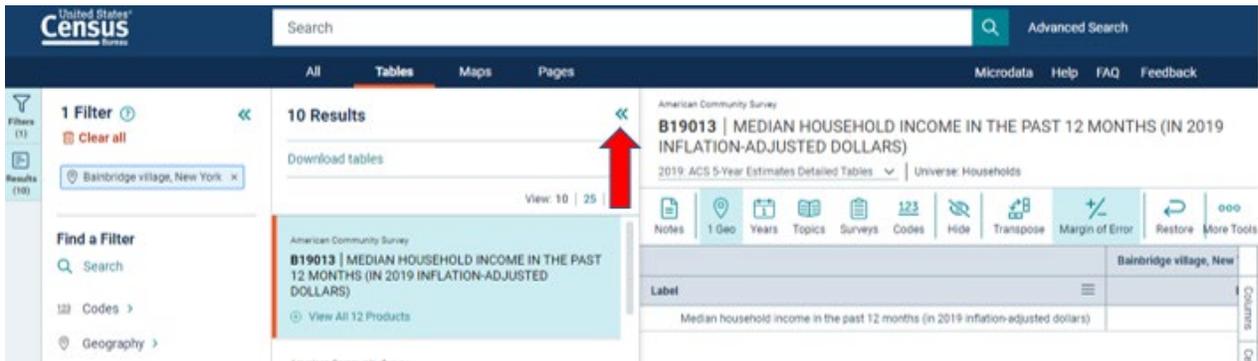
Bainbridge village, New York Profile

Bainbridge village, New York is a city, town, place equivalent, and township located in New York. Bainbridge village, New York has a land area of 1.3 square miles.

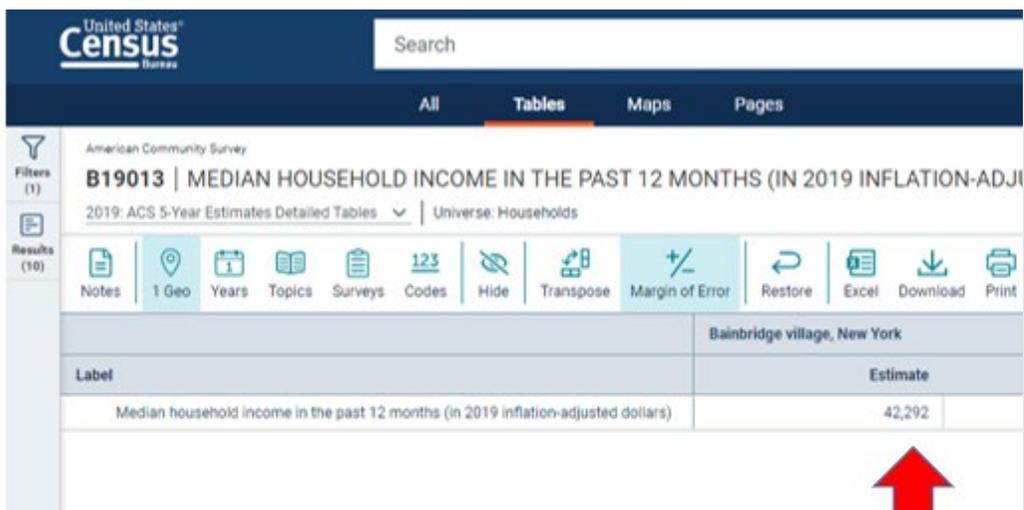
9. Select “2020 ACS 5-Year Estimates Detailed Table” from the dropdown arrow.



10. Collapse the “Results” screen by clicking on the arrows pointing to the left.



11. Read the MHI for the selected community.



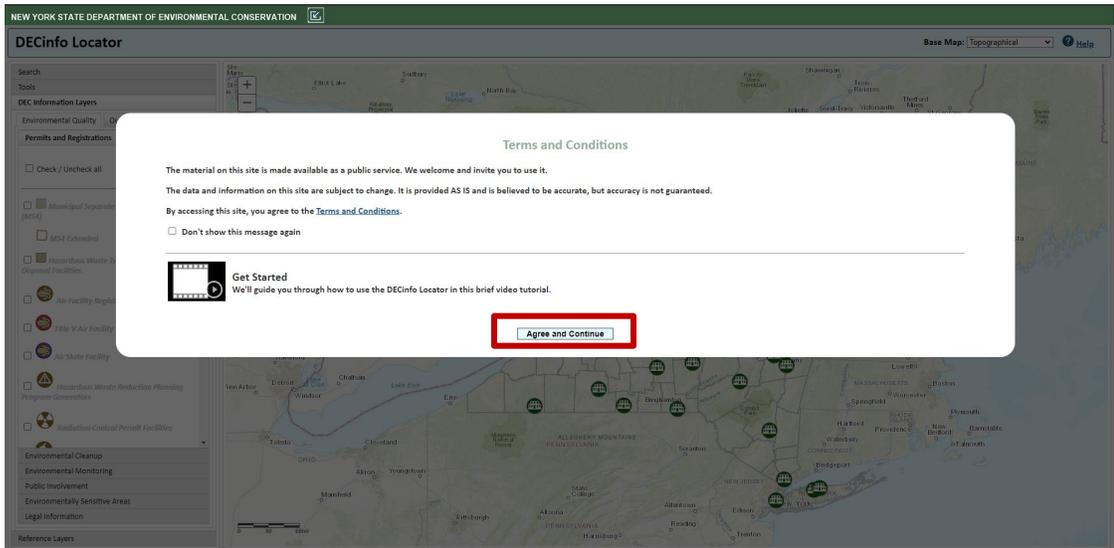
# Attachment C: Using DECinfo Locator to identify Disadvantaged Communities within Municipalities

Applicants should use the instructions below to determine if their project location occurs within a Disadvantaged Community (as identified by the CJWG draft criteria). Background information about the development of these criteria is available online: <https://climate.ny.gov/DAC-Criteria>

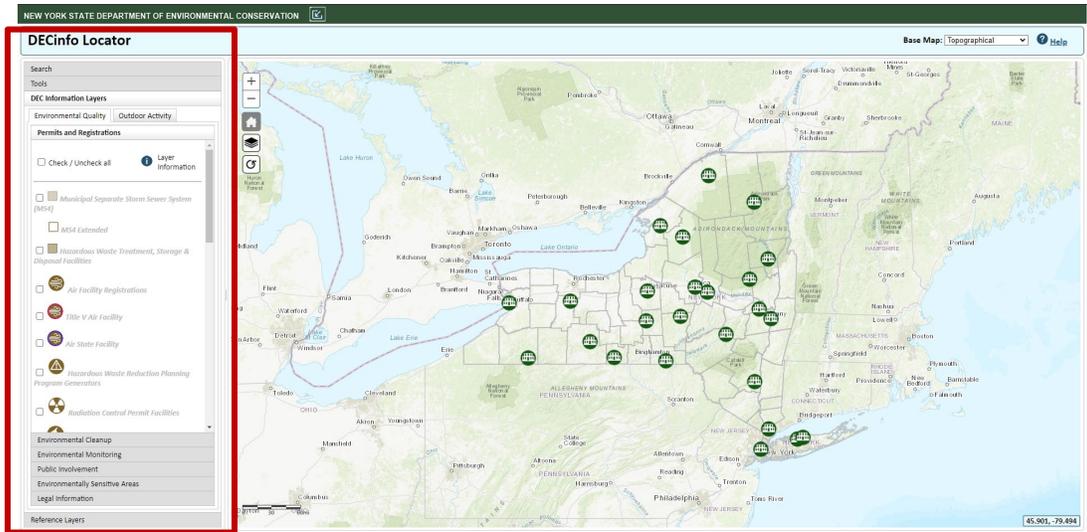
The instructions below also describe how to generate maps of the project location using the DECinfo Locator and how to obtain the census tract identifier for each Disadvantaged Community.

For additional guidance on using the DECinfo Locator, visit this page: <https://www.dec.ny.gov/pubs/109457.html>

1. Open the DECinfo Locator website: <https://gisservices.dec.ny.gov/gis/dil/>
  - a. You will need to agree to the Terms and Conditions of the website.
  - b. If you are unfamiliar with using online map tools, the Get Started tutorial video is recommended.



- Your view is composed of two windows. The main window is a map of New York State. On the left is the legend. The legend is a table of contents composed of several drop-down menus containing all the categories of data that can be displayed on the map. (Continue to step 3 on the next page.)



3. The four menus you will need to use are Public Involvement, Search, Reference Layers, and Tools. First, click on Public Involvement. This will expand the Public Involvement tab, revealing all the Public Involvement layers you can turn on and off by clicking the check box to the left of each layer.

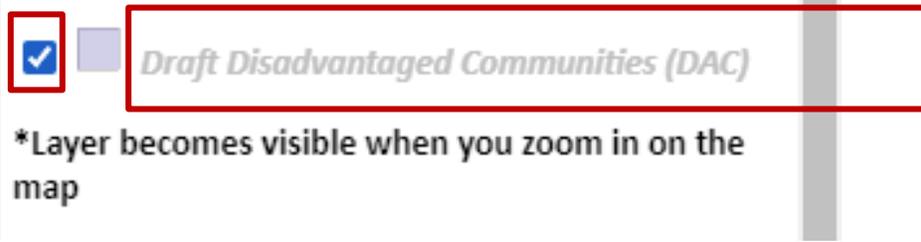
The screenshot displays a web application interface with the following components:

- Search** and **Tools** sections at the top.
- DEC Information Layers** section with tabs for **Environmental Quality** and **Outdoor Activity**.
- Permits and Registrations** sub-section containing a list of layers with checkboxes and icons, such as *Municipal Separate Storm Sewer System (MS4)*, *MS4 Extended*, *Hazardous Waste Treatment, Storage & Disposal Facilities*, *Air Facility Registrations*, *Title V Air Facility*, *Air State Facility*, *Hazardous Waste Reduction Planning Program Generators*, and *Radiation Control Permit Facilities*.
- Public Involvement** menu item, which is highlighted with a red box and has a red arrow pointing to it from the left.
- Reference Layers** section at the bottom.

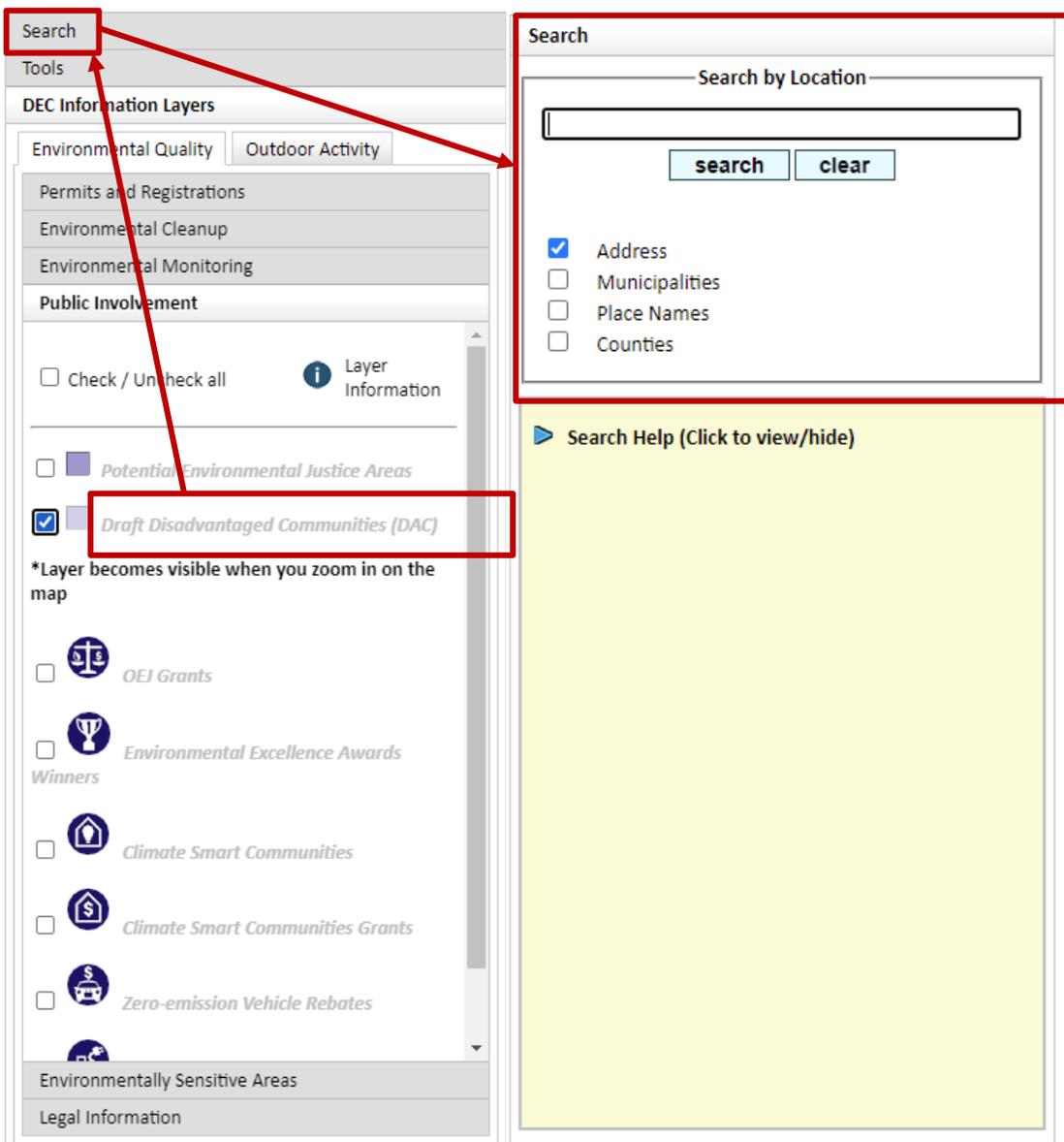
The expanded **Public Involvement** menu is shown on the right, featuring a red border and the following layers:

- Check / Uncheck all i Layer Information
- Potential Environmental Justice Areas*
- Draft Disadvantaged Communities (DAC)*
- OEJ Grants*
- Environmental Excellence Awards Winners*
- Climate Smart Communities*
- Climate Smart Communities Grants*
- Zero-emission Vehicle Rebates*
- Zero-emission Vehicle Infrastructure Grants*

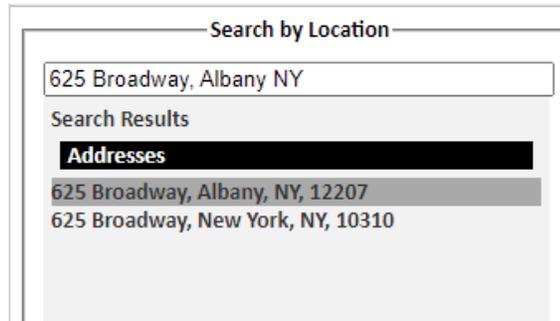
- Next, click on the check box for Draft Disadvantaged Communities (DAC). This will turn on the Disadvantaged Communities layer. Note that the layer only becomes visible once you've zoomed in sufficiently.



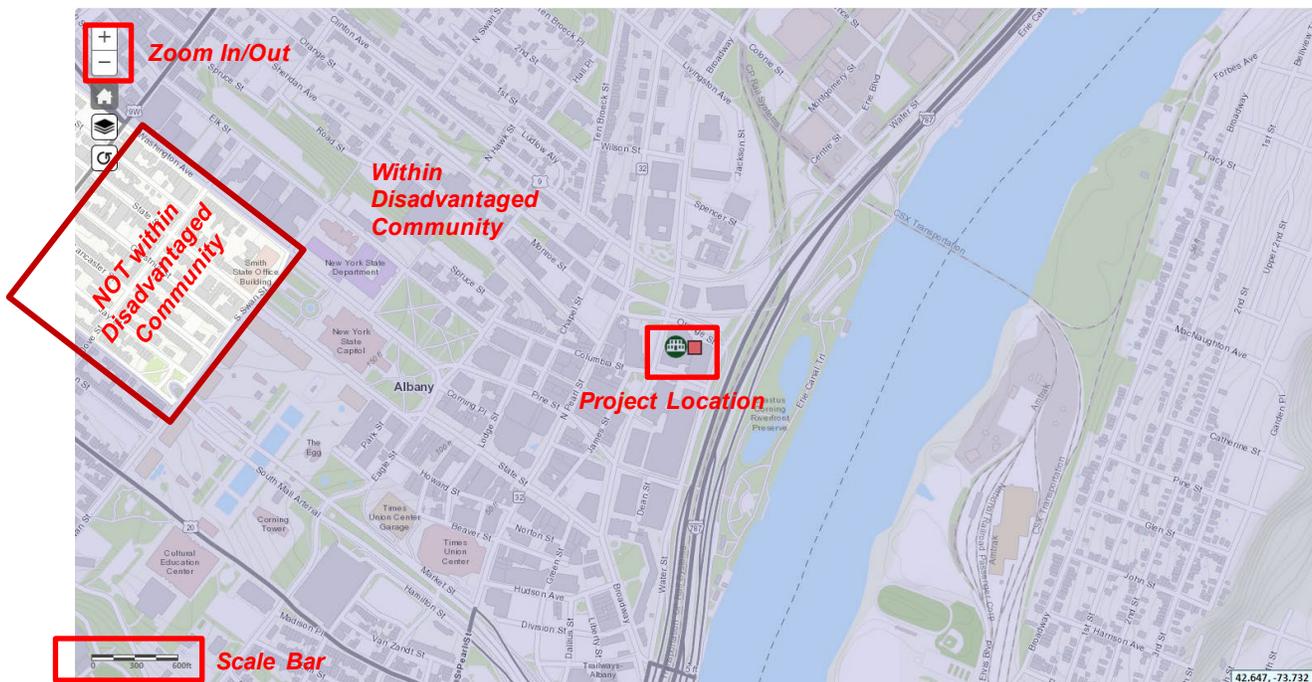
- Now return to the table of contents and select Search.



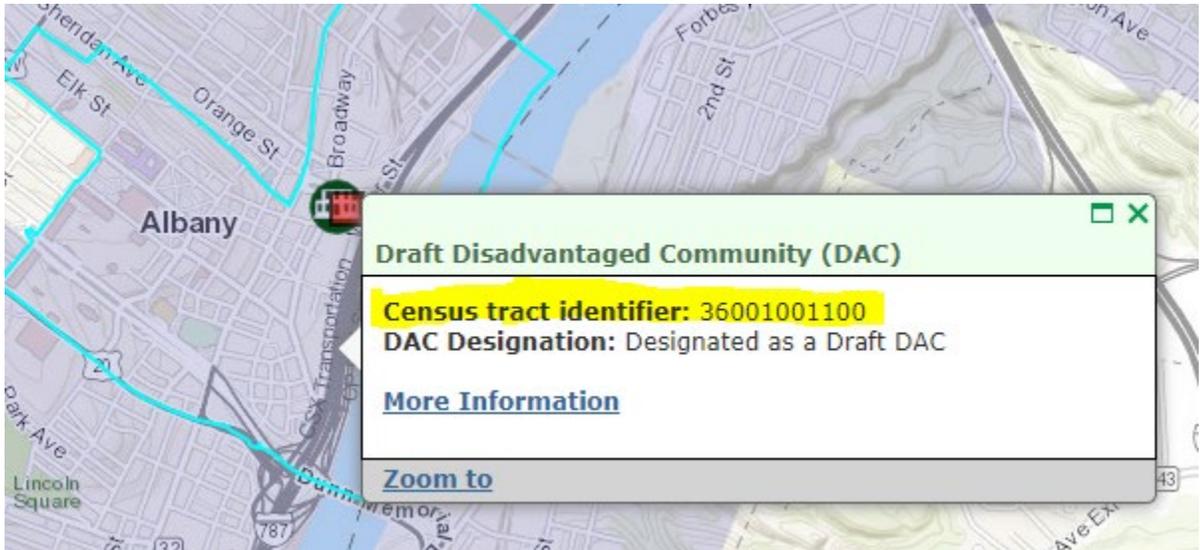
- In the search field, type in the address of the proposed project location. A dropdown menu will appear giving you a selection of candidate locations. Select the correct address. If an address does not yet exist for your project location, select an address that is as close as possible to the project location.



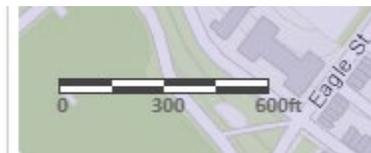
- When the location is selected, the DECinfo Locator will automatically zoom in to the project location and place a square marker at the indicated site. Areas that are within the Disadvantaged Communities are symbolized by a purple overlay. Areas that are not within the Disadvantaged Communities do not have this overlay. In the example below, the proposed project location at 625 Broadway in Albany is within a Disadvantaged Community, but the area to the north-west is not.



- To obtain the census tract identifier for a Disadvantaged Community, click on the purple-shaded area on the map and a pop-up box will appear showing this number. You will be asked for this number in your grant application. Note that more than one census tract identifier may be involved in your project, depending on the size and location of the project.



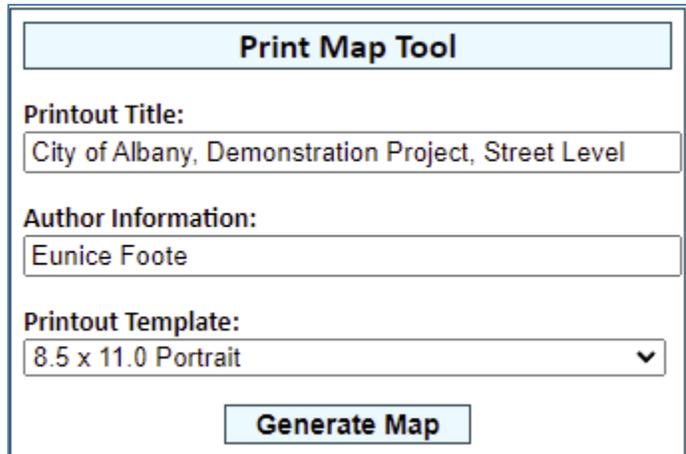
- For the purposes of your grant application, you will need to include two versions of your project location map. The first is a "street-level" view, as exemplified above. This version should be at the 600-foot scale as indicated by the scale bar in the lower left corner of the map. This is the default zoom level for the DECinfo Locator when searching by address.



- Click on the Tools Tab and then click on the Activate Printer Tool button.

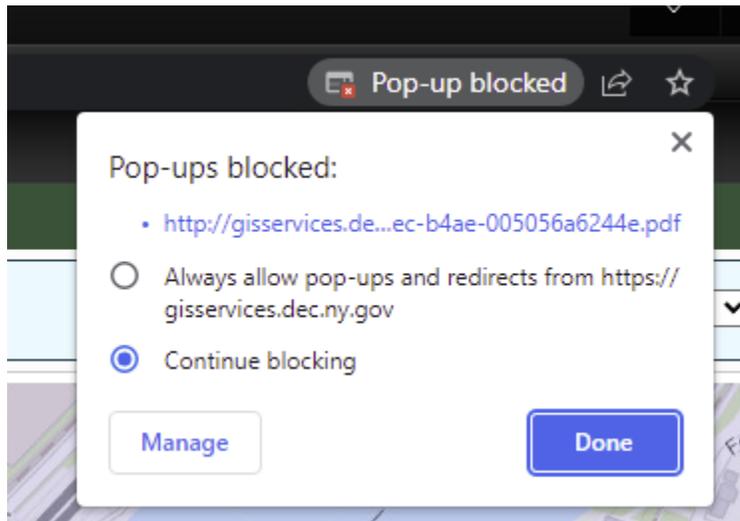


11. This will open the Print Map Tool. You will use this tool to generate a PDF map.
- The Printout Title should be your municipality name and type, project title, and “Street-level.”
  - The Author Information should be the person responsible for the grant application.
  - The Printout Template should be 8.5 x 11.0 Portrait, which is the default setting. (Other sizes are acceptable if you are unable to capture the needed area using this setting.)
  - Click Generate Map and the DECinfo Locator will generate a PDF map in another tab.

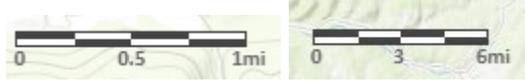


The screenshot shows a web form titled "Print Map Tool". It contains three input fields: "Printout Title" with the text "City of Albany, Demonstration Project, Street Level"; "Author Information" with the text "Eunice Foote"; and "Printout Template" with a dropdown menu set to "8.5 x 11.0 Portrait". A "Generate Map" button is located at the bottom of the form.

- It is common for the map to appear in a new tab and to be blocked by a spam blocker. Check your spam blocker settings.



12. Zoom out to the 1-mile scale for a “high-level” view. Click on the Zoom Out button three times to achieve this level of zoom. This should be sufficient to see your entire municipality if you are a town, city, or village. A 6-mile scale should be used for county applicants, which can be reached by three additional clicks of the Zoom Out button.



13. At the bottom of the table of contents, click on Reference Layers. You will see layers for Cities, Towns, Villages, and County Boundaries (see screenshot on next page).
- Select the check box for the category that matches your municipality type. (If you represent a county government, note that the County Boundary layer is turned on by default.)

Search

Tools

**Print Map Tool**

Printout Title:  
Albany, Demonstration Project

Author Information:  
Svante Arrhenius

Printout Template:  
8.5 x 11.0 Portrait

**Generate Map**

DEC Information Layers

Reference Layers

Check / Uncheck all Layer Information

 DEC Regional Offices

 DEC Regional Boundary

 Adirondack Park Boundary

 Catskill Park Boundary

 Cities

 Towns

 Villages

 County Boundary

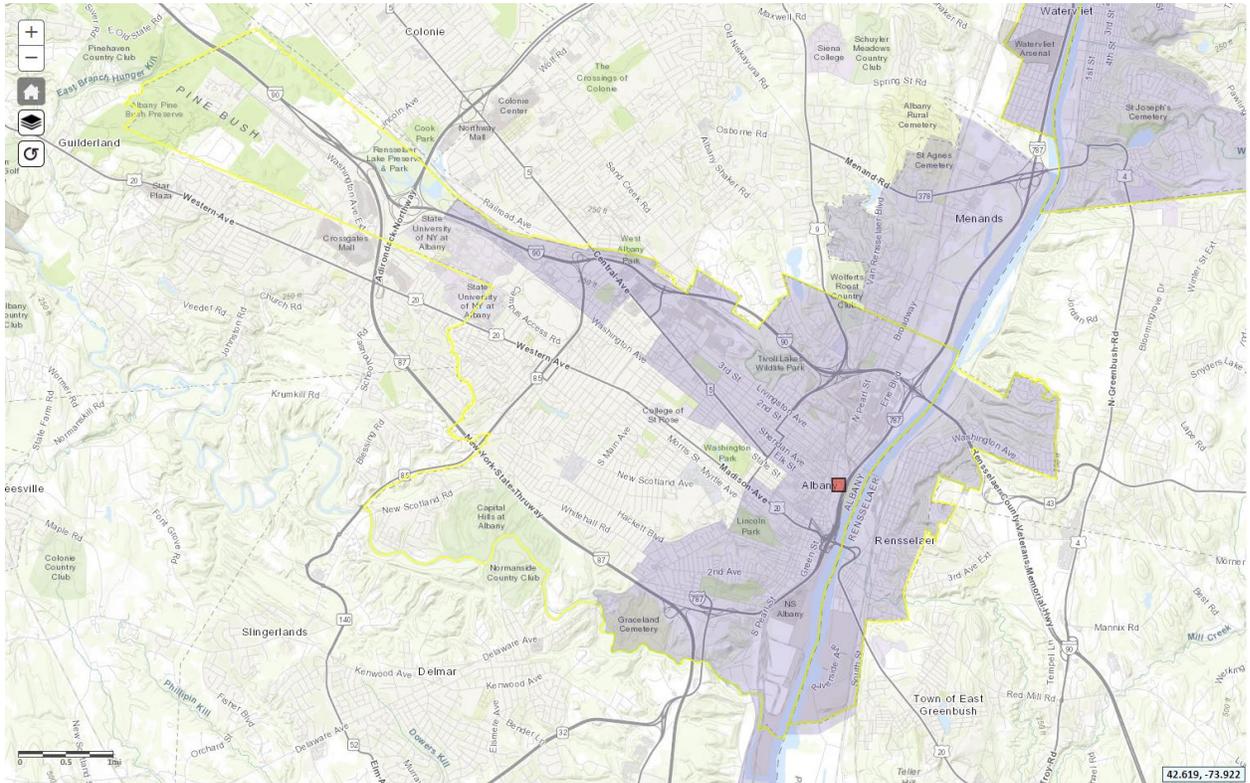
\*Layer becomes visible when you zoom out on the map

 Tax Parcels

DEC Information Layers

Reference Layers

14. This will show the boundary of your municipality on the map. In the example below, you can see the outline of the city of Albany in yellow, the Disadvantaged Communities shaded in purple, and the project location at 625 Broadway marked with a red square.



15. Repeat the printing instructions started at step nine, this time replacing “Street-level” with “High-level” in the title of the map.