



CITY OF SPRINGFIELD, MASSACHUSETTS

Mayor Domenic J. Sarno



ARPA OUTDOOR DINING PROGRAM APPLICATION GUIDELINES

Introduction

This program is funded as part of the City of Springfield plan to effectively, efficiently, and equitably administer American Rescue Plan Act (“ARPA” or the “Act”) funds within the city for all eligible use categories, as determined by the United States Department of the Treasury through its Final Rule.

The City of Springfield has made \$2.5 million of its ARPA funds available for this program has made available a wide variety of funding programs to the community, including funding programs for small businesses, new businesses, non-profits, and households.

This program responds to public health and mitigation strategies for entities in responding to the pandemic and assisting venues the ability to provide outdoor options for patrons. The program will support the growth of outdoor commerce and specifically outdoor dining which has become more favorable since the outset of the pandemic.

The ARPA Outdoor Dining Program is intended for the creation of new or significantly improved outdoor dining/event space for businesses and/or non-profits. Priority will be given to entities that have not received City of Springfield ARPA funding and whose projects would greatly enhance the walkability and foot-traffic in neighborhood business districts. The maximum grant award for this program is limited to \$250,000.

As this program being capitalized with ARPA funding, all federal funding requirements including on-site project construction monitoring, environmental review, procurement and bidding, access and review of all project files, submission of project receipts and proof of payment, and completion of all required forms will be strictly enforced.

Awardees that do not adhere to all project requirements will be required to reimburse the City of Springfield for all awarded funds.

All applications must be received via the website by **May 5, 2023 at 2:00 PM**.

The program application can only be submitted online. After reading these application guidelines you can find the application at the following link: <https://www.springfield-ma.gov/planning>

The City reserves the right to make changes to this application and/or program guidelines. All changes/updates will be posted on the City’s website at the above referenced link.

Application Guidelines

Funding Availability

- The program has a total of \$2,500,000 available. Applications will be scored on a first come, first serve basis.
- Due to high interest and limited funding, applying is not a guarantee of funding - projects that are funded must meet the goals and scoring criteria of the program.
- Applicants may request between \$25,000 - \$250,000. The program is not intended for minor improvements to existing space, applicants must show they are creating new outdoor dining/event space or substantially investing in an existing space.
- The program is structured as grant, but can be considered as soft debt, at the request of the applicant.

Scoring Criteria

- Would the project provide significant enhancements to a neighborhood business district, and encourage foot-traffic and/or increase foot-traffic in the district?
- Does the project meet the “Program Goals” listed in this document?
- Does the project have neighborhood support?
- Does the project provide any leveraging (are there other funding sources being invested in the project other than this grant request)?
- Has the applicant been awarded other City of Springfield ARPA funding?
- Has the applicant suffered a financial impact due to the Covid-19 pandemic, and has the applicant demonstrated the funding request is reasonable and necessary to complete the project?

Program Goals

- To help support the creation of new outdoor dining/event space as a place for dining, community gathering, commerce, and activities
- To support projects that are active in the newly created space in a regular, full time basis
- To support transformative projects that are a benefit to the neighborhood and help create a sense of place and identity

Funding Limit: Projects may apply for between \$25,000 and \$250,000. This program is expected to assist significant new or upgraded outdoor dining projects.

Private Match: There is no required match for the program, however projects that show other funding being leveraged/contributing to the project will be viewed more favorably.

Taxes: The city requests in the application that the applicant organization provide 2019, 2020, and 2021 taxes. This is done to help the city assess the financial impact caused by the pandemic. You do not need to attach your full tax printout for each year. If your business files a “Schedule C” on your taxes each year, just that form is sufficient and all that is required. Please do not include personal taxes, anything provided should be in the business/organization name.

Reoccurring Applicants: It is expected that only one award will be made per entity/owner. Applicants that have not been awarded ARPA funding in prior applications and programs will be viewed more favorably.

Disbarred Applicants: Applicants who have defaulted on past City of Springfield business loans/grants, are ineligible to apply. Applicants must also be current for any city, state, or federal taxes, fines, or fees prior to applying. National Chains are also ineligible from this funding.

Project Design: The City maintains final approval on design of all improvements. No commitments should be made to contractors prior to city design approval.

Public Ways: Any projects that are proposed to utilize public ways (sidewalks, public streets, etc.) should consult with the Department of Public Works prior to applying. There are requirements around ensuring proper clearance under the Americans with Disabilities Act (ADA) that must be adhered to, as well as insurance requirements when operating on a public way. Projects proposing permanent construction in public ways will not be considered.

Project Start: The City will not fund or reimburse projects that have already begun construction prior to a contract being executed. Do not start any project construction without receiving a fully executed contract from the City of Springfield.

Project Changes: Once under contract, no project may change project scope or contractors without the prior notice and approval of the City of Springfield program administrator. Project scope changes and contractor changes in the project may result in the project being placed in default, and city requiring a return of all awarded funds. Changes of scope and/or contractors without city approval will result in the project being placed in default.

Types of Businesses Eligible:

- Ground-floor, active commercial food/drink/special event focused businesses
- Non-profits whose main purpose is community gathering/events with a focus on food/drink

Types of Businesses Not Eligible:

- Business located in upper stories
- Businesses with exterior roll down/steel doors
- Businesses with exterior security/steel window bars
- Cannabis related businesses
- Non-profits with a purpose other than community gathering
- National Chains

Project Uses Eligible:

- Construction of new, dedicated outdoor dining/event space
- Purchase of outdoor furniture/furnishings

- New landscaping
- New hardscape, pavers/paving for outdoor dining
- New lighting/string lighting for outdoor dining
- Construction of entryways/windows to allow for outdoor dining
- Public Art

Project Uses Not Eligible:

- Projects that require permanent construction in public ways
- Creating space that will be used for parking
- Standard maintenance work
- Investments that are not creating new or improved outdoor service floor area space
- Exterior security gates
- Projects that would not be responsive to mitigate the spread of COVID-19 for dining/entertainment spaces

Requirements

- Applications may be submitted by property owners and/or tenants; however, if a tenant submits an application, the property owner must provide written permission for the work to be completed.
- Both the tenant and property owner must agree to maintain the improvements in good condition for five **(5)** years following issue of the grant.
- Expenditures that exceed the approved grant award shall be the sole responsibility of the applicant.
- Grant applications will be accepted and screened for basic compliance (i.e., location, property eligibility, intended improvements, etc.). Applications will then be evaluated on their individual merits and compliance with program goals. Applications with significant exterior work may also be reviewed by a city sponsored professional architect for recommendation and approval.
- As a requirement of the federal funding source, each project needs to complete an “Environmental Review”. This process does not perform environmental testing on properties; rather it is a larger review on project impact and can include items such as historic preservation impact. The city will provide you with more information on the timeline of that process should your project be awarded.
- The subject property may not have active code enforcement actions.
- The subject property must be structurally sound and in compliance with applicable building codes, sanitary codes, and zoning regulations.
- The subject property may not have delinquent taxes, including property taxes, and neither the

tenant nor the property owner may have other delinquent taxes outstanding. Property owners or tenants with delinquent taxes, fines or fees will be ineligible to apply for this grant funding until they are current.

- Applicants must comply with all state and local laws and regulations pertaining to licensing, permits, building code, zoning requirements, environmental requirements, etc.
- Applicant is responsible for all associated permitting and fees, and ensuring that all necessary building permits are applied for in advance of project construction.
- Work must be conducted by properly licensed contractors. The City encourages the use of Springfield based contractors.
- Project must comply with The Americans with Disability Act to ensure minimum required access in and passage through the proposed project area if in public way.
- Project must apply in advance and comply with City of Springfield license requirements regarding liquor consumption and outdoor entertainment. If creating a new outdoor area with an existing indoor liquor license, such license premises must be amended and extended prior to project commencing if outdoor alcohol consumption is sought.

Design Guidelines

Projects should reflect principles of good design. The city shall have final determination on project designs based on their individual and relative merits. No project should begin construction prior to receiving final approval by the city. Design guidelines are detailed further at the conclusion of this document.

City review will be required by the Office of Planning & Economic Development for site plan approval, the Department of Public Works for projects that are utilizing and/or impacting public ways, and all applicants are required to consult with the Building Department to review any need for building permits for any aspect of proposed projects. If a project is utilizing and/or impacting a city park, approval will be required by the Parks Department. If a project is impacting existing meter/paid parking spaces, approval will be required by the Springfield Parking Authority. Applications should not propose permanent construction in public ways.

Additional Review

Properties within a Local Historic District or of other historic significance will need prior approval by the Springfield Historical Commission. Properties located in an approved urban renewal district may require review and approval by the Springfield Redevelopment Authority. Please contact the Springfield Redevelopment Authority and/or OPED Springfield Historical Commission staff at 413-787-6020 to review if your project is in a district and if its project components may require review.

Application/Review Process

The program application can only be submitted online. You can find the application the following link:

<https://www.springfield-ma.gov/planning>

Please do not submit an incomplete application. Incomplete applications may not get reviewed and may delay your project application from review.

All applications will be reviewed by staff in the Development Division, based on the scoring criteria and program goals listed in this application. Due to significant program interest, it is likely not all applications will be funded and some may be partially funded.

Applicants should **NOT** begin work on any element of the project until an award is made and a notice to proceed is provided by the City of Springfield. The City will not be responsible for reimbursing project costs that are made prior to these steps being completed.

If your project is awarded you will then need to complete contracting with the City of Springfield prior to starting the project.

Depending on project scope of work, awarded projects are likely to require the completion of an "Environmental Review". This is completed by City staff, however may require approximately 30 days to complete. No project work should begin prior to this process.

Grant Disbursement Process

This program is structured as a reimbursable grant. This means the awardee will spend its own funds on eligible costs first, and then provide paid invoices and proof of payment to the City for reimbursement.

The grant will be disbursed in three payments (25%, 50%, 25%), each of which will require the awardee to provide backup documentation on grant spending.

The first payment by the City to the awardee in some cases may be made up-front upon request and based on need.

All payments for services rendered under this grant must be clearly documented with **both** an invoice (receipts, bill, etc.) **AND** proof of payment (cancelled checks, credit card/bank statements, etc.).

IMPORTANT: APPLICANTS SHOULD NEVER PAY "CASH" FOR ANY SERVICES

Post Loan Award Requirements

Following the award of a grant, the applicant will be monitored periodically by the OPED staff and other City Compliance staff to ensure compliance with the ARPA program. Therefore, the grant recipient shall agree to make company records and payroll available to the City upon request. The city will also schedule on-site monitoring visits and may ask to interview contractors and employees working on the project.

The improvements must remain in place for a minimum of five (5) years from project completion.

Should the business cease operations, reduce services/hours of operation, or significantly alter the improvements funded through this grant within the five-year period, repayment to the City of for the entire grant amount will be required.

Outdoor Dining Design Guidelines

Each project will be required to seek a site plan approval from the City of Springfield Office of Planning & Economic Development (OPED) for design, landscaping, etc. Depending on project location and components, project may also require an approval from the City of Springfield Department of Public Works (DPW) for design, drainage, passageway clearance, etc. Other departments including the Fire Department may be consulted on design for access and egress issues surrounding the new space.

If possible, applicants should include both a site plan of the proposed area, as well as an elevation of the proposed area to better understand the design elements of the project.

General components of design consideration:

- Project should seek to increase outdoor dining space in a way that will minimize the spread of COVID-19
- Project should encourage the increase of foot-traffic and walkability within a neighborhood business district
- Ensuring the new space does not impede the public's passageway through public ways (sidewalks, streets, etc.) and is compliant with The Americans with Disabilities Act.
- Properties and outdoor areas that are an integral element of a historic streetscape, should reflect and complement the character of the surrounding area to the greatest extent possible.
- The building's principal entrance, and any other entryways that are utilized, should remain prominent and clear of obstructions and easily accessible
- The city encourages landscape elements and ask that those be detailed on the site plan, including types of plantings, etc.
- Unpainted brick, stone or terra cotta should not be painted or covered. Previously painted masonry may be painted.
- Simply installing fencing around a parking lot or a portion of the parking lot will not qualify for a outdoor dining grant. If fencing is needed as part of a project, it should be appropriate to the building and making a significant visual improvement to the streetscape. Common fences such as white vinyl or standard silver aluminum chain link *will generally not be eligible*.
- Planter or retaining walls that might surround or define an outdoor dining area should be built of materials to compliment adjacent buildings. Generally, brick or other suitable masonry units would be considered while certain types of interlocking concrete block, landscaping timbers, and other such materials may not be eligible.
- If awnings/umbrellas are part of the proposed outdoor dining project, lettering on them should be limited to the name of the business. Awnings/umbrellas should not have phone numbers, website addresses, pictures of products, product sponsorships, etc.
- For historic areas/buildings, applicants should **not** use contemporary materials such as plastics or Plexiglas, or plastic or glossy coatings, which are incompatible with the building and

neighborhood's historic character.

- Lighting is an acceptable use of funding to provide safe passage for patrons, and such fixtures should be detailed in project site plan/narrative/budget. Flashing lights, flashing directional lights, or lighting which shines directly in the faces of pedestrians or overwhelms other areas will not be considered.
- For historic buildings, should any structural and decorative elements become part of the project they should be repaired or replaced to match or be compatible with the original materials and design of the building to the greatest extent possible. In 1939 a photo of each property in the city was taken and many are available at the City of Springfield Building Department. Many are now scanned online at: <https://www.springfieldpreservation.org/wpa/>

Scoring Criteria

1. Project would encourage foot traffic and improve walkability in a neighborhood business district

Highly Advantageous (HA) - The project is located within a neighborhood business district and would significantly encourage foot traffic and improve walkability within the district.

Advantageous (A) – The project would moderately encourage walkability and increase of foot traffic within the neighborhood and/or neighborhood business district.

Not Advantageous (NA) – The project would make minimal or zero contribution to the attractiveness, walkability and/or increase of foot traffic within a neighborhood/neighborhood business district.

Non Responsive (NR) – Non responsive

2. Program & Design

Highly Advantageous (HA) - The proposal meets the Program Goals of the Application Guidelines, offers good design elements, and is a positive benefit to the neighborhood

Advantageous (A) - The proposal moderately addresses the Program Goals, good design, and neighborhood benefit

Not Advantageous (NA) - The proposal is inconsistent or unclear in addressing the Program Goals. The impacts of project are unclear or negative.

Non-Responsive (NR) - Non responsive.

3. Leveraging/Other Sources

Highly Advantageous (HA) - The applicant shows that there are other sources of funding being contributed to the project other than the application under this program.

Advantageous (A) - The applicant has indicated some amount of in-kind professional services (design, engineering, etc.) sources that are being contributed to the project other than the application funding request under this program

Not Advantageous (NA) - The applicant has indicated no other sources of funding or in-kind professional services are being provided to the project.

Non-Responsive (NR) - Non responsive.

4. Other City of Springfield ARPA Funding

Highly Advantageous (HA) - The applicant has received no other City of Springfield ARPA awards

Advantageous (A) - The applicant has received other City of Springfield ARPA awards totaling less than \$25,000

Not Advantageous (NA) - The applicant has received more than \$25,000 in City of Springfield ARPA awards

Non-Responsive (NR) - Non responsive.

5. Covid-19 pandemic financial impact and Reasonableness of request

Highly Advantageous (HA) - The applicant has provided all requested tax information available and a clear connection to significant reduction in revenue and/or profit can be made due to the Covid-19 pandemic. The funding request is proportionately responsive to the COVID impact, and financial cost associated with completion of the project and proposer has demonstrated cost reasonableness.

Advantageous (A) - The applicant has provided all requested tax information available and a clear connection to low/moderate reduction in revenue and/or profit can be made due to the Covid-19 pandemic. The proposer has demonstrated the request is responsive to the COVID impact, and has provided partial documentation to demonstrate cost reasonableness.

Not Advantageous (NA) - The applicant has provided all requested tax information available and no connection to significant reduction in revenue and/or profit can be made due to the Covid-19 pandemic and/or income/profit has increased. The funding request appears does not appear to be responsive to the COVID impact and/or the funding request does not appear to be reasonable.

Non-Responsive (NR) - Non responsive.

6. Neighborhood Support

Highly Advantageous (HA) - The applicant has attached a letter/email from the corresponding neighborhood organization in support of its application.

Advantageous (A) - The applicant has not provided written support from the neighborhood but has indicated it plans to meet with the neighborhood

Not Advantageous (NA) - The proposal does not refer to any communication with the neighborhood organization

Non-Responsive (NR) - Non responsive.