

October 8, 2009

***NYS Brownfield Opportunity Areas Program
Commencing BOA Funded Projects
Guidance to commence BOA projects following a grant award announcement***

Summary - This guidance is intended for grantees that have received a BOA Program grant award announcement and will soon commence their BOA project. The purpose of this guidance is to describe the steps that need to be undertaken by grantees, in collaboration with Department of State (DOS) regional staff, to commence a BOA project with a state grant award.

Following a grant award announcement, the following activities need to occur to successfully begin the project: conduct an organizational meeting with the DOS to finalize the project work plan and budget; obtain an executed contract; receive advance payment; and kick-off the project with a public meeting.

Conduct an Organizational Meeting - Following a grant award announcement, a DOS regional representative will contact the grantee to schedule an initial organizational meeting to discuss rolling out the project and to further develop and finalize the project work plan, associated budget and other items listed below. This may be done by phone or in person. An in person meeting is preferred and strongly recommended. This meeting is a good opportunity to tour and review the study area to assess existing conditions, assets, and opportunities. Items for discussion and review should include but are not limited to:

- **Work plan**

Grantees may use the generic work plan as it exists or may revise the work plan by adding detail and specificity relative to project specific tasks and products.

- project scope of work to ensure local needs and priorities are addressed
- project focus given the study area's size, conditions, challenges, assets, and opportunities
- study area boundaries
- expected products and deliverables
- project budget and allocation
- process and timing for receiving an executed contract

- **Public participation**

- plan, methods and timing for public participation
- steering committee composition given the characteristics of study area

- **Roles and responsibilities**

- roles of grantee, consultants, steering committee
- roles of DOS, DEC and other agencies

- **Consultants**

- consultants most appropriate based on the work plan focus, emphasis and deliverables
- consultant selection process, procurement options, and consultant interviews
- types of subcontracts

- **Reimbursement**

- payment advances and other reimbursement requests
- review of BOA Program Payment Guidance

Obtaining an Executed Contract

- **Step 1** - Following a grant award announcement, the Department of State's Fiscal/Contract Office assembles a contract, inclusive of the agreed upon work plan and budget, resulting from the organizational meeting described above.

- **Step 2** – The DOS Fiscal/Contract Office sends contract to grantee for local signature. Upon receipt of the locally signed contract, DOS signs the contract and sends it to the Attorney General and then to Office of the State Comptroller.
- **Step 3** - Following approvals by the Attorney General and Office of the State Comptroller, the contract is fully executed.
- **Step 4** - DOS sends the approved, fully executed contract to grantee.

Obtaining a fully approved (local and state signatures and approval) executed contract takes approximately three to four months. Grantees are advised that they should not request the project consultant to commence work until there is an executed state contract. If grantees request the consultant to work without an executed contract, DOS cannot guarantee payment.

Receiving Reimbursement – Grantees should refer to the BOA Program Payment Guidance, to be provided with their executed contract, for detailed instructions on requesting reimbursement.

- **Payment advance** - Immediately upon receipt of an executed contract, the grantee may submit a voucher for a payment advance (25% of grant award). The request must identify how the advance will be used and include a cost breakdown that conforms to the budget categories in the approved contract work plan.
- **Requests for reimbursement** - Requests for reimbursement must be based on actual eligible project costs incurred. Costs must be summarized by the budget categories in the approved contract work plan. Payment requests must be tied to reimbursable eligible project expenses and the Department of State acceptance of completed products described in the work program.

Project Kick-off and Next Steps – With an approved, fully executed contract, grantees should conduct two meetings to further advance their project. If the grantee elects to hire a project management consultant, then the procurement of the consultant should precede the meetings below.

- **Organizational and Scoping Session with Consultant** – In addition to the grantee, participants may include the consultant or consultant team, and representatives from the DOS and DEC. Members from the project steering committee may also participate if desired. The purpose of this meeting is to discuss: project boundaries and focus, project deliverables, SEQRA requirements, roles and responsibilities, existing relevant information, public participation plan, and reimbursement.
- **Project Kick-off Meeting** – In addition to the grantee, project kick-off meeting participants may include consultant, steering committee members, representatives from appropriate local agencies, representatives from the DOS, DEC and other state or federal agencies. This meeting can serve as the first public information session to engage meeting participants and the public regarding: project purpose; community vision; project goals and objectives; study area challenges, assets and opportunities; sites of concern or interest; and expected results.