



NY Rising Housing Recovery Program After Opting-In

April 8, 2016

The following describes the process required both to receive funding for and to undertake construction of optional items including elevation, bulkheads and optional mitigation under the Program guidelines.

Optional items are intended to increase the resiliency of homes participating in NY Rising. Program funds for these items are available only to applicants whose homes sustained damage in one of the eligible storms. Receipt of any NY Rising Program funds for elevation or optional mitigation (even if only for a designer) obligates you and your successors to retain flood insurance on your property in perpetuity, if you live in the 100-year floodplain.

1. **Initial Payment for Design Fees** - If you opted for elevation or requested design advance funds for bulkhead work and your remaining Duplication of Benefits (DOB) does not exceed the increased award you are entitled to, then the Program will issue a design fee advance payment.
 - a. **Elevation** - If you opted for elevation, the Program will first issue payment for 10% of the elevation estimate. This payment is intended to cover your cost of hiring a designer to prepare the necessary design documents. For more information about the Program design requirements for elevation, please see the documents: *“Home Elevation Design Guidance”* and *“Program Maximum Design Criteria for Structural Elevation”*, which like all Program documents can be found on our website at : <http://stormrecovery.ny.gov/homeowner-resources-and-forms>.
 - b. **Bulkhead** – If you opted for bulkhead work and requested to receive a design fee advance, the Program will issue payment of \$2,500, to cover your cost of hiring an engineer or other qualified designer to prepare the necessary design documents for your bulkhead. Your designer must submit the materials detailed in the *“Bulkhead Design Guidance”* document.

2. **Optional Mitigation** – The Program does not issue a design fee advance for optional mitigation, but your award for this work will include a 10% design fee after the estimate for the work has been prepared by the Program. Your designer must submit a *“Designer Request for Scope Change”* form and a *“Scope of Work Change Itemization 6100”* form. Two versions of the Itemization (6100) form should be prepared and submitted, one with the designer’s stamp on a pdf version and a second version in an excel format. These documents and forms can be found on our website at: <http://stormrecovery.ny.gov/homeowner-resources-and-forms>. If mechanical, electrical and plumbing components are being elevated within the 100 year floodplain, a pre-elevation certification or elevation survey will be required. For all applicants whose optional mitigation estimate was prepared by the Program after June 2015, the estimate amount will be included in the Estimated Cost of Repairs (ECR) prepared for the basic repair work necessary for the home; and the mitigation award amount will be reflected in the Repair Award line of the Award Table. These optional mitigation funds will not be reflected in a separate ECR or on the Optional Mitigation line of the Award Table.



3. **Signing a Grant Agreement or Amendment** - Before the Program will issue any payment, including for design fees, you must sign an Optional Measures or a Rehabilitation/Reconstruction Grant Agreement, as applicable. (It should also be noted that the amount of your actual award for design fees or any other Program payment, will always be subject to a reduction by the amount of “Duplication of Benefits” or DOB that you have remaining.)

4. **Holds or Clarifications** - Based on regular Program practice, if you have any holds on your file such as a DOB clarification, you will receive no Program funds, including for optional items, until that issue has been resolved.

5. ENVIRONMENTAL REQUIREMENTS

a. **Elevation** – If you opted for elevation you must schedule environmental risk assessment survey(s) to identify the presence of asbestos (for all homes) and lead-based paint (for homes built before 1978) that may be disturbed by the elevation and therefore require that special mitigation measures be taken during construction. The Program will conduct this inspection for you at no cost, but you must call us at (516) 830-3560 to arrange for the survey prior to beginning elevation. If asbestos or lead-based paint mitigation measures are needed, the Program will adjust your award to reflect the estimated cost of these measures.

b. **Bulkhead** – If you opted in for bulkhead repair, you may not perform any construction work on that bulkhead under any circumstances until the program has completed the federally required environmental review process, has prepared an approved Tier II report and you have submitted all necessary permits for your bulkhead project. If your bulkhead work is currently underway, please contact a Construction Technical Advisor at 516-830-3560 immediately. In some cases, the Program may reimburse for bulkhead work done within a year of the storm that affected it. Please see the “Bulkhead Design Guidance” for further information.

6. **Design requirements** – Before you receive funds for the actual implementation of any optional item, your designer must submit the following documents:

a. **Elevation** – Your designer must submit a preconstruction elevation certificate, a set of final stamped plans, and a copy of the elevation permit application that you will submit to your municipality (or you may submit the actual permit). If additional pre-design investigative measures such as soil tests or surveys are necessary, these costs are also eligible under the Program, up to an overall cap of \$8,000, but must be documented with actual receipts. Based on a review of these documents, the Program will release the first construction payment equal to 50% of the elevation estimate. All documents must be submitted electronically to review@recreatenys.org.

If you wish the Program to re-evaluate your elevation estimate before work begins because it did not accurately reflect the projected costs of your elevation work, your designer must prepare and you must submit the “**Designer Request for Scope Change**” and two versions of the “**Scope of Work Change Itemization - 6100**” form to the Program to document the proposed work and a copy of the schematic plans. Upon submission of these documents, schematic plans and any other required pre-design documents and after review in accordance with Program design criteria, the Program will re-



evaluate your elevation estimate. If any additional payment is due to you based on the new estimate, it will be released to you.

- b. **Bulkhead** – The Program will conduct an inspection of your bulkhead and your designer must first submit the “**Permit Maintenance Checklist Certification**” (MCC) and follow all the other steps explained in the “**Bulkhead Design Guidance**” document. When complete, all design documents must be submitted electronically to review@recreatenys.org.
- c. **Optional Mitigation** – Your designer must submit a “**Designer Request for Scope Change**” form and a “**Scope of Work Change Itemization 6100**” form. Two versions of the Itemization (6100) form should be prepared and submitted, one with the designer’s stamp on a pdf version and a second version in an excel format. These documents and forms can be found on our website at: <http://stormrecovery.ny.gov/homeowner-resources-and-forms>. If mechanicals, electrical or plumbing equipment are being elevated within the 100 year floodplain, a pre-elevation certification or elevation survey will be required. When completed, all design documents must be submitted electronically to review@recreatenys.org.

7. **Deadline to Submit** –

- a. **Elevation** – You must submit all required elevation design documents within 210 days of receiving your first payment of design fees for elevation or by November 15, 2016 whichever is later.
- b. **Bulkhead** – For all applicants requesting funding for bulkhead work not yet done, the MCC form must be submitted within 180 days of the Program’s inspection of your bulkhead, or by August 1, 2016 whichever is later.

8. **The Program Estimate** – The Program will review these design materials, determine if the work proposed is appropriate, and set a final approved estimate for the work.

9. **Opting- Out** – After reviewing the final estimate amount, you must finally determine if you want to proceed with the work. If you choose not to implement one or more of the optional items you originally selected, you must submit an “Opt-Out Form”, which is also available at the Program website at <http://stormrecovery.ny.gov/homeowner-resources-and-forms>.

10. **Returning or Retaining Design Funds after Opting-Out** – If you received a design funds advance for elevation or bulkhead, but have decided not to implement the measure, you may decide not to return the funds actually expended for the design work. However, if you live in the 100 year floodplain, and you retain the design funds for elevation, you will be required to sign a covenant stating that you and your successors will be obligated to retain flood insurance on the property in perpetuity. All Program funds advanced over and above the actual design cost documented with receipts and proof of payment must be returned to the Program. In no case will the Program pay for design costs in an amount exceeding 10% of the Program-approved cost of the work.

11. **Required Documents** – You must submit all basic intake and eligibility documents before the Program releases payment to begin construction of any optional item. Please consult the “Required Document Checklist” below to make sure that you have previously submitted all of these and your file is complete.



12. **Elevation Damages** – If your home suffers damage during the elevation process, the Program will cover the cost of the necessary documented repairs, up to a maximum of \$7,500 plus a design fee, if any. Your design professional must submit another set of scope of work change forms delineating the damage.
13. **Payment to Start Construction** – After you have submitted all required design documents and the Program has determined the cost of the optional item(s) you have selected, you will receive a grant agreement reflecting your new award amount. That amount will include the estimated cost of the work, plus 10% of that estimate for design fees, minus any remaining applicable DOB. After signing that grant agreement and providing the name of the contractor that will perform the work, half of the optional item award, minus any previous payment, will be provided to you to begin the work.
14. **Final Payments and Closeout of Construction** – The second half of your award for optional work will be released when the work has been completed and you have met the Program requirements for that item, as outlined below. You may closeout the basic repair/replacement work on your home and receive full payment for that work before completing either the elevation or the bulkhead work. However, optional mitigation work must be closed out along with the other basic repair work on your home. The final payment for optional mitigation will be made along with final payment of your repair award. The final payment of your optional award for any item will be released after you have signed the appropriate grant agreement for that optional work.
 - a. **Elevation** – The final payment of the Elevation award will be paid after submission of the Post-Construction Elevation Certificate, a Certificate of Occupancy or a Certificate of Completion, as required by the municipality, as well as compliance with any other Program requirements and after a final inspection has been conducted. Upon request, the Program can also issue an interim payment for Elevation, see the document called “Requesting an Interim Payment” found on the Program website at <http://stormrecovery.ny.gov/homeowner-resources-and-forms>.
 - b. **Bulkhead** – The final payment of the Bulkhead award will be paid after submission of a Certification of Completion form from your engineer, as well as copies of any closeout documentation that may be required by permitting agencies and after a final inspection.
 - c. **Optional Mitigation** – The final payment of the optional mitigation will be paid when all repair work has been completed on your home including the optional mitigation work, and all the Program’s regular closeout requirements have been met. See the document “Closeout & Final Payment Guidance” found on the Program website at <http://stormrecovery.ny.gov/homeowner-resources-and-forms>.



Required Document Checklist

- Government Issued Identification (for the applicant and co-applicant, if any)
- Proof of citizenship/eligible immigrant status for one applicant (passport, birth certificate, certificate of naturalization)
- Signed Eligibility Certification Form (for the applicant and co-applicant, if any)
- Signed Consent and Release Form (for the applicant and co-applicant, if any)
- Signed Insurance Certification Form (for the applicant and co-applicant, if any)
- Signed Income Certification Form (for the applicant and co-applicant, if any)
- Signed Income Verification Form along with documentation of income (for all household members 18 and older) **OR** Signed DTF 505 (for all household members 18 and older)
- Signed Right of Entry (for at least one applicant)
- Proof that Damaged Property was your Primary Residence at the time of the storm [acceptable proofs include: tax return (federal or NYS), NYS STAR property tax exemption, driver's license, vehicle registration, government benefits receipt]