§ 410-ccc. Child day care facility development. 1. Notwithstanding any other provision of law, of the moneys appropriated to the department in section one of chapter fifty-four of the laws of nineteen hundred ninety-four, enacting the capital projects budget, four million seven hundred fifty thousand dollars shall be available as follows: seven hundred fifty thousand dollars for child care project development grants and related administrative expenses; the remaining four million dollars shall be available for the child care facilities construction program as defined in section sixteen-g of the urban development corporation act; of this amount, no less than three million dollars shall be available for child care construction grants and related administrative expenses and any remaining funds may be available for child care construction revolving loans and loan guarantees, and related administrative expenses. The amounts available for the child care facilities construction program, as defined in section sixteen-g of the urban development corporation act, shall be suballocated to the urban development corporation pursuant to this section.

Up to five percent of the moneys available pursuant to this subdivision may be used for payments to the department or other state agencies or authorities, and the urban development corporation for administrative expenses required to develop requests for proposals and to approve contracts for child care construction projects pursuant to this section and/or section sixteen-g of the urban development corporation act. The director of the division of the budget shall approve such payments.

2. Child care project development grants. The department shall develop a request for proposals to provide grants to not-for-profit organizations, including, but not limited to, child care resource and referral programs, local development corporations, neighborhood preservation companies and rural preservation companies as defined in section nine hundred two of the private housing finance law, to support pre-development planning, management, and coordination of activities, leading to the development of child day care centers in under-served areas meeting the needs of low-income working families. Such activities may include: (a) design studies and services and other development or

redevelopment work in connection with the design and development of child day care centers; and (b) studies, surveys or reports, including preliminary planning studies to assess a particular site or sites or facility or facilities for the development of child day care centers.

(c) In determining grants to be awarded, the department shall consider the following: (i) that a not-for-profit organization applying for a grant under this subdivision is a bonafide organization which shall have demonstrated by its immediate past and current activities its ability to lead or to assist in the development of projects, such as child day care centers meeting the needs of low-income families; (ii) the need for day care centers in the area; (iii) the potential viability for a child day care center to succeed in the area; and (iv) such other matters as the department determines necessary.

(d) Grants shall be awarded to eligible entities where the department identifies an insufficient supply of child day care programs. Grants awarded pursuant to the request for proposals shall not exceed seventy-five thousand dollars per project.

3. Child care construction grants. (a) The child care construction grants awarded pursuant to this section and section sixteen-g of the urban development corporation act shall be available for not-for-profit child care facilities construction projects owned or to be owned by not-for-profit corporations for use as child day care centers that will be duly approved, licensed, inspected, supervised, and regulated as may be determined to be necessary and appropriate by the department, except that with respect to child day care centers located in the city of New York, such child day care centers will be duly approved, licensed, inspected, supervised, and regulated as may be determined to be necessary and appropriate by the commissioner of the department of health of the city of New York.

(b) Grants shall be made through contracts to not-for-profit corporations for child care facilities construction projects pursuant to a request for proposal process jointly developed by the department and the urban development corporation in consultation with the department of economic development. The department shall receive, initially review, and assess applications to determine which projects should be referred to the urban development corporation and to rank by groups, the referred

projects according to the capacity of such projects to meet identified needs for child day care. In assessing such applications, the department shall consider: (i) the need for day care services in the area; (ii) the potential viability for a child day care center to succeed in the area; (iii) the qualifications of the proposed provider to operate a child care center; (iv) the potential for meeting applicable regulatory requirements; (v) the appropriateness of the site for licensing as a day care center and (vi) such other matters as the department determines necessary.

(c) Upon the timely completion of the department's initial review and selection of applications meeting criteria, the department shall immediately submit such selected applications and the group rankings of such applications to the urban development corporation which, in consultation with the department of economic development, shall select award recipients. No later than upon submission of the selected applications, the department shall also suballocate all moneys appropriated for such purposes to such corporation.

4. Programs conducted pursuant to this section of law are limited to the amounts appropriated therefor.