New York State Archives

DOCUMENTARY HERITAGE PROGRAM • 9C71 Cultural Education Center • Albany, NY 12230 • (518) 474-6926

DOCUMENTARY HERITAGE PROGRAM

Grant Application
Guidelines and Resources
2016-2017

Application Deadline
Postmarked by Tuesday, March 1, 2016

The University of the State of New York
The State Education Department
New York State Archives
www.nysed.gov • www.archives.nysed.gov

THE UNIVERSITY OF THE STATE OF NEW YORK

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Table of Contents

Section IV

DHP Grant Project Application Forms

All of the 2016-2017 DHP Grant Application Forms can be found on the Documentary Heritage Program Grants page of the New York State Archives' website, www.archives.nysed.gov. Use the DHP Grant Application Checklist to ensure that you are submitting all the required forms and that your application is complete.

Words and phrases highlighted in **BOLD** text on the following pages are defined in a glossary found in this RFP.

Section I
DHP Grant Application Information

Introduction

Documentary Heritage Program (DHP) grants are designed to help build a more comprehensive and equitable documentation of New York State's history and culture by supporting projects that identify, survey, collect, arrange & describe, and make available important records relating to groups and topics traditionally under-represented in the State's historical record**.**

Background

The Documentary Heritage Program is a statewide program administered by the New York State Archives (NYSA), a unit of the New York State Education Department (NYSED). It was established by law (http://www.archives.nysed.gov/records/mr_laws_el140.shtml) to provide financial support and archival guidance to not-for-profit organizations including archives, libraries, historical societies, museums, and other organizations that hold, collect, and make available **historical records**.
For further information about the Documentary Heritage Program, contact:

Pamela Cooley
Documentary Heritage Program, New York State Archives
(518) 474-6926
dhs@nysed.gov

We suggest that you review the entire booklet before beginning work on your application. The mailing address and email address for completed applications is provided on page 32.

Timetable for DHP Grant Projects

February 17, 2016	Deadline for grant application questions. Date DHP posts final FAQs (Frequently Asked Questions) to the DHP webpage. Prior to this date, FAQs will be posted online on a rolling basis. Send questions to archdhp@nysed.gov
February 22, 2016	Deadline for filing a Notice of Intent (NOI). The NOI is not a requirement for submitting a complete application by the application date; however, NYSED strongly encourages all prospective applicants to submit an NOI to help to facilitate timely review of their prequalification and Vendor Identification Number materials. The notice of intent is a simple email notice stating your organization's (use the legal name) intent to submit an application for this grant. Send the NOI to dhs@nysed.gov
March 1, 2016	**Grant application postmarked deadline (**Applications postmarked after Tuesday, March 1, 2016 are ineligible and will not be submitted for review.)
July 1, 2016	Grant projects may start
February, 2017	Midterm report due
June 30, 2017	All work on grant projects completed
July 31, 2017	Final narrative and expenditure reports due

Range of Grant Awards

A total of $92,000 is expected to be available for grant projects; grants will be available in amounts up to $25,000.

Changes for 2016-2017

- A reminder about the Prequalification Requirement: The State of New York has implemented a statewide prequalification process www.grantsreform.ny.gov/Grantees designed to facilitate prompt contracting for not-for-profit applicants. All DHP grant applicants are required to pre-qualify. This pre-qualification process must be completed prior to grant application in order to receive an award under this grant. Please refer to the *Prequalification for Individual Applicants* in the section below.
- To be eligible to apply for a DHP Grant, applicants must have not-for-profit status under Part 501(c)(3) of the United States Internal Revenue Code.
- If **born-digital** materials are to be processed, describe current electronic records program and methods of preserving and providing access to electronic records in Section 1a of the Project Narrative.
- Applicants with grant requests of between $15,000 - $25,000 must submit one (1) electronic copy of their application on CD. The paper original, paper copies and this CD should be mailed in one package.

Eligibility Criteria

Not-for-profit Organizations

Eligible applicants include not-for-profit community organizations, archives, libraries, historical societies, and similar institutions within New York State and consortia or partnerships of such agencies. Consortia must meet the requirements outlined in *NYSED Consortium Policy for State and Federal Discretionary Grant Programs* in this section. Also eligible are historical service agencies, colleges and universities, professional associations, and other not-for-profit institutions or systems that provide services to historical records programs.

Organizations are eligible to apply for grants only if they certify that they have been granted not-for-profit status under Part 501(c)(3) of the United States Internal Revenue Code.

A copy of the document proving certification of not-for-profit status as described above must be included with your application. A Tax Exemption Certificate is not proof of not-for-profit status.

SUNY/CUNY Institutions

An institution of State University of New York (SUNY) or City University of New York (CUNY) may apply for DHP grants for projects to arrange & describe **external records** in their possession, and for documentation projects.

An institution of SUNY may apply for DHP grants for projects to arrange & describe **internal records** generated by the institution before July 1, 1948, or before the subsequent date on which the institution became a component SUNY.

An institution of CUNY may apply for DHP grants for projects to arrange & describe **internal records** generated by the institution before July 1, 1979, or before the subsequent date on which the institution became a component of CUNY.

Religious Institutions

Religious institutions with a religious affiliation are eligible to apply for DHP grants providing they can certify not-for-profit status under Part 501(c)(3) of the United States Internal Revenue Code.

Partnerships and Consortia

NYSED Consortium Policy for State and Federal Discretionary Grant Programs

Applicants/participants can form a partnership or consortium to apply for the grant. Those who wish to do so must contact the DHP office for guidance and must meet the requirements in the following policy:

1. The partnership/consortium must designate one of the applicants/participants to serve as the applicant and fiscal agent for the grant. The applicant agency must be an eligible grant recipient. All other consortium members must be eligible grant participants, as defined by the program statute or regulation.
2. In the event a grant is awarded to a partnership/consortium, the grant will be prepared in the name of the applicant agency/fiscal agent, not the partnership/consortium, since the group is not a legal entity.
3. The applicant agency/fiscal agent must meet the following requirements:
   a. Must be an eligible grant recipient as defined by statute;
   b. Must receive and administer the grant funds and submit the required reports to account for the use of grant funds;
   c. Must require consortium partners to sign an agreement with the fiscal agent that specifically outlines all services each partner agrees to provide.
   d. Must be an active member of the partnership/consortium, except where SUNY or CUNY Research Foundations are the fiscal agent.
   e. Cannot act as a flow-through for grant funds to pass to other recipients;
   f. Is prohibited from sub-granting funds to other recipients. The fiscal agent is permitted to contract for services with other consortium partners or consultants to provide services that the fiscal agent cannot provide itself.
   g. Must be responsible for the performance of any services provided by the partners, consultants, or other organizations and must coordinate how each plan to participate.

Government Agencies

Government agencies, institutions operated by local, state or federal government agencies, and local government archives are not eligible for DHP grants.

Prequalification Requirement for NYS Grants Reform

Pursuant to the New York State Division of Budget Bulletin H-1032, New York State has instituted key reform initiatives to the grant contract process which require not-for-profits to register in the Grants Gateway and complete the Vendor Prequalification process in order for proposals to be evaluated. Information on these initiatives can be found on the Grants Reform Website, www.grantsreform.ny.gov/.

Proposals received from not-for-profit applicants that have not Registered and are not Prequalified in the Grants Gateway on the proposal due date of 03/1/16 at 5:00 pm cannot be evaluated. Such proposals will be disqualified from further consideration

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. The Vendor Prequalification Manual, www.grantsreform.ny.gov/sites/default/files/docs/VENDOR_POLICY_MANUAL_V.2_10.10.13.pdf on the Grants Reform Website details the requirements and an online tutorial, http://grantsreform.ny.gov/youtube is available to walk users through the process.

1. Register for the Grants Gateway.
   a. On the Grants Reform Website, download the Registration Form for Administrator, http://grantsreform.ny.gov/sites/default/files/RegistrationFormforAdministratorfillable.pdf .
   b. A signed, notarized original form must be sent to the Division of Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
   c. If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov . If you do not know your password please click the Forgot Password link, https://grantsgateway.ny.gov/IntelliGrants_NYSGG/PersonPassword2.aspx?Mode=Forgot, from the main log in page and follow the prompts.
2. Complete your Prequalification Application.
   a. Log in to the Grants Gateway, https://grantsgateway.ny.gov/IntelliGrants_NYSGG/login2.aspx. If this is your first time logging in, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
   b. Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
   c. Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
   d. Specific questions about the prequalification process should be referred to your agency representative at prequal@nysed.gov or to the Grants Reform Team at grantsreform@budget.ny.gov.
3. Submit your Prequalification Application
   a. After completing your Prequalification Application, click the Submit Document Vault link located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.
   b. If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
   c. Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Potential applicants are **strongly encouraged** to begin the process as soon as possible in order to participate in the DHP Grants opportunity.

Minority and Women-Owned Business Enterprise (M/WBE) Participation Goals

Pursuant to Article 15-A of the New York State Executive Law NYSED has not established M/WBE goals for this grant. Nevertheless, NYSED remains committed to promoting the participation of certified M/WBE to the greatest extent possible. Therefore, NYSED *strongly encourages* applicants to seek New York State certified M/WBE subcontractors at a 30% participation rate. Here is a link to the M/WBE Directory: https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp

Grant Project Types

DHP supports two types of projects: Documentation, and Arrangement & Description. Applicants who intend to request funding for a project that combines documentation with arrangement and description must contact DHP staff while planning the application.

Documentation Projects

Community by community, topic by topic, DHP **Documentation projects** build a comprehensive and balanced record that more fully and fairly represents all New Yorkers and their history. These projects identify and collect unique, original source materials about the people, groups, events, and/or on the political, economic and social conditions in New York; and pave the way to making these materials accessible to all. Historically, most source materials have been paper-based. Today, **born-digital** records are quickly becoming the norm. Applications relating to identifying and collecting historically valuable **born-digital** materials as well as paper-based materials are encouraged.

A DHP **Documentation project** typically consists of three phases—planning, surveying, and collecting—and usually takes at least two years to complete. The outline below describes the three phases and the work each typically entails. The phases often correspond to the years of a project—phase one in year one, etc.—but your work plan and timing should reflect the particular requirements of your project. Usually, projects begin with the planning phase, and divide the work over at least two years (and therefore two grant applications).

It is strongly advised that institutions interested in conducting **documentation project**s contact the DHP office to discuss their plans before starting their application.

Phase One: Planning

- Identify and assign project personnel and/or any consultants.
- Define the chosen topic - its scope, limits, components, and historical context.
- Establish an **Advisory Committee** to provide context, guidance and oversight of the project.
- Publicize your documentation effort.
- Develop a contact list that identifies individuals and organizations that are or have been involved in the topic being documented and are likely to have created records.
- Develop and test a survey instrument to gather significant details about the groups of records held by individuals or organizations.
- Begin planning for the eventual placement of the valuable **historical records** surveyed in this project in an appropriate **New York repository** with the capacity to preserve and provide access to the records**.**
- Create a work plan for Phase Two.

Phase Two: Surveying

- Conduct the survey.
- Assess the survey results.
- Continue to work closely with your **Advisory Committee**.
- Determine which groups of records surveyed have long-term historical value
- Using the standard archival format known as **MARC** (MAchine Readable Cataloging), write archival descriptions of the groups of records that have long-term historical value.

- Foster relationships between likely donors of records and an appropriate **New York repository** to which the valuable **historical records** surveyed in this phase will eventually be transferred.
- Publicize your documentation effort.

Phase Three: Collecting
- Continue to work closely with your **Advisory Committee**.
- Working with each donor and the selected **New York repository**(ies), conduct an appraisal to determine which records to save.
- Negotiate the terms of transfer and for a **deed of gift**; this may involve gaining the approval of the management and/or boards of the donor organizations and/or the repository(ies).
- Transfer records to the **selected** New York repository**(ies).**
- Make electronic versions of the **MARC** records of the **collection**s held by the repository(ies) accessible to the public online.
- Publicize the availability of the records.

Documentation projects involving **born-digital** materials may require you to modify this three-phased approach. If you find this phased work plan does not fit your proposed project or you have questions about **Documentation projects**, please contact the DHP office.

The documentation process, starting with identifying potential donors of records and ending with transfer to an appropriate repository, can take a long time. That is why we recommend that planning for the placement of the records in an appropriate repository begin in Phase One. For some projects that involve a single repository and a single organization or business with paper records, the collecting phase may be straightforward and quick. For projects that involve **born-digital** materials with specific infrastructure requirements, multiple donors (both individuals and organizations), and multiple repositories, the collecting phase may take a year or longer.

An annotated listing of publications that provides detailed guidance in carrying out **documentation projects** and documentation involving **born-digital** materials can be found in Section III, Archives Publications.

Requirements
- **Cost Sharing** of at least 20% of the Total Project Cost is required for **Documentation projects**. All **cost sharing** contributions *must directly support* project activities and outcomes. See the Cost Sharing Form and Instructions for more information.
- All descriptive work must conform to archival standards. Electronic versions of the MARC records must be made accessible through the collecting repository's online catalog, ArchiveGrid, or the State Archives' **Historic Documents Inventory** (HDI). If you have questions about MARC, HDI, or to receive a sample MARC record, contact the DHP office.
- Documentation projects and their results should be publicized. Use the DHP credit line provided in Section I, Publicity/Credit Line in all descriptive and publicity material relating to the project.
- Because records placed in a repository through a DHP grant project must be accessible to the public, records that are restricted may not be included in a Documentation Project. In your application narrative, discuss any potential intellectual property or privacy issues that might affect the accessibility of records or the dissemination of access tools.
- The repository in which records are placed must be located in New York State.

Arrangement & Description Projects

The goal of Arrangement & Description projects is to make unique, original source materials relating to groups and topics traditionally under-represented in the State's historical record, available to all. Historically most source materials have been paper-based. Today, **born-digital** records are quickly becoming the norm. Applications to arrange and describe historically valuable **born-digital** materials as well as paper-based materials are encouraged.

Arrangement and description are the processes used to gain physical and intellectual control over materials held in **historical records** repositories. Arrangement is the process of analyzing and then organizing materials with respect to their **provenance** and **original order**, to protect their context and to achieve physical and/or intellectual control over the materials. Description is the creation of an accurate representation of a collection of archival material by the process of capturing, collating, and organizing information that serves to identify archival material and explain the context and records system(s) that produced it. The objective of archival description is the creation of access tools that assist users in discovering desired records.

All access tools, including **MARC** records and **finding aids** created as a result of an Arrangement & Description project must conform to archival standards. Contact the DHP office for sample MARC records and **finding aid** templates. **Archives software** should be used in Arrangement & Description projects. If an alternative to archives software is proposed, the applicant should explain how the alternative would be configured to meet archival standards.

If you are considering an Arrangement & Description project that involves **born-digital** materials, please contact the DHP office to discuss your proposed plan of work and technical approach.

Applications are also invited for **circuit rider projects**. Instead of applying individually, several organizations would collaborate to submit a single Arrangement & Description application to DHP. If you are considering a circuit rider project, contact the DHP office for further details.

Requirements

- **Cost Sharing** of at least 50% of the Total Project Cost is required for Arrangement & Description projects. All **cost sharing** contributions *must directly support* project activities and outcomes. See the Cost Sharing Form and Instructions for more information.
- The records in an Arrangement & Description project must be held in a **New York repository** or be transferred to a New York repository by the end of the project. The records should fit within the repository's Collection Policy.
- Records processed with DHP funds must be accessible to the public. In your application narrative, discuss any potential intellectual property or privacy issues that might affect the accessibility of records or the dissemination of access tools.
- If your proposed project includes records with potential access **restrictions**, please contact the DHP office to discuss your proposal.
- The electronic versions of both **MARC** records and **finding aids** created in Arrangement & Description projects must be accessible online. Possibilities include: the repository's website, a catablog, an online catalog, the State Archives' **Historic Documents Inventory** (HDI), or ArchiveGrid. If you have questions about MARC, HDI, or to receive a sample MARC record or finding aid template, contact the DHP office.
- Arrangement & Description projects and their results should be publicized. Use the DHP credit line provided in this section (Publicity/Credit Line) in all access tools and publicity material related to the project.

Ineligible Project Types

Types of projects that are not eligible for funding through the DHP are listed below. When there are questions regarding eligibility, please contact the DHP office.

Non-New York State focus

Projects involving records that do not illustrate a New York State focus are ineligible for funding within the DHP law. For instance, the records of an organization based in New York but whose primary focus is national or international would be determined to have a non-New York focus.

Books and other published materials

The DHP does not support the documentation or arrangement & description of books and other published materials unless the applicant can demonstrate that these materials are unique and not readily accessible in New York State.

Digitization

The DHP does not support projects to create digital surrogates of paper records, photographic or motion picture film, or analog audio and video recordings. However, projects that involve the documentation or arrangement & description of **born-digital** records are eligible for funding.

Government Records

The DHP does not support projects to document or arrange & describe federal, state or local government records except for selected records of SUNY and CUNY schools as described in the Eligibility Criteria section of the RFP.

Item-level description

The DHP does not normally support projects that involve the **item-level description** of **historical records**. Applicants proposing this approach must contact the DHP office to discuss their project, and be prepared to fully justify their decision in their application narrative.

Oral histories and audio/video recording

The DHP does not support projects to create oral histories or other audio or video recordings, or to transcribe oral history recordings. However, projects that include the documentation or arrangement and description of such materials are eligible for consideration.

Newspapers

Since newspapers are not considered to be **historical records**, only projects that include modest quantities of newspaper scrapbooks or clipping files as part of a broader **collection** of historical records may be supported.

Preservation

The DHP does not fund **preservation** (activities to conserve, restore, or repair original records) or reproduction of records for preservation purposes.

NOTE: The *New York State Program for the Conservation and Preservation of Library Research Materials* provides support for libraries, archives, historical societies, and similar agencies within the State to encourage the proper care and accessibility of research materials in the State; to promote the use and development of guidelines and standards for conservation/ preservation work; to support the growth of local and cooperative preservation programs; and for other eligible preservation activities. For further information visit the New York State Library's website, www.nysl.nysed.gov/libdev/cp/.

Applicants Who Have Not Submitted the Required Reports for Previous DHP Grants

Applications from applicants who have not submitted required DHP reports for grants received over the past five years (i.e. 2009/2010 - 2014/2015) will not be submitted for review.

Topical Priorities

The State Archives has identified and given priority to four specific topical areas for DHP funding in order to ensure that the DHP addresses the New York State Historical Records Advisory Board's mandate to identify, survey, collect, and make available **historical records** that relate to **under-documented** groups or subjects. These topics are listed in Priority Level One below.

Applicants are scored, in part, based on the priority level of the topic they choose and on how effectively they make the case that their project and/or records fit within their chosen topical priority. There is a possibility of a higher score if a project effectively addresses a topic in Priority Level One.

Priority Level One

Economic Change

New York's history over the past centuries has encompassed vast and sometimes turbulent changes in the economic life of the state, such as the decline of heavy industry, innovations in agricultural technology and practice, and the explosion of tourism. Economic change, whether in individual towns and cities, regions, or the state as a whole, is one of the defining themes of New York's history.

Projects in this topical area should focus on changes in New York State's economic base; in de-industrialization; in the production, processing, promotion, and distribution of agricultural commodities; in medical and health sciences, public health, and the provision of medical and mental health services; or on efforts at economic revitalization including the development of new industries and businesses in the State.

Projects may involve businesses that have been dissolved or absorbed by other businesses, as well as businesses that are currently operating, provided these records are, or are intended to be, accessioned and made available in a publicly accessible **New York repository**. Examples of records that document economic change in New York State include but are not limited to: ledgers, business records, research data, existing oral history recordings, and photographs.

Military History

New York State's military forces and military history have had a major impact on New York since the colonial era up to the present day in times of both war and peace. Military records shed light on the lives of soldiers, the struggles of the forces, as well as war's impact on the home front, and they offer researchers a unique view of our past.

Projects in this topical area should focus on issues related to the military and military service including New York's soldiers, veterans and veterans' organizations; organizations formed to support military action and soldiers; civilian participation in wartime activities; professionally supported war efforts such as war industry workers, medical volunteers, and defense contractors; military sites; peacetime military enterprise; and organizations that protest the military and military actions.

Examples of records which document New York's military history include but are not limited to: **personal papers**; manuscripts; diaries; scrapbooks; existing oral history recordings, emails, text messages and written correspondence; websites and social media, photographs, regimental histories; civilian defense records; and local history, business, union, and organization records.

Population Groups

New York's history has been shaped substantially by the emergence, and growth of a great diversity of groups united in varying degrees by shared culture, beliefs, values, experience, geography or place of origin; ethnic, religious or racial identity or background; and social or economic status. Most groups include both concentrations of individuals in neighborhoods or communities and individuals spread in small clusters throughout the state. Most will also share and nurture particular ways of life or other cultural expressions that help define the group and shape its contributions to New York's history.

These population groups include, but are not limited to:

- Groups who have immigrated to rural or urban New York State or have moved within the state in search of more stable economic, political, and/or social conditions.
- Groups whose members have long been in New York but who have emerged and coalesced as active communities.

Projects should focus primarily on records that document the social, cultural, political, and economic lives of these communities and their engagement with the broader history and culture of the state. Examples of records, both paper-based and/or **born-digital,** which document New York's population groups include but are not limited to: organization records, planning documents, business records, photographs, existing oral histories, **personal papers**, websites, written correspondence, text messages, email, and diaries.

Applicants who have questions about whether a particular group fits within this category should contact the DHP office before beginning work on an application.

Social Reform and Activism

Efforts to achieve or oppose social, economic, cultural, environmental, religious, and political change have been central to New York's history. Many movements begun in New York, such as those for women's equality, child labor laws, industrial safety, environmental protection, gay rights and the Occupy Wall Street movement, have spread across the nation.

Projects to document social reform and activism should focus primarily on the records of individuals, organizations, and activities while addressing issues such as civil rights and discrimination, environmental affairs, war and peace, abortion/reproductive rights, public safety, welfare reform, animal rights, or trade and globalization. Examples of records, both paper-based and/or **born-digital,** that document social reform and activism in New York include but are not limited to: organizational records, planning documents, manuscripts, photographs, existing oral histories, written correspondence, email and text messages, diaries, websites, blogs, and **personal papers**.

Priority Level Two

Other under-documented topics in New York State history

Projects in Priority Level Two address topics which are of significance to the history of New York and which focus on the people, groups, events, or changing conditions that are under-represented in New York's historical record.

A Level Two topic should meet one or more of the following criteria:

- The topic represents a contribution by New York that is distinctive, seminal, or precedent-setting.
- The topic has had a major impact or influence, whether statewide, regional or local.
- The topic reflects the beginning of a trend or an important milestone in the history of New York.
- The topic is illustrative of common experience statewide.
- The topic has been significant over a considerable period of time.

Research may be needed to determine whether a topic is **under-documented.** This research would establish what documentation already exists related to the topic, and where relevant records are located. If the topic is appropriately represented in other New York repositories, a **documentation project** would not be necessary. If the topic is not appropriately represented, applicants should determine whether there are enough organizations and individuals with significant records in their service area to warrant the project. If the applicant finds that the topic is significant and under-represented in the historical record, they should describe the topic and their research in Section 1b) of their Application Narrative.

Application Due Date

The complete application package must be postmarked on or before Tuesday, March 1, 2016. Applications postmarked after March 1, 2016 will not be submitted for review.

Grant Award Notification

Grant award notifications will be emailed to all applicants. These notifications will be issued once the review of all applications is completed and all necessary approvals are in place. If the applicant receives modified or no funding, a summary of reviewers' decision notes will be included with the notification letter.

Award Protest Procedures

Applicants who receive a notice of non-award may protest the NYSED award decision subject to the following:

1. The protest must be in writing and must contain specific factual and/or legal allegations setting forth the basis on which the protesting party challenges the contract award by NYSED.
2. The protest must be filed within ten (10) business days of receipt of the notice of non-award. The protest letter must be filed with the NYS Education Department, Contract Administration Unit, 89 Washington Avenue, Room 505W EB, Albany, NY 12234.
3. The NYSED Contract Administration Unit (CAU) will convene a review team that will include at least one staff member from each of NYSED's Office of Counsel, CAU, and the Program Office. The review team will review and consider the merits of the protest and will decide whether the protest is approved or denied. Counsel's Office will provide the applicant with written notification of the review team's decision within seven (7) business days of the receipt of the protest. The original protest and decision will be filed with the Office of the State Comptroller (OSC) when the contract procurement record is submitted for approval and CAU will advise OSC that a protest was filed.

4. The NYSED CAU may summarily deny a protest that fails to contain specific factual or legal allegations, or where the protest only raises issues of law that have already been decided by the courts.

Required Reports and Schedule of Payments

A mid-term progress report (usually due in February) and final narrative and fiscal reports (due by July 31) are required from grant recipients. Reports should be submitted in a timely fashion since they trigger award payments. Failure to submit reports may hinder the applicant's eligibility for future DHP grants.

Payments are made as follows: a first payment of 50% of the approved project budget amount is made when the budget is processed and the Grant Award Notice is sent via email. Additional payments, up to 90% of the approved project budget, are made based on project expenditures and the project's immediate cash needs as documented on an FS-25 form. The remaining 10% of an approved project budget is paid at the end of the project following receipt by DHP of satisfactory final reports (programmatic and fiscal).

Publicity/Credit Line

In all publicly available **grant products** that result from your DHP-funded project, recipients must credit the Documentary Heritage Program as a source of funding. In MARC records, "General Note field 500" or "Funding Information Note field 536" can be used for credit information. The <sponsor> element is most appropriate for EAD finding aids.

The credit line that is required on all **grant products** should read: "This project [or supply the project name] was made possible in part by a grant from the Documentary Heritage Program of the New York State Archives, a program of the State Education Department."

The NYSA logo will also be provided for use with appropriate grant products. For help with marketing your project, contact the DHP office.

Entities' Responsibility

Projects must operate under the jurisdiction of the local board of education, or other appropriate governing body, and are subject to at least the same degree of accountability as all other expenditures of the local agency. (Note: A "governing body" may be a not-for-profit organization's board of trustees, board of directors, executive council, etc.) The local board of education, or other appropriate governing body, is responsible for the proper disbursement of, and accounting for project funds. Written agency policy concerning wages, mileage and travel allowances, overtime compensation, or fringe benefits, as well as State rules pertaining to competitive bidding, safety regulations and inventory control must be followed. Supporting or source documents are required for all grant related transactions entered into the local agency's recordkeeping systems. Source documents that authorize the disbursement of grant funds consist of purchase orders, contracts, time and effort records, delivery receipts, vendor invoices, travel documentation and payment documents.

Supporting documentation for grants and grant contracts must be kept for at least six years after the last payment was made unless otherwise specified by program requirements. Additionally, audit or litigation will "freeze the clock" for records retention purposes until the issue is resolved. All records and documentation must be available for inspection by State Education Department officials or its representatives. For additional information about grants, please refer to the Fiscal Guidelines for Federal and State Aided Grants, www.oms.nysed.gov/cafe/guidance/ .

NYSED’s Reservation of Rights

NYSED reserves the right to: (1) reject any or all proposals received in response to the RFP; (2) withdraw the RFP at any time, at the agency’s sole discretion; (3) make an award under the RFP in whole or in part; (4) disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP; (5) seek clarifications of proposals; (6) use proposal information obtained through site visits, management interviews and the state’s investigation of a bidder’s qualifications, experience, ability or financial standing, and any material or information submitted by the bidder in response to the agency’s request for clarifying information in the course of evaluation and/or selection under the RFP; (7) prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available; (8) prior to the bid opening, direct bidders to submit proposal modifications addressing subsequent RFP amendments; (9) change any of the scheduled dates; (10) waive any requirements that are not material; (11) negotiate with the successful bidder within the scope of the RFP in the best interests of the state; (12) conduct contract negotiations with the next responsible bidder, should the agency be unsuccessful in negotiating with the selected bidder; (13) utilize any and all ideas submitted in the proposals received; (14) unless otherwise specified in the solicitation, every offer is firm and not revocable for a period of 90 days from the bid opening; (15) require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offerer’s proposal and/or to determine an offerer’s compliance with the requirements of the solicitation; (16) to request best and final offers.

Workers’ Compensation Coverage and Debarment

New York State Workers’ Compensation Law (WCL) has specific coverage requirements for businesses contracting with New York State and additional requirements which provide for the debarment of vendors that violate certain sections of WCL. The WCL requires, and has required since introduction of the law in 1922, the heads of all municipal and State entities to ensure that businesses have appropriate workers’ compensation and disability benefits insurance coverage *prior* to issuing any permits or licenses, or *prior* to entering into contracts.

Workers’ compensation requirements are covered by WCL Section 57, while disability benefits are covered by WCL Section 220(8). The Workers’ Compensation Benefits clause in Appendix A – Standard Clauses for New York State Contracts (see Section III Resource Materials) states that in accordance with Section 142 of the State Finance Law, a contract shall be void and of no force and effect unless the contractor provides and maintains coverage during the life of the contract for the benefit of such employees as are required to be covered by the provisions of the WCL.

Under provisions of the 2007 Workers’ Compensation Reform Legislation (WCL Section 141-b), any person, or entity substantially owned by that person: subject to a final assessment of civil fines or penalties, subject to a stop-work order, or convicted of a misdemeanor for violation of Workers’ Compensation laws Section 52 or 131, is barred from bidding on, or being awarded, any public work contract or subcontract with the State, any municipal corporation or public body for one year for each violation. The ban is five years for each felony conviction.

Proof of Coverage Requirements

The Workers’ Compensation Board has developed several forms to assist State contracting entities in ensuring that businesses have the appropriate workers’ compensation and disability insurance coverage as required by Sections 57 and 220(8) of the WCL.

Please note – an ACORD form is not acceptable proof of New York State workers’ compensation or disability benefits insurance coverage.

1) Proof of Workers' Compensation Coverage
To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a State contract submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contracting entity must obtain **one** of the following forms from the contractor and submit to OSC to prove the contractor has appropriate workers' compensation insurance coverage:

- **Form C-105.2 –** Certificate of Workers' Compensation Insurance issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund; or
- **Form SI-12–** Certificate of Workers' Compensation Self-Insurance; or **Form GSI-105.2** Certificate of Participation in Workers' Compensation Group Self-Insurance; or
- **CE-200–** Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

2) Proof of Disability Benefits Coverage
To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a State contract must submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contracting entity must obtain **one** of the following forms from the contractor and submit to OSC to prove the contractor has appropriate disability benefits insurance coverage:

- **Form DB-120.1 -** Certificate of Disability Benefits Insurance; or
- **Form DB-155-** Certificate of Disability Benefits Self-Insurance; or
- **CE-200–** Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage.

For additional information regarding workers' compensation and disability benefits requirements, please refer to the New York State Workers' Compensation Board website at: www.wcb.ny.gov/. Alternatively, questions relating to either workers' compensation or disability benefits coverage should be directed to the NYS Workers' Compensation Board, Bureau of Compliance at (518) 486-6307.

Section II
Preparing an Application

Getting Help

Questions about the DHP Grant Guidelines and application should be emailed to archdhp@nysed.gov. Inquiries are invited and will be answered until February 17, 2016.

Three Grant Writing Tip Sheets (#1 Developing Your Project, #2 Writing Your Application, #3 The Final Check) are available on the Documentary Heritage Program Grants page of the New York State Archives website to help with all stages of the grant writing process.

Also on our website are DHP Grant FAQs (Frequently Asked Questions). These pages will be updated throughout the application period until Wednesday, February 17, 2016 when the final version will be posted.

Finally, a listing of publications that may be useful in preparing your application can be found in Section III, Archives Publications.

Parts of the application

- **DHP Application Checklist (**Use to ensure that you are submitting all the relevant forms and that your application is complete.)
- **Application Cover Sheet** (For signature information, see below.)
- **Payee Information Form**/NYSED Substitute W-9 Form
- **Standard Data Capture Form**
- **Application Narrative Form**
- **Cost Sharing Form** and instructions
- **DHP Project Budget Worksheets** and instructions
    - Code 15: Salaries for Professional Staff
    - Code 16: Salaries for Support Staff
    - Code 40: Purchased Service
    - Code 45: Supplies, Materials, and Equipment costing less than $5,000
    - Code 46: Travel Expenses
    - Code 80: Employee Benefits
- **NYSED Proposed Budget Form FS-10** (For signature information, see below)
- **Proof of Not-for-Profit Status** (Part 501(c)(3) of the United States Internal Revenue Code)
- **Attachments (**For a full list of attachments, see the DHP Application Checklist.)

Copies of the DHP Grant Application Forms listed above can be found in electronic format on the Documentary Heritage Program Grants webpage of the New York State Archives website.

Signatures are required on page 2 of the Application Cover Sheet, on the Payee Information Form, and on the NYSED Proposed Budget Form FS-10. **All original signatures must be written in blue ink**.

A complete list of the material which must be included in your application package can be found in the DHP Application Checklist. The Checklist also describes the order in which the pages in each application are to be collated.

Applicants must submit one (1) signed original and four (4) paper copies of the application. These should each be held together with binder clips or separated with sheets of colored paper. Do not staple. Applicants with grant requests between $15,000-$25,000 must also submit one (1) electronic copy of their application on CD. The paper original, paper copies and CD, if required, should be mailed in one package.

Grant Application Instructions

It is important that your grant application information is entered into the appropriate sections of your proposal. Failure to do so may negatively affect the scoring of the application.

Cover Sheet

- *Institution Name, Institution Address* – Provide the formal name and address of the institution applying for the grant. Should funds be awarded, the payments will be made to the institution listed here.
- *Chief Administrative Officer* – The Chief Administrative Officer is the person who has authority to commit the organization to carrying out the project.
- *Project Director* – The Project Director will manage the project and ensure reporting is done in a timely fashion.
- *Vendor ID Number* – All applicants must enter their Vendor ID Number. – This is a 10 digit number assigned by the Office of the State Comptroller (OSC) to your agency for the purpose of doing business with the State of New York. If you do not know your agency's number, email the OSC at VendUpdate@osc.state.ny.us to obtain it.
- *Grant Project Type* – Select *only one* Project Type. The predominant project type should be selected in projects that combine Documentation with Arrangement & Description.
- *Grant Project Topical Priority* – Check *only one* priority topic. If your project also fits within an additional topic, you may point that out in the Application Narrative.
- *Grant Project Title* – Your Grant Project Title should include the type of grant for which you are applying and the subject, records, and/or institution involved (i.e. "Documentation of the Latino/a Population of Franklin County," or "Arrangement & Description of the Evangeline Broderick Family Papers.")
- *Grant Project Summary* – This summary is important because it provides grant reviewers with their first impression of your project. Be sure to succinctly describe the following in your summary: (1) the project type and the records involved; (2) how the work will be carried out, and (3) the outcomes of the project. Limit the summary to the space provided on the form (10 point font, 225-word limit). Do not attach additional pages.
- *Signature* – The original signature of the Chief Administrative Officer (see above) must appear on the Grant Application Cover Sheet in *blue ink*. His/her original signature must also appear on the NYSED Proposed Budget Form FS-10. A signature provided "on behalf" of the Chief Administrative Officer is acceptable only if a specific designee has been authorized by the organization to sign in the absence of the officer. If this is the case, the designee should sign his/her own name and the applicant should explain, in an attached Letter of Explanation on organization letterhead, the name and position of the authorized signatory, and why the Chief Administrative Officer is unavailable to sign.

Payee Information Form/NYSED Substitute W-9 Form

General Instructions: The Payee Information Form consists of five (5) pages: the Payee Information Form and instructions and the NYSED Substitute W-9 Form and instructions. Please follow the instructions for each as outlined below.

Payee Information Form and Instructions

The Payee Information Form is used to establish the identity of applicant organizations and enables them to receive funds from the NYSED. An online version is available at www.oms.nysed.gov/cafe/forms/PIform.pdf

Organizations that do not receive funds from the Federal government can disregard the Federal System for Award Management/SAM expiration date, and the Data Universal Numbering System/DUNS number section of this form.

The VIN is a 10 digit number assigned by the Office of State Comptroller (OSC) to your agency for the purpose of doing business with the State of New York. If you do not have, or do not know your agency's VIN, contact OSC at VendUpdate@osc.state.ny.us. If the OSC notifies you that you do have a VIN, enter it in the proper box on your Payee Information Form.

Standard Data Capture Form

The Standard Data Capture Form should be completed keeping in mind the definitions below. In the case of applications from SUNYs or CUNYs, applicants should complete this form in their own name and not that of "The Research Foundation".

- *Legal Name of Institution* **–** as contained on a charter, license or other such document
- *Date Established* – the date or year that your institution was originally established
- *Physical Address* – the primary address where your institution is located
- *County of Primary Location* – the county where your primary address is located
- *School District of Primary Location* – the name of the school district where your primary address is located. A list of New York school district names can be found at http://www.tax.ny.gov/pit/file/school_district/

Application Narrative

The application narrative provides the applicant with an opportunity to present a comprehensive description of their proposed project. The application narrative should include a description of the records involved, the nature of the project, and how it will be carried out and evaluated. It is to your advantage to be concise and straightforward, and to provide only information that is relevant to your project.

Application Narrative Form page limits and specifications

- Limit the Project Narrative to a maximum of seven (7) 8.5" x 11" pages including the content of the form itself. Be sure to use the Project Narrative Form as provided; do not create a replacement document. Attachments such as letters of justification, job descriptions, resumes and sample pages from current finding aids are not counted in the seven (7) page maximum.
- Single space all text in the narrative sections. Use a 12-point Times Roman or Arial font.
- In each narrative section, include the title of each sub-section (i.e. "Ia. Records Description") and double space between sub-sections.

Grant reviewers will evaluate your application and assign points for each component. The highest score assigned will be 100. A maximum of 75 of those points will be allocated to the Application Narrative.

I. Project Description *[maximum 30 points]*

I a. Description of the Records *[maximum 10 points]*

Provide information about the records and their significance according to the Project Type of your proposal.

Description of Records for Documentation projects (The amount of detail you can provide will depend on whether you are applying for Phase One-the planning phase, or a subsequent phase.)

- Describe the focus of the **Documentation project**
- Provide the following descriptive information about the records (if the application is for planning or surveying records and you don't yet have specific information about the records or the organizations or individuals that created them, indicate what you anticipate finding):
    - Individuals and/or organizations who have created the records
    - **Date span** of the records
    - Quantity of records: for paper-based records - quantity of records in cubic feet (see *Table of Cubic Foot Equivalents* in Section III Resource Materials); for **born-digital** records **–** formats, quantity and approximate volume of digital materials including size range of files
    - Informational content of the records
- Describe the significance of the records including their **research value**, their potential audience and their importance in documenting New York State history
- Indicate how and where in New York State the records will be made accessible, and the anticipated level of use they will receive as a result of the project
- Because records placed in a repository through a DHP grant project must be accessible to the public, records that are restricted may not be included in your project. In this section, discuss any potential intellectual property or privacy issues that might affect the accessibility of records or the dissemination of access tools.

Description of Records for Arrangement & Description projects

- Provide the following descriptive information about the collection(s):
    - **Collection** title(s)
    - Individuals and/or organizations who have created the records
    - **Date span** of the records
    - Types of records (manuscripts, diaries, correspondence, minutes, agreements, photographs, etc.)
    - Informational content of the records
    - Scope of collection(s)
        - For paper-based records
            - Quantity in cubic feet (*Table of Cubic Foot Equivalents* in Section III)
            - Physical condition of the records
        - For **born-digital** records
            - The formats, quantity and approximate volume of digital materials including the number of files and bytes to be processed
            - The type (CDs, 3.25-inch floppy disks, etc.) and condition of the storage media which houses the records
- Describe the significance of the records including their **research value**, their potential audience and their importance in documenting New York State history
- Describe the current level of use of the records

- Indicate how the records will be made accessible to the public
- If **born-digital** materials are to be processed, describe your current electronic records program and methods of preserving and providing access to electronic records.
- Because records arranged and described through a DHP grant must be accessible to the public, records that are restricted may not be included in your project. In this section, discuss any potential intellectual property or privacy issues that might affect the accessibility of records or the dissemination of access tools.

Attachments for Arrangement & Description projects

A *sample finding aid,* created by your repository or by your project's Archival Consultant, should be provided. You may either include the URL to a sample **finding aid** in your Project Description or include a paper copy of a sample finding aid in your application package. This paper copy should be five (5) pages or less in length. If the finding aid you wish to use is longer than five (5) pages, attach a five-page sample from the finding aid, being sure the sample includes the critical elements of a standard finding aid.

Description of Records for Arrangement & Description "Circuit Rider" projects

- Identify the participating organizations or repositories
- Describe their **collections** using the bulleted list in Arrangement & Description Project just above
- Describe the significance of the records including their **research value**, their potential audience and their importance in documenting New York State history

Attachments for Arrangement & Description "Circuit Rider" projects

- In addition to the attachments for standard A&D project listed above): Attach *letters of commitment* from all the participants. These letters should express the participant's intention to participate and should specify the cost sharing each will furnish.

I b. Topical Priority *[maximum 15 points]*

Make the case that your project and/or **historical records** fit within the one topical area indicated on your Application Cover Sheet. Scoring is based on the priority level of the topical areas as follows: Priority Level One (up to 15 points) and Priority Level Two (up to 10 points)

If your project has a significant impact on a second topical area (for example, a project to document the women's equality movement in a predominantly Asian-American community), you may indicate this in your Project Narrative, but the points awarded for Topical Priority will be based solely on the case you make for the one topical area you have chosen.

If your project has a Priority Level Two, be sure to describe your topic, why it is significant and how it is under-represented in the historical record. For further details, see the Application Narrative Section.

I c. Need for Project *[maximum 5 points]*

Briefly explain the importance of the project, how the records will receive broader or more intensive use as a result of the project, why you are applying at this time, why outside funds are needed, why the project cannot be carried out with funding already available, and what will happen if the funds are not provided.

II. Outcomes and Evaluation *[maximum 10 points]*

This part of the application is intended to capture qualitative information about the DHP Grants Program. This information helps DHP staff evaluate the program and improve its effectiveness. It also helps applicants plan, implement, and evaluate their projects so that the outcomes will both meet archival standards and benefit **historical records** repositories, their communities, and their users.

Describe how your project will lead to each of the intended and predictable outcomes and how you will monitor and measure your progress in achieving each of those outcomes. Some of your predicted outcomes (specifically 4 and 6) may not be achieved during the grant period. In these cases, your narrative should describe the methods you will use to evaluate your success in achieving these outcomes over the long term. See *Outcomes and Evaluation* in Section III to guide you in formatting and writing your Part II Outcomes and Evaluation narrative.

II a. Outcomes

In Part II of your narrative, you should develop your own specific versions of the DHP Outcomes listed below. Write outcome statements for DHP Outcomes 1 and 2 as well as for the two specific outcomes relevant to their project type. Thus, **Documentation projects** must address DHP Outcomes 1, 2, 3 and 4. Arrangement & Description projects must address DHP Outcomes 1, 2, 5 and 6.

Your outcome statements should serve as predictions of how your project will look at its completion. They should show how each DHP Outcome will be expressed in your project and focus on what you intend to achieve that can be measured. At the end of the project these predictions will give you and the DHP, a systematic method of evaluating the extent to which your project has achieved its intended results.

Outcomes for All Projects

- **DHP Outcome 1:** People who are involved in or learn about the project gain increased awareness of the value of **historical records** and of the importance of organizations that preserve and make them accessible.

  Such people may include staff and volunteers working on the project; the leadership, board, patrons, and funders of the sponsoring organization; community organizations and individuals interested in the subject matter of the records; teachers and students; civic and political leaders; media representatives; and individuals worldwide who visit the organization's website or learn about its records online. You do not need to address your project to all these groups. Select those, or others not mentioned here, that are appropriate and important to your project.

- **DHP Outcome 2:** Access tools (including **MARC** records and **finding aids**, as appropriate) created as a result of the project conform to archival standards and are consistent with archival best practices.

Outcomes for Documentation projects

- **DHP Outcome 3:** Records of New York’s **under-documented** population groups and topics not currently in **historical records** repositories are identified and surveyed.
- **DHP Outcome 4:** The historically valuable records identified and surveyed during the project are donated to an appropriate **New York repository**(ies) and added to their holdings.

Outcomes for Arrangement & Description projects

- **DHP Outcome 5:** Access tools created as a result of this project are accessible online and locally, and potential users are aware of their availability.
- **DHP Outcome 6:** The access tools and the records they describe are used by researchers.

II b. Evaluation

Project evaluation lets you know whether you have achieved the outcomes you predicted and helps you to improve future projects. It also provides information to the DHP about your work, and helps us guide future grantees and improve the effectiveness of the program. Be sure that the evaluation activities mentioned in this part are accounted for in your Plan of Work (Part III a).

III. Project Implementation *[maximum 25 points]*

III a. Plan of Work *[maximum 15 Points]*

The plan of work is the heart of your project narrative. It should describe the work that will be undertaken to complete the project on time (by June 30, 2016) with the personnel, facility, and other resources available; and should include the key elements for your Project Type referred to Section I, Grant Project Types.

Plan of Work for all projects

- Include a timeline to show how the work will progress in a logical way over the course of the project.
- Describe the project activities (who will be doing what, when, and where) and how they will be accomplished.
- Summarize your technical approach to the project by addressing the relevant technologies, standards and best practices that you will use to achieve project outcomes. Note: **Digitization** and **preservation,** and in most cases, **item-level description** are not eligible project activities.
- Describe any innovative approaches or practices you intend to implement and how they will enhance or facilitate your work on the project.

Plan of Work for Arrangement & Description projects

- For each paper-based collection in your project, provide the number of cubic feet to be processed, the processing rate, and the number of FTE weeks that the processing will take. A worksheet has been provided that can be used to calculate the number of FTE weeks it will take to process the records in your proposal. You should also use the number of FTE weeks you will need to schedule your timeline and calculate your budget. Be sure to use *cubic feet* to measure the bulk of your records. See the *Processing Rates for Paper-based Records* worksheet in Section III for more information on processing rates.
- For each **born-digital** collection or for born-digital materials within otherwise paper-based collections describe their formats, quantities, and approximate volume; justify their processing rate and calculate the number of FTE weeks the processing will take.
- If you will be using **archives software** in your project, briefly describe it and why it is appropriate. If you intend to use another type of software, justify its use and describe how it will be configured to meet archival standards.

III b. Key Personnel *[maximum 10 Points]*

- Describe the relevant qualifications (i.e. education/training and experience) of each individual who will work directly on the project, and their roles and responsibilities as they relate to the project.
- Attach resumes for all **Key Personnel** (**Project Director**, Project/Consulting Archivist, Archival Assistant, Project Interns, Project Specialists, etc.).
- Note that your project should include a Project Director, and that the same person who fills this position cannot also fill the Project/Consulting Archivist position.
- If Key Personnel positions have not been filled at the time of application, applicants should attach a job description that includes role, responsibilities, and qualifications, for each position. When this

application is approved and prior to hiring of Key Personnel, the recipient must submit their resumes to the DHP office for review and approval.
- Attach job descriptions, including project time commitment, for every position that will be supported in whole or in part by grant funds.
- Indicate how the individual in each position will be paid (i.e. by the applicant or with grant funds).

Note: DHP funds are not intended to provide salary relief for current employees. They cannot be used to replace funds you are already paying an existing staff person. However, you may use DHP funds to pay an existing staff person to carry out project-related activities if the hours spent on this work are *above and beyond* his/her normal work hours.

If you are proposing to use DHP funds to pay existing staff to carry out project-related activities *during their normal work hours*, you must use your organization's own funds to hire a substitute to take over that staff person's responsibilities. Paying for this substitute may not be claimed as part of your Cost Sharing. (See Attachments for All Key Personnel below.)

Attachments for all projects
- Attach *resumes*, a maximum of three (3) pages in length each, for all **Key Personnel**. Documents that exceed this page limit may be truncated to the first three pages.
- Attach *job descriptions* for every position that will be supported in whole or in part by grant funds.
- If you are proposing to use DHP funds to pay existing staff to work on grant project-related activities during their normal work hours, attach a *letter* to your application which justifies the need for such action, and explains how the replacement will take over the staff person's responsibilities and how they will be paid using non-grant funds.

Attachments for Documentation projects
- Attach a *list of individuals* who have agreed to serve on your **Advisory Committee**. The list should include member’s name, affiliation, and a brief description; and be no more than one page in length. (Resumes are not required for **Advisory Committee** members.) If advisors cannot be identified in advance, indicate what groups, skills, and knowledge will be represented on the committee. Note that **Advisory Committee** members must be independent of applicant organization (i.e., they must not be on the applicant organization’s staff or board, or be a project consultant).

IV. Organizational Capacity *[maximum 10 points]*

Briefly, provide the following information:
- Indicate how the work of the project relates to your organization’s mission.
- Briefly describe the institutional strengths of your organization that justify undertaking this project.
- Describe your organization’s intention to maintain and continue the work of the project.
- For the **historical records** repository participating in your project, describe:
  - Archival policies and procedures
  - **Bibliographic** and **environmental controls**
  - How holdings are made accessible to the public

Attachments for all projects
Attach the *Mission Statement* of the applicant organization.

Attachments for Arrangement & Description projects:
- Attach the **Collection Policy** used by the repository to guide its acquisition efforts
- Attach a brief description of the **historical records** housed in the applicant's repository and of the status of finding aids and published guides for its historical records. This description should be no more than two paragraphs in length.

Cost Sharing

On the Cost Sharing Form, describe your organization's plan for matching DHP funds with the appropriate percentage of the Total Project Cost. All cost sharing contributions must directly support project activities and outcomes. See the Cost Sharing Form and Instructions for further information.

Documentation Projects require a cost sharing of at least 20% of the Total Project Cost. Arrangement & Description projects require cost sharing of at least 50% of the Total Project Cost. (Total Project Cost = Total Cost Sharing contribution + *total grant request* as shown in the Grand Total row on page 6 of the FS-10).

Project Budget

The DHP Project Budget Worksheet forms provide you with an opportunity to present a comprehensive description of the project expenditures for which you are requesting funds. Be concise and straightforward, and provide only information that is applicable to the costs of your project. The Proposed Budget Form FS-10 provides NYSED with a summary of your budget for grant payment purposes.

Note: You should not use the Budget Worksheet forms or the Proposed Budget Form FS-10 to record your cost sharing. Use these forms only for the funds you are requesting from the DHP. Use the Cost Sharing Form to record all your cost sharing information.

Grant reviewers will evaluate your application and assign points for each component. The highest score assigned will be 100, with a maximum of 25 points allocated to the Project Budget.

For additional information about the categories of expenditures and general information on allowable costs, applicable cost principles and administrative please review the Fiscal Guidelines for Federal and State Aided Grants at www.oms.nysed.gov/cafe/guidance/guidelines.html.

DHP Project Budget Worksheet *[maximum 25 points]*

Applicants should use the Project Budget Worksheet forms to itemize and describe their funding request. There are unique forms for each of the six budget categories:
- Code 15: Salaries for Professional Staff
- Code16: Salaries for Support Staff
- Code 40: Purchased Services
- Code 45: Supplies, Materials, and Equipment costing less than $5,000
- Code 46: Travel Expenses
- Code 80: Employee Benefits

There are specific instructions for each budget category which have been written exclusively for DHP grant projects. Follow these instructions carefully. Submit forms only for the budget categories for which you are requesting funds, but do not submit any Budget Category instruction pages.

Each Budget Worksheet form is made up of two parts: a table and a field for your narrative. In the tables, provide the information required including expenditure amounts. In the narrative fields, describe how the requested funds will be used; why they are appropriate, reasonable, and necessary to support your project activities and outcomes; and how the expenditures and activities are supplemental to and do not supplant or duplicate services and resources currently provided by the applicant.

Once you have filled out the Project Budget Worksheet forms to your satisfaction, transfer data in each table (by copying and pasting) into the appropriate table on the NYSED Proposed Budget Form FS-10. We realize that this is a cumbersome process, but it has advantages for all involved: it enables you to compute your budget for a given code and write your narrative all in one place, it facilitates the grant review process, and it provides a complete summary of your budget for NYSED payment purposes. Check your work to be sure your calculations are correct and the amounts in the Worksheets exactly match those in the FS-10. Contact the DHP office if you have questions.

Note: You should not use the Budget Worksheet forms to record your cost sharing contributions. Use these forms only for the funds you are requesting from the DHP.

NYSED Proposed Budget Form FS-10

The Proposed Budget Form FS-10 is a standard form used for all projects funded through NYSED and may include items and instructions that do not specifically pertain to DHP Grant Projects. If you follow the instructions described above, you need simply to copy and paste the data from the DHP Worksheet tables directly into the corresponding tables on the FS-10. If the amounts in the Worksheets exactly match those in the FS-10, the FS-10 will be filled out correctly.

In addition to the category tables found on the worksheet, the Proposed Budget Form FS-10 includes a table for entering **Indirect Costs** (Code 90). Applicants may request coverage of their indirect cost at a rate not exceeding 2.5 % of the total grant amount requested (excluding any grant funds requested for equipment).

An original signature of the Chief Administrative Officer *in blue ink* must appear on the Proposed Budget Form FS-10.

Note: You should not use the Proposed Budget Form FS-10 to record your cost sharing contributions. Use these forms only for the funds you are requesting from the DHP.

If your project is accepted for funding, an approved copy of the Proposed Budget Form FS-10 will be returned by NYSA Grants Finance to the Chief Administrative Officer named on the Application Cover Sheet.

Ineligible Expenditures

Ineligible expenditures are listed in the Budget Category Instructions for each Code.

Postmark deadline: Tuesday, March 1, 2016

Applications postmarked after March 1, 2016 will not be submitted for review.

Submit your application package by mail to:

Documentary Heritage Program
New York State Archives
9C71 Cultural Education Center
222 Madison Avenue
Albany, NY 12230

DHP Contact Information

Pamela Cooley
Documentary Heritage Program
New York State Archives
(518) 474-6926
dhs@nysed.gov

DHP Grant Application Review Process and Criteria

When evaluating applications, reviewers base their recommendations on the Application Narrative (including the Project Description, Outcomes and Evaluation, Project Implementation, and Organizational Capacity) and on the Project Budget.

The highest score an application can receive is 100 points. A grant must score a minimum of 60 points to be considered for funding. After the reviewers have scored and ranked each application, they will meet as a group to review their rankings and, using their initial rankings as a guide, come to a consensus on a final score. Reviewers will then make funding recommendation for each project proposal as follows:

- to fund the project fully;
- to fund it partially with modifications based on the elimination of expenditures that are unallowable, unreasonable or not necessary for reaching project goals; or
- not to fund it .

Awards will be made in the order of score ranking until the available funds are depleted. NYSED anticipates that higher-scoring applications will be more likely to be fully-funded (less any unallowable costs), while lower-scoring applications will be more likely to receive partial funding. In the event of a tie score, the least costly proposal is funded over the more costly one.

DHP Grant Application Review Criteria

Reviewers will use the Criteria form on the next page to evaluate the information in the Application Narrative and Project Budget.

DHP Grant Application Review Criteria

I. Project Description *[maximum 30 points]*
a. **Description of Records:** Provided requisite information about the records and effectively described their significance according to the Project Type of the proposal. *[10 points]* b. **Topical Priority**: Made a convincing case that the project fits within one (and only one) of the topical priorities. *[Priority Level One: up to 15 points, Priority Level Two: up to 10 points]* c. **Need for Project:** Persuasively explained the need for the project and why funding from DHP at this time is essential to its accomplishment *[5 points]*

II. Outcomes and Evaluations *[maximum 10 points]*
Project Outcome Statements and **Evaluations:** Clearly articulated all four outcomes required for their Project Type and satisfactorily explained the methods that would be used to evaluate each of their predicted outcomes. *Each of the four Outcome Statements and their corresponding Evaluations can achieve a maximum score of 2.5 points.*

III. Project Implementation *[maximum 25 points]*
a. **Plan of Work:** Clearly described the work that would be undertaken to accomplish project outcomes on time, and with the personnel and other resources available. *[15 points]* b. **Key Project Personnel:** Provided requisite information for all **Key Personnel**, including qualifications and the roles each would play. *[10 points]*

IV. Organizational Capacity *[maximum 10 points]*
Clearly described how the project relates to the applicant's mission, the applicant's past experience and current and future capacity to carry out and sustain the project, and the project's repository: policies and procedures, **bibliographic** and **environmental controls**, accessibility.

V. Project Budget *[maximum 25 points]*
Convincingly demonstrated that the proposed expenditures are appropriate, reasonable, and necessary. Clearly described how the expenditures would be used to support project activities and outcomes, and would be supplemental to and would not supplant or duplicate services currently provided.

Section III

Resource Materials

Archives Publications

The following publications may be of assistance in preparing a DHP grant application:

Documentation Projects

- ***Documentation Basics: A Guide to Planning and Managing Documentation Projects,*** *Publication #79 (*Albany: State Education Department, 2003. 81 pages*)* This publication offers detailed guidance in carrying out a Documentation project. An accessible version can be found on the New York State Archives website at http://www.archives.nysed.gov/common/archives/files/mr_pub79.pdf

- ***A Guide to Documenting Latino/Hispanic History & Culture in New York State.*** *Publication #67* (Albany: State Education Department, 2002. 36 pages). Although specifically focused on Latino/a history and culture, this guide can be used as a model for documenting **any population group.** Applications using the Population Groups Topical Priority should reflect the priorities and criteria outlined in this guide. A paper copy may be requested from the State Archives by emailing dhs@nysed.gov

- Applicants to Documentation projects relating to environmental affairs are urged to read ***A Guide to Documenting Environmental Affairs in New York State,*** *Publication. #73* (Albany: State Education Department, 2001. 41 pages). Projects should reflect the priorities and criteria outlined in the guide. A paper copy may be requested from the State Archives by emailing, dhs@.nysed.gov**.**

- Applicants to Documentation projects relating to mental health are urged to read ***A Strategic Plan for Documenting Mental Health in New York State.*** *Publication #69* (Albany: State Education Department, 2001. 17 pages). Projects should reflect the priorities and criteria outlined in this plan. A PDF version can be found on the New York State Archives website at http://www.archives.nysed.gov/common/archives/files/mr_pub69.pdf

- Applicants with Documentation projects that involve born-digital materials are urged to read ***Born Digital: Guidance for Donors, Dealers, and Archival Repositories.*** *Publication #159* (Washington, DC: Council on Library and Information Resources, 2013. 36 pages). A PDF version can be found at www.clir.org/pubs/reports/pub159/pub159.pdf

Arrangement & Description Projects

- ***Arranging and Describing Archives and Manuscripts*** (Chicago: Society of American Archivists, 2005. 180 pages), by Kathleen Roe. This guide to arranging and describing archival materials provides both practical advice and critical context, creating an important resource for archivists in all walks of their professional lives. http://saa.archivists.org/store/

- ***Archival Arrangement and Description of Archives and Manuscripts.*** (Chicago: Society of American Archivists, 2013. 230 pages), by Christopher J. Prom and Thomas J. Frusciano. This book, designed to complement *Arranging and Describing Archives and Manuscripts*, explores the use of a range of descriptive standards to facilitate intellectual control and to improve access; the processing of **born-digital** records; and how to make descriptive information about archives and archival materials accessible via the Internet. http://saa.archivists.org/store/

DHP Grant Guidelines Glossary

Terms in this glossary can be found, throughout the text, highlighted in **BOLD**.

Advisory Committee - The Advisory Committee provides advice and guidance for a Documentation project. It should be composed of community members who are independent of the applicant organization, and who are knowledgeable about the project audience and the history, culture, current dynamics, and/or records of the group or topic being documented.

Archival records – Unique, original records that contain significant information of enduring value and are therefore worthy of long-term retention and systematic management (see "historical records").

Active records – Records that continue to be used with sufficient frequency to justify keeping them in the office of creation; current records. (See also: "inactive records")

Archives software – A software application such as ArchivesSpace, developed specifically for describing paper-based, analog and **born-digital** archival materials. Software used in and/or purchased for DHP projects should be archives software.

Bibliographic control is the organization of archival materials to facilitate discovery, management, identification, and access. Bibliographic control includes activities such as: creating MARC records and finding aids; following DACS2 and EAD standards; submitting MARC records to OCLC, HDI, and regional and local library systems; and submitting finding aids to ArchiveGrid.

Born-digital – Materials that originate in digital form and which, in their original form, require a digital device to be utilized. This is in contrast to analog or paper-based materials which only become digital through digital reformatting (i.e. **digitization**).

Circuit rider projects - Projects in which an experienced archivist works with several community organizations or historical record repositories to arrange and describe their high priority historical record **collections**. Instead of applying individually, these organizations collaborate to submit a single application to DHP.

Collection - A body of material created by individuals, groups or organizations resulting from their ongoing activities.

Cost sharing - There are two forms of cost sharing: matching funds (the costs of a grant project that are borne by the applicant or by a third party) and in-kind contributions (the value of non-cash contributions that are provided by the applicant in support of the project without charge to the grant). All cost sharing must directly support project activities and outcomes.

Date span - The dates of the oldest and most recent items in a collection or series, i.e. (1888-1935).

Deed of gift – A legal document that transfers the ownership of records from one party to another.

Digitization – The process of converting diverse analog media including images, documents, film, sound or voice recordings into digital form.

Documentation project - An effort to gather information on the records relating to a specific topic, organization or group and to develop a plan for preserving them and making them available for use.

Environmental control - The maintenance of an environment for long-term storage of records by monitoring and stabilizing the temperature, humidity, light, and impurities in the air.

External records - Records that are created by a person, business or organization that is not a part of a SUNY/CUNY institution. Rather, they are created by an external entity but are preserved/housed by a SUNY/CUNY institution as evidence of that activity and for future reference.

Finding aid - A single document that places archival materials in context by consolidating information about the collection, such as acquisition and processing; provenance, including administrative history or biographical note; scope of the collection, including size, subjects, media; organization and arrangement; and an inventory of the series and the folders.

Full processing - Full processing includes flat-filing, simple preservation measures, arrangement, foldering, boxing, and description.

Grant products - Finding aids, MARC records, promotional literature, press releases, posters, etc. as well as web pages, blogs, etc. with information about the funded DHP project.

Historic Documents Inventory (HDI) - A program that is accessible through the State Archives' online catalog, the HDI lists catalog records for archives and manuscripts collections housed locally at repositories throughout New York State (libraries, historical societies, and other organizations). Its goal is to increase use of your historical records and to provide information on them to the widest possible audience. For more information about how to submit your MARC records to HDI, contact our Archival Services unit at dhs@nysed.gov.

Historical records - The non-current, unique, original, **inactive records** of an individual, group, or organization that have been selected; donated, or transferred to, or gathered or created by a repository for permanent long-term retention and systematic management because of their enduring administrative, legal, fiscal, or research value; also called "archival records." DHP law states that historical records "may include diaries, journals, ledgers, minutes, reports, photographs, maps, drawings, blueprints, agreements, memoranda, deeds, case files, and other material. They may take any of several physical forms including: parchment, paper, microfilm, audio tape, film, videotape, computer tape, disc, and other machine readable formats." If the digital records are **born-digital,** they may be included. If the digital records are surrogates (digital copies of original photographs, for instance), they may not be included.

Inactive records – Records that are no longer used in the day-to-day course of business, but which may be preserved and occasionally used for legal, historical, or operational purposes. (See also: "active records")

Indirect costs - Administrative costs and certain other organization-wide costs that are incurred in connection with a DHP project, but that cannot be readily identified with the project.

In-kind contributions - In reference to Cost Sharing, the value of non-cash contributions provided by the applicant in support of the project without charge to the grant. In-kind contributions must be in the form of goods and services which directly support project activities and outcomes. Both paid staff time and time contributed to the project by volunteers are eligible as in-kind contributions.

- *Example 1:* You decide to have one of your paid staff persons, working 20 hours a week for your organization, spend five of those hours each week on the project without charge to the grant. The cost of the five hours each week is your in-kind contribution to the project.

- *Example 2:* You allocate the time of two of your volunteers to work on the grant funded project. The hours they spend on the project may be claimed as an in-kind contribution. Establish a monetary value for their time, and claim this on the Cost Sharing Form under Salaries.

Internal records - Records that are created by a SUNY/CUNY institution in the course of institutional activity and preserved by a SUNY/CUNY institution as evidence of that activity and for future reference.

Item-level description - An approach to archival description that describes individual items in a records series or collection. Unless this approach can be satisfactorily justified in the application's Plan of Work, the description of individual records in an archival collection (item-level description) is not appropriate.

Key personnel - *Individuals* who work directly on the DHP project including staff, hired assistants, and consultants to be paid from grant funds, and staff or volunteers whose time will be contributed by the applicant as part of their cost share.

MARC - (MAchine-Readable Cataloging) A standard by which descriptive elements within bibliographic and non-bibliographic records are uniquely labeled for computer handling.

Matching funds – In reference to Cost Sharing, the costs of a grant project borne by the applicant or by a third party.

- *Example:* You decide to hire an archival consultant for 10 days of work. You pay the consultant partly from your funds and partly from the requested DHP funds. The amount you pay the consultant from your own funds is your matching contribution to the project.

New York repository - A not-for-profit facility located in New York State that is organized to collect, hold, care for, and provide access to historical records.

Original order - The manner in which a creator arranged a set of records; the principle of maintaining records in such order to preserve their context.

Personal papers - The records maintained by a private individual or family.

Preservation - Activities to conserve, restore, or repair records; or to microfilm, digitize, or otherwise reproduce records primarily for preservation purposes. The DHP does not fund preservation activities.

Project Director - Every DHP project must have a Project Director. Project Directors are expected to closely monitor and supervise all work carried out by consultants, contract workers and project staff; and to ensure that finances are being managed capably and that reporting is done in a timely fashion. Neither project archivists nor project consultants may serve as Project Directors of grant projects.

Provenance - A fundamental principle of archives, referring to the individual, family, or organization that created or received the items in a collection. The principle of provenance dictates that records of different origins (provenance) be kept separate to preserve their context.

Research value - The potential of historical records to support research, enrich scholarship, enhance teaching, and promote the creation of new knowledge.

Restrictions - Access restrictions are designed to protect security (classification), intellectual property, or personal privacy, or to preserve fragile materials. They may be defined by a period of time or by a class or individual allowed or denied access. A restricted record is usually not accessible to the public.

Under-documented - Topics, events, groups, or organizations that are not well-represented in most of New York's archival and historical records repositories.

Table of Cubic Foot Equivalents

For use in estimating the volume of paper records

File Folder Drawer	Cubic Feet
Letter	1.5
Letter Transfile	2.0
Legal	2.0
Legal Transfile	2.5
Ledger	3.0
Jumbo	4.0

Card File Drawers	Cubic Feet
3” x 5” x 26” long	0.2
3” x 5” x 14” long	0.1
3.5” x 7.5” x 26” long	0.4
3.5” x 7.5” x 14” long	0.2
4” x 6” x 26” long	0.5
4” x 6” x 14” long	0.2
5” x 8” x 26” long	0.6
5” x 8” x 14” long	0.3
6” x 9” x 26” long	0.8
6” x 9” x 14” long	0.4
8” x 8” x 26” long	1.0
8” x 8” x 14” long	0.5

Map or Plan Drawers	Cubic Feet
2” x 26” x 38” Flat	1.1
2” x 38” x 50” Flat	2.2
4” x 26” x 38” Flat	2.3
4” x 38” x 50” Flat	4.4

Map or Plan Tubes	Cubic Feet
2” x 2” x 38” Roll	0.1
2” x 2” x 50” Roll	0.1
4” x 4” x 38” Roll	0.3
4” x 4” x 50” Roll	0.5

Shelf Units	Cubic Feet
Letter, 36" long	2.4
Legal, 36" long	3.0

Boxes	Cubic Feet
10" x 12" x 15" (standard)	1.0
3.5" x 8" x 24" (check)	0.4
6" x 6" x 36" (map)	0.7
6" x 6" x 48" (map)	1.0
4" x 4" x 48" (map)	.04

For all other situations, use this formula:
Length *times* Width *times* Height (in inches) *divided by* 1728 *equals* number of cubic feet

Processing Rates for Arrangement & Description of Paper-based Records

The NYSA Processing Rates table below is based on the State Archives' general guidelines for processing paper-based records and can be used to determine an appropriate processing rate. Estimates are based on cubic feet and on a full-time equivalent (FTE) week of 35 hours/week.
In your narrative, be sure to provide justification and rational based on the records themselves (their current condition and their content), and to describe your rates in *cubic feet per FTE week*.

Condition	Cubic feet per FTE week
Completely unorganized **collection**	2.5
Complicated **collection** such as correspondence, subject files, or media files	5
Fairly straightforward **collection** that may need some work such as case or job files, business records	10
Well-organized **collection** consisting primarily of volumes or records with uniform or repetitive information (such as invoices)	15

Full Processing Worksheet for Arrangement & Description of Paper-based Records

Use the Full Processing worksheet below to calculate the number of FTE weeks it will take to fully process the paper-based records in your application. Include these three amounts (size of **collection**, processing rate, and FTE weeks) in your Work Plan and use the number of FTE weeks you will need to process your **collection** to schedule your timeline and calculate your budget. Be sure to use *cubic feet* to measure the bulk of your records.

Size of record **collection***(s)* to be fully processed, in cubic feet:	*Divided by the processing rate:* # of cubic feet that can be processed in one week at full time (35 hours)	*Equals:* Number of FTE weeks required to complete the **full processing** of the records
Example: 115 cubic feet	*5 cubic feet per week*	*23 FTE weeks*

Outcomes and Evaluation

Samples for Use When Formatting and Writing Part II of your Narrative

Outcomes predict the results of your project. Evaluations measure and assess your progress in achieving those results. See Part II of the Application Narrative Instructions, Outcomes and Evaluation.

All Projects

DHP Outcome 1: People who are involved in or learn about the project gain increased awareness of the value of historical records and the importance of organizations that preserve and make them accessible.

Project Example: *The Environmental Action Alliance's (EAA) Documentation project focuses on the records of three environmental organizations in the region, the EAA, the Land Trust, and Sustainable Solutions.*

Project Outcome Statement 1a: Each organization's leadership team, its board of directors and its members learn more about its organization and come to appreciate that its records contribute to the history of the environmental movement in the region and the state. They also understand why it is important that an appropriate repository accession the records and make them accessible to students and teachers, environmental activists, and the public.

Evaluation 1b: The Environmental Action Alliance surveys the three organizations' leadership teams and members at the end of the project to assess what they have learned about the organizations and the value and potential uses of their records.

DHP Outcome 2: Access tools (including MARC records and finding aids) created as a result of the project meet archival standards and are consistent with archival best practices.

Project Example: *The Central City Historical Society's Arrangement & Description project focuses on the unprocessed records of two Latino organizations.*

Project Outcome Statement 2a: With DHP's Finding Aid Template as a reference and with the Consulting Archivist as a mentor, the archival assistant produces finding aids for the records of the Latino Cultural Center and the Hispanic Alliance that meet archival standards. Once the finding aids are finished, and again with the Consulting Archivist as a mentor, the archival assistant creates MARC records for each finding aid.

Evaluation 2b: The Consulting Archivist regularly reviews the work of the archival assistant and makes corrections as necessary to ensure the final products meet archival standards. The Project Director submits drafts of the finding aids to the DHP office for review and addresses the DHP's recommendations, if any. The Consulting Archivist reviews the MARC records and makes corrections as necessary to ensure the final products meets archival standards.

Documentation Projects

DHP Outcome 3: Records of New York's **under-documented** population groups and topics not currently in historical records repositories are identified and surveyed.

Project Example: *The Environmental Action Alliance's Documentation project, significant records of three environmental organizations in the region, the EAA, the Land Trust, and Sustainable Solutions have been identified.*

Project Outcome Statement 3a: The historically valuable records of the EAA, the Land Trust, and Sustainable Solutions are identified and surveyed.

Evaluation 3b: The Consulting Archivist will meet monthly with the Project Director to monitor progress of identifying and surveying the records, and adjust the target outcomes as needed. At the end of the grant period, the Project Director will assess the overall progress that was made, determine why outcome targets were missed or exceeded, and report on lessons learned.

DHP Outcome 4: The historically valuable records identified and surveyed during the project are donated to an appropriate **New York repository**(ies) and added to their collection(s).

Project Example: *The Environmental Action Alliance's (EAA) Documentation project focuses on the records of three environmental organizations in the region, the EAA, the Land Trust, and Sustainable Solutions.*

Project Outcome Statement 4a: Selection criteria for a repository in which to house the records of the three target organizations are developed, and an agreement with an appropriate repository to collect records that are covered by its acquisition policy is reached.

Evaluation 4b: The Consulting Archivist and Project Director periodically review progress in developing selection criteria and identifying potential repositories, and report on the progress that has been made by January in the DHP application for the next phase of the project. At the end of the grant period, the Project Director will review the project and assess the progress made, the reasons for outcomes that were missed or exceeded, and lessons learned.

- OR -

Project Outcome Statement 4a: The EAA, the Land Trust, and Sustainable Solutions donate their historical records to the Greenville Museum and Archives.

Evaluation 4b: The Consulting Archivist and Project Director regularly monitor the status of the relationship with the Greenville Museum and Archives and take action as necessary. At the end of the grant period, the Project Director reviews the project and assess the progress made, the reasons for outcomes that were missed or exceeded, and the lessons learned.

Arrangement and Description Projects

Project Example: *The Central City Historical Society's Arrangement & Description project focuses on the unprocessed records of two Latino organizations.*

DHP Outcome 5: Access tools created as a result of this project are accessible online and locally, and potential users are aware of their availability.

Project Outcome Statement 5a: The completed Latino Cultural Center and Hispanic Alliance finding aids are available in print at the Central City Historical Society, and the MARC records are submitted to the State Archives for inclusion in the HDI. Publicity through the press, electronic media, and Latino community networks, and a public reception at Central City Historical Society raises awareness of these valuable records and of their availability to potential researchers and other likely users.

Evaluation 5b: The Project Director meets regularly with the Consulting Archivist and the staff responsible for the public relations, publications, events, and the website to monitor progress and set goals. Attendance at the reception is recorded; calls and emails about the Latino collections are logged. The Society maintains a clipping file of published materials about the project or the collections and logs known broadcasts, presentations, or other communications, especially with members of the Latino communities. The Project Director and staff periodically assess which communication methods work best for the target audiences and will use this information to develop an ongoing communications program beyond the end of the project.

DHP Outcome 6: The access tools and the records they describe are used by researchers.

Project Outcome Statement 6a: Use of the Latino organizations' records, begins soon after the finding aids are completed and announced. Use of the records increases during the year following the completion of the project to an average of 10 patrons per month.

Evaluation 6b: Central City History Society volunteers log all in-house uses of the finding aids and records. They will also regularly survey users about the value of the records and their satisfaction with their experience using them at the Central City History Society. An online survey accessible through the Society's website will include questions about the online use of, and satisfaction with, the access tools and the records they describe.

Appendix A
STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds $50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds $10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed $85,000 (State Finance Law Section 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of $50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds $5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee’s Federal employer identification number, (ii) the payee’s Federal social security number, and/or (iii) the payee’s Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of $25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of $100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of $100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over $25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue

New York, NY 10017
212-803-2414
email: mwbecertification@esd.ny.gov
https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than $1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. <u>PROCUREMENT LOBBYING</u>. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. <u>CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS</u>.

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. **<u>IRAN DIVESTMENT ACT</u>**. By entering into this Agreement, Contractor certifies in accordance with State Finance Law §165-a 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" ("Prohibited Entities List") posted at: http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

(January 2014)

APPENDIX A-1 G

General

A. In the event that the Contractor shall receive, from any source whatsoever, sums the payment of which is in consideration for the same costs and services provided to the State, the monetary obligation of the State hereunder shall be reduced by an equivalent amount provided, however, that nothing contained herein shall require such reimbursement where additional similar services are provided and no duplicative payments are received.

B. This agreement is subject to applicable Federal and State Laws and regulations and the policies and procedures stipulated in the NYS Education Department Fiscal Guidelines found at http:/www.nysed.gov/cafe/.

C. For each individual for whom costs are claimed under this agreement, the contractor warrants that the individual has been classified as an employee or as an independent contractor in accordance with 2 NYCRR 315 and all applicable laws including, but not limited to, the Internal Revenue Code, the New York Retirement and Social Security Law, the New York Education Law, the New York Labor Law, and the New York Tax Law. Furthermore, the contractor warrants that all project funds allocated to the proposed budget for Employee Benefits, represent costs for employees of the contractor only and that such funds will not be expended on any individual classified as an independent contractor.

D. Any modification to this Agreement that will result in a transfer of funds among program activities or budget cost categories, but does not affect the amount, consideration, scope or other terms of this Agreement must be approved by the Commissioner of Education and the Office of the State Comptroller when:

    a. The amount of the modification is equal to or greater than ten percent of the total value of the contract for contracts of less than five million dollars; or

    b. The amount of the modification is equal to or greater than five percent of the total value of the contract for contracts of more than five million dollars.

E. Funds provided by this contract may not be used to pay any expenses of the State Education Department or any of its employees.

Terminations

A. The State may terminate this Agreement without cause by thirty (30) days prior written notice. In the event of such termination, the parties will adjust the accounts due and the Contractor will undertake no additional expenditures not already required. Upon any such termination, the parties shall endeavor in an orderly manner to wind down activities hereunder.

Responsibility Provisions

A. General Responsibility Language
The Contractor shall at all times during the Contract term remain responsible. The Contractor agrees, if requested by the Commissioner of Education or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

B. Suspension of Work (for Non-Responsibility)
The Commissioner of Education or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Contract, at any time, when he or she discovers information that calls into question the responsibility of the Contractor. In the event of such suspension, the Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of Education or his or her designee issues a written notice authorizing a resumption of performance under the Contract.

C. Termination (for Non-Responsibility)
Upon written notice to the Contractor, and a reasonable opportunity to be heard with appropriate SED officials or staff, the Contract may be terminated by the Commissioner of Education or his or her designee at the Contractor's expense where the Contractor is determined by the Commissioner of Education or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

<u>Safeguards for Services and Confidentiality</u>

A. Any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department. The material prepared under the terms of this agreement by the Contractor shall be prepared by the Contractor in a form so that it will be ready for copyright in the name of the New York State Education Department. Should the Contractor use the services of consultants or other organizations or individuals who are not regular employees of the Contractor, the Contractor and such organization or individual shall, prior to the performance of any work pursuant to this agreement, enter into a written agreement, duly executed, which shall set forth the services to be provided by such organization or individual and the consideration therefor. Such agreement shall provide that any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department and that such work shall be prepared in a form ready for copyright by the New York State Education Department. A copy of such agreement shall be provided to the State.

B. All reports of research, studies, publications, workshops, announcements, and other activities funded as a result of this proposal will acknowledge the support provided by the State of New York.

C. This agreement cannot be modified, amended, or otherwise changed except by a written agreement signed by all parties to this contract.

D. No failure to assert any rights or remedies available to the State under this agreement shall be considered a waiver of such right or remedy or any other right or remedy unless such waiver is contained in a writing signed by the party alleged to have waived its right or remedy.

E. Expenses for travel, lodging, and subsistence shall be reimbursed in accordance with the policies stipulated in the aforementioned Fiscal guidelines.

F. No fees shall be charged by the Contractor for training provided under this agreement.

G. Nothing herein shall require the State to adopt the curriculum developed pursuant to this agreement.

H. All inquiries, requests, and notifications regarding this agreement shall be directed to the Program Contact or Fiscal Contact shown on the Grant Award included as part of this agreement.

I. This agreement, including all appendices, is, upon signature of the parties and the approval of the Attorney General and the State Comptroller, a legally enforceable contract. Therefore, a signature on behalf of the Contractor will bind the Contractor to all the terms and conditions stated therein.

J. The parties to this agreement intend the foregoing writing to be the final, complete, and exclusive expression of all the terms of their agreement.

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. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor agrees that after the list is posted on the OGS website, should it seek to renew or extend the Contract, it will be required to certify at the time the Contract is renewed or extended that it is not included on the prohibited entities list. Contractor also agrees that any proposed Assignee of the Contract will be required to certify that it is not on the prohibited entities list before SED may approve a request for Assignment of Contract
During the term of the Contract, should SED receive information that a person is in violation of the above-referenced certification, SED will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then SED shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

SED reserves the right to reject any request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Rev. 6/4/13