

E-Bulletin Newsletter



To provide affordable financial assistance to communities within Wisconsin for water infrastructure projects that protect and improve public health and water quality for current and future generations.



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Upcoming Deadlines

December 24 and 31, 2021
DOA and DNR offices closed.

January 18, 2022
2022 Private LSL Replacement Program PERF and Application deadline.

January 31, 2022
Last recommended date for opening bids on SFY 2022 SDWLP projects.

New Year, Same Competitive Rates

The Wisconsin DOA has left the market rate as is for loans with municipal meetings on or after January 1, 2022 through March 31, 2022.

Loan Interest Rate Determination	% of Market Rate	≤ 20 yr term	21-30 yr term
CWFP & SDWLP – For eligible projects of municipalities not meeting the below financial need criteria.	55%	1.485%	1.595%
CWFP & SDWLP – For eligible projects of disadvantaged municipalities meeting the following financial need criteria: < 10,000 population; and ≤ 80% of Wisconsin *MHI.	33%	0.891%	0.957%
CWFP – For eligible projects of extremely disadvantaged municipalities meeting the following financial need criteria: < 1,000 population; and ≤ 65% of Wisconsin *MHI.	0%	0%	0%
CWFP – For the portion of eligible projects for receiving and storing septage, and capacity for treating septage; mercury remediation at wastewater treatment facilities; and non-traditional pilot projects, e.g. water quality trading.	0%	0%	0%
MARKET RATE (effective 01/01/22—03/31/22) <i>*MHI = Median Household Income</i>	100%	2.700%	2.900%

New File Manager: Suzy Hasheider

Please welcome Suzy (Limberg) Hasheider to the Environmental Loans Section! She started as the new file manager on Monday, November 22, 2021. This position is responsible for maintaining the Environmental Loans Oracle System (ELOS) database and continuing the transition to the new [online system](#). Suzy is working out of the DNR Central Office in Madison and can be contacted at 608-438-3055 or Suzan.Hasheider@wisconsin.gov.

Suzy has a B.S. in Environmental Science from the University of Michigan-Flint and a M.S. in Water Resources Management from UW-Madison. In 2014, she began her career with the DNR’s Storm Water Program.

Here is additional information from Suzy:

My work in the Storm Water Program related to municipal WPDES administration and policy work such as writing permits, guidance, rule language, and permittee outreach. I also led IT initiatives for the program, such as overseeing the implementation of the storm water programs into the Water ePermitting System.

I call Sauk City home, where I live with my husband, Tyler; 2 grey cats, Mela and Whisper; 2 Australian Shepherds, Nuskie and Kuli; and 5 Bourbon Red turkeys. When I’m not busy turkey or deer hunting in spring and fall, you can find me biking or cross country skiing the driftless area.

DNR, Environmental Loans Section—CF/2, 101 S. Webster Street, PO Box 7921, Madison, WI 53707-7921
dnr.wi.gov/aid/eif.html | CWFP phone: 608-358-3330 | SDWLP phone: 608-575-8825 | [staff directory webpage](#)



Program implementation details are outlined in chs. [NR 162](#) and [NR 166](#), Wis. Adm. Code. [Legal notice](#). This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts. The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240. This publication is available in alternative format upon request, call 608-267-9481 for more information.

Bidding Guidance

If a municipality is receiving financial assistance from the Clean Water Fund Program (CWFP) or Safe Drinking Water Loan Program (SDWLP), municipal officials and their prime contractors and subcontractors must comply with applicable state and federal procurement, bidding, and contracting laws. In addition, some municipal ordinances may have competitive bidding requirements.

Failure to comply with the laws/requirements may result in disbursements being withheld, a proportion of the project not being funded or being funded at the market interest rate, or the entire project not being funded. The DNR *strongly recommends* municipalities consult with their attorneys to ensure compliance with applicable laws when soliciting bids for contracts and procuring equipment, materials, and supplies for construction projects.

Prior to bidding

Prior to bidding a CWFP or SDWLP project, the municipality should obtain the necessary approvals for any engineering reports, selected sites, facility plans, and plans & specifications from the appropriate DNR bureaus. Addenda to the plans & specifications should also be submitted to the department for review prior to bidding if any changes impact the design that was approved. If construction begins before plans are approved, those costs may be deemed ineligible.

Bid advertisement requirements

Solicitations should clearly set forth all requirements that the bidder should fulfill. Examples of a Class 1 Public Notice and a Class 2 Notice (Advertisement for Bids) are in the [Procurement Guide](#). To document compliance with procurement guidelines, obtain proof of printing in the form of an *Affidavit of Publication* from the publisher and store this with the financial assistance records.

Federal requirements

Municipalities must ensure that bid solicitations and resulting contracts and subcontracts contain the following language: [Davis-Bacon](#), [Disadvantaged Business Enterprise](#), and [American Iron and Steel](#).

Required documentation

Before awarding financial assistance for any project, the DNR loans project manager must complete a bid review based on the submission of the required documentation listed in [Bids and Construction Contracts](#).

You may wish to save or print the following to view during the document upload process in the [online system](#):

- [Document Upload Categories & Types](#)
- [Document Upload Screen Instructions](#)

Procurement Guide

The department prepared a plain-English [Procurement Guide for Local Governments Receiving Grants \(State or Federal\) from DNR](#). Although this document focuses on grant recipients, much of the information provided also applies to CWFP and SDWLP loan recipients. Note that construction projects cannot be divided into smaller contracts to avoid bidding. Disclaimer: This guide is not a comprehensive review of all bidding law requirements. Consult your municipal attorney with detailed questions about compliance with bidding laws.

If the estimated cost of "public construction" is *between \$5,000 and \$25,000*, Wisconsin Statutes require that each municipality issue a Class 1 Public Notice concerning the proposed project before a contract is executed.

In general, municipalities are required by state law to comply with competitive bidding procedures when the estimated cost of "public construction" *exceeds \$25,000*.

Contract Compliance

The CWFP and SDWLP applicants are required to comply with federal requirements because the programs are funded with federal money.

If you are a construction contractor with a federal contract or subcontract, there are specific reporting requirements and regulations that apply to you.

The US Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) website has the laws and policies as well as compliance assistance and resources for contractors at www.dol.gov/agencies/ofccp.

Ineligible contractors

The OFCCP enforces compliance to those laws and regulations specific to construction work. Entities and individuals may be suspended, debarred, or both for violating them. Such companies and individuals are declared ineligible to receive federal contracts and are excluded from federal procurement and non-procurement programs throughout the U.S.

For additional information and to find a current list of debarred entities and individuals, go to www.dol.gov/agencies/ofccp/debarred-list.

The Wisconsin Department of Transportation prepares and issues a list of debarred, suspended, and ineligible contractors—causes include: failure to pay invoices, payroll problems, lack of business integrity and responsibility, failure to pay straight time, failure to pay overtime, and kickback—at wisconsin.gov/hccidocs/debar.pdf.