

Final Attestation Terms and Conditions and Audit & Monitoring Requirements

This user guide lists the Final Attestations and Terms and Conditions and the Audit and Monitoring Requirements for the *Invest in New York - Child Care Deserts Grant* application.

Final Attestation Terms and Conditions:

As an applicant of the Invest in NY Child Care grant, I attest that:

- I will apply or have already been awarded to become an OCFS licensed/registered day care program, or have already applied to be a NYC permitted group day care (as defined in Article 47 of the New York City Health Code).
- I will join the Aspire Registry and apply to Start with Stars within 30 days of being issued a license, registration or permit.
- I will notify the Office of Children and Family Services (OCFS) within 7 days of any changes to information provided in this application, including, but not limited to the closure of my child care program, change in the active status of my program including but not limited to enforcement action and voluntary inactive status
- I understand that if my child care program permanently closes during the grant period, I must return all unspent funds and am no longer eligible to receive any additional grant payments.
- I understand that funding can be used until 9/30/24 as long as the program is open and serving children.
- I agree that my program will comply with all OCFS regulations and New York State Department of Health guidance, and New York City Department of Health and Mental Hygiene regulations if applicable, and maintain good standing (as defined in this RFA) and, to the greatest extent possible, implement policies in line with guidance from the Centers for Disease Control and Prevention (CDC) (available at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/child-care-guidance.html>).
- If I am receiving the Infant/Toddler bonus funding, I commit to ensuring those funded slots remain available to infant/toddlers for the entirety of the grant period with all required staff. For home-based programs who receive the infant/toddler bonus, I commit to filling all awarded bonus slots with infant/toddlers or holding those slots available for infant/toddler enrollment.
- If I am receiving the Non-Traditional Hour bonus funding, I commit to operating my program a minimum of 15 hours per week during those non-traditional hours unless it is a SACC program. If a SACC program, I commit to providing care during 75% of all school breaks and holiday breaks in accordance with the local school calendar. I understand that summer programs are not included in this

percentage. For NYC Article 47 Day Care Centers, non-traditional hours are considered a Night Child Care program, defined as “a child care program that accepts children for care starting at 5 P.M., provides child care services between 5 P.M. and 8 A.M., and operates more than one night per week, for more than 30 days in a 12-month period. I commit to providing documentation as requested by OCFS and making staff payments to cleared staff to meet the staff/child ratio for the awarded slots during those hours.

Audit and Monitoring Requirements:

To comply with all audit and monitoring requirements of this grant and project, as a recipient of this grant, I understand and agree to the following statements:

- OCFS or its agents may monitor this application and use of funds to ensure the accuracy of the information that I have provided and the proper use of funds.
- I understand that at any time, I may be asked to produce records for verification including receipts and proof of payment purposes upon audit of any Invest in NY Child Care funds.
- I agree to provide information and supporting documents as requested.
- I agree to provide, for audit purposes, access to the child care facility for which this application is submitted, information and documentation related to the application and use of funds, and access to interview child care staff members in connection with this application and the use of funds received.
- I must retain supporting documentation for a period of six years following the last quarter for which funding was provided and promptly submit it to OCFS upon request.
- I agree to report the use of funds received to OCFS or its agents upon request.
- I understand that providing false or inaccurate information on this application or improper use of funds will result in the return or repayment of funds. I agree to repay funds as required by OCFS.
- I agree I will not reduce salary or benefits to employees of my child care program for the duration of the grant term. For each employee of the child care program, I agree to pay at least the same amount in weekly wages and maintain the same benefits (such as health insurance and retirement, (if applicable) for the duration of this grant.
- I agree to prevent any involuntary furlough of employees from the date of application submission through the duration of the grant period, to the extent possible.
- I agree to provide relief from copayments and tuition payments for the families enrolled in my child care program, to the extent possible, and prioritize such relief for families struggling to make either type of payment.
- I agree that I cannot use Invest in NY Child Care funds to pay for expenses expressly covered by another external source or grant, e.g., the Child Care Stabilization grant, the Paycheck Protection Program (PPP), or to supplant other federal or state funds.



- I must spend all Invest in NY Child Care funds by September 30, 2024.
- By submission of a proposal, the applicant agrees not to make any claims for or have a right to any damages because of any misrepresentations or misunderstanding of the specifications or because of any lack of information.
- The proposer understands that proposals that do not provide all the documents requested in RFA Section 5.0 APPLICATION CONTENT AND SUBMISSION and/or are not submitted as required by the instructions provided in RFA Section 5.3 Application Submittal Process may be subject to rejection.
- The applicant certifies that all information provided in connection with its application is true and accurate.
- I have read and agree to these terms and conditions and I am an authorized person to submit this application.

