

Office of Brownfield Remediation and Development
Municipal Grant Program – Remediation
Notice of Funding Availability (NOFA)

July 26, 2023

Round 18RG (Remediation & Limited Assessment Grant)

Announcement: The [Office of Brownfield Remediation and Development](#) (OBRD) of the Dept. of Economic and Community Development (DECD) would like to announce the availability of funding under the Municipal Brownfield Grant Program (Remediation and Limited Assessment) and is inviting applications for the same. The purpose of the Municipal Grant Program as per [C.G.S Section 32-763](#), is to provide grants for brownfield remediation and redevelopment. Additional program goals include encouraging public-private partnerships, leveraging the maximum amount of private funds to increase the economic impact of the State’s investment, reactivating long-stalled sites, and encouraging job creation.

OBRD has also simultaneously announced the availability of funding under the Targeted Brownfield Development Loan and the Assessment-only Grant Program. The total funding pool available for all DECD Round 18 notices is up to \$25 million. The review and decision process for all programs will be simultaneous. *See note under Source of Funding below.*

“Brownfield” Definition: As per [C.G.S Section 32-760](#), “Brownfield” means any abandoned or underutilized site where redevelopment, reuse or expansion has not occurred due to the presence or potential presence of pollution in the buildings, soil or groundwater that requires investigation or remediation before or in conjunction with the redevelopment, reuse or expansion of the property.

Maximum Request Per Application: Grants of up to \$4,000,000 per application. Minimum requested grant amount - \$200,000. Applicants are welcome to submit multiple projects/sites.

Application Process: Applicants are required to fill out the Grant Round 18RG Application available on the [Grant Program Webpage](#). The Application has two separate sections – Part A: Threshold Eligibility Section and Part B: Project Details. Applications may be denied funding after review of Part A of the Application Form.

All application submittals (along with attachments) shall either be:

1. Uploaded to a DECD SharePoint folder [**PREFERRED METHOD**]
 - a. Applicants must request a SharePoint link by emailing brownfields@ct.gov
 - b. Include Applicant & Project Name and Program Code (18RG) in subject line.
 - c. Recommended to make folder request by noon on Wed, September 20, 2023;

OR

2. Emailed to brownfields@ct.gov
 - a. Include Applicant & Project Name and Program Code (18RG) in subject line.

Application Due Date: The Application Form will be accepted until **noon** on Friday, September 22, 2023. An email will be sent to applicants to confirm receipt of the form and application package.

Questions related to the NOFA that are not included in the FAQ document should be emailed to Brownfields@ct.gov by Wednesday, August 23, 2023. Any FAQ addendum that includes responses to additional questions not covered in the current FAQ document will be posted on the OBRD website by Friday, August 25, 2023.

All Applicants for funding under this Round 18RG NOFA should tentatively expect to receive clarification questions via email or requests for meetings in Oct - Nov 2023. Awards are tentatively scheduled to be announced in the 1st or 2nd week of December 2023.

Eligible Applicants: A Municipality as defined by [C.G.S Section 32-760](#) (12); Economic Development Agency, as defined by [C.G.S Section 32-760 \(6\)](#); and Connecticut Brownfield Land Banks, as defined by [C.G.S Section 32-760 \(22\)](#). Entities responsible for the contamination are ineligible. All applicants must provide proof of access to the site, site control or path to site control.

Source of Funding: Public Act 23-205 Sec. 13 (d) (1) approves \$35 million in bond funds for the Brownfield Program for fiscal year 2024. DECD has submitted a request to the State Bond Commission for approval of these funds to support this funding round opportunity and others under the program in FY 2024. (*Note: No funding award will be made until the SBC approves bond funds for the program.*)

Enabling Statutes: [C.G.S. Section 32-763](#)

Eligible Uses of Funds: Costs associated with the investigation, assessment, remediation and development of a brownfield, including but not limited to: soil, groundwater and infrastructure investigation; assessment; remediation; abatement; hazardous materials or waste disposal; long-term groundwater monitoring or monitoring for natural attenuation; other forms of institutional controls; attorneys' fees (non-DECD contract related), planning, engineering and environmental consulting; building and structural issues (including demolition, asbestos abatement, PCB removal, contaminated wood or paint removal and other infrastructure remedial activities).

Public-Private Partnership: DECD hopes to encourage public-private partnerships with this NOFA offering. Remediation-redevelopment partnerships between eligible Applicants and private developers can help with arriving at cost-effective remediation solutions. In addition, the economic development impacts with such projects are assured.

DECD will be willing to structure the Assistance Agreement (DECD Contract) to enable a pass-through of the grant from eligible entities to private partner entities, as long as all participating partners are willing to accept DECD's collateral terms and property restrictions including mortgage liens, unlimited corporate/personal guaranty, negative pledge and/or use restriction (as applicable, on a case-by-case basis). More details about the collateral terms and property restrictions are provided below.

Threshold Requirements: Applicants will need to demonstrate the following to be eligible to apply for the program:

- Proof that the site is a brownfield as per [C.G. S. Sec. 32-760](#).
- Proof that the Applicant and potential development partner(s) have no direct or related liability for the conditions of the brownfield.
- Proof that the Applicant or potential development partner has access or will have access to the property, site control or path to site control.
- Proof that the potential development partner is registered to do business in the State of CT and is in good standing – no pending lawsuits, liens filed and tax arrears.
- If the redevelopment project has a housing component, proof that it will comply with DECD's Affordable Housing policy (described below).

Application Review and Award Criteria: The following criteria will be used to score the applications.

Shovel-readiness/Project Merits	Remediation plan completeness
	Presence of developer/Public-private partnership
	Redevelopment plan completeness
Economic and Community Development Impact	Project is located in a distressed municipality, as defined in C.G.S. Section 32-9p
	Project is in Opportunity Zone
	Commitment to Environmental Justice goals
	Increase in property value/ Tax contribution to municipal tax base
	Job creation (permanent full-time equivalent FTE; direct and indirect)
	Supports the industrial sectors identified in the DECD/Advance CT economic development strategy - Advanced Manufacturing; Aerospace & Defense; Bioscience & Healthcare; Film, TV, Digital Media; Financial Services; Green Energy; Insurance; Technology & Innovation
	Supports production of renewable energy including wind, solar, hydro power, geothermal, biomass/biofuel; clean Hydrogen manufacturing; fuel cell installation and/or energy storage.
	Incorporation of green building design (geothermal, solar panels, green roofs, energy star windows and equipment etc.) and resiliency features to address climate change and reduction of carbon footprint.
Supports other DECD initiatives – affordable*/workforce/middle and/or mixed-income housing, transit-oriented development, proximity to transit, reuse of historic property/mill, tourism supportive, and/or urban food desert solutions (*see affordable housing policy below)	
Financing	Applicant/Developer partner contribution/share
	Private leverage of DECD funds
Applicant Experience	Applicant experience with completing similar projects on-time and within budget

Prevailing Wage Rules Affecting DECD Projects: All projects will have to be consistent with the requirements of [C.G.S Section 31-53c](#) and [C.G.S. Section 31-53](#). The applicability of prevailing wage as per the statutes is dependent on various factors including, but not limited to, the amount of cumulative DECD funding received for the proposed project/project site over the years, the entity entering into the grant contract with DECD, the funding sources for the overall project, the entity that will be holding the construction contract (primary recipient versus a private entity), the nature of the improvements (public versus private), and the nature of the end uses (public versus private).

For a formal DOL determination on the applicability of the prevailing wage rates for your project, please contact Mary Toner, Wage Enforcement Agent, Public Contract Compliance at the CT Dept. of Labor (mary.toner@ct.gov; 860.263.6606).

Collateral Requirements: The Applicant will need to provide a completion guarantee or a mortgage lien on the property so that the State/DECD can recoup the funding in case the proposed redevelopment project cannot be completed. If the property/project site belongs to the Applicant's private development partner, the Applicant's partner (or partner entity) will need to provide the collateral. This collateral will be held by DECD/State until the redevelopment project is completed.

If the plan is to transfer the project site to a private development partner after the remediation project is completed, the mortgage lien (or guarantee) will have to be assumed by the private partner (partner entity or new owner) during property transfer and will be in place until the redevelopment project is completed.

Negative Pledge and Use Restriction Covenants: DECD will require the Applicant, or the Owner of the Property at the time of the DECD Contract execution, to execute a Negative Pledge that the project site shall not be sold, leased, transferred, assigned, or in any way encumbered or otherwise disposed of without first obtaining the written consent of the Commissioner (except if the transfer is from the Applicant to the Private Partner) for a period of ten years.

DECD will also be requiring the Applicant, or the Owner of the Property at the time of the DECD Contract execution, to covenant and agree that the project property shall be used for the purposes described in the Application for a period of ten years.

Both the Negative Pledge and Use Restriction Covenant will be recorded on the land records

Special Note for Projects Seeking CHFA/DOH Funds: If the applicant is simultaneously seeking and waiting on CHFA/DOH financing, DECD will only provide a conditional award pending CHFA and DOH approvals. The conditional award will expire in a year or after the CHFA and/or DOH funding announcement, whichever occurs earlier.

DECD Affordable Housing Policy (as of July 20, 2022): If the project involves a net addition of 10 or more residential dwelling units for rent, a portion of those units must be deed-restricted for 30 years to be offered at below-market rent. If the project involves a net addition of 10 or more residential dwelling units for sale, some of those units must be deed-restricted in perpetuity to be offered for sale at below-market price. Applicants may choose whether to provide 10% of units affordable to households making 50% of the area median income (AMI), or 20% of units affordable to households making 80% of AMI. Affordable unit rent may not exceed 30% of the criteria AMI, and affordable unit sale price may not exceed an amount that would lead to expected monthly housing costs exceeding 30% of the criteria AMI. Expected monthly housing costs are the expected sum of monthly property taxes, 30-year mortgage payment assuming 3% down payment and prevailing interest rates, and any common charges.

Units must be on-site, the unit sizes and finishes must be comparable to market-rate units, the unit bedroom counts for affordable units must be in the same proportion as market-rate units, and the affordable units must be distributed evenly throughout the market-rate units. If construction is phased, affordable units must be constructed as proportionally as is feasible in each phase. Affordable units must use the same building access as market-rate units and have comparable access to building amenities.

The DECD Commissioner may approve projects not in compliance with the above policy following a written request with detailed justification from applicant.

Application Page limit (excluding attachments): DECD encourages all applicants to be succinct with their responses to the questions. DECD will only accept responses to the questions included in the space

provided within the forms. Material presented outside of the forms may not be reviewed. Incomplete applications will be rejected. Please make sure to label attachments as per instructions on form.

Schedule Summary:

Presentations and Walk-in Teams Meeting¹ (see below for call-in info)	
<u>Wed, August 9, 2023 (9 – 10AM)</u>	Special Topic: What’s new in Round 18?
<u>Wed, August 23, 2023 (9 – 10AM)</u>	Special Topic: Application Form Budget and ROI Tables
<u>Wed, September 6, 2023 (9 – 10AM)</u>	Special Topic: Public-private Partnerships
Questions on the NOFA	
Wed, August 23, 2023	Deadline for questions to DECD on this NOFA
Friday, August 25, 2023	Posting of FAQ Addendum (if any) on OBRD’s Website
Application Deadline	
Wed, September 20, 2023 @ noon	Request for SharePoint folder (see <i>Application Process</i>)
Friday, September 22, 2023 @ noon	Deadline to submit or upload Application Package
Round 18 Award Announcement	
December 2023 1 st or 2 nd week	Award Announcements (tentative)

¹**Microsoft Teams Walk-in Meetings:** The session will begin with a brief topical presentation followed by time for questions and answers.

[Click here to join the Teams meeting](#) on your computer or mobile app.

Or call in (audio only) 1.860.840.2075; **Phone Conference ID:** 435-012-966#

For questions: Please send email to brownfields@ct.gov (preferred) or contact the dedicated OBRD hotline number at 1.860.500.2395.

OBRD Website: For info on all opportunities and programs, visit, www.ctbrownfields.gov.

Campaign Contribution Restriction Notice: This is a notice in case you are successful in receiving a grant award. For all State contracts, defined in section 9-612 of the Connecticut General Statutes as having a value in a calendar year of \$50,000 or more, or a combination or series of such agreements or contracts having a value of \$100,000 or more, the authorized signatory to any Agreement with DECD represents that they have received the State Elections Enforcement Commission’s notice advising state contractors of state campaign contribution and solicitation prohibitions, and will inform its principals of the contents of the notice.

Disclaimer: DECD reserves the right to amend or cancel this NOFA, to modify or waive any requirement, condition or other term set forth in this NOFA or the program application, to request additional information at any time from one or more applicants, to select any number of applications submitted in response to this NOFA, or to reject any or all such applications, in each case at DECD’s sole discretion. DECD may exercise the foregoing rights at any time without notice and without liability to any applicant or any other party. Applications to this NOFA shall be prepared at the sole expense of the applicant and shall not obligate DECD to procure any of the services described therein or herein from any applicant. DECD shall not be obligated to any applicant until a final written agreement has been executed by all necessary parties thereto and all applicable approvals have been obtained. As such, any funds expended by the applicant prior to these approvals will be done so entirely at the risk of the applicant.