



**DASNY**

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President & CEO

March 15, 2021

**VIA EMAIL**

Mr. Arthur Glass  
Vice President for Finance and Administration  
Mount Saint Mary College  
330 Powell Avenue  
Newburgh, NY 12550

*Re: New York State Higher Education Capital Matching Grant ("HECap")  
Guzman Hall Renovation  
Project ID: 24287*

Dear Mr. Glass:

We are pleased to inform you that, based on the Application submitted by Mount Saint Mary College (the "Institution") in response to the Higher Education Capital Match Program (HECap) Request for Grant Applications RFP #5545 ("RGA") issued pursuant to Chapter 63 of the Laws of 2005, as amended (the "HECap Statute"), the HECap Board has awarded a HECap grant in the amount of \$1,042,414 to your organization (the "Grant Award"). This Grant Award was made following a competitive review process performed in accordance with the procedures and criteria set forth in the RGA and the HECap Statute. The Dormitory Authority of the State of New York ("DASNY") serves as staff to the HECap Board.

**Please note that this letter is not a final commitment to disburse the Grant Award. The Grant Award is subject to compliance with the conditions set forth in this award letter and the RGA.**

The sole source of funds for the HECap grant program will be bond proceeds, which by law may only be used for certain eligible purposes. DASNY, in consultation with bond and tax counsel, shall determine whether the purposes and costs described by the Institution are eligible for payment from the HECap Grant Award. Although a preliminary determination has been made as to eligibility, updated information is required before a Grant Disbursement Agreement will be forwarded for execution. Please note that all requested information and documentation must be provided to DASNY before final approval of the Grant Award. Accordingly, ***please forward the information set forth below via e-mail to [HECapRFPCoordinator@dasny.org](mailto:HECapRFPCoordinator@dasny.org)***

- Update on the status of the project to be funded by the HECap Grant Award;
- If the budget and timeline has changed since the initial Application was submitted, please provide an updated budget and timeline as well as any updates to the information provided in the application with respect to committed funding sources that will be utilized to meet the 3:1 match requirement or pay project costs in addition to the HECap Grant;
- If the construction contracts were not provided with the initial Application, please provide the construction contracts for the entire project to be funded with the HECap Grant Funds and **tab the page that contains the Appendix B: Standard Clauses for Higher Education Capital Matching Grant Program Contracts.**
  - Compliance with the requirements outlined in Appendix B is required by the enabling legislation for the HECap program and must be documented prior to the execution of a Grant Disbursement Agreement and payment of any grant funds to the Grantee.
  - The HECap enabling legislation requires Grantees to voluntarily comply with the provisions of Article 15-A of the Executive Law. In accordance with this requirement, goals may be established for MWBE participation. Generally, for State contracts, a 30% MWBE participation rate is required—18% minority-owned businesses and 12% women-owned businesses. In order to demonstrate compliance with this requirement, Grantees must provide a utilization plan to DASNY for approval setting forth the contractors it plans to use in connection with the project. Alternatively, in the event that the percentage goals cannot be met, Grantees must demonstrate that they made good faith efforts to retain MWBE contractors. These documents are located on DASNY's website on the Request for Grant Application page (<https://www.dasny.org/about-us/what-we-do/grants-administration/hecap-board>).
  - Neither DASNY nor the HECap Board has the authority to waive this statutory mandate.
- In accordance with NYS Comptroller guidelines, please be sure that the Institution maintains and updates the Vendor Responsibility Questionnaire ("VRQ") on file through the New York State VendRep System (<https://portal.osc.state.ny.us/Enrollment/login>);
- In accordance with the New York State Grants Reform Gateway guidelines as well as DASNY's Policy, please be sure that the Institution updates and maintains the Institution's Document Vault and the status of Prequalification or exemption is kept current.
- Site control is required to evidence that the Grantee has sufficient authorization and control to undertake the project at the project location. In order to verify the Grantee owns, leases, or otherwise has control over the site where the project will be located, please provide a copy of the deed, lease, or other document evidencing site control by the Grantee. In the case of a vehicle purchase, title and registration will be needed at the time that requisitions for Grant funds are submitted. DASNY will also need to know the location for where the vehicle will be kept.
- Please note that in order to verify that we enter into a Grant Disbursement Agreement with the appropriate Grantee, we will need to review the incorporation papers or the charter for the Grantee organization and verify that the Grantee is authorized to do business in the State of New York. If the Grantee has a D/B/A, we will need the paperwork establishing the D/B/A as well.
- Provide an updated Proof of Workers' Compensation Coverage and Proof of Disability Benefits Coverage in the form of one of the following:

### Proof of Workers' Compensation 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<sup>3</sup>; or
- **Form SI-12** – Certificate of Workers' Compensation Self-Insurance; or **Form GSI-105.2**<sup>5</sup> 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.

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

The Forms where a certificate holder can be indicated, please indicate that it is with the **Dormitory Authority of the State of New York on behalf of the Higher Education Capital Match Program (HECap) Board, 515 Broadway, Albany, NY 12207**

### Proof of Disability Benefits 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.

In addition, please provide the following documents provided as attachments to this letter:

- **W-9 Form**

- This form is utilized to set up the Grantee as a vendor in the DASNY's financial system. The Grantee's Federal Employer Identification Number (FEIN) or Taxpayer Identification Number (TIN) is required to make payment. Please be sure that the FEIN number and Legal Organization name (as well as any d/b/a) is accurately reflected on the W-9. The Legal Organization name and FEIN should match the Legal Organization name and FEIN that the Internal Revenue Service has on file for the Grantee which should also correspond with the Grantee's Incorporation Papers.

- **Grantee Certification**

- Certain laws prohibit the use of public funds to finance religious programs or programs that may favor one religion over another. As the issuer of the bonds that will finance the project to be funded with Grant funds, DASNY must verify that it is in compliance with all applicable Federal and State laws and regulations.

Accordingly, please review the attached Grantee Certification (at the end of this letter) to ensure it accurately states the purposes for which the Grant funds will be used. Please arrange for two Authorized Officers of your organization to sign the Grantee Certification.

An Environmental Manager from DASNY's Office of Environmental Affairs (OEA) will be contacting you regarding the environmental review required pursuant to the State Environmental Quality Review Act (SEQRA). If an



environmental review for this project has already been undertaken, you will be asked to provide a copy of the SEQR determination.

For your convenience, we have enclosed a form cover letter for you to use when you return the completed documents to DASNY. **Incomplete documents will delay the processing the HECap funding.** You will be contacted during the review process if additional information is needed.

Should you have any questions concerning this Award Letter or whether certain information is needed from the Institution, please address your inquiry to [HECapRFPCoordinator@dasny.org](mailto:HECapRFPCoordinator@dasny.org) (include the name of the Institution, the grant program and project identification number in the subject line of the e-mail). A webinar will be announced in the near future whereby DASNY will outline the process. The date of the webinar will be posted on the DASNY website.

Very truly yours,

A handwritten signature in black ink that reads "Sara Richards". The signature is written in a cursive, flowing style.

Sara Richards  
Managing Senior Director, Governance & Administration