



NY Rising Housing Recovery Program

After Opting-In

January 14, 2015

The following describes the process required both to receive funding for and to begin 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. If you decide to implement any optional work and you receive Program funds to do so, you are obligated to complete all repair work on your home which was included in the Estimated Cost of Repair (ECR) prepared by the Program. This is true even if you received no funds from NY Rising to complete the repair work due to Duplication of Benefits (DOB). In addition, receipt of any NY Rising Program funds for any purpose – even 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 flood plain.

1. **Initial Payment for Design Fees** - Once you have submitted your Opt-In Form to the Program indicating which optional item(s) you are interested in, and providing the name and license number of the designer or engineer you will be using, you will receive an acknowledgement of receipt by the Program. If you opted for elevation or requested design advance funds for bulkhead or optional mitigation and your remaining Duplication of Benefits (DOB) does not exceed the increased Award you are entitled to, then the Program will issue 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 and/or Optional Measures** - If you opted for these items, the Program will issue payment of \$2,500 for each item, to cover your cost of hiring a designer to prepare the necessary design documents. These documents include 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 design forms can be found on our website at: <http://stormrecovery.ny.gov/homeowner-resources-and-forms>. If you opted for bulkhead repair, your engineer will also need to produce all the elements necessary for a complete design package, detailed in the *“Bulkhead Design Guidance”* document.

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2. **Signing a Grant Agreement or Amendment** - Before the Program will issue any payment, including for design fees, you must sign a Grant Agreement or Amendment. (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.)
3. **Clarifications** - Based on regular Program practice, if you have already filed or if you file a clarification of any kind requesting a review of your award amount or your eligibility, you will receive no Program funds, including for optional items, until that clarification has been completed and you have accepted the clarification determination.
4. **Designers** - You must engage an engineer to prepare the scope of work for the repair/replacement of a bulkhead. Either an architect or engineer may prepare the scope of work for the other optional items.

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 and has received an approved Tier II report for your bulkhead project.**
6. **Design requirements** – Before you receive funds for the actual implementation of any optional item, your designer or engineer 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 design estimate. All documents must be submitted electronically to review@recreatenys.org.

If you wish the Program to re-evaluate your elevation estimate 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 and all the other elevation design documents mentioned above 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 and/or Optional Mitigation** - With regard to Bulkhead Repair or Optional Mitigation, your designer must prepare and submit the “**Designer Request for Scope Change**” and two versions of the

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“Scope of Work Change Itemization” form to the Program to document the proposed work. One version of the Scope of Work Change Itemization form should be stamped by the designer or engineer and be in a pdf format and the other should be in an excel format. These forms can be found on the Program website at <http://stormrecovery.ny.gov/homeowner-resources-and-forms>. With regard to Bulkhead Repair your engineer will also need to produce all the elements necessary for a complete design package, detailed in the “*Bulkhead Design Guidance*” document also found on the Program website. When complete these documents must be submitted electronically to your customer representative.

7. **Deadline to Submit** - You must submit all required design documents within 90 days of your opting- in to any optional item, i.e. the date you signed the Opt-In Form. (Due to special circumstances, some applicants may receive notification of other deadline dates.)
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 any optional items that you are not going to implement, you may decide not to return the funds actually expended for the design work. However, if you live in the 100 year floodplain, 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 regular 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/Amendment reflecting your new award amount. After signing that Grant Agreement/Amendment 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.

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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]

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