



1 (I) A DETERMINATION OF ELIGIBLE APPLICANTS, PROVIDED THAT SUCH ELIGI-  
2 BLE APPLICANTS SHALL INCLUDE ENTITIES REPRESENTATIVE OF ANY PART OF THE  
3 AGING SERVICE PROVIDER NETWORK;

4 (II) A CONSIDERATION OF STATEWIDE GEOGRAPHIC DISTRIBUTION OF FUNDS;

5 (III) MINIMUM AND MAXIMUM AMOUNTS OF FUNDING TO BE AWARDED UNDER THE  
6 PROGRAM;

7 (IV) THE RELATIONSHIP BETWEEN THE PROJECT PROPOSED BY AN APPLICANT AND  
8 IDENTIFIED COMMUNITY NEED; AND

9 (V) THE EXTENT TO WHICH THE APPLICANT HAS ACCESS TO ALTERNATIVE  
10 FINANCING.

11 A COPY OF SUCH AGREEMENT, AND ANY AMENDMENTS THERETO, SHALL BE  
12 PROVIDED TO THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE DIRECTOR OF  
13 THE DIVISION OF BUDGET AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS  
14 COMMITTEE NO LATER THAN THIRTY DAYS PRIOR TO THE SCHEDULED APPROVAL OF  
15 THE FIRST BOND ISSUANCE FOR THE PROGRAM BY THE PUBLIC AUTHORITIES  
16 CONTROL BOARD. THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK SHALL  
17 ALSO REPORT QUARTERLY TO SUCH CHAIRPERSONS ON THE AWARDS MADE THROUGH  
18 THE PROGRAM, INCLUDING THE NAME OF THE APPLICANT, A DESCRIPTION OF THE  
19 PROJECT AND THE AMOUNT OF THE AWARD.

20 (B) THE DIRECTOR AND THE DIRECTOR OF THE DORMITORY AUTHORITY OF THE  
21 STATE OF NEW YORK SHALL AWARD GRANTS TO ELIGIBLE APPLICANTS AFTER DUE  
22 PUBLIC NOTICE OF THE AVAILABILITY OF FUNDS AND THROUGH A PROCESS WHICH  
23 ENSURES TO THE MAXIMUM EXTENT PRACTICABLE AND WHERE APPROPRIATE, COMPE-  
24 TITION AMONG SUCH APPLICANTS.

25 (C) THE DIRECTOR AND THE DIRECTOR OF THE DORMITORY AUTHORITY OF THE  
26 STATE OF NEW YORK SHALL PUBLISH THE PRIORITIES AND GOALS THAT ARE TO BE  
27 ACHIEVED THROUGH GRANT FUNDING, AND REGULARLY PROVIDE PUBLIC NOTICE OF  
28 THE AVAILABILITY OF FUNDING.

29 (D) FOR EACH PROJECT THAT WILL BE RECOMMENDED FOR APPROVAL, THE DIREC-  
30 TOR AND THE DIRECTOR OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK  
31 SHALL REPORT TO THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE DIRECTOR  
32 OF THE DIVISION OF BUDGET AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS  
33 COMMITTEE HOW THE PROJECT MEETS THE PRIORITIES, GOALS AND CRITERIA  
34 ESTABLISHED PURSUANT TO THIS SECTION.

35 2. CONTRACTS AWARDED TO ELIGIBLE APPLICANTS SHALL REQUIRE THAT WORK  
36 PERFORMED THEREUNDER SHALL BE DEEMED "PUBLIC WORK" AND SUBJECT TO AND  
37 PERFORMED IN ACCORDANCE WITH ARTICLES EIGHT, NINE AND TEN OF THE LABOR  
38 LAW AND THE CONTRACTORS PERFORMING SUCH WORK SHALL BE DEEMED A "STATE  
39 AGENCY" FOR THE PURPOSE OF ARTICLE FIFTEEN-A OF THE EXECUTIVE LAW AND  
40 SUBJECT TO THE PROVISIONS OF SUCH ARTICLE.

41 3. (A) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS  
42 SECTION, THE DIRECTOR AND THE DIRECTOR OF THE DORMITORY AUTHORITY MAY  
43 AWARD, IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE PERCENT OF THE CAPITAL  
44 INFRASTRUCTURE IMPROVEMENT AND DEVELOPMENT FOR OLDER NEW YORKERS GRANT  
45 PROGRAM ALLOCATION IN ANY GIVEN FISCAL YEAR, GRANTS TO ELIGIBLE APPLI-  
46 CANTS WITHOUT THE PROCESS SET FORTH IN SUBDIVISION ONE OF THIS SECTION.  
47 WITH RESPECT TO THE PROCESS FOR THE AWARDED OF SUCH FUNDS WITHOUT THE  
48 PROCESS SET FORTH IN SUBDIVISION ONE OF THIS SECTION, THE DIRECTOR AND  
49 THE DIRECTOR OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK SHALL  
50 DETERMINE ELIGIBLE AWARDEES BASED ON WHETHER THE DIRECTOR IS SATISFIED  
51 THAT SUCH AWARDEE IS AN AGING NETWORK SERVICE PROVIDER THAT DELIVERS  
52 SERVICES SUPPORTED BY THE STATE OFFICE FOR THE AGING AND LOCAL AAA  
53 NETWORKS IN COMPLIANCE WITH ALL RULES AND REGULATIONS TO ASSIST OLDER  
54 NEW YORKERS TO LIVE INDEPENDENTLY. THESE FUNDS WILL ENSURE THE QUALITY  
55 OF COMMUNITY BASED SERVICES PROVIDED THROUGH THE AGING NETWORK REMAIN  
56 ACCESSIBLE TO OLDER NEW YORKERS, INCLUDING BUT NOT LIMITED TO SERVICES

1 PROVIDED IN SENIOR CENTERS, RESPITE SITES, NORC SUPPORTED SERVICE,  
2 SOCIAL ADULT DAY PROGRAMS SERVICES, AND OTHERS AS DETERMINED BY THE  
3 DIRECTOR.

4 (B) NOTWITHSTANDING SUBDIVISIONS ONE AND TWO OF THIS SECTION, SECTIONS  
5 ONE HUNDRED TWELVE AND ONE HUNDRED SIXTY-THREE OF THE STATE FINANCE LAW,  
6 OR ANY OTHER INCONSISTENT PROVISION OF LAW, OF THE FUNDS AVAILABLE FOR  
7 EXPENDITURE PURSUANT TO THIS SECTION, THIRTY MILLION DOLLARS MAY BE  
8 ALLOCATED AND DISTRIBUTED BY THE DIRECTOR WITHOUT A COMPETITIVE OR  
9 REQUEST FOR PROPOSAL PROCESS FOR GRANTS TO AGING NETWORK PROVIDERS FOR  
10 THE PURPOSE OF FUNDING INFRASTRUCTURE DEVELOPMENT AND IMPROVEMENTS THAT  
11 WILL ENSURE THE AGING SERVICE PROVIDER NETWORK'S CAPACITY TO CONTINUE TO  
12 SERVE OLDER NEW YORKERS. CONSIDERATION RELIED UPON BY THE DIRECTOR IN  
13 DETERMINING THE ALLOCATION AND DISTRIBUTION OF THESE FUNDS SHALL  
14 INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING: (I) THE QUALITY OF  
15 SERVICE OFFERED BY THE PROVIDER; (II) THE ABILITY OF THE SERVICE PROVID-  
16 ER TO ACCESS, IN A TIMELY MANNER, ALTERNATIVE SOURCES OF FUNDING,  
17 INCLUDING OTHER SOURCES OF GOVERNMENT FUNDING; AND (III) WHETHER ADDI-  
18 TIONAL FUNDING WOULD PERMIT THE SERVICE PROVIDER TO ACHIEVE GREATER  
19 STABILITY AND EFFICIENCY IN THE DELIVERY OF NEEDED COMMUNITY BASED  
20 SERVICES.

21 (C) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,  
22 THE DIRECTOR AND THE DIRECTOR OF THE DORMITORY AUTHORITY OF THE STATE OF  
23 NEW YORK MAY AWARD, IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE MILLION  
24 DOLLARS OF THE CAPITAL INFRASTRUCTURE IMPROVEMENT AND DEVELOPMENT FOR  
25 OLDER NEW YORKERS GRANT PROGRAM ALLOCATED IN ANY GIVEN FISCAL YEAR,  
26 GRANTS TO ELIGIBLE APPLICANTS WITHOUT THE PROCESS SET FORTH IN SUBDIVI-  
27 SION ONE OF THIS SECTION TO PROVIDE NECESSARY RESTRUCTURING SUPPORT TO  
28 AGING SERVICE PROVIDERS TO SUPPORT INFRASTRUCTURE IMPROVEMENT, TECHNOLO-  
29 GY UPGRADE, NUTRITION SERVICES TO MEET STATE SANITATION CODES, SERVICE  
30 DEMAND, AND OAA NUTRITION STANDARDS, BUILDING REPAIRS AND DESIGN  
31 IMPROVEMENTS AND RENOVATIONS, OR FOR ANY OTHER CAPITAL IMPROVEMENT AS  
32 APPROVED BY THE DIRECTOR.

33 4. (A) PRIOR TO AN AWARD BEING GRANTED TO AN ELIGIBLE APPLICANT WITH-  
34 OUT A COMPETITIVE BID OR REQUEST FOR PROPOSAL PROCESS, THE DIRECTOR AND  
35 THE DIRECTOR OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK SHALL  
36 NOTIFY THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE CHAIR OF THE  
37 ASSEMBLY WAYS AND MEANS COMMITTEE AND THE DIRECTOR OF THE DIVISION OF  
38 BUDGET OF THE INTENT TO GRANT SUCH AN AWARD. SUCH NOTICE SHALL INCLUDE  
39 INFORMATION REGARDING HOW THE ELIGIBLE APPLICANT MEETS CRITERIA ESTAB-  
40 LISHED PURSUANT TO THIS SECTION.

41 (B) WITH RESPECT TO THE PROCESS FOR THE AWARDED OF SUCH FUNDS WITHOUT  
42 THE PROCESS SET FORTH IN SUBDIVISION ONE OF THIS SECTION, THE DIRECTOR  
43 AND DIRECTOR OF THE DORMITORY AUTHORITY SHALL DETERMINE ELIGIBLE AWAR-  
44 DEES BASED ON WHETHER, TO THE SATISFACTION OF THE DIRECTOR: (I) THE  
45 APPLICANT PROVIDES AN IMPORTANT SERVICE TO OLDER NEW YORKERS IN ALLOWING  
46 THEM TO LIVE INDEPENDENTLY AND AGE IN PLACE; AND (II) THE APPLICANT IS A  
47 PROVIDER THAT IS IN JEOPARDY OF DISCONTINUATION OF SERVICES BASED ON AN  
48 UNMET NEED FOR INFRASTRUCTURE IMPROVEMENTS, BUILDING REPAIRS, OR DESIGN  
49 IMPROVEMENTS AND RENOVATIONS.

50 (C) PRIOR TO AN AWARD BEING GRANTED TO AN ELIGIBLE APPLICANT WITHOUT A  
51 COMPETITIVE BID OR REQUEST FOR PROPOSAL PROCESS, THE DIRECTOR AND THE  
52 DIRECTOR OF THE DORMITORY AUTHORITY SHALL NOTIFY THE CHAIR OF THE SENATE  
53 FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE  
54 AND THE DIRECTOR OF THE BUDGET OF THE INTENT TO GRANT SUCH AN AWARD.  
55 SUCH NOTICE SHALL INCLUDE INFORMATION REGARDING HOW THE ELIGIBLE APPLI-  
56 CANT MEETS CRITERIA ESTABLISHED PURSUANT TO THIS SECTION.

1 5. (A) NOTWITHSTANDING SUBDIVISION ONE, TWO OR THREE OF THIS SECTION,  
2 THE DIRECTOR, WITH THE APPROVAL OF THE DIRECTOR OF THE BUDGET, MAY  
3 EXPEND FUNDS FOR THE PURPOSE OF PROVIDING COST EFFECTIVE INCREASED  
4 ACCESS TO THE CAPITAL MARKETS, INCLUDING BUT NOT LIMITED TO THROUGH THE  
5 USE OF MORTGAGE INSURANCE, CREDIT ENHANCEMENT, LETTERS OF CREDIT, BOND  
6 INSURANCE OR OTHER ARRANGEMENTS, FOR CAPITAL PROJECTS THAT ARE DETER-  
7 MINED TO MEET THE OBJECTIVES OF THIS SECTION.

8 (B) THE DIRECTOR MAY TRANSFER FUNDS TO OTHER STATE AGENCIES OR PUBLIC  
9 AUTHORITIES, WITH THE APPROVAL OF THE DIRECTOR OF THE BUDGET, TO EFFEC-  
10 TUATE THE PURPOSES OF THIS SUBDIVISION.

11 S 2. The opening paragraph of section 1680-j of the public authorities  
12 law, as amended by section 54 of part B of chapter 58 of the laws of  
13 2005, is amended to read as follows:

14 Notwithstanding any other provision of law to the contrary, the dormi-  
15 tory authority of the state of New York is hereby authorized to issue  
16 bonds or notes in one or more series in an aggregate principal amount  
17 not to exceed seven hundred fifty million dollars excluding bonds issued  
18 to fund one or more debt service reserve funds, to pay costs of issuance  
19 of such bonds, and bonds or notes issued to refund or otherwise repay  
20 such bonds or notes previously issued, for the purposes of financing  
21 project costs authorized under section twenty-eight hundred eighteen of  
22 the public health law AND SECTION TWO HUNDRED SIXTY OF THE ELDER LAW.  
23 Of such seven hundred fifty million dollars, ten million dollars shall  
24 be made available to the community health centers capital program estab-  
25 lished pursuant to section twenty-eight hundred seventeen of the public  
26 health law.

27 S 3. This act shall take effect immediately.