

## Economic Stimulus Information

### Clean Water Fund Program & Safe Drinking Water Loan Program

Update #7 – August 12, 2009

The following paragraphs contain additional information regarding how Wisconsin intends to use economic stimulus funds provided to the Clean Water Fund Program (CWFP) and the Safe Drinking Water Loan Program (SDWLP) through the American Recovery and Reinvestment Act of 2009 (ARRA). ARRA implementation plans continue to evolve; we will post new information as it becomes available.

- **New ARRA Forms** – We've added new forms for ARRA projects to the News page (<http://www.dnr.wi.gov/org/caer/cfa/EL/Section/news.html>). The DNR project manager must receive each of these completed forms, as applicable, **prior** to preparing a Financial Assistance Agreement (FAA).
  - ⇒ ARRA Project Assurances & Certification (Form 8700-201A) – This form is similar to a form we use for federally-funded projects with regular loans from the SDWLP and CWFP. **All** municipalities receiving ARRA funds must submit this form, certifying that the municipality is complying with all federal cross-cutters, as well as ARRA specific requirements, including Davis Bacon wage rate and Buy American requirements.
  - ⇒ Project Funding Certification – Use this form if your municipality's project is not already substantially complete **and** you are receiving only a portion of the total project costs of your ARRA project through the CWFP or SDWLP. If you are paying for a portion of your project with internal funds or grants and/or loans from another source, the DNR project manager must receive this completed form with supporting documentation **prior** to preparing a FAA. Please work with your project manager to be certain he or she knows all of the funding sources you have for your project and how much each source is contributing.
  - ⇒ Buy American Certification – **All** municipalities receiving ARRA funds must submit a Buy American Certification in order to certify to the CWFP or SDWLP that their projects meet the Buy American requirements of the Act. There will also be a Buy American and Wage Rate Compliance Certification that will be required at the end of construction of the project along with other project closeout documents.
  - ⇒ EPA Preaward Compliance Review Report (Form 4700-4) – This is not a new form, but it is a required form for all federally-funded projects in the CWFP and SDWLP, and, therefore, municipalities must submit this form for all ARRA projects. This form is available under the Federal Forms subheading on our Forms and Publications web page at <http://dnr.wi.gov/org/caer/cfa/EL/FORMS/forms.html>.



- **Green Project Elements Documentation** - The CWFPP and the SDWLP must each use a minimum of 20% of ARRA funds to finance green projects or project elements. Many municipalities identified green project elements on the ARRA Financial Assistance Application Addendum forms submitted with their applications. We now need to receive backup documentation that describes in greater detail the green project elements identified on those forms. This information must be submitted to the DNR project manager prior to loan closing.

We added two documents to the Guidance and Waivers section of the News page (<http://www.dnr.wi.gov/org/caer/cfa/EL/Section/news.html>) to provide some green project business case guidance:

1. The Energy Efficiency Business Case Example EPA provided us describes how to put a business case together for a wastewater pumping system ([http://www.epa.gov/water/eparecovery/docs/2009\\_06\\_04\\_STIMULUS\\_Green\\_business\\_case\\_on\\_pumping.pdf](http://www.epa.gov/water/eparecovery/docs/2009_06_04_STIMULUS_Green_business_case_on_pumping.pdf)).
2. The Green Project Reserve Business Case Information document, included on our News page as a PDF, was revised by EPA on July 17, 2009. This document provides information about developing a business case in order to assert that a project is eligible for the 20% Green Project Reserve (GPR), and includes questions and answers on what types of projects and project elements are eligible for the 20% GPR.

Please look these documents over and get started putting any required business case information together. Contact Jeanne Cargill at 608-267-7587 or [jeanne.cargill@wisconsin.gov](mailto:jeanne.cargill@wisconsin.gov) if you have questions as you work on SDWLP green documentation. We do already have acceptable levels of documentation on a few projects, but we need more information on most. We will provide additional information on putting together a business case and documenting reasons why a particular item meets one of EPA's categorical exclusion criteria in the next update.

- **Reminder (Revised) - Important Date! October 1** – If your municipality has a project that is **near but outside** of the fundable range identified on either the Safe Drinking Water Loan Program (SDWLP) or Clean Water Fund Program (CWFPP) Draft Funding List, and you still want to stay eligible for any ARRA funds that might be released from projects above your project on the list, you need to **submit bidding documents** to the Bureau of Community Financial Assistance postmarked **by October 1, 2009**. By the deadline, you must submit all of the following bidding documents for each contract to be awarded for the project:
  - ⇒ proposal of the bidder to which you intend to award the contract;
  - ⇒ bid tabulation;
  - ⇒ engineer's recommendation based on bid evaluation;
  - ⇒ legal opinion of statutory compliance, if contract is to be awarded to other than the low bidder;
  - ⇒ any addenda to plans and specifications;
  - ⇒ evidence of bid advertisement; and
  - ⇒ a copy of the bid bond.



For projects that are in the fundable range of the Draft Funding List for either the CWFP or SDWLP, municipalities must submit all of the above documents **plus** the following, postmarked by October 1, 2009:

- ⇒ a copy of the executed construction contract(s), including notice of award; and
- ⇒ construction start date and expected substantial and final completion dates for each contract.

If your project is not in the fundable range of the Draft Funding List but is allocated ARRA funds later, you must submit a copy of the executed construction contract(s) and applicable contract dates **within two weeks of notification** of funds being allocated to your project.

*For SDWLP projects* -- If your municipality is allocated funds on the Draft SDWLP Funding List and you are certain your municipality cannot meet the October 1, 2009 submittal deadline for executed construction contracts, please contact Jeanne Cargill at 608-267-7587 or [jeanne.cargill@wisconsin.gov](mailto:jeanne.cargill@wisconsin.gov). Up until we publish the final funding list, we can change the allocations shown on the list, so we may be able to allocate loan dollars for the entire project if you are interested in closing on a loan without ARRA funds prior to April 30, 2010. Once the list is published as final, we likely will not be able to provide additional loan dollars to a project if we have to reallocate that project's ARRA funds.

**Watch for Update #8.** Please let us know if you have questions about any information we provide in the Economic Stimulus Updates.

