

OFFICE OF COMMUNITY RENEWAL
NEW YORK STATE
HOUSING TRUST FUND CORPORATION



NEW YORK MAIN STREET

Commitment & Disbursement Procedures
for Local Program Administrators

OFFICE OF
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NEW YORK MAIN STREET
Procedures for Commitment and Disbursement of NYMS Funds
for Local Program Administrators
Updated December 2011

The procedures set forth in this document should be followed by organizations administering New York Main Street (NYMS) programs seeking disbursement of grant funds from the Housing Trust Fund Corporation (HTFC). Local Program Administrators (LPAs) must follow these procedures to report on program activity and to receive disbursement of funds.

This document provides Local Program Administrators with instructions on commitment and disbursement procedures established by HTFC and Office of Community Renewal (OCR). Each form referenced in this document is available as a fillable form on the NYMS program web site: <http://nysdhcr.gov/Forms/NYMainStreet/>.

NYMS program rules and requirements have changed since program inception. Please note these instructions provide guidance for administrators of NYMS grants from several different funding years with different program rules and requirements. Please reference the Funding Round Rules & Requirements Summary table at the end of this document to confirm the rules applicable to your contract's funding year. If you are unclear about which funding year rules and requirements apply to your contract, or have questions about the processes outlined in this document please consult your OCR representative.

I. Designation of Depository for Direct Deposit of HTFC Funds

Local Program Administrators must designate a bank account to receive NYMS funds directly from HTFC. LPAs should complete and sign Section I of the Designation of Depository form. The LPA must then have their chosen financial institution complete and sign Section II of the form. The LPA must return the original to the following address:

NYS Office of Community Renewal
Hampton Plaza
38-40 State Street, 6th Floor
Albany, NY 12207-2804

When projects are completed and appropriate paperwork is submitted, HTFC will use this bank account information to transfer funds to the LPA through an Automated Clearing House (ACH), i.e. direct deposit, procedure. The LPA must disburse funds to the property owner or vendor within five business days of receipt, except where such funds are to reimburse the LPA for payments already disbursed to the property owner or vendor.

II. Authorized Signature Form for Disbursement Requests

The Authorized Signature Form must be completed to designate the representative(s) authorized to sign disbursement requests and must reflect the LPA's written policy on internal controls.

A board member should authorize the executive director or fiduciary staff member to sign disbursement requests. However, the person responsible for preparing paperwork for disbursement requests should not be authorized to sign disbursement requests. Please contact NYMS program Staff

for additional instructions.

Instructions for Authorized Signature Form:

- **Recipient Name** - Enter the LPA (NYMS awardee) name.
- **SHARS ID Number** - Enter the SHARS ID used for the program.
- **Mailing Address** - Enter the mailing address of the LPA.
- **Contact Person** - Provide a name and phone number for the person OCR should contact with questions related to the Authorized Signature Form.
- **Request for Funds requires (check one)** - Check the box that represents the number of signatures required to authorize a disbursement. It is recommended that two signatures be required for the authorization of requests for funds.
- **Persons Authorized to Sign Disbursement Requests** - Enter the name, title, date and signature of the persons authorized to sign the Local Administrator Disbursement Request Form.
- **Certification** - Enter the name and title of the representative authorizing the signatures. This representative may **not** also be a person authorized to sign disbursement requests. This certification must be signed and dated **after** the form has been completed and each authorized signatory has signed.

III. Project Commitment and Set-up

HTFC and OCR use the data provided on the Project Set up form to monitor program status and to reserve funds for the building specified on the form. The LPA is responsible for submitting accurate Project Set up forms to OCR. Set up forms can be submitted via mail, fax, or e-mail to your OCR representative. OCR will confirm accuracy of building information and allowable funding amounts presented on the Project Set up form.

The Project Set up process requires first a commitment at the local level to the project. For building renovations and downtown anchor grants, it is expected that the LPA will have signed a written agreement with the property owner to do the specified work prior to requesting OCR to set up the project. The State Historic Preservation Office (SHPO) must also issue a clearance determination prior to NYMS Project Set up. LPAs must submit the Project Set up form to commit funds for a building prior to the start of construction.

Instructions for Project Set up Form:

- Check **Project Set up**.
- **Person Completing form** - Provide a name and contact information for the person completing form, or a person OCR should contact with questions related to the Set up.
- Indicate whether the Set up is **Original** (first time submission for the building) or **Revised** (revised budget information).
- **Program Information** - Enter the name of the LPA and the SHARS ID of the program.
- **Project Information**

Project Name (Optional) - Enter the formal or informal name used to refer to this

property, e.g. property owner name, business name, or building use.

Project Address - Enter the street address of the building. Confirm that the building address is accurate by referencing a tax bill or consulting the local assessor's office. Enter an approximate address or range of addresses for Streetscape Set ups. Please note OCR staff will always use the building address to reference a project.

SWIS Code - This is a numbering system established by the Office of Real Property Service to uniquely identify each county, city, town, or village. This code is provided on a tax bill.

Section / Block / Lot - Enter the tax parcel ID or Section / Block / Lot (SBL) number associated with the building. Confirm that the building address matches the SBL by referencing a tax bill or consulting the local assessor's office. Enter N/A for Streetscape Set ups.

Building Renovation – Façade - Downtown Anchor – Streetscape: Check the box for each NYMS activity taking place at the building.

- **Project Activity Costs** - Enter the applicable budget information for the building. Indicate the amount designated as NYMS funds in the first column and the amounts attributed to Owner match and Other Match in the second and third columns respectively. Please refer to the Funding Round Rules and Requirements Summary table at the end of this document for activity funding limits applicable to each NYMS award year.

Project Delivery expenses must be documented at the time of Set up, and must be *project* specific expenses. If the Project Delivery expense is not Site tests/ surveys or Design, add the expense under 'Other' and specify the type of expense.

Project Delivery expenses must be included within activity funding limits. For example, if a building is set up with a building renovation activity and Project Delivery expense, the building renovation activity and Project Delivery expense combined must stay within the activity limit.

If a completed building is reopened for additional renovations a revised Set up form must show the total project budget.

- **Clearances (for Project Set up)**
 - **SHPO** - Enter the Date of the Clearance Letter and attach the SHPO clearance letter for this building to the Set up form.
 - **HTFC Environmental Clearance Date** – Provide the date of the clearance letter issued by the Housing Trust Fund Corporation for the NYMS program.
 - **Environmental Conditions:** Check Yes or No to indicate if the HTFC Environmental Clearance letter was issued with conditions.
 - Enter the **Date** the LPA evaluated **the Property using the environmental checklist**. Prior to construction, the LPA must complete the environmental checklist for each individual building project and maintain a copy in the project files.

- **Environmental Hazards:** Enter Yes or No to indicate if Environmental Hazards were identified when the environmental checklist was completed for the property.
- **Number of Units** – Enter the total number of Residential, Commercial and Civic / Community Units *in the building* in the left column and the number of Residential, Commercial and Civic / Community Units *assisted with NYMS funds* in the right column. Unit information does not apply to Streetscape activities.

If the amount of NYMS funds committed to a project increases or decreases, the amount of NYMS funds set aside for the activity must be revised. In such cases the LPA must submit a Project Set up form with the revision box checked showing the new totals.

If a commitment is withdrawn and a Set up building project does not proceed, the building Set up must be cancelled. The cancellation is important for maintaining accurate reporting information and assisted unit totals. To cancel a project altogether, a Project Set up form should be submitted with the top three boxes completed and the word “CANCEL” added in the budget portion of the page. To cancel just one specific project activity and leave another, check only that activity box on the Project Set up form and submit as a revised Set up form. Buildings may not be cancelled or removed once NYMS funds have been disbursed for the project.

IV. Commitment of Administrative Funds

The following instructions apply only to LPAs with contracts that include Administrative funds. Please refer to NYMS Grant Agreement Schedule A – Awarded Budget & Projected Accomplishments and the Funding Round Rules and Requirements Summary table at the end of this document to confirm allowable Administrative funds.

Administrative expenses must be committed using a separate Project Set up form. LPAs are permitted to request up to 40% of the budgeted administrative funds prior to completion of building projects. Administrative funds beyond the initial 40% will be available based on overall program completion. This will be determined by evaluating the percentage of program funds disbursed, and the proposed program activities.

Allowable uses of Administrative funds include salaries, wages, and related costs associated with the administration of the grant including consultant expenses. All administrative costs must be charged to “administration” and not to the activity or program delivery line items.

Instructions for completing Set up Form for initial commitment of Administrative funds:

- Check **Project Set up**.
- **Person Completing form** - Provide a name and contact information for the person completing form, or a person OCR should contact with questions related to the Set up.
- Indicate whether the Set up is **Original** or **Revised**.
- **Program Information** - Enter the name of the LPA and the SHARS ID of the program.

- **Project Information**
 - **Project Name (Optional)** – Enter ‘Admin’
 - **Project Address** - Enter N/A
 - **SWIS Code** - Enter N/A
 - **Section / Block / Lot** - Enter N/A
 - **Building Renovation – Downtown Anchor – Streetscape – Admin. Only** - Check Admin only to commit Administrative funds.
- **Project Activity Costs** – On the Administration line, enter the total amount of Administrative funds awarded. Refer to Grant Agreement Schedule A – Awarded Budget & Projected Accomplishments for the total allowable Administrative Funds.
- **Clearances (for Project Set up)**
 - **SHPO** - Enter N/A
 - Enter the **Date of the HTFC Environmental Clearance letter** issued for the NYMS program
 - **Environmental Conditions** – Leave blank
 - **Property using the environmental checklist** - Enter N/A
 - **Environmental Hazards** – Leave blank
- **Clearances (for Project Completion)** – It is not necessary to complete this portion of the Set up form when completing an Admin. Only Set up form.
- **Number of Units** - It is not necessary to complete this portion of the Set up form when completing an Admin. Only Set up form.

V. Disbursements

LPAs may request disbursement of NYMS funds for completed activities by submitting a Local Administrator Disbursement Request form with appropriate Detail Sheet(s) and supporting financial documentation. LPAs must submit the Project Set up form to commit funds for a building prior to requesting disbursement of funds.

Instructions for Local Administrator Disbursement Request Form:

- Enter the **Name of the LPA**, and the **SHARS ID** for the program.
- **Name and phone number of the person completing this form:** Provide a name and contact information for the person completing form, or the person OCR should contact with questions related to the disbursement.
- **Date:** Enter the date that the disbursement request was completed.

- **Mailing Address:** Enter the complete mailing address of the LPA.
- **Tax ID:** Enter the LPA's Federal Tax ID number.
- **Total NYMS Contract amount:** Enter the full amount of the NYMS award.
- **Total requested to date:** Enter the cumulative amount of previous disbursement requests from the NYMS program contract.
- **Total amount of this request:** Enter the full amount of the attached disbursement request. This amount must equal the amounts indicated on the attached Project Detail Sheet(s).
- **Number of Detail Sheets attached:** Enter the number of detail sheets included for each activity.
- **Payee Certification:** The LPA representative(s) indicated on the Authorized Signatory form signs, prints name and dates the form. In signing the certification on the Local Administrator Disbursement Request form, the LPA is certifying that the work was done satisfactorily, match has been verified, taxes have not been included, and that all other NYMS program requirements have been met. Local Program Administrators may also wish to include inspection forms, signed, for example, by an architect or a rehabilitation specialist certifying that the work was done properly.

Instructions for Project Detail Sheets:

A separate Project Detail Sheet(s) must be submitted for each activity on each building or project for which funds are requested.

- Enter the **SHARS ID** for the program.
- **Check one activity:** Check only one box for the activity the detail sheet is attributed to.
- **Project/ Building Name:** Enter the formal or informal name used to refer to this property, e.g. property owner name, business name, or building use.
- **Project Address:** Enter the street address of the building. This should be the address of the approved Project Set up for the building.
- Enter the **Total NYMS Funds Set Up for Building**. This is the total of the column 'NYMS Project' on the most recent Project Set up form for the building, Streetscape project, or Administrative Funds.
- Enter the **Total NYMS Funds Set Up for Activity**. This is the amount of NYMS funds Set up for the activity indicated. For example, if you are completing a Building Renovation Detail sheet, refer to the amount indicated on the Building Renovation line item under NYMS Project on the set-up form. For a Streetscape project, this is the amount indicated on the Streetscape line of the set-up form, and for an administrative funds disbursement the amount is indicated on the Administration line of the set-up form.
- Enter the **Total NYMS Funds Set Up for Project Delivery**. This amount is on the most

recent Set up form for the building. This line is not applicable for a disbursement of administrative funds.

- **Total NYMS Funds Budgeted for Admin.** Indicate the full amount of NYMS funds budgeted for administrative expenses in the NYMS program grant agreement. This line is not applicable for 2004 - 2009 contracts.
- Enter the **Building Disbursement Request Amount**. This is the total amount included in the request for the building indicated on the detail sheet. For Streetscape projects, indicate the total amount included in the disbursement request for Streetscape. This line is not applicable for an administrative funds disbursement.
- Enter the **Activity Disbursement Request Amount** included in this request for the building activity indicated on this detail sheet. For Streetscape projects, indicate the total amount included in the disbursement request for Streetscape construction activities.
- Enter the **Project Delivery Disbursement Request Amount** included in the disbursement request. This line is not applicable for an administrative funds disbursement.
- Enter the **Administrative Funds Request Amount** included in the disbursement request. This line is not applicable for 2004 - 2009 contracts.
- **Total disbursed to date on building:** Enter the cumulative amount previously disbursed for the building indicated on the detail sheet. For Streetscape projects, indicate the total amount previously disbursed for the Streetscape project. This line is not applicable for an administrative funds disbursement.
- **Total disbursed to date on activity:** Enter the cumulative amount previously disbursed for the building activity indicated on the detail sheet. For Streetscape projects, indicate the total amount previously disbursed for Streetscape construction.
- **Total disbursed to date on Admin:** Enter the cumulative amount previously disbursed for administrative expenses. This line is not applicable for 2004 - 2009 contracts.
- **Total percent complete:** Enter the percent of the total project that is complete. Disbursement of NYMS funds is available based on percent complete. If the building is 100% complete, and the disbursement request is for the full amount of NYMS funds set up, a Project Completion form must be included with the request.
- **Owner Match:** Enter the amount of owner matching funds used for the activity indicated on the Project Detail sheet.
- **Other Match:** Enter the amount of other matching funds used for the activity indicated on the Project Detail sheet.
- **Contractor Information:** Use these fields to identify each contractor or vendor used in this project. Each Contractor or vendor listed must match the supporting invoice(s) provided.
- **M/WBE?:** Enter Yes or No to indicate if the contractor qualifies as a Minority or Women's Business Enterprise.
- **Type of work or trade:** Indicate the type of work or service the contractor provided, e.g. Electrical, Masonry or Administration if applicable.

- **Work performed:** Provide a description of construction activities provided by contractor, e.g. installed six windows, repointed façade. For requests for Administrative funds provide a brief description of administrative activities completed and indicated on the supporting documentation.
- **Contract Amount:** Enter the amount charged by the contractor or vendor indicated. This amount should directly match the invoice(s) provided. For requests for Administrative funds, use these fields to identify the staff, consultant or vendor for which you are requesting administrative funds.
- **Amount of this draw:** Enter the portion of the contract amount (invoice amount) for which you are requesting NYMS funds. The amounts indicated in the Amount of this draw boxes on a single detail sheet must equal the Activity disbursement request amount provided in the top portion of the form. The amounts indicated in the Amount of this draw boxes throughout the disbursement request must equal the ‘Total amount of this request’ indicated on the Local Program Administrator Disbursement Request form.
- **100% Complete:** Check Yes or No to indicate if the contract with the contractor or vendor described is complete.

As explained in the Project Set up form instructions above, Project Delivery expenses must be included within activity funding limits. When including Project Delivery expenses in a disbursement request, Project Delivery expenses must be included on a detail sheet with a project activity.

Requests for funds on multiple buildings under the same NYMS contract may be made using a single Disbursement Request form by attaching the appropriate number of Detail Sheets required by the various projects / activities.

LPAs are permitted to request an initial disbursement of up to 40% of the budgeted administrative funds prior to completion of building projects. Administrative funds beyond the initial 40% will be available based on overall program completion. This will be determined by evaluating the percentage of program funds disbursed, and the proposed program activities. This is not applicable for 2004 - 2009 contracts.

Instructions for Project Completion Form:

A Project Completion form must be submitted with the final disbursement request for each building or project. Data provided on the Project Completion report should be current to the day the form is submitted.

The Project Completion form is the same form as the Project Set up form. The Project Completion form verifies final project budget data, required clearances (for example: final prop. standards, environmental, SHPO clearance and lead abatement when applicable) and assisted building unit information.

Provide all information included on the Project Set up for the building with revised budget information, if applicable, in addition to the following:

- **Clearances (for Project Completion)**

- If the Set up form indicates that Environmental Hazards were identified when the property was evaluated using the environmental checklist, provide the **Date site was determined free from environmental hazard**.
- Provide the **Date of the Final property standards inspection**. Before a final payment can be made, a final inspection is required.
- Provide the **Date assisted units were determined lead-safe** if residential units were assisted with NYMS funds or exterior renovations having a direct impact on residential units were completed, e.g. window replacement or repair.

V. Supporting Documentation

The NYMS program operates fully as a reimbursement program and payment will be made only upon satisfactory completion of building projects. Disbursement Requests must be accompanied by appropriate, legible supporting documentation to substantiate expenses. LPAs must provide copies of detailed invoices or receipts and proof of payment in the form of cancelled checks and lien releases. OCR may request additional documentation such as bids and the full scope of work to maintain effective internal controls. LPAs must clearly communicate the necessity of this documentation to the participating building owners and contractors prior to the start of construction. Cash payments will not be reimbursed.

Copies of invoices from contractors must support the information provided on the Project Detail Sheet(s). If formal invoices are not available, required information must be provided on the letterhead of the contractor, containing at a **minimum** the following elements:

- The **building address** where the work was completed
- The **date(s)** the work was done
- The **dollar amount** of the work
- A description of the work done
- Taxes must not be included in the Disbursement Request.

Copies of invoices from consultants or vendors must support project delivery and administrative expenses listed on the Project Detail Sheet(s). LPAs must generate invoices for in-house staff time.

For the initial or up-front disbursement of NYMS administrative funds, estimate the amount of time the requested funds are expected to cover administrative expenses. For later disbursements of NYMS administrative funds, indicate the time period for the administrative expenses that are included in this disbursement request. Itemize administrative expenses that are in addition to staff or consultant time.

Local Program Administrators must retain the original versions of all supporting documentation in project files at the LPA's office.

OCR will make payments to LPAs through an automated deposit system, which is usually completed within 2-3 weeks from the time of the request. Factors such as unclear supporting documentation or small progress payments can complicate the process and may delay payments.

By contract, all NYMS funds paid to the LPA for building projects must be disbursed to the property owner within five business days of receipt.

VI. Recordkeeping, Reporting, and Monitoring

All Local Program Administrators are responsible for maintaining complete program and project files, including participant applications, eligibility documentation, work specifications, bid documents, financial commitments, contracts, contractors' invoices, inspection reports and documentation on historic preservation issues, lead-based paint, and environmental conditions and clearances, and NYMS program correspondence. Files will be examined by an OCR representative during monitoring and technical assistance visits.

FUNDING RULES AND REQUIREMENTS SUMMARY TABLE

Program Year	Funding Limits	Admin.	Façade	Building Renovation			Match	Anchor	Streetscape	Maintenance Term
				Commercial	Residential	Maximum				
2004	\$50k-200k	0	\$10,000	N/A	N/A	\$50,000	50% TPC/ 25%Owner	\$100,000 or 25% TPC	\$25,000	7 years
2005	\$50k-200k	0	\$10,000	N/A	N/A	\$50,000	50% TPC/ 25%Owner	\$100,000 or 25% TPC	\$25,000	7 years
2006	\$50k-200k	0	\$10,000	N/A	N/A	\$50,000	50% TPC/ 25%Owner	\$100,000 or 25% TPC	\$25,000	7 years
2007	\$50k-200k	0	\$10,000	N/A	N/A	\$50,000	50% TPC/ 25%Owner	\$100,000 or 25% TPC	\$25,000	7 years
2008	\$50k-200k	0	\$10,000	N/A	N/A	\$50,000	50% TPC/ 25%Owner	\$100,000 or 25% TPC	\$25,000	7 years
Fall 2008	\$50k-500k	7.50%	N/A	\$30,000	\$30,000/ unit	\$120,000	25% TPC/ 0%Owner	\$500,000 or 33% TPC	\$25,000	7 years
2009	\$50k-200k	0	N/A	\$40,000	\$20,000/ unit	\$100,000	25% TPC/ 0%Owner	\$150,000 or 33% TPC	\$25,000	7 years
2010	\$50k-500k	7.50%	N/A	\$50,000	\$25,000/ unit	\$150,000	25% TPC / 0%Owner	\$250,000 or 40% TPC	\$60,000	5 years
2011	\$50k-500k	7.50%	N/A	\$50,000	\$25,000/ unit	\$150,000	25% TPC / 0%Owner	\$250,000 or 40% TPC	\$60,000	5 years