





**SENECA FALLS DRI BUILDING IMPROVEMENT FUND GRANT APPLICATION**  
- Applications must be received or before February 28, 2022 by 4pm EST -



## INTRODUCTION

Revitalization of downtown Seneca Falls will help propel long-term regional prosperity and provide year-round opportunities for residents and visitors to enjoy the area's natural assets, local foods and beverages, cultural arts, museums, and more in an attractive and accessible destination. In alignment with the Seneca Falls DRI vision statement, the Town is seeking to improve the utilization of vacant and underutilized property, attract and expand businesses, create mixed-income residential units, and facilitate downtown appeal.

The Town of Seneca Falls has been awarded funding through the NYS Downtown Revitalization Initiative (DRI) to finance a Building Improvement Fund, which will be administered by the Seneca Falls Development Corp (SFDC) and its lead DRI consultant, LaBella Associates. The \$600,000 Building Improvement Fund, of which \$540,000 will be available to property owners, has been established to provide grant funding for applicants to implement interior and exterior building improvements within the defined Town of Seneca Falls DRI area.

Goals of the Seneca Falls DRI Building Improvement Fund are to preserve and renovate historic downtown buildings, beautify downtown buildings, help stimulate entrepreneurship, and promote mixed-income residential uses including upper-floor units.

## ELIGIBILITY CHECKLIST

For-profit and non-profit organizations and individuals are eligible to apply so long as their property meets the following conditions. To determine the eligibility of your project, please complete the checklist below:

- I am the owner of the property and not renting or leasing
- My property is located within the designated target area of the Seneca Falls DRI Boundary (see map on prior page)
- My property is designated commercial or mixed-use (commercial & residential units)
- My property is current on all municipal taxes including property, water, and any other municipal obligations
- My property is not already receiving DRI funding
- I have the ability to finance the entire project and await reimbursement upon project completion
- I understand that I will not be able to sell or transfer the property within five years of project completion without being required to repay 20-100% of the received grant funds (full details are within this application)
- I understand that any prior work is not reimbursable and no costs can be claimed against the Building Improvement Fund in advance of official project grant approval from the SFDC and Housing Trust Fund Corporation (HTFC)

If you checked ALL of the above boxes, then you are eligible to apply for funding assistance through the DRI Building Improvement Fund. Additional guidelines and grant requirements are presented within this application. Please complete the application carefully and in full so your project can be considered by the selection committees.

Questions regarding the application or process can be directed to Ed Flynn at 585-454-6110 or [eflynn@labellapc.com](mailto:eflynn@labellapc.com).



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The SFDC may award between \$10,000 (minimum) up to \$50,000 (maximum) in DRI grant funds, per building, not to exceed 50% of the total building renovation project cost. Building renovation funds may be used to renovate facades, storefronts, and commercial interiors, with additional funding available if there is also a residential component.

The breakdown of additional funding is up to \$25,000 for projects that produce a minimum of 1-2 residential units and up to \$50,000 available for projects that produce a minimum of 3 or more residential units. The funding is on a building-by-building basis and in-kind match is not eligible. Costs incurred prior to the effective date of the grant agreement are not eligible for reimbursement and not eligible as a match.

### Eligible Activities

All buildings must be commercial or mixed use. Work may include renovation or placement of occupied or unoccupied residential or commercial space. Eligible work may include, but not limited to wall, floor, stair, ceiling, and roof repairs, and handicapped accessibility projects. Installation and/or repair of plumbing, electrical, heating, and ventilating features may also be determined to be an eligible expense if part of a larger project. Any health, safety, and building code deficiencies must be addressed as part of the project.

General façade improvements and exterior structural repairs are eligible. Such work may include, but not necessarily be limited to, painting, permanent signage, awnings, handicapped accessibility to storefront entrances, carpentry repairs, masonry repairs and repointing, storefront and building cornice repair and/or restoration, window repairs, and other visual improvements. All façade work should be clearly visible from a public right of way. Repairs to the rear façade of buildings are only eligible if such facades face a public parking lot, public sidewalk, or other public area.

### Ineligible Activities

- Acquisition costs
- New construction
- Improvements to structures owned by religious organizations
- Improvements to municipally owned and operated buildings
- Appliances, business equipment, disposable supplies, electronics, non-permanent fixtures, tools
- Any work that, in the Local Planning Committee's opinion, is inconsistent with or detracts from the character of the Town of Seneca Falls.
- Ancillary activities are not eligible, such as:
  - Septic systems or laterals
  - Grading
  - Parking lots
  - Sidewalks
  - Landscaping
  - Fences
  - Free standing signs
  - Deferred maintenance
- Purchase of security system equipment
- Demolition of building
- Refinancing of debt
- Payment or reimbursement for awardee's in-kind labor
- Payment of sales tax



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### Soft Costs

Eligible soft costs include architecture, engineering, and environmental testing expenses. Soft costs require matching funds, and in-kind match is not eligible. Soft costs incurred for work on buildings that eventually prove infeasible and do not receive other investments will not be reimbursed with DRI funds.

### Project Scoring

Projects will be selected based on the impact it will have within the target area. Projects will be scored based on the following criteria:

- *Readiness* – Assess the project's overall feasibility and readiness, including: proof of ownership/site control, an experienced management or construction team, adequate documentation showing that 100% of the financing for the project is already in place, and a reasonable construction timeline (up to 20 points).
- *Physical Impact* – Assess if projects are visually prominent downtown; have historic value; will create or enhance residential units; can help beautify downtown; and are transformative beyond normal upkeep or maintenance (up to 20 points).
- *Economic Impact* – Assess how much personal investment is provided by the property owner towards the end project; if the project will help reduce blight and vacancies; if the project will contribute to the economic recovery of the target area; if the project will help stabilize or expand the downtown tax base; or if the project will help lead to more downtown businesses and/or jobs (up to 25 points).
- *Quality of Life* – Assess if projects will result in the reuse of vacant space; provides for accessibility improvements; will help improve downtown aesthetics; and add to the appeal of downtown Seneca Falls (up to 15 points).
- *DRI Priorities* – Assess how aligned a project is with advancing the goals and priorities of the DRI, including: increasing housing stock, decreasing empty storefronts, attracting new professionals, improving quality of life, revitalizing downtown corridor, leveraging the town's heritage designation, and beautifying downtown areas (up to 20 points).

Application and scoring reviews will include project proformas, quotes related to the project work, presentations by the applicant, and assessing financial viability. Award amounts will be determined based on the request of each applicant, the scoring criteria above, and the amount of available funding compared to the amount requested.

### Design Standards

All façade renovations must be consistent with the attached design guidelines. All projects will be subject to review by the New York State Historic Preservation Office (SHPO).

### Applicable Fees

If awarded, applicant will be responsible for fees related to project administration and the environmental review process which includes a Phase I Environmental Assessment, Risk Assessment, and Lead Testing (for residential renovations) as well as the project signage. Fees will vary based on the scope of the project. Upon completion of the Environmental Assessment, Risk Assessment, and Lead Testing (for residential renovations) Asbestos and Radon Testing may be required and will need to be paid prior to construction. If after project commencement, it is determined that a Phase II Environmental Investigation is required, additional fees may arise. All environment review and testing fees may be used as part of the awardee's reimbursable costs.



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### Ongoing Compliance

All assistance is in the form of a reimbursable grant with a five-year compliance period. Should the property owner transfer ownership of the building (excluding death) within the 5-year timeframe, they will be responsible for repaying a portion of the grant funding received. A Declaration Form will be filed with the Seneca County Clerk to secure the obligations and the following repayment schedule will apply:

- Months 0-12: 100% repayment due
- Months 13-24: 80% repayment due
- Months 25-36: 60% repayment due
- Months 37-48: 40% repayment due
- Months 49-60: 20% repayment due
- Months 60 and beyond 0% repayment due

### Proof of Available Financing

Proof of available financing through cash in bank (balance sheet), secured loan commitments, and project lines of credit is required.

### Payment Procedures

All DRI projects will operate as a reimbursement grant program. The project owner is responsible for paying all agreed upon project costs and grant reimbursements will be made when the project is complete.

1. No reimbursement shall be paid to the owner until an inspection of the work has been completed by the SFDC, its representative(s), or agent(s).
2. All completed work shall comply with all applicable building codes and standards.
3. To substantiate work costs, Owners must provide the following:
  - a. written contracts
  - b. bank documents
  - c. copies of invoices for materials and labor
  - d. cancelled checks
  - e. lien releases
  - f. and any other documents deemed reasonably necessary by the SFDC or required by HTFC to maintain effective internal controls.
4. Cash payments/cash receipts are not permitted and will not be reimbursed.
5. The payment of any amount(s) due and payable by the HTFC through the SFDC to the project owner, as a reimbursement pursuant to this Grant Agreement for work completed shall be payable within sixty (60) calendar days after all work is satisfactorily completed and sufficient supporting documentation is provided to the SFDC and HTFC.
6. Sales tax should not be included on the invoice as the state is exempt from sales tax.





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### **Housing Trust Fund Corporation Approval**

Approved projects will be submitted to Housing Trust Fund Corporation (HTFC) for review and approval prior to notifying property or business owner of formal funding approval. Property or business owners will be notified of their award contingent upon approval of HTFC. The submission to HTFC will include:

1. Property location information
2. Business information
3. Project scope of work
4. Project cost estimates
5. Award amount
6. Total project cost
7. Proposed payment structure
8. Projected outcomes, e.g. units assisted, jobs created/retained
9. Environmental Compliance Checklist and supporting documentation

### **Contracting Procedures**

The SFDC will enter into a contract with the project owner to provide the program financial assistance. The contract will outline the roles and responsibilities for both the SFDC and the participating property or business owner. At a minimum, the contract will specify:

- Agreed upon scope of work,
- Projected amount of financial assistance awarded,
- Estimated project timeline,
- Regulatory term or repayment provisions,
- Requirement to sign a photo release form permitting the SFDC and HTFC to use photographs of the assisted business or property,
- Requirement to engage a contractor and begin activities within 30 days of formal SFDC approval;
- Payments structure, timing,
- SFDC has the right to inspect work at any time,
- SFDC may terminate the award and cancel the contract should the work or purchases be inconsistent with the program rules outlined, agreed upon scope of work or project design, stated timeline or if insurance is not maintained by the participating contractor.

### **Environmental Review**

Prior to the commitment or expenditure of program funds, the environmental effects of each activity will be assessed in accordance with the State Environmental Quality Review Act (SEQR).

### **Work Write-up Scope of Work**

Once the Local Planning Committee has formally selected an application for program assistance, the SFDC and/or the lead consultant will work with the property owner to develop a scope of work and outline the program requirements. A hired consultant, architect or design professional may be required, as determined by the Local Planning Committee. For projects requiring detailed design elements, the consultant will be required to prepare the scope of work appropriate for bidding purposes.



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### **Work Write-up Scope of Work (continued)**

The initial scope of work may be amended by mutual agreement and to include work items that resolve any health, safety or code issues. Pictures will be taken of those areas proposed for building improvements. As part of the environmental review the scope of work and pictures of the project will be sent to the State Historic Preservation Office for review and approval. Review and approval of the project's consistency with local planning, zoning, design and SEQR regulations will also be required. A final scope of work and cost estimates will be prepared by the SFDC or consultant, prior to requesting bids from contractors. The applicant will agree to or sign off on the final scope of work.

### **Contractor Selection**

Contractors must supply proof of proper insurance and references. Additional contractors can be added to the list at any time as long as references and proof of proper insurance are provided to the SFDC and/or the lead consultant.

### **Procurement & Bidding**

The Seneca Falls DRI Building Improvement Fund and the HTFC requires that at least two bids are solicited and received for each project. The final scope of work, agreed upon by the project owner and the SFDC will be sent out to multiple contractors, including NYS Certified Minority and Women Owned Business Enterprises. Contractors will be given an adequate time to prepare and submit bids. RFPs will be submitted to the SFDC and/or the lead consultant, and not the property owner.

1. The SFDC and/or the lead consultant will work with individual project owners to complete the procurement process, for all activities to be reimbursed with DRI funds. A minimum of two bids must be obtained for each separate construction project or professional service in order to establish the reasonableness of project costs.
2. The procurement process will be free of collusion or intimidation.
3. A clear, written, scope of work for the project, will be the basis for the bids or proposals. All bidders must have equal access to relevant information, including information on the property itself.
4. The bids or proposals for all activities must be submitted directly to the SFDC and/or the lead consultant on behalf of the project owners.
5. The SFDC and/or the lead consultant will work with the project owner to select the lowest responsible bidder, If the property owner chooses an alternate bidder, other than the lowest bidder, re-imburement will be based on the amount of the lowest bid.
6. The SFDC and/or the lead consultant will document the bid solicitation, review and selection process and save such documentation in its project files.

### **EEO & MWBE Requirements**

The SFDC is required to comply with Articles 15-A and 17-B of the New York State Executive Law. These requirements include equal employment opportunities for minority group members and women ("EEO"), and contracting opportunities for certified minority and women-owned business enterprises ("MWBEs") and Service-Disabled Veteran-Owned Businesses ("SDVOBs"). The SFDC's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. Please visit NYS Empire State Development's Division of Minority & Women Business Development website for a directory of certified Minority and Women-Owned Businesses: <<http://www.esd.ny.gov/MWBE.html>>.



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### **Construction Monitoring**

The SFDC reserves the right to inspect or audit work in progress on any project. The SFDC and/or its assigns or representatives will perform periodic inspections of renovation activities to ensure project progress.

### **Final Inspection**

Upon completion of each project the SFDC and/or its assigns or representatives will conduct a final inspection and submit a final report to the HTFC to formally document completion of project activities.

### **Financial Management**

The SFDC has written policy on internal controls which will be used to determine the process for disbursing HTFC funds. The SFDC's authorized signor will sign an authorized signature form designating them as an authorized representative to sign disbursement requests and will be responsible for all financial transactions under this contract.

### **Conflict of Interest**

1. Contractors cannot receive DRI funds for work done on a property that they own or a property that is owned by an immediate family member.
  - a. An immediate family member includes: a spouse, child, step-child, parent, step-parent, sibling, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, or daughter-in-law.
2. If a property is owned by one of the following individuals, that individual must recuse him or herself from any project discussions or voting. As well, the project will be reviewed by the HTFC to ensure there is no cause to deny the project.
  - a. SFDC board member and family member.
  - b. Local Planning Committee member and family member.
  - c. Seneca Falls Town Council member and family member.
3. Prior to commencing a project where there is a possible conflict of interest, the SFDC must review the project with HTFC staff.





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## BUILDING IMPROVEMENT FUND APPLICATION

### A. Property Owner Information

Name of owner: \_\_\_\_\_

Mailing address: \_\_\_\_\_  
\_\_\_\_\_

Telephone numbers: (Daytime) \_\_\_\_\_ (Evenings) \_\_\_\_\_

E-mail: \_\_\_\_\_

### B. Business and Property Information

1. Address of property: \_\_\_\_\_

2. Name of business(es): \_\_\_\_\_

3. Number of Commercial Units: \_\_\_\_\_

4. Number of Residential Units: \_\_\_\_\_

### C. Financial Information

1. Is there a mortgage? \_\_\_\_\_ If yes, are payments current? \_\_\_\_\_

Who holds the mortgage? Name: \_\_\_\_\_

Address: \_\_\_\_\_

2. Are there any liens, other than the above listed mortgage? \_\_\_\_\_

If yes, describe: \_\_\_\_\_

3. Taxes

a. Are all property, district, water and sewer taxes paid to date? \_\_\_ Yes \_\_\_ No

If no, which taxes are not current? \_\_\_\_\_

Amount? \_\_\_\_\_



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4. Insurance

b. Do you have fire insurance on the property? \_\_\_ Yes \_\_\_ No

If yes, is it paid to date? \_\_\_ Yes \_\_\_ No

5. Will you need financing to perform these building improvements? \_\_\_ Yes \_\_\_ No

If YES, do you already have financing in place to begin this work? \_\_\_ Yes \_\_\_ No

D. Provide Scope of Work Detail

Proposed work involves: [ ] Front of Building [ ] Rear of Building [ ] Side of Building
[ ] Interior Commercial [ ] Interior Residential

Proposed work is visible from a public right-of-way: [ ] Yes [ ] No

Will your project include the removal of a false facade? [ ] Yes [ ] No

Project Includes: [ ] Signage [ ] Windows/Doors [ ] Masonry/Repointing
[ ] Painting [ ] Awnings [ ] Other

Project will reuse vacant space: [ ] YES [ ] NO

If Yes, describe how your Project will reuse vacant space.

Two horizontal lines for describing vacant space reuse.

1. What improvements do you wish to make to your building? List in order of priority. Attach an additional page if necessary. You may also include drawings of proposed project and photographs of current building.

Multiple horizontal lines for listing improvements.



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2. Estimated Costs
  - a. Total project cost: \_\_\_\_\_
  - b. Construction cost: \_\_\_\_\_
  - c. Soft cost: \_\_\_\_\_
  - d. Grant amount requested: \_\_\_\_\_
3. Square Footage
  - a. Square footage of total building: \_\_\_\_\_
  - b. Square footage of project: \_\_\_\_\_
4. Will you perform this work whether or not you receive grant support?    \_\_\_ Yes    \_\_\_ No
5. Attach all supporting documents including renderings, drawings, product specifications and/or contractor quotes if already requested and available.
6. When do you plan to begin \_\_\_\_\_ and complete \_\_\_\_\_ the construction?

**E. Copy of Deed – please provide a copy of the deed for the property.**

**F. Proof of Financing**

Project reimbursements are made when the project is complete. The DRI Building Improvement Fund operates fully as a reimbursement grant program and the owner is responsible for paying for all agreed upon repairs. Payment of grant funds will be made only upon satisfactory completion of building projects and payment of renovation expenses.

1. Proof of total project financing provided ?    \_\_\_ Yes    \_\_\_ No
  - a. Secured loan commitment?    \_\_\_ Yes    \_\_\_ No
  - b. Secured bridge loan commitment?    \_\_\_ Yes    \_\_\_ No
  - c. Secured Line of credit?    \_\_\_ Yes    \_\_\_ No
  - d. Financial statements?    \_\_\_ Yes    \_\_\_ No



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G. Conflict of Interest

1. Are you an official, employee, agent, consultant or member of any board or agency of the Town of Seneca Falls or the Seneca Falls Development Corporation? \_\_\_ Yes \_\_\_ No

If yes, please describe your position: \_\_\_\_\_

2. Are you related by blood or marriage to any official, employee, agent, consultant or member of any board or agency of the Town of Seneca Falls or the Seneca Falls Development Corporation? \_\_\_ Yes \_\_\_ No

If yes, please identify the official(s), agent(s), consultant(s), employee(s) or member(s) and describe your relationship:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Do you have any corporate, partnership, landlord-tenant-or other business relationship with any official, agent, consultant, employee or member of any board or agency of the Town of Seneca Falls or the Seneca Falls Development Corporation? \_\_\_ Yes \_\_\_ No

If yes, identify the official(s), agent(s), consultant(s), employee(s) or member(s) and describe the business relationship:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Are you doing business in any of the following ways with any official, agent, consultant, employee, or member of any board or agency of the Town of Seneca Falls or the Seneca Falls Development Corporation (check any that are applicable, if other, please describe):

\_\_\_ Purchaser or Seller of Goods - please describe \_\_\_\_\_

\_\_\_ Loan or Grant Recipient- please describe \_\_\_\_\_

\_\_\_ Provision of Services - please describe \_\_\_\_\_

\_\_\_ Other - please describe \_\_\_\_\_



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By signing below, I/we certify that all information, which has been or will be furnished in support of this application, is given for the purpose of obtaining funds under the DRI Building Improvement Fund Grant.

I/we further certify that all information submitted has been examined and approved by me/us and is true, correct, and complete.

I/we understand that this information will be used to assess my/our proposed project and that additional information may be needed in order to rate and rank the project in accordance with funding criteria.

I/we agree to abide by all requirements set forth or to be set forth in connection with said Fund.

I/we understand that falsification of any item contained herein or fraudulent misrepresentation of my/our business and its processes could result in criminal and/or civil penalties applicable under or pursuant to local, state, and federal laws.

I/we agree that verification of any information contained herein, or to be provided in support of this loan request, may be obtained by whatever means the SFDC or its agent determines if appropriate.

I/we are familiar with the guidelines and requirements of the Fund including that the program is a reimbursable grant requiring me/us to pay for the project 100% and submitted receipts for reimbursement.

I/we are also familiar with the requirement to provide a minimum 50% match (25% match if a not-for-profit entity).

I/we verify that I have the necessary funding to cover 100% of the costs of the project until reimbursement is made and commit it to the project.

I/we understand that if the budget for my project exceeds the maximum amount of my grant award, that I will be responsible for providing such additional non-reimbursable funds as needed.

**Please review the certifications on the following page, which are part of this application, before signing below. Compliance with the certifications and all other Building Improvement Program procedures is required. All owners must sign.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date





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## Certifications

### Ownership

Initial\_\_\_\_\_

I/We hereby certify that I/we own the property to be improved. If any changes in ownership should occur from this date forward, I/we agree to notify the Seneca Falls Development Corporation immediately. Failure to do so may result in denial or termination of DRI Building Improvement Fund participation.

### Application Information

Initial\_\_\_\_\_

To the best of my/our knowledge, all of the application information I/we have provided is true and correct. I/We understand that any willful misstatement of material fact will be grounds for disqualification. The Seneca Falls Development Corporation and the lead consultant are hereby granted permission to verify any of the information in the application in any appropriate manner.

### Taxes

Initial\_\_\_\_\_

I/We understand that all taxes must be paid for the property to be improved with DRI Building Improvement Fund resources and for all other properties in the Town of Seneca Falls owned wholly or in part by me/us. I/We understand that no DRI Building Improvement Fund contracts will be signed unless all taxes and service charges are current.

### Contracts

Initial\_\_\_\_\_

I/We understand that any contract for work paid for in part by the DRI Building Improvement Fund will be between the contractor and myself/ourselves and I/we should NOT SIGN ANY CONTRACT FOR WORK UNDER THIS PROGRAM UNTIL AUTHORIZED TO DO SO IN WRITING BY THE SENECA FALLS DEVELOPMENT CORPORATION.

I/We understand that the receipt of DRI Building Improvement Fund assistance is subject to satisfactory completion of the approved work. I/We also understand that the Town of Seneca Falls, the Seneca Falls Development Corporation, and the lead consultant(s) are not responsible or liable for any breach of contract, faulty workmanship, accidents, liability or damage that may arise from my/our relationship with the contractor.

I/We further understand that the Contractor cannot begin work on my/our property until a WRITTEN NOTICE TO PROCEED is issued to me/us and the Contractor by the Seneca Falls Development Corporation. The written Notice to Proceed will be provided when all conditions are met and all necessary approvals received.

Competitive bids will be solicited for all projects. I/we understand that if I/we choose a qualified contractor who is not the lowest bidder, the reimbursement will be based on the lowest bid.



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**EEO & MWBE Requirements**

Initial\_\_\_\_\_

The Seneca Falls Development Corporation and the Building Owner, undertaking the project, is required to comply with Articles 15-A and 17-B of the new York State Executive Law These requirements include equal employment opportunities for minority group members and women (“EEO”), and contracting opportunities for certified minority and women-owned business enterprises (“MWBE”) and Service-Disabled Veteran-Owned Businesses (“SDVOBs”). The Seneca Falls Development Corporation will require building owners/contractors to demonstrate a “good faith efforts” pursuant to 5 NYCRR §142.8 to meet the following goals.

- 10% Minority-Owned Business Enterprise (MBE) participation
- 10% Women-Owned Business Enterprise (WBE) participation

Please visit NYS Empire State Development’s Division of Minority & Women Business Development website for a directory of certified Minority and Women-Owned Businesses: [www.esd.ny.gov/MWBE.html](http://www.esd.ny.gov/MWBE.html)

**Regulatory Requirements and Repayment Provisions**

Initial\_\_\_\_\_

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- Months 13-24: 80% repayment due.
- Months 25-36: 60% repayment due.
- Months 37-48: 40% repayment due.
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- Months 60 and beyond: 0% repayment due