

SRF Old and New

North Dakota Department of Health

Drinking Water State Revolving Fund

Clean Water State Revolving Fund

North Dakota Public Finance Authority



Agenda

- 💧 Program Overview
- 💧 CWSRF Changes
- 💧 Bond Counsel
- 💧 IUP/PPL
- 💧 Loan Application Package / Supplemental
- 💧 Facility Plan & Environmental Approval



Agenda

- 💧 SRF Plans / Specs Approval
- 💧 Bid Review and Contract Award
- 💧 Construction Phase
- 💧 SRF Request for Payments
- 💧 Ongoing SRF Requirements



SRF Program Overview

David Bruschwein

DeAnn Ament



SRF Overview

- 💧 Program History
- 💧 Fund Sources and Uses
- 💧 Eligible/Ineligible Projects/Costs
- 💧 Loan Forgiveness
- 💧 Green Project Reserve (GPR)
- 💧 Misc.
- 💧 Capital Financing Program (CFP)



Program History

CWSRF

- 💧 Started in 1987 through the Clean Water Act
- 💧 Loan (2.5% Total Rate effective as of 1/1/2012)
 - 💧 2.0% interest rate
 - 💧 0.5% administrative fee
 - 💧 Maximum of 30 years or useful life of project, whichever is shorter
 - 💧 3.5% Total Effective Interest Rate for systems that do not qualify for tax exempt status



Program History

DWSRF

- ☉ Authorized under the 1996 amendments to the Safe Drinking Water Act (SDWA)
- ☉ Loan (2.5% Total Rate effective as of 1/1/2012)
 - ☉ 2.0% interest rate
 - ☉ 0.5% administrative fee
 - ☉ Maximum of 30 years or useful life of project, whichever is shorter
 - ☉ 3.5% Total Effective Interest Rate for systems that do not qualify for tax exempt status



Sources and Uses of Funds

- 💧 Sources of funds
 - 💧 Capitalization Grants from EPA
 - 💧 Bond proceeds
 - 💧 Repayments
 - 💧 State match
 - 💧 Transfers between SRF programs



Sources and Uses of Funds

💧 Uses of funds

- 💧 Loans

- 💧 Program administration

- 💧 PWSS administration (DWSRF only)

- 💧 Small system technical assistance (DWSRF only)

- 💧 Nonpoint source loans (CWSRF only)



CWSRF Eligible Projects

- 💧 Wastewater treatment, Secondary & Advanced
- 💧 Infiltration/Inflow correction
- 💧 Sewer rehabilitation
- 💧 Interceptor sewers
- 💧 Combined Sewer Overflow (CSO) abatement
- 💧 Storm sewer control
- 💧 Recycling/Reuse of wastewater
- 💧 Nonpoint source activities



CWSRF Ineligible Projects/Costs

- 💧 Collection systems for new growth areas
- 💧 Operation and maintenance costs



DWSRF Eligible Projects

- 💧 Address SDWA exceedances
- 💧 Prevent future SDWA exceedances
- 💧 Replace aging infrastructure
- 💧 Buy/finance existing debt obligations (refinance) projects started after July 1993
- 💧 Restructure and consolidate water supplies
- 💧 Purchase a portion of another systems capacity



DWSRF Ineligible Projects/Costs

- 💧 Dams/rehabilitation of dams
- 💧 Water rights
- 💧 Projects needed mainly for fire protection
- 💧 Operation and maintenance costs
- 💧 Systems in significant noncompliance with SDWA



DWSRF Ineligible Projects/Costs

- 💧 Drinking water monitoring costs
- 💧 Projects primarily intended to serve future growth
- 💧 Projects that lack adequate technical, managerial and financial capability



Loan Forgiveness

- 🔹 Federal requirement since ARRA
 - 🔹 Based on percentage of capitalization grant
- 🔹 Provided as loan forgiveness
- 🔹 Based on Relative Future Water/Wastewater Cost Index



Loan Forgiveness

- 💧 Combination of loan and loan forgiveness
- 💧 Per project cap on loan forgiveness (DWSRF)
- 💧 Loan application and binding commitment deadline for loan forgiveness projects



Green Project Reserve

- 💧 A portion of the CWSRF capitalization grant must be used for:
 - 💧 Green (Stormwater) Infrastructure
 - 💧 Energy Efficiency
 - 💧 Water Efficiency
 - 💧 Other Environmentally Innovative Activity



Green Project Reserve

- 💧 Eligibility of these components will be verified
 - 💧 Only CWSRF eligible projects to date have been for recycled or advanced wastewater treatment and replacing water meters
- 💧 Business case required with loan application for non-categorical projects



Misc. SRF

- 💧 Used as match for other funding agencies
- 💧 Federal funds vs non-federal fund requirement
- 💧 Fund Priority List projects (not just Fundable List)
- 💧 Use of Capital Financing Program for interim financing
- 💧 Prescreen project affordability



Advantages to using SRF funds

- 💧 Eliminates negative carry
- 💧 Borrowing and repayment flexibility
 - 💧 Only pay interest on money drawn
 - 💧 Prepayments not allowed from bond proceeds
 - 💧 No penalty for early payment from excess revenues
- 💧 Only cost of issuance is bond counsel



Capital Financing Program

- 💧 Offers financing for projects or improvements for which political subdivisions are legally authorized to borrow money.
- 💧 The interest rates payable by a political subdivision are market rates which are set through a competitive bid process when the PFA issues and sells its bonds to fund the loan.



Questions?



CWSRF Changes

Dave Bergsagel



Legislative History

- 💧 2014 Water Resources Reform and Development Act (WRRDA)
- 💧 Signed by President June 10, 2014
- 💧 Includes two provisions affecting the SRF:
 - 💧 Amendments to Title I,II,V, and VI of the Federal Water Pollution Control Act
 - 💧 Title VI created the CWSRF
 - 💧 Creates the Water Infrastructure Finance and Innovation Authority (WIFIA)



30 Year Loan Terms

- 💧 Up to 30 years or the useful life of the project, whichever is shorter
- 💧 If the principal repaid after year 20 is larger than the 20 year components, the project will qualify for a 30 year loan
- 💧 The facility plan must include a breakdown of the useful life of components and their costs



Land Purchase Eligibility

- 🔹 Eligible expenses now include:
 - 🔹 Leasing or fee-simple purchase of land
 - 🔹 Surface and subsurface easements
 - 🔹 This includes:
 - 🔹 Land required to store equipment and materials during construction
 - 🔹 Land required to locate eligible treatment or distribution/collection projects
 - 🔹 Land for effluent application or recharge basins



Equivalency

- 💧 Equivalency projects are “an amount made directly available by” the federal capitalization grant
- 💧 North Dakota will select a single set of projects to satisfy all Federal equivalency requirements
- 💧 Equivalency projects must comply with all of the following:
 - 💧 40 USC Chapter 11 Procurement for A/E contracts
 - 💧 Single Audit Act
 - 💧 Reporting Requirements
 - 💧 Federal Cross-Cutters
 - 💧 Disadvantaged Business Enterprise (DBE)



Questions?



Bond Counsel

Scott Wegner

Arntson Stewart Wegner PC

Bismarck, ND

701-255-1008

or

Fargo, ND

701-280-0195

swegner@aswbondlaw.com



Intended Use Plan (IUP) & Project Priority List (PPL)

Chuck Abel



Ranking Process

- 💧 Request for SRF projects
- 💧 Ranking Questionnaire
- 💧 Update Questionnaire (DWSRF)
- 💧 Determine Points (DWSRF)
 - 💧 Water quality
 - 💧 Water quantity
 - 💧 Infrastructure adequacy
 - 💧 Affordability
 - 💧 Safety and Miscellaneous



Ranking Process

Memorandum

- 🔹 Potential loan recipients & interested parties
- 🔹 Request for Questionnaire – *Deadline Date*
 - 🔹 Systems with new (unlisted) projects (DWSRF)
 - 🔹 Systems with already-listed projects (DWSRF)
 - 🔹 All Projects (CWSRF)



Ranking Process

Ranking Questionnaire

- 💧 System information
 - 💧 System name
 - 💧 Contact information
- 💧 Project information
 - 💧 Project description
 - 💧 Anticipated start dates
- 💧 Green Project Reserve information (was discussed earlier)



Ranking Process

Ranking Questionnaire (DWSRF)

- 💧 Water quality and quantity
- 💧 Infrastructure adequacy
- 💧 Affordability and project financial considerations
- 💧 Operator safety
- 💧 Miscellaneous



Ranking Process

Ranking Questionnaire (DWSRF)

- 💧 Regional and Rural Water Systems ONLY
- 💧 Attachment 1
- 💧 Pre-project & Post-project
 - 💧 Population served
 - 💧 Service connections
 - 💧 Average annual charge for water service



Ranking Process

Ranking Questionnaire (DWSRF)

💧 Miscellaneous

- 💧 Is the purpose of your project primarily fire protection?
- 💧 Fire protection is allowed if it is not the primary purpose of the project



Ranking Process

Ranking Questionnaire

- ☹ Fill out questionnaire *Completely*
 - ☹ Signature, date, phone number
- ☹ Mail the Questionnaire / Update
 - ☹ SRF Program, 918 E Divide Ave, 3rd Floor
Bismarck, ND 58501-1947
- ☹ 701.328.5211



Ranking Process

- 💧 Award ranking points
- 💧 Comprehensive Project Priority List (PPL)
- 💧 Fundable List (DWSRF)
- 💧 Public hearing
- 💧 State Water Commission approval (DWSRF)
- 💧 EPA approval



DWSRF Ranking Process

Award Ranking Points

- 💧 Water quality
 - 💧 Regulatory issues
 - 💧 Aesthetic issues (secondary)
- 💧 Water quantity (for credit you must provide documentation)
- 💧 Affordability
 - 💧 Community water systems
 - 💧 Non-profit non-community water systems



DWSRF Ranking Process

Award Ranking Points

- ☹ Infrastructure adequacy
 - ☹ Items A through P of Ranking Questionnaire
- ☹ Consolidation or regionalization
- ☹ Operator safety



INTENDED USE PLAN

IUP

- 💧 IUP is a document provided to EPA on how we plan to administer the SRF Program
- 💧 Project Priority List is an ordered ranking of eligible SRF projects
- 💧 Fundable List is a DWSRF Federal requirement; but, we will work with you to fund a project that is ready to proceed



Questions?



Loan Application Package

DeAnn Ament



Application Process

- 💧 Project must be on IUP/PPL
- 💧 Political subdivision works with bond counsel
- 💧 Application reviewed by PFA
- 💧 Application reviewed by PFA's Advisory Committee
- 💧 Application reviewed by Industrial Commission (if over \$1,000,000)
- 💧 Bond documents filed with PFA
- 💧 Political subdivision may submit loan draws



Loan Application Package

- 💧 Financial capacity
- 💧 Technical capacity (DWSRF)
- 💧 Managerial capacity (DWSRF)



Loan Application

Financial

- 💧 Contents and instructions
- 💧 SRF program application
- 💧 Budget sheet



CONTENTS AND INSTRUCTIONS

CONTENTS OF APPLICATION PACKAGE

1. SRF Program Application
2. Budget Sheet
3. Request for Supplemental Information
4. Debarment and Suspension Certification
5. Preaward Compliance Review Report
6. Resolution of Governing Body

APPLICATION SUBMISSION

Complete items 1-6 and submit with original signatures to:

North Dakota Department of Health
Division of Municipal Facilities
918 East Divide Avenue, Third Floor
Bismarck, ND 58501-1947

APPLICATION PROCESS

1. Project must be on the Department of Health's Intended Use Plan (IUP)
2. Application reviewed by ND Public Finance Authority (PFA)
3. Application reviewed by PFA's Advisory Committee
4. Application reviewed by the ND Industrial Commission
5. Political subdivision's bond counsel prepares bond documents
6. Bond documents are filed with the PFA
7. Political subdivision may submit loan draw requests to the Department of Health

IMPORTANT REMINDERS

- The political subdivision is responsible for selecting and retaining bond counsel.
- SRF loans are Federal Funds and subject to specific auditing procedures. Please alert your auditor.
- Revenue bonds require 120% coverage and a reserve fund.
- Audit reports or financial statements must be filed annually with the PFA.

QUESTIONS

Completing pages 1 – 7 of the application:

ND Public Finance Authority
Phone: 1.800.526.3509 or 701.328.7100
Fax: 701.328.7130
Email: ndpfa@nd.gov
Website: www.nd.gov/pfa

Project Approval & IUP

ND Department of Health
Phone: 701.328.5211
Fax: 701.328.5200
Email: dbruschw@nd.gov
Website: <http://www.ndhealth.gov/MF/>



*Drinking Water
State Revolving Fund Program
Loan Application*

Political Subdivision: _____

Data Universal Numbering System (DUNS Number): _____

Contact Person for Political Subdivision: _____

Title: _____ Email: _____

Phone: _____ Fax: _____

Physical Address: _____ Mailing Address: _____

(zip+4)

(zip+4)

All information provided in this program application is certified to be true and correct, as of the date of application, by the authorized public official whose name appears below and has been designated in the attached Resolution of Governing Body of Applicant.

Authorized Signature

Date

Printed Name & Title

A. GENERAL

1. Political Subdivision's Auditor/Officer: _____
(if different from above)

Email: _____

Phone: _____

Fax: _____

Address: _____

2. Political Subdivision's Bond Counsel: _____

3. Political Subdivision's Engineering Firm: _____

Project Engineer: _____

Phone: _____

Email: _____



B. PROJECT INFORMATION

1. Description of project to be financed with the loan proceeds:

- 2.

Source	Amount of Funding
SRF Loan Request	\$
CDBG	
RD	
Local	
Total Project Costs	\$

3. Number of years to repay loan (maximum term 30 years): _____.
If a loan term greater than 20 years is desired, a tabulation of the useful life and cost of project components must be attached. The components should be assigned a useful life of 20 years or less, OR 30 years or more.
4. Construction will begin: _____. Construction will be completed: _____.

Estimated Request for SRF Funds	Amount of Payment Requests
Year 1	\$
Year 2	
Year 3	
Year 4	
Year 5	
Total Payment Requests <small>(Must equal SRF Loan Request Amount)</small>	\$

5. If the purpose of the requested financing is to refinance an outstanding obligation, please provide the following information and attach a copy of the debt service schedule for the obligation to be refinanced:
- a. Original dollar amount of the obligation to be refinanced: _____
 - b. Amount to be refinanced: _____
 - c. Dated date of the obligation to be refinanced: _____
6. Will other federal funding be used for this project? Yes _____ No _____

If yes, provide contact information for other federal funding source.

Name: _____ Phone: _____

Email: _____



B. PROJECT INFORMATION

1. Description of project to be financed with the loan proceeds:

- 2.

Source	Amount of Funding
SRF Loan Request	\$
CDBG	
RD	
Local	
Total Project Costs	\$ Equals total on Budget Sheet - Page 7

3. Number of years to repay loan (maximum term 30 years): _____.
If a loan term greater than 20 years is desired, a tabulation of the useful life and cost of project components must be attached. The components should be assigned a useful life of 20 years or less, OR 30 years or more.



3. Number of years to repay loan (maximum term 30 years): _____.

If a loan term greater than 20 years is desired, a tabulation of the useful life and cost of project components must be attached. The components should be assigned a useful life of 20 years or less, OR 30 years or more.

4. Construction will begin: _____. Construction will be completed:_____.

Estimated Request for SRF Funds	Amount of Payment Requests
Year 1	\$
Year 2	
Year 3	
Year 4	
Year 5	
Total Payment Requests (Must equal SRF Loan Request Amount)	\$



C. FUNDING INFORMATION

1. Please describe the source of funds for the repayment of principal and interest on the proposed financing (i.e., general obligation tax levy, special assessments, user fees): _____

2. If the proposed financing will be evidenced by **revenue bonds**, please attach your own worksheet or complete the following worksheet concerning existing rates, necessary rate increases, and estimated/projected revenues with respect to the utility system or fund related to the proposed project. Rates and fees must provide annual net revenues equal to 120% of the average annual principal and interest requirements for repayment of the loan. Further, a reserve fund must be established in the amount which qualifies as a reasonably required reserve fund under federal tax laws and regulations. The reserve fund must be fully-funded no later than five years after the loan has been fully-funded or as otherwise agreed.

Rate history and projections:

Please attach rate schedule or meeting minutes evidencing current rates.

Circle one: *Monthly* or *Annual*

	Prior Year 2	Prior Year 1	Current Year	Projected Year 1	Projected Year 2
Service connections:					
Residential	_____	_____	_____	_____	_____
Commercial	_____	_____	_____	_____	_____
Base rate:					
Residential	_____	_____	_____	_____	_____
Commercial	_____	_____	_____	_____	_____
Revenue per connection:					
Residential	_____	_____	_____	_____	_____
Commercial	_____	_____	_____	_____	_____

3. Estimated increase or decrease in total **annual** operation and maintenance costs (including depreciation and repair and replacement reserves) as the result of this project:

Source	Increase/(Decrease)
Depreciation	\$
Repairs	
Operation	
Maintenance	
Replacement Reserves	
Total O&M Increase/(Decrease)	\$



Rate history and projections:

Please attach rate schedule or meeting minutes evidencing current rates.

Circle one: *Monthly* or *Annual*

	<u>Prior Year 2</u>	<u>Prior Year 1</u>	<u>Current Year</u>	<u>Projected Year 1</u>	<u>Projected Year 2</u>
Service connections:					
Residential	_____	_____	_____	_____	_____
Commercial	_____	_____	_____	_____	_____
Base rate:					
Residential	_____	_____	_____	_____	_____
Commercial	_____	_____	_____	_____	_____
Revenue per connection:					
Residential	_____	_____	_____	_____	_____
Commercial	_____	_____	_____	_____	_____



4. Five largest users as of _____, 20_____:

Name	Usage (percent of total)	Revenue (most recent fiscal year)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

D. BONDED INDEBTEDNESS

1. Present Indebtedness: If necessary, attach additional pages.

Year Issued	Purpose	Type of Bond	Initial Amount	Outstanding Balance	Avg. Annual P&I Payment Amount	Final Maturity Date

Please list any available sinking funds already deposited and pledged to the payment of principal and interest on the outstanding obligations listed above.

Sinking Funds:

Issue Identified by <u>Date and Purpose</u>	Sinking Fund <u>Amount</u>
--	-------------------------------

2. Anticipated Indebtedness: Please list any known future indebtedness of any type, including lease financing, which the political subdivision intends to issue or incur in the next twenty-four months. Include in the description the type of debt, estimated amount and the final maturity. _____

3. Defaults: If the political subdivision has ever defaulted in the payment of principal or interest on any of its outstanding indebtedness, please give a description of the default and any corrective measures taken by the political subdivision. _____



D. BONDED INDEBTEDNESS

1. Present Indebtedness.: If necessary, attach additional pages.

Year Issued	Purpose	Type of Bond	Initial Amount	Outstanding Balance	Avg. Annual P&I Payment Amount	Final Maturity Date

Please list any available sinking funds already deposited and pledged to the payment of principal and interest on the outstanding obligations listed above.

Sinking Funds:

Issue Identified by
Date and Purpose

Sinking Fund
Amount



E. ECONOMIC AND SOCIAL INFORMATION

1. Population of political subdivision:

Current Estimated _____ 2010 _____ 2000 _____ 1990 _____

2. School enrollment for the current school year and the past four school years, and projected for the next two years.

<u>School Year</u>	<u>Elementary</u>	<u>Junior High School</u>	<u>High School</u>	<u>Total</u>
_____*	_____	_____	_____	_____
_____*	_____	_____	_____	_____
_____*	_____	_____	_____	_____
_____*	_____	_____	_____	_____
_____**	_____	_____	_____	_____
_____***	_____	_____	_____	_____
_____***	_____	_____	_____	_____

*Past four years
 **Current year
 ***Projected next two years

3. List the three largest employers within the boundaries of the political subdivision, if such information is available:

<u>EMPLOYER</u>	<u>TYPE OF BUSINESS</u>	<u>NUMBER OF EMPLOYEES</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Please describe any significant changes concerning major employers within the boundaries of the political subdivision during the past twenty-four months and any reported future changes concerning existing or new major employers: _____



F. **ADDITIONAL INFORMATION**

1. In the preceding fiscal year, did the political subdivision receive the following?
 - a. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); Yes ___ No ___
AND
 - b. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards)? Yes ___ No ___

G. **ATTACHMENTS**

1. Do you have a Capital Improvement Plan or a Water System Plan?
Yes ___ No ___ (If yes, please include a copy(s) with the completed application)
2. The following information **must be submitted** with this loan application (requested information which appears in the financial statements may be included by reference):
 - a. The three most recent annual audited financial statements. **If you already file audits with the PFA, only provide audits not previously filed.**
 - b. The most recent year-end and month-end combined balance sheets for all fund types and account groups.
 - c. The most recent year-end and month-end combined statements of revenues and expenses for all enterprise funds.
 - d. The current year's operating budget for the fund in which the project will be held as an asset, and the proposed operating budget for the first year of the loan repayment term (and any other years for which a proposed budget has been prepared).
 - e. The feasibility/engineering study for the proposed project.
3. If the proposed financing will be evidenced by **improvement bonds (special assessments)**, please attach the following:
 - a. A copy of the resolution or ordinance creating the improvement district.
 - b. A copy of the certificate confirming the assessment list.
 - c. A copy of the city auditor's most recent certification of special assessments to the county auditor (if applicable).
4. If the proposed financing will be evidenced by **revenue bonds (user fees)**, please attach evidence of rates. This may be in the form of a rate schedule or meeting minutes.



BUDGET SHEET

COST CLASSIFICATION	SRF	CDBG	LOCAL	OTHER	TOTAL																														
1. Administrative expenses	\$	\$	\$	\$	\$																														
2. Land, structures, rights-of-way																																			
3. Engineering basic fees																																			
4. Other engineering fees																																			
5. Project inspection fees																																			
6. Land development																																			
7. Relocation expenses																																			
8. Construction and project improvement																																			
9. Equipment																																			
10. Capitalized interest																																			
11. Other (describe)																																			
12. Miscellaneous																																			
13. SUBTOTAL	\$	\$	\$	\$	\$																														
14. Contingencies																																			
15. TOTAL	\$	\$	\$	\$	\$																														
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">16. SRF Funds</td> <td style="width: 15%; text-align: right;">\$</td> <td style="width: 15%; border-bottom: 1px solid black;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td>17. CDBG Funds</td> <td style="text-align: right;">\$</td> <td style="border-bottom: 1px solid black;"></td> <td></td> <td></td> <td></td> </tr> <tr> <td>18. LOCAL Funds</td> <td></td> <td></td> <td style="text-align: right;">\$</td> <td style="border-bottom: 1px solid black;"></td> <td></td> </tr> <tr> <td>19. OTHER Funds</td> <td></td> <td></td> <td></td> <td style="text-align: right;">\$</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>20. TOTAL All Funds</td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">\$</td> </tr> </table>						16. SRF Funds	\$					17. CDBG Funds	\$					18. LOCAL Funds			\$			19. OTHER Funds				\$		20. TOTAL All Funds					\$
16. SRF Funds	\$																																		
17. CDBG Funds	\$																																		
18. LOCAL Funds			\$																																
19. OTHER Funds				\$																															
20. TOTAL All Funds					\$																														



Important Reminders

- 💧 **ALL** items must be completed
- 💧 Political subdivision responsibilities
 - 💧 Select & retain bond counsel
- 💧 A letter is sent after the loan is approved
- 💧 Loan draws must begin within a year of approval



Questions?



Loan Application Package Supplemental

Chuck Abel



Loan Application Attachment

- 💧 Request for Supplemental Information (DWSRF Only)
- 💧 Debarment And Suspension Certification
- 💧 Pre-award Compliance Review Report
- 💧 Resolution of Governing Body



ATTACHMENT

Capability a.k.a. Capacity

- 💧 Financial Capacity CWSRF & DWSRF (by PFA)
- 💧 Technical Capacity (DWSRF only)
- 💧 Managerial Capacity (DWSRF only)



Technical Capacity

(DWSRF Only)

- 💧 Schematic (rough sketch block diagram)
- 💧 Source and finished water
 - 💧 Quantity
 - 💧 Quality
- 💧 Wellhead protection / Source water assessment programs
- 💧 Documentation



Technical Capacity

(DWSRF Only)

- 💧 Infrastructure condition
- 💧 Current and future adequacy
- 💧 Class of water system
- 💧 Operator certification
- 💧 O & M manual
- 💧 Emergency response plan
- 💧 SDWA violations



Managerial Capacity

(DWSRF Only)

- 💧 Ownership accountability
- 💧 Identify operator(s) & specific job descriptions
- 💧 Continuing Education Credits
- 💧 Responsibility to establish policies
- 💧 Written policies



**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not, within a three-year period preceding this application/proposal, had one or more public transactions (federal, state or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 U.S.C. Section 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Name and Title of Authorized Representative

Signature of Authorized Representative

Date



Debarment & Suspension Certification: CWSRF & DWSRF

- 💧 Recipient of an SRF loan must submit to the State
- 💧 With *original* signatures



Preaward Compliance Review Report For Construction Loans

Note: Read instructions on preceding page before completing form.

I. A. Applicant (Name and State)		B. SRF Project No.
II. A. Are any civil rights lawsuits or complaints pending against applicant? If "Yes", list those complaints and the disposition of each complaint.		<input type="checkbox"/> Yes <input type="checkbox"/> No
II. B. Have any civil rights compliance reviews been conducted during the two years prior to this application for activities which would receive EPA assistance? If "Yes", list those compliance reviews and status of each review.		<input type="checkbox"/> Yes <input type="checkbox"/> No
III. A. Population Characteristics		Number of People
1. A. Population of entire service area		
B. Minority population of entire service area		
2. A. Population currently served		
B. Minority population currently served		
3. A. Population to be served by project		
B. Minority population to be served by project		
4. A. Population to remain without service		
B. Minority population to remain without service		
B. If entire community under the applicant's jurisdiction is not served under the existing facilities or will not be served under the proposed plan, give reasons why.		
C. Give the schedule for future construction by which service will be provided to all inhabitants within applicant's jurisdiction. If there is no schedule, explain why.		
D. Is a federal agency being asked or already providing financial assistance to any construction associated with this project? If "Yes", list the federal agency(s), describe the associated work and the dollar amount of assistance.		<input type="checkbox"/> Yes <input type="checkbox"/> No
E. Will all new facilities or alterations to existing facilities financed by this loan be designed and constructed to be readily accessible and useable by handicapped persons? If "No", explain how a regulatory exception (40 CFR 7.70) applies.		<input type="checkbox"/> Yes <input type="checkbox"/> No
IV. Certification I certify that the information given above is true and correct to the best of my knowledge or belief. (A willfully false statement is punishable by law: U.S. Code, Title 18, Section 1001)		
A. Signature of Authorized Official	B. Title of Authorized Official	C. Date
For the U.S. Environmental Protection Agency		
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Regional Director of Civil Rights	Date



Pre-award Compliance Review

Report: CWSRF & DWSRF

- ☉ Population characteristics (Totals must be accurate)
 1. A. Population of entire service area
 - B. Minority population of entire service area
 2. A. Population currently served
 - B. Minority population currently served
 3. A. Population to be served by project
 - B. Minority population to be served by project
 4. A. Population to remain without service
 - B. Minority population to remain without service



Pre-award Compliance Review Report Certification

- 🔹 Signature of authorized official
 - 🔹 *Original* signatures required
- 🔹 Title of authorized official
- 🔹 Date



RESOLUTION OF GOVERNING BODY OF APPLICANT
(Suggested Format)

RESOLUTION NO. _____

Resolution authorizing filing of application with the North Dakota Department of Health for a Loan under the Safe Drinking Water Act.

WHEREAS, under the terms of the Safe Drinking Water Act, the United States of America has authorized the making of Loans to authorized applicants to aid in the construction of specific public projects:

Now, Therefore, Be It Resolved _____
(Governing Body of Applicant)

1. That _____ be and is hereby authorized to execute
(Designate Official)
and file an application on behalf of _____ with the North
(Legal Name of Applicant)
Dakota Department of Health for a Loan to aid in the construction of _____

(Brief Project Description)

2. That _____, _____, be and is
(Name of Authorized Representative) (Title)
hereby authorized and directed to furnish such information as the North Dakota Department of Health may reasonably request in connection with the application which is herein authorized to be filed, to sign all necessary documents, and, on behalf of city, to accept Loan offer and receive payment of Loan funds.

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting _____ of the
(Title of Officer)
_____ does hereby certify:
(Legal Name of Applicant)

That the attached resolution is a true and correct copy of the resolution, authorizing the filing of application with the North Dakota Department of Health, as regularly adopted at a legally convened meeting of the _____ duly held on the _____ day of _____, 20____; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.
(Name of Governing Body of Applicant)

In Witness Whereof, I have hereunto set my hand this _____ day of _____, 20____.

(SEAL)
If applicant has
an official seal,
impress here.

(Signature of Recording Officer)

(Title of Recording Officer)



Resolution of Governing Body (suggested format) CWSRF & DWSRF

- 💧 Resolution number
- 💧 Governing body of applicant
- 💧 Designated official authorized to execute
- 💧 Legal name of applicant
- 💧 Brief project description
- 💧 Certificate of recording officer

Note: If designated official gets replaced – Send new updated form



SRF Loan Application Submission

- 💧 Complete ***ALL Items***
- 💧 Submit ***One SIGNED ORIGINAL*** application to:
North Dakota Department of Health
Division of Municipal Facilities
918 East Divide Avenue, Third Floor
Bismarck, ND 58501-1947



Questions Completing Pages 1 – 7 of the Application

- 💧 ND Public Finance Authority
- 💧 Phone: 1.800.526.3509 or 701.328.7100
- 💧 Fax: 701.328.7130
- 💧 Email: ndpfa@nd.gov
- 💧 Website: www.nd.gov/pfa



Questions Completing Pages 8-18 of the Application

- 💧 ND Department of Health
- 💧 Phone: 701.328.5211
- 💧 Email: dbruschw@nd.gov
- 💧 Website: <http://www.ndhealth.gov/MF/>



Questions?



Facility Plan & Environmental Approval

Shannon Fisher



Facility Plan

💧 Submission of Facility Plan

- 💧 Prepare and submit to NDDH prior to preparation of plans and specifications
- 💧 Can be submitted prior to or after loan application



Facility Plan

- 💧 Problem definition and background data
 - 💧 Describe need
 - 💧 Identify regulatory, public health, environmental and safety issues
 - 💧 Show planning area, existing/future service areas
 - 💧 Description of project component costs and design life to determine loan term eligibility



Facility Plan

- 💧 Analysis of alternatives
 - 💧 Optimum operation of existing system
 - 💧 Upgrade of existing system
 - 💧 New system
- 💧 Comparison of alternatives
 - 💧 Environmental evaluation
 - 💧 Cost effectiveness analysis



Facility Plan

- 🔹 Selected alternative
 - 🔹 Selection reasoning
 - 🔹 Description
 - 🔹 Drawings/diagrams of process units and operations
 - 🔹 Financial data, including capital costs, O&M costs and proposed fee schedule
- 🔹 Environmental benefits and impacts



Facility Plan

- 🔹 Environmental Impacts – Include comments from these agencies & any others affected:
 - 🔹 State Water Commission
 - 🔹 State Game and Fish Department
 - 🔹 State Historical Preservation Officer
 - 🔹 US Fish and Wildlife Service



Facility Plan

💧 Additional agencies:

- 💧 US Dept. of Agriculture, Natural Resources Conservation Service
- 💧 US Army Corps of Engineers, Local and District Offices
- 💧 North Dakota Dept. of Health (NDDH)



Facility Plan

- 💧 Any additional authorities
- 💧 Public participation
 - 💧 Public meeting(s) to discuss alternatives and proposed solutions
 - 💧 Public meetings must be well publicized
 - 💧 Include public comments and how they were addressed or copy of meeting minutes



Environmental

- 🔹 NDDH prepares FONSI or Categorical Exclusion (if not prepared by another funding agency)
 - 🔹 FONSI complete 30 days after publication
 - 🔹 Categorical Exclusion complete upon publication
- 🔹 Cannot award construction contract until FONSI or Categorical Exclusion process is complete



Questions?



Plans & Specifications

Aaron Wellman



Plans and Specifications

Contract Documents

- 💧 Advertisement for bids (language covering MBE/WBE and EEO requirements)
- 💧 DBE solicitation information sheets (required in bidders envelope)



Plans and Specifications

Contract Documents (cont)

💧 Bonding and Insurance

- 💧 5% Bid bond – required with bid

- 💧 100% performance bond with payment clause or 100% performance and 100% payment bond

- 💧 Insurance (public liability, builders risk, property damage, fire, flood and workers' compensation)



Plans and Specifications

Contract Documents (cont)

- 🔹 General Conditions
- 🔹 Construction Contracts
- 🔹 Notice of Award
- 🔹 Notice to Proceed
- 🔹 Change Order



Plans and Specifications

Contract Documents (cont)

- ☹ Contract Dispute Clauses (e.g., late completion penalties)
- ☹ Time of completion
 - ☹ Completion date



Plans and Specifications

SRF Specification Package and Required Bid Language

- 🔹 Notice of requirement for Affirmative Action
 - 🔹 Goals for minority participation
 - 🔹 Goals for female participation
 - 🔹 Covered area described
- 🔹 Equal Opportunity Clause
- 🔹 Standard EEO Specification (Executive Order 11246)



**EQUAL EMPLOYMENT OPPORTUNITY and AFFIRMATIVE ACTION REQUIREMENTS on
FEDERALLY ASSISTED CONSTRUCTION CONTRACTS**

**Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity
(Executive Order 11246)**

1. The Offerer's or Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Goals for minority participation in each trade - _____
Goals for female participation in each trade - _____

These goals are applicable to all the contractor's construction work (whether or not it is Federal or Federally assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and nonfederally involved construction.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project for the sole purpose of meeting the contractor's goals shall be a violation of the contract, the Executive Order, and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number for the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.

4. As used in this Notice, and in the contract resulting from this solicitation, the "covered area" is _____

This notice shall be included in, and shall be a part of, all solicitations for offers and bids on all federal and federally assisted construction contracts or subcontracts.

EQUAL OPPORTUNITY CLAUSES

The Equal Opportunity Clause published at 41 CFR Part 60-1.4(b) is required to be included in, and is part of, all nonexempt federally assisted construction contracts and subcontracts. The Equal Opportunity Clause shall be considered to be a part of every contract and subcontract required by the regulations in this part to include such a clause whether or not it is physically incorporated in such contracts.

In addition to the clauses described above, all federal contracting officers, all applicants, and all non-construction contractors, as applicable, shall include the specifications set forth in this section in all federal and federally assisted construction contracts in excess of \$10,000 to be performed in geographical areas designated by the Director pursuant to §60-4.6 of this part and in construction subcontracts in excess of \$10,000 necessary in whole or in part to the performance of nonconstruction Federal contracts and subcontracts covered under the Executive Order.



Plans and Specifications

SRF Specification Package and Required Bid Language

- ☹ MBE/WBE utilization guidance
 - ☹ MBE utilization objective
 - ☹ WBE utilization objective
 - ☹ MBE/WBE Subcontractor Solicitation Form
 - MUST BE SIGNED AND IN OUTER BID ENVELOPE***
- ☹ Discovery of archeological and other historical issues
- ☹ Occupational Safety and Health Act of 1970



Plans and Specifications

SRF Specification Package and Required Bid Language

- 💧 American Iron and Steel (AIS) requirements
- 💧 Davis Bacon - current applicable Davis-Bacon wage decisions must be included, and checked for any changes 10 days before bid opening.



Plans and Specifications

SRF Specification Package and Required Bid Language

- 🔹 EPA form 6100-4 (DBE Subcontractor Utilization Form)
- 🔹 EPA form 6100-3 (DBE Subcontractor Performance Form)
- 🔹 EPA form 6100-2 (Subcontractor Participation Form)



Plans and Specifications

Submittal

- 💧 Cover letter
 - 💧 Contact information (including email)
 - 💧 Project description
- 💧 Civil, mechanical, electrical plans and specifications certified by a ND registered Professional Engineer (Every Plan Sheet Must Be Stamped and Signed)



Plans and Specifications

Review

- 🔹 Specifications

- 🔹 Written details of project construction
- 🔹 Specific and general

- 🔹 Plans

- 🔹 Project drawings
- 🔹 All necessary details and locations
- 🔹 One set of 11 x 17



Plans & Specifications

Standards

- 💧 Ten States Standards
- 💧 NDDH Design Standards
- 💧 AWWA Standards for testing
- 💧 Drinking Water components and chemicals must be NSF 60 & 61 approved



Questions?



Bid Review and Contract Award

Hristo Papalichev



Bid Review and Contract Award

- 💧 Bid documents required
 - 💧 Letter from Consulting Engineer recommending award to low bidder
 - 💧 Affidavit of publication for the bid advertisement
 - 💧 Revised budget sheet along with a loan increase application, if necessary
 - 💧 Letter or meeting minutes from loan recipient requesting authorization to award contract



Bid Review and Contract Award

- 💧 Two lowest bid proposals-complete, signed and dated
- 💧 An acknowledgement of all addenda
- 💧 A copy of current contractor's license
- 💧 A copy of 5% bid bond
- 💧 MBE/WBE subcontractor solicitation information sheet (at least 3 MBE's and 3 WBE's solicited and non-MBE/WBE Subcontractors if necessary)



Bid Review and Contract Award

- 🔹 EPA Forms 6100-4 and 6100-3 (DBE subs)
- 🔹 EPA Form 6100-4 only (no DBE subs)
- 🔹 Bid tabulation including engineer's estimate
- 🔹 If the low bid exceeds the engineers estimate by more than 10%, justification is required
- 🔹 Current engineering agreement
- 🔹 Certification Regarding Debarment, Suspension, and Other Responsibility Matters



Bid Review and Contract Award

- 🔹 NDDH authorization to award letter
- 🔹 Documents required after contract award
 - 🔹 Notice of award
 - 🔹 Notice to proceed
 - 🔹 Executed construction contract including performance and payment bonds
 - 🔹 MBE/WBE subcontracts (within 10 working days of their award)



Bid Review and Contract Award

- 💧 Workers' compensation and insurance certificates
- 💧 USDOL form completed and submitted to USDOL and NDDH for any construction subcontract in excess of \$10,000 at any tier for construction work competed under each contract (within 10 working days of their award)
- 💧 State tax clearance



Questions?



Construction Phase

Elizabeth Tokach Duran



Construction Phase

Preconstruction Conference

- 💧 This project must comply with Davis Bacon wage schedules
 - 💧 Interviews will be conducted by recipient's representative
- 💧 American Iron and Steel (AIS)
 - 💧 Requires all of the iron and steel products used in the project to be produced in the United States



Construction Phase

Precon (cont)

- 💧 Recipient must maintain separate project account
- 💧 Project must follow the EEO requirements
 - 💧 Bulletin board on location to include: - EEO poster; - Davis Bacon poster and - D/B current wage rate
- 💧 Safety - project is subject to OSHA regulations and requirements
- 💧 Engineer to document safety meetings



Construction Phase

Precon (cont)

- 💧 Any MBE/WBE subcontractors?
- 💧 EPA form 6100-4 (DBE Subcontractor Utilization Form)
- 💧 EPA form 6100-3 (DBE Subcontractor Performance Form)
- 💧 Change orders
 - 💧 Must be reviewed by the engineer and then approved by NDDH



Construction Phase

- ☹ Inspections during construction will be random
 - ☹ Davis Bacon, wage rate, EEO posters
 - ☹ Status of project
 - ☹ Pictures
 - ☹ Safety regulations
 - ☹ AIS certifications from manufacturers



Construction Phase

Close Out

- 💧 Before we can close the project account, we will need:
 - 💧 Engineer's/Owner's Certification -states that project is constructed according to approved plans & specifications and any change orders signed/dated



Construction Phase

Close Out (cont)

- 💧 Initiation of Operation letter with date
- 💧 Release and Assignment form signed/dated (DWSRF loan forgiveness projects)
- 💧 Final Balancing Change Order
- 💧 O&M Manual Letter
- 💧 Recipient's & Contractor's Certification of Payrolls
- 💧 Certification for AIS compliance



Questions?



SRF Requests for Payment

Kylee Merkel



SRF Requests for Payment

💧 General rules

- 💧 First request - at least 5% of loan amount or \$50,000 whichever is less
- 💧 Except for the final, all requests must be a minimum of \$2,500
- 💧 Pay requests should be submitted at least quarterly, and possibly monthly for larger loan amounts



SRF Requests for Payment

💧 General rules

- 💧 Copy of engineering agreement required before any engineering fees are reimbursed
- 💧 Executed construction contract, notice of award, and notice to proceed required before any construction costs are reimbursed
- 💧 Executed change orders required prior to requesting reimbursement of these costs
- 💧 Contractor's pay applications must be signed



SRF Requests for Payment

- 💧 What is needed to process a request
 - 💧 Provide wire instructions to LaDonna at Bank of ND, (701) 328-5612
 - 💧 Bank routing number, account number
 - 💧 Name on account
 - 💧 Completed SRF Request for Payment form with *original* signatures of recipient's authorized representative and a representative of the engineering firm
 - 💧 One copy of supporting documentation for all costs requested – do not need to be originals



SRF Requests for Payment, cont.

💧 Limitations

- 💧 When a project is near completion, payments will be limited to 95% to ensure that we receive the final paperwork to close out the loan
- 💧 Limitation is figured on total costs incurred to date or on loan amount whichever is less



SRF Requests for Payment, cont.

- ☉ Procedure/Timeframe for receiving payments
 - ☉ Completed requests must be received by Health Department by Monday for processing in order to receive payment the following Monday
 - ☉ Depending on the number and complexity of weekly requests received, and also the bond counsel selected, payments can take longer



SRF Requests for Payment

- 💧 Procedure/Timeframe for receiving payments
 - 💧 Final requests for payment will not be processed until all the required closeout documentation has been received
 - 💧 Copies of paid requests will be sent back to loan recipients and the consulting engineers as time allows



SRF REQUEST FOR PAYMENT

North Dakota Department of Health
Municipal Facilities
SFN 7804(1-91)

Clean Water SRF
 Drinking Water SRF

Instructions on back

1. Type of Request <input type="radio"/> FINAL <input type="radio"/> PARTIAL	2. SRF Project No.	3. Payment Request No.	4. Employer ID No.	5. Recipient Account No.
6. Name of Recipient Organization			Address	
City	State	Zip Code	Period Covered by Request From: _____ To: _____	

8. STATUS OF FUNDS:

CLASSIFICATION	(a)	(b)	TOTAL
a. Administrative expenses	\$	\$	\$
b. Preliminary expenses			
c. Land, structures, right-of-way			
d. Engineering basic fees			
e. Other engineering fees			
f. Project inspection fees			
g. Land development			
h. Relocation expenses			
i. Relocation payments to individuals/businesses			
j. Demolition and removal			
k. Construction and project improvement cost			
l. Equipment			
m. Miscellaneous cost			
n. Total cumulative to date (sum of lines a thru m)			
o.			
p. SRF payments previously received			
q. Amount requested for payment			
r. Percentage of physical completion of project	%	%	%

9. CERTIFICATION:

I certify that, to the best of my knowledge and belief, the billed costs or disbursements are in accordance with the terms of the loan agreement, the payment represents an amount which has not been previously requested, and all work is in accordance with the terms of the loan agreement.

a. Recipient	Signature of Authorized Certifying Official (PLEASE USE BLUE INK)	Date Request Submitted
	Typed or Printed Name and Title	Telephone (area code, number & ext.)
b. Representative certifying to Line 8r	Signature of Authorized Certifying Official (PLEASE USE BLUE INK)	Date Signed
	Typed or Printed Name and Title	Telephone (area code, number & ext.)

FOR DEPARTMENT USE ONLY

10a. Date of Health Dept Approval	10b. Date of Municipal Bond Bank Approval	10c. Date of SRF Payment Disbursal
Authorized By:	Authorized By:	Authorized Trustee:



SRF Requests for Payment

8. STATUS OF FUNDS:

CLASSIFICATION	(a) Current Request	(b) Previous Request	TOTAL
a. Administrative expenses	\$	\$	\$
b. Preliminary expenses			
c. Land, structures, right-of-way			
d. Engineering basic fees			
e. Other engineering fees			
f. Project inspection fees			
g. Land development			
h. Relocation expenses			
i. Relocation payments to individuals/businesses			
j. Demolition and removal			
k. Construction and project improvement cost			
l. Equipment			
m. Miscellaneous cost			
n. Total cumulative to date (sum of lines a thru m)			
o.			
p. SRF payments previously received			
q. Amount requested for payment			
r. Percentage of physical completion of project	%	%	%



SRF Requests for Payment

8. STATUS OF FUNDS:

CLASSIFICATION	(a)	(b)	TOTAL
a. Administrative expenses	\$	\$	\$
b. Preliminary expenses			
c. Land, structures, right-of-way			
d. Engineering basic fees			\$411,406.69
e. Other engineering fees			
f. Project inspection fees			
g. Land development			
h. Relocation expenses			
i. Relocation payments to individuals/businesses			
j. Demolition and removal			
k. Construction and project improvement cost			\$6,868,050.52
l. Equipment			\$150,440.80
m. Miscellaneous cost			
n. Total cumulative to date (sum of lines a thru m)			\$7,429,898.01
o.			
p. SRF payments previously received			\$7,057,244.00
q. Amount requested for payment			\$372,654.00
r. Percentage of physical completion of project		%	42 %



SRF Requests for Payment

8. STATUS OF FUNDS:

CLASSIFICATION	(a) Current Request	(b) Previous Request	TOTAL
a. Administrative expenses	\$	\$ 954.48	\$ 954.48
b. Preliminary expenses			
c. Land, structures, right-of-way			
d. Engineering basic fees	\$3201.50	\$96,162.79	\$99,364.29
e. Other engineering fees			
f. Project inspection fees			
g. Land development			
h. Relocation expenses			
i. Relocation payments to individuals/businesses			
j. Demolition and removal			
k. Construction and project improvement cost	\$141,069.82	\$247,462.74	\$388,532.56
l. Equipment			
m. Miscellaneous cost			
n. Total cumulative to date (sum of lines a thru m)	\$144,271.32	\$344,580.01	\$488,851.33
o.			
p. SRF payments previously received			\$344,580.00
q. Amount requested for payment			\$144,271.00
r. Percentage of physical completion of project		%	65 %



SRF Requests for Payment

8. STATUS OF FUNDS:

CLASSIFICATION	(a) CWSRF	(b) CDBG	TOTAL
a. Administrative expenses	\$	\$	\$
b. Preliminary expenses			
c. Land, structures, right-of-way			
d. Engineering basic fees	\$22,560.47		\$22,560.47
e. Other engineering fees			
f. Project inspection fees	\$13,536.83		\$13,536.83
g. Land development			
h. Relocation expenses			
i. Relocation payments to individuals/businesses			
j. Demolition and removal			
k. Construction and project improvement cost	\$93,481.40	\$99,710.88	\$193,129.28
l. Equipment			
m. Miscellaneous cost			
n. Total cumulative to date (sum of lines a thru m)	\$129,578.70	\$99,710.88	\$229,289.58
o.			
p. SRF payments previously received	\$22,560.00		
q. Amount requested for payment	\$107,019.00		
r. Percentage of physical completion of project		%	68 %



SRF Requests for Payment

9. CERTIFICATION:

I certify that, to the best of my knowledge and belief, the billed costs or disbursements are in accordance with the terms of the loan agreement, the payment represents an amount which has not been previously requested, and all work is in accordance with the terms of the loan agreement.

a. Recipient	Signature of Authorized Certifying Official (PLEASE USE <u>BLUE</u> INK)	Date Request Submitted
	Typed or Printed Name and Title	Telephone (area code, number & ext.)
b. Representative certifying to Line 8r	Signature of Authorized Certifying Official (PLEASE USE <u>BLUE</u> INK)	Date Signed
	Typed or Printed Name and Title	Telephone (area code, number & ext.)

FOR DEPARTMENT USE ONLY

10a. Date of Health Dept Approval	10b. Date of Municipal Bond Bank Approval	10c. Date of SRF Payment Disbursal
Authorized By:	Authorized By:	Authorized Trustee:



Questions?



Ongoing SRF Requirements

Kylee Merkel



SRF Annual Review

- ☉ Each year a political subdivision has an outstanding loan with the PFA, must submit either:
 - ☉ Audit report or
 - ☉ State Auditor's "Annual Financial Report in Lieu of an Audit."
- ☉ Reserves and coverage are reviewed



Loan Repayment

- 💧 Bank of North Dakota, as trustee, sends the invoices and receives the payments
- 💧 Within 12 months of the completion of construction, a principal payment must be made
- 💧 March 1 – interest and admin fees
- 💧 September 1 – principal, interest & admin fees



SRF Requirements for Loans Backed by Revenue Bonds

- 💧 Required Reserves
- 💧 120% Operating Coverage



SRF Required Reserves

Applies only to loans backed by Revenue Bonds

- 💧 Reserves are held by the political subdivision
- 💧 Required to be funded within 5 years of fully funding a loan
- 💧 The required reserve amount is the lesser of
 - 💧 10% of par
 - 💧 Maximum annual principal and interest
 - 💧 125% average annual principal and interest



SRF 120% Operating Coverage

Applies only to loans backed by Revenue Bonds

Bond resolutions for loans backed by revenue bonds covenant that the Borrower will charge fees that will generate net revenues that are at least equal to 1.2 times the annual debt service for **ALL** outstanding revenue bonds.



120% Coverage Example

Applies only to loans backed by Revenue Bonds

Operating Rev	\$800,000
Less: Operating Exp	760,000
Plus: Depreciation	<u>80,000</u>
Net Operating	\$120,000

Annual Revenue Bond Principal & Interest \$100,000

Coverage:

$$\$120,000/100,000 = 120\%$$



Certification Letter

- 💧 One Year Certification Letter must be submitted to NDDH
 - 💧 Dated at least one year after date of initiation of operation



Questions?



Navigating the Website

- 🔹 North Dakota Department of Health
 - 🔹 www.ndhealth.gov
 - 🔹 Click on Environmental Health (See tabs along the top) www.ndhealth.gov/EHS
 - 🔹 Click on Municipal Facilities
 - 🔹 www.ndhealth.gov/MF



Navigating the Website

- 💧 Municipal Facilities Web page
 - 💧 Click on Publications (See list on the left)
 - 💧 See Clean Water State Revolving Fund or scroll down to Drinking Water State Revolving Fund
 - 💧 Davis-Bacon insert
 - 💧 Specifications package
 - 💧 SRF Loan Application
 - 💧 SRF Request for Payment





- Community Health
- Emergency Preparedness
- Medical Services
- Health Resources
- Environmental Health**
- Administrative Support

- Contact Us
- Health Topics A-Z
- Department Overview
- News Releases
- Publications
- Office of Public Health Systems and Performance
- Healthy North Dakota
- Health Data Resources
- Health Equity Office
- Human Resources
- Loan Repayment Program
- Training/Video Conferencing
- CAFO Zoning Ordinances
- Program Reporting System
- Executive Office
- State Health Council
- 2015-17 Biennial Legislative Testimony

Divisions

- Air Quality
- Laboratory Services
- Municipal Facilities**
- Waste Management
- Water Quality

Frequently Requested

- TENORM
- Public notices
- Oil Patch Housing - Environmental/Other Requirements (pdf)
- Spill Reporting/Environmental Releases
- Environmental incident report
- Permitting and Approval Requirements for Modular Package Wastewater Treatment Plants and Other Wastewater/Water Supply Infrastructure – August 30, 2013
- Pesticide General Permit Requirements
- Devils Lake
- Erionite
- Uranium in groundwater
- Flood Information

Visit the Environmental Health Section home page for more...

the North Dakota Department of Health website. It's amazing how much public health affects our lives every day. We breathe clean air and drink safe water. Our garbage is disposed of properly. We can do our jobs in workplaces and feel confident that the food we eat in restaurants and children are immunized against many diseases that struck fear of every parent just a few decades ago. These accomplishments are due to the efforts of public health at the state and local level.

public health affects your life every day, click here: [A Day in Your Life to Public Health](#).

The Department of Health are committed to safeguarding the health of North Dakotans. We look forward to continuing our service to you. [Name], M.D., M.P.H.T.M. [Title] Officer

Environmental Incident Reports

Health Topics A-Z

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 - Immunizations
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 - Disease Fact Sheets
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- Current Issues**
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 - Ebola Outbreak
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 - Minot Hepatitis C Outbreak
 - 2012 Smoke-Free Law
 - Permitting and Approval Requirements for Modular Package Wastewater Treatment Plants and Other Wastewater/Water Supply Infrastructure – August 30, 2013
 - Submission Requirements for Privately Developed Water/Wastewater Systems – September 18, 2013



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Division of Municipal Facilities

Welcome to the **Division of Municipal Facilities** home page. The division works with municipalities, political subdivisions, rural water districts, water resource boards, businesses, industries, and individuals to protect public health and our environment. To effectively provide public health and environmental services the Division is divided into three programs: the [Clean Water State Revolving Loan Fund \(CWSRF\) Program](#), the [Drinking Water Program](#), and the [Drinking Water State Revolving Loan Fund \(DWSRF\) Program](#). Protection of public health and the environment is accomplished through ensuring compliance by public water systems with the Safe Drinking Water Act (SDWA), certification and training of operators of regulated water and wastewater systems, inspections of regulated water and wastewater facilities, financing of new wastewater collection and treatment systems and upgrades to existing facilities and financing of new water treatment and distribution systems and upgrades of existing systems.





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Publications

(all publications will open in a new window)

Municipal Facilities

Clean Water State Revolving Fund

- [2009 ARRA Intended Use Plan](#)
- [ARRA Loan Supplement \(pdf\)](#)
- [Chapter 90, Waste Stabilization Ponds \(Lagoons\)](#)
- [CWSRF 2014 Priority List \(pdf\)](#)
- [CWSRF Green Project Reserve 2010 Guidance \(pdf\)](#)
- [CWSRF Questionnaire for Potential Financial Assistance \(Word format\)](#)

Davis-Bacon ARRA Grant Requirements

[Non-Governmental Entity Davis-Bacon Specification Insert](#)

[Recommended Standards for Water Works and Recommended Standards for Wastewater Facilities](#)

[Recovery.gov](#)

[Specification Package and Required Bid Language](#)

[SRF Loan Applications](#)

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[SRF Timeline for Projects](#)

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Drinking Water

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[Cert - Information for Operator Certification](#)

[Cert - Operator Certification Contract](#)



[Vol. 98, No. 1-6 2012 Spring Issue](#)

[Vol. 98, No. 7-9, 2012 July-September Conference Issue](#)

[Vol. 99, No. 1-6, 2013 Spring Issue](#)

Drinking Water State Revolving Fund

[2011 Governor's Report on Capacity Development](#)

[2015 Project Priority List](#)

[Non-Governmental Entity Davis-Bacon Specification Insert](#)

[Recommended Standards for Water Works and Recommended Standards for Wastewater Facilities](#)

[Specification Package and Required Bid Language](#)

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American Recovery and Reinvestment Act

[2009 ARRA 1511 Certification \(pdf\)](#)

[2009 ARRA Intended Use Plan \(pdf\)](#)

[ARRA Loan Supplement \(pdf\)](#)

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Green Project Reserve

[GPR 2010 Guidance](#)





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State Revolving Fund Program

The State Revolving Fund Program (SRF) was established in 1990 to enable North Dakota to receive federal capitalization grants as authorized under the Clean Water Act. In 1998, the SRF was amended to enable the State to receive capitalization grants as authorize under the Safe Drinking Water Act. The SRF grants, received from the United States Environmental Protection Agency, are to be used to make below-market interest rate loans to political subdivisions for the purpose of financing authorized projects, to establish reserve funds, and for other purposes allowed under the Clean Water and Safe Drinking Water Acts. Authorized projects under the SRF include wastewater treatment facilities, non-point source pollution control projects, and public water systems. The North Dakota Department of Health and the Authority jointly administer the SRF.

The interest rates on SRF loans are set by the Department of Health in consultation with the Authority. The interest rates are fixed for a term up to 20 years. Currently, the interest rate for all SRF loans is 2.5%, which includes a .5% administrative fee.

The SRF Program has been assigned a rating of "AAA" by Moody's Investors Service, Inc.

Loan Applications

- » [Clean Water State Revolving Fund \(359kb rtf\)](#)
- » [Drinking Water State Revolving Fund \(395kb rtf\)](#)

Bond Counsel

- » [Bond Counsel \(19kb pdf\)](#)

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Questions?

