

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract: _____ **Project No.:** _____
Project Description: Water Infrastructure Finance and Innovation Act (WIFIA)
Program Application

Item Description:

- | | | | |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Professional Service Contract | <input type="checkbox"/> Amendment | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD | <input type="checkbox"/> NYSDOT Agreement | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Addendum |
| <input type="checkbox"/> Recommendation for Award of Contract | <input type="checkbox"/> Recommendation to Reject Bids | | |
| <input type="checkbox"/> Request for Proposals | | | |
| <input checked="" type="checkbox"/> Other <u>Loan Application</u> | | | |

Action Requested:

- | | |
|--|--|
| <input type="checkbox"/> Board Authorization to Execute | <input type="checkbox"/> Legal Approval |
| <input type="checkbox"/> Board Authorization to Award | <input type="checkbox"/> Execution by the Chairman |
| <input type="checkbox"/> Board Authorization to Advertise for Bids | <input type="checkbox"/> Execution by the Secretary to the Authority |
| <input type="checkbox"/> Board Authorization to Solicit Request for Proposals | |
| <input checked="" type="checkbox"/> Other <u>Authorized submission of WIFIA Loan Application</u> | |

Approvals Needed:

APPROVED AS TO CONTENT:

- | | | |
|---|----------------------------------|-------------------------|
| <input type="checkbox"/> Other (if Applicable) | _____ | Date: _____ |
| <input checked="" type="checkbox"/> Chief Operating Officer | <u><i>Russell J. Felt</i></u> | Date: <u>4/21/2021</u> |
| <input checked="" type="checkbox"/> Executive Engineer | <u><i>Jeanne F. Ronalini</i></u> | Date: <u>04/21/2021</u> |
| <input type="checkbox"/> Director of Administration | _____ | Date: _____ |
| <input type="checkbox"/> Risk Manager | _____ | Date: _____ |
| <input checked="" type="checkbox"/> Chief Financial Officer | <u><i>Karen A. Bendugast</i></u> | Date: <u>04/21/2021</u> |
| <input checked="" type="checkbox"/> Legal | <u><i>Margaret A. Murphy</i></u> | Date: <u>04/21/2021</u> |

APPROVED FOR BOARD RESOLUTION:

- | | | |
|--|---------------------------|-------------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority | <u><i>[Signature]</i></u> | Date: <u>04/21/2021</u> |
|--|---------------------------|-------------------------|

Remarks: _____

Resolution Date: _____ **Item No:** _____



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

April 19, 2021

To: Terrence D. McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Executive Engineer
Karen A. Prendergast, Chief Financial Officer

Subject: Water Infrastructure Finance and Innovation Act (WIFIA)

On January 8th, the Authority received an invitation from the EPA to apply for up to \$24,000,000 in financing through their WIFIA program. At the February 4, 2021 Board meeting, Rick Ganci of Capital Markets Advisors presented an analysis of potential savings by issuing debt through the WIFIA program.

The attached analysis shows an All-Inclusive Cost (AIC) of 1.56% for the WIFIA loan compared to an AIC of 2.39% for stand-alone debt. Even with higher issuance costs, the WIFIA issued debt provides a present value savings of \$2.3 million on a 25-year issuance.

The Engineering and Finance Departments have prepared an application for \$22,883,000 in funding for \$46,700,000 in projects including,

- Contract MP-085 – Sturgeon Point Piping and Filter Valve Improvements
- Contract GHD-009 – Powdered Activated Carbon System Upgrades
- Contract MP-086 – Ball Pump Station Improvements

The attached application requires Finance Committee review and, if acceptable, a recommendation for approval to the full Board at their April 29, 2021 meeting. A list of attachments which will be submitted to the EPA with the application is included with this memo. Those attachments which can be found on the website have not been included in the Board meeting folder.

The adopting resolution should include authorization for Russell Stoll, Chief Operating Officer to sign the application and for Joyce Tomaka, Comptroller to pay the required application fee of \$100,000.

cc M. Murphy
R. Stoll

Erie County Water Authority

\$22,883,000 WIFIA Loan - 2021

13yr SLG rate as of 1-19-21 plus 1 bps

Project Summary

Dated 07/15/2021 | Delivered 07/15/2021

Sources Of Funds

Par Amount of Bonds	\$22,883,000.00
Planned Issuer Equity contribution	23,817,000.00

Total Sources	\$46,700,000.00
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Uses Of Funds

Costs of Issuance	425,000.00
Construction Costs	42,030,000.00
Contingency	4,245,000.00

Total Uses	\$46,700,000.00
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Flow of Funds Detail

State and Local Government Series (SLGS) rates for
Date of OMP Candidates

Bond Statistics

Average Life	13.686 Years
Average Coupon	1.3300000%
Net Interest Cost (NIC)	1.3300000%
Bond Yield for Arbitrage Purposes	1.3296421%
True Interest Cost (TIC)	1.3296421%
All Inclusive Cost (AIC)	1.5577725%

Erie County Water Authority

\$18,810,000 Revenue Bonds - 2021(Stand Alone)

MMD' Aa' Rates plus 25 bps as of 1-19-21

Project Summary

Dated 07/15/2021 | Delivered 07/15/2021

Sources Of Funds

Par Amount of Bonds	\$18,810,000.00
Reoffering Premium	3,976,263.56
Planned Issuer Equity contribution	23,817,000.00
Total Sources	\$46,603,263.56

Uses Of Funds

Total Underwriter's Discount (0.400%)	75,240.00
Costs of Issuance	225,000.00
Construction Costs	42,030,000.00
Contingency	4,270,000.00
Rounding Amount	3,023.56
Total Uses	\$46,603,263.56

Flow of Funds Detail

State and Local Government Series (SLGS) rates for
Date of OMP Candidates

Bond Statistics

Average Life	15.007 Years
Average Coupon	4.0000000%
Net Interest Cost (NIC)	2.6180825%
Bond Yield for Arbitrage Purposes	1.2240349%
True Interest Cost (TIC)	2.3010888%
All Inclusive Cost (AIC)	2.3872123%

Stand-alone bond | SINGLE PURPOSE | 1/19/2021 | 3:00 PM

Capital Markets Advisors, LLC
Independent Financial Advisors

Erie County Water Authority
Debt Service Present Value Calculation
WIFIA Loan vs Standalone Revenue Bond
Discount Rate: WIFIA Loan AIC Yield

PV of Debt Service on WIFIA Loan		
Date	Amount	PV
07/15/2021		1.5577725%
07/15/2021		0.0000
07/15/2022	1,101,927.90	1,084,960.86
01/15/2023	147,001.02	143,618.93
07/15/2023	954,926.02	925,745.29
01/15/2024	141,761.32	136,367.22
07/15/2024	960,166.32	916,492.98
01/15/2025	136,451.92	129,238.76
07/15/2025	953,475.92	896,093.43
01/15/2026	131,071.91	122,231.64
07/15/2026	958,655.91	887,274.10
01/15/2027	125,620.35	115,343.97
07/15/2027	964,307.35	878,579.01
01/15/2028	120,096.28	108,573.88
07/15/2028	969,831.28	870,006.35
01/15/2029	114,498.74	101,919.52
07/15/2029	975,428.74	861,554.34
01/15/2030	108,826.76	95,379.11
07/15/2030	981,100.76	853,221.19
01/15/2031	103,079.34	88,950.85
07/15/2031	986,848.34	845,005.09
01/15/2032	97,255.47	82,632.98
07/15/2032	992,672.47	836,904.26
01/15/2033	91,354.15	76,423.78
07/15/2033	998,573.15	828,916.10
01/15/2034	85,374.34	70,321.56
07/15/2034	1,004,553.34	821,040.51
01/15/2035	79,315.00	64,324.64
07/15/2035	1,010,612.00	813,274.07
01/15/2036	73,175.08	58,431.38
07/15/2036	1,016,752.08	805,616.65
01/15/2037	66,953.49	52,640.14
07/15/2037	1,022,973.49	798,065.68
01/15/2038	60,649.16	46,949.34
07/15/2038	1,029,278.16	790,620.20
01/15/2039	54,260.97	41,357.39
07/15/2039	1,035,666.97	783,278.43
01/15/2040	47,787.82	35,862.76
07/15/2040	1,042,139.82	776,037.88
01/15/2041	41,228.58	30,463.92
07/15/2041	1,048,698.58	768,897.59
01/15/2042	34,582.11	25,159.37
07/15/2042	1,055,345.11	761,856.56
01/15/2043	27,847.23	19,947.62
07/15/2043	1,062,080.23	754,913.04
01/15/2044	21,022.78	14,827.24
07/15/2044	1,068,904.78	748,065.31
01/15/2045	14,107.57	9,796.78
07/15/2045	1,075,819.57	741,311.65
01/15/2046	7,100.38	4,854.82
07/15/2046	1,082,827.38	734,651.73
		50.0000

Total 27,284,187.44 22,457,999.89

PV Standalone \$24,792,085.46
PV WIFIA \$22,457,999.89

Net PV Difference \$2,334,085.57

PV of Debt Service on Standalone Revenue Bond		
Date	Amount	PV
07/15/2021		1.5577725%
07/15/2021		0.0000
07/15/2022	-	-
01/15/2023	1,204,065.00	1,185,525.29
07/15/2023	367,166.70	358,719.20
01/15/2024	836,898.70	811,324.66
07/15/2024	357,772.06	344,158.62
01/15/2025	846,293.06	807,799.26
07/15/2025	348,001.64	329,605.47
01/15/2026	856,063.64	804,543.66
07/15/2026	337,840.40	315,054.43
01/15/2027	866,224.40	801,557.84
07/15/2027	327,272.72	300,500.16
01/15/2028	876,792.72	798,844.56
07/15/2028	316,282.32	285,937.23
01/15/2029	887,782.32	796,402.71
07/15/2029	304,852.32	271,360.22
01/15/2030	899,212.32	794,235.65
07/15/2030	292,965.12	256,763.62
01/15/2031	911,100.12	792,344.64
07/15/2031	280,602.42	242,141.86
01/15/2032	923,462.42	790,729.86
07/15/2032	267,745.22	227,489.36
01/15/2033	936,320.22	789,394.70
07/15/2033	254,373.72	212,800.42
01/15/2034	949,691.72	788,339.60
07/15/2034	240,467.36	198,069.35
01/15/2035	963,597.36	787,566.41
07/15/2035	226,004.76	183,290.36
01/15/2036	978,059.76	787,078.17
07/15/2036	210,963.66	168,457.59
01/15/2037	993,101.66	786,877.40
07/15/2037	195,320.90	153,565.10
01/15/2038	1,008,743.90	786,964.57
07/15/2038	179,052.44	138,606.93
01/15/2039	1,025,012.44	787,343.57
07/15/2039	162,133.24	123,577.00
01/15/2040	1,041,931.24	788,016.11
07/15/2040	144,537.28	108,469.18
01/15/2041	1,059,527.28	788,985.59
07/15/2041	126,237.48	93,277.24
01/15/2042	1,077,827.48	790,254.67
07/15/2042	107,205.68	77,994.87
01/15/2043	1,096,859.68	791,826.05
07/15/2043	87,412.60	62,615.69
01/15/2044	1,116,652.60	793,702.38
07/15/2044	66,827.80	47,133.23
01/15/2045	1,137,236.80	795,886.98
07/15/2045	45,419.62	31,540.93
01/15/2046	1,158,645.62	798,384.34
07/15/2046	23,155.10	15,832.10
07/15/2046	1,180,910.10	801,196.63
		50.0000

Total 30,101,625.12 24,792,085.46

ATTACHMENT INDEX

Attachment 01 – Customers by Class

Attachment 02 – Largest Customers

Attachment 03 – Affordability Metrics

Attachment 04 – Annual Water Bill Burden

Attachment 05 – CIP for 2021 Budget

Attachment 06 – Capital Budget 2018

<https://my.ecwa.org/AnnualBudget>

Attachment 07 – Capital Budget 2019

<https://my.ecwa.org/AnnualBudget>

Attachment 08 – Capital Budget 2020

<https://my.ecwa.org/AnnualBudget>

Attachment 09 – Capital Budget 2021

<https://my.ecwa.org/AnnualBudget>

Attachment 10 – On time payment analysis

Attachment 11 – ECWA Tariff

https://my.ecwa.org/pdf/ECWA_Tariff.pdf

Attachment 12 – OPEB Footnote & RSI

Attachment 13 – Pension Footnote & RSI

Attachment 14 – System Condition Assessment

Attachment 15 – Fourth General Bond Resolution

Attachment 16 – Fitch Ratings Review

Attachment 17 – 2018 Financial Statements

<https://my.ecwa.org/PublicationReports>

Attachment 18 – 2019 Financial Statements

<https://my.ecwa.org/PublicationReports>

Attachment 19 – 2020 Financial Statements

<https://my.ecwa.org/PublicationReports>

Attachment 20 – 2021 Financial Model

Attachment 21 – WIFIA Cash Flow

Attachment 22 – Raftelis Rate Study

Attachment 23 – Rate History

Attachment 24 – ECWA Enabling Legislation

<https://my.ecwa.org/PoliciesProcedures>

Attachment 25 – MP-85 Project Schedule

Attachment 26 – MP-85 Preliminary Cost Estimate

Attachment 27 – GHD-009 Project Schedule

Attachment 28 – GHD-009 Cost Estimate

Attachment 29 – MP-86 Project Schedule

Attachment 30 – MP-86 Preliminary Cost Estimate



For the WIFIA Application Instructions

The U.S. Environmental Protection Agency (EPA) will invite selected applicants to submit an application for Water Infrastructure Finance and Innovation Act (WIFIA) loans. Unsolicited applications will not be considered. Following selection, each selected applicant will be assigned a transaction team led by an underwriter. The transaction team can answer the applicant's questions regarding the application form, its attachments, and the project review, negotiation, and closing processes.

The applicant should answer all questions in this form. It may indicate if a requirement is not applicable to its project. Narrative answers can reference source documents by including the name of the document and relevant pages or sections and providing any referenced documents as attachments. The applicant must sign the Certification in the appropriate space and submit a scanned version of the signature pages to EPA. If the applicant anticipates a delay in one or more source documents, it should discuss the situation with its transaction team and indicate the anticipated date of submitting that document in the application. Additionally, the applicant is required to notify and submit to EPA any updated application materials that become available during the review period. EPA may request additional items from applicants on a case-by-case basis.

The applicant may assert a Confidential Business Information (CBI) claim covering part or all of the information submitted to EPA as part of its letter of interest, in a manner consistent with 40 C.F.R. 2.203, 41 Fed. Reg. 36902 (Sept. 1, 1976), by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, proprietary, or company confidential. The applicant should also state whether it desires confidential treatment until a certain date or until the occurrence of a certain event. Information covered by a business confidentiality claim will be disclosed by EPA only to the extent and only by means of the procedures set forth under 40 C.F.R. Part 2, Subpart B. Information that is not accompanied by a business confidentiality claim when it is received by EPA may be made available to the public by EPA without further notice to the applicant. More information about CBI is available in the WIFIA program handbook and frequently asked questions (FAQ) available at <http://www.epa.gov/wifia>.

The applicant must submit a non-refundable application fee. The application fee is \$25,000 for an application for a project serving small communities (population of not more than 25,000 people). For all other project applications, the application fee is \$100,000. For further information regarding the application fee, as well as the credit processing fee which will be charged at loan closing, and any other applicable fees, please see the [WIFIA fee rule](#).

WIFIA Application Submission

The final application submission must include:

1. Completed application form;
2. All attachments requested and referenced in this form; and
3. The application fee.



The applicant should reference the supporting document checklist provided on page 4 to ensure all needed information is provided in the application submission. Upon receipt of the application fee and materials, EPA will provide a confirmation email.

Application Form and Attachment Submittal: When finished, the application form and attachments must be uploaded to EPA's SharePoint site. To be granted access to the WIFIA SharePoint site, the applicant should email the WIFIA Underwriter assigned to the applicant with the names and emails of all staff that need access.

Application Fee Submittal: The applicant should use of Pay.gov to make electronic payments to EPA. In Pay.gov, the applicant can track its payments to EPA and schedule recurring or automatic payments. Although it is not mandatory to register for a user id to access and use Pay.Gov, registration is recommended to have access to all Pay.gov system functionality. To use Pay.gov, follow these instructions:

1. Access the Pay.gov system by going to <https://www.pay.gov> and search for WIFIA or click on the following hyperlink to directly launch the [WIFIA Loan Collection & Fees Form](#).
2. Provide the following information on the payment to ensure proper credit:
 - Remitter's contact phone number
 - Company/Organization Name as it appears on EPA document
 - Complete address, including city, state, zip code
 - Project Name
 - Loan Number: this is EPA WIFIA Loan number, NOT the remitter's number
 - From the "Payment Type" drop down menu select "Application Fee (Fee01)"
 - Other Description: please enter the EPA WIFIA Loan number followed by -FEE01, for example 16123DC-FEE01
3. Follow the remaining on-screen instructions to successfully process the payment to EPA.
4. Send an email to OCFO-OC-ACD-WIFIA@epa.gov and wifia_portfolio@epa.gov informing that a payment has been made.

The application fee may also be paid via FEDWIRE; for questions about payments, email to OCFO-OC-ACD-WIFIA@epa.gov and wifia_portfolio@epa.gov. For detailed payment instructions, contact the WIFIA program.

Burden

The public reporting and recordkeeping burden for this collection of information is estimated to average 200 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Regulatory Support Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Warning



US Environmental Protection Agency
WIFIA Program
Application

OMB Control No. 2040-0292

EPA Form No. 6100-032

Approval expires 4/24/2023

Falsification or misrepresentation of information or failure to file or report information required to be reported may be the basis for denial of financial assistance by the Environmental Protection Agency. Knowing and willful falsification of information required to be submitted and false statements to a Federal Agency may also subject you to criminal prosecution. See, for example, 18 U.S.C. §1001.

Additional information is available at <https://epa.gov/wifia> and by contacting wifia@epa.gov.






SUPPORTING DOCUMENT CHECKLIST

The applicant should submit its completed application form plus all relevant supporting documents listed in the checklist as attachments.

Question	Supporting Document(s)*	Included
Application Fee – Refer to fee instructions on page 2		
Section A: Key Applicant and Loan Information* (No attachments)		
9. System for Award Management (SAM) registration	<ul style="list-style-type: none"> Screen shot verifying active SAM registration^{1*} 	<input checked="" type="checkbox"/>
Section B: Applicant Background		
5. Capital Improvement Planning Process	<ul style="list-style-type: none"> Current year and previous 3 years Capital Improvement Plans 	<input checked="" type="checkbox"/>
7. Liabilities	<ul style="list-style-type: none"> Liabilities Description 	<input checked="" type="checkbox"/>
8. System Condition	<ul style="list-style-type: none"> System Master Plan 	<input type="checkbox"/>
	<ul style="list-style-type: none"> System Condition Assessment 	<input checked="" type="checkbox"/>
10. Organization Chart	<ul style="list-style-type: none"> Organization Chart 	<input type="checkbox"/>
Section C: Financing Plan		
4. Preliminary Rating Letter	<ul style="list-style-type: none"> Preliminary Rating Letter* 	<input checked="" type="checkbox"/>
5. Audited Financial Statements	<ul style="list-style-type: none"> Audited Financial Statements (3 years)* 	<input checked="" type="checkbox"/>
6. Cash flow pro forma(s)	<ul style="list-style-type: none"> Cash flow pro forma* 	<input checked="" type="checkbox"/>
7. Rate Setting Process	<ul style="list-style-type: none"> Rate Studies 	<input checked="" type="checkbox"/>
	<ul style="list-style-type: none"> Rate Schedules 	<input checked="" type="checkbox"/>
8. Flow of Funds	<ul style="list-style-type: none"> Flow of Funds 	<input checked="" type="checkbox"/>
9. Loan Agreement	<ul style="list-style-type: none"> Master Indenture 	<input checked="" type="checkbox"/>
	<ul style="list-style-type: none"> Bond Ordinance 	<input type="checkbox"/>
Section D: Federal Requirements		
1. National Environmental Policy Act (NEPA)/ Programmatic Environmental Assessment Questionnaire	<ul style="list-style-type: none"> Environmental Assessment (Draft or Final) 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Environmental Impact Statement (Draft or Final) 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Supporting Documentation 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Programmatic Environmental Assessment Questionnaire 	<input type="checkbox"/>
2. SRF Environmental Review	<ul style="list-style-type: none"> SRF Findings 	<input type="checkbox"/>
	<ul style="list-style-type: none"> SRF Consultation Documentation 	<input type="checkbox"/>
4. Cross-Cutter Consultation Agencies	<ul style="list-style-type: none"> State Historic Preservation Officer 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Fish and Wildlife Service 	<input type="checkbox"/>
	<ul style="list-style-type: none"> National Marine and Fisheries Service 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Coastal Zone Management Agency 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Other: <input type="text" value="Click or tap here to enter text."/> 	<input type="checkbox"/>
5. Additional Permits	<ul style="list-style-type: none"> <input type="text" value="Click or tap here to enter text."/> 	<input type="checkbox"/>

¹ Applicants must have an active registration in SAM to do business with the Federal Government. Registration information is available at <https://sam.gov/SAM/>.



	<ul style="list-style-type: none"> Click or tap here to enter text. Click or tap here to enter text. 	<input type="checkbox"/> <input type="checkbox"/>
7. Additional Forms	 epa_form_6600_06.pdf  SFLLL_1_2-V1.2.pdf  epa_form_4700_4.pdf	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
8. Uniform Act	<ul style="list-style-type: none"> Narrative of Compliance 	<input type="checkbox"/>
Section E: Contract Information (Refer to Supplemental Spreadsheet)		
Complete Section E of spreadsheet and indicate which of the following attachments are included: <ul style="list-style-type: none"> Project Map Preliminary Engineering Report Preliminary Design Report Planning Document Executed Contract Documents Procurement Documents Detailed project schedule(s)* Engineer's Cost Estimate associated with detailed project scope* Existing Operation and Maintenance Plan Professional Service Contract or similar evidence of new Operation and Maintenance Plan to be developed Risk Mitigation Plan/Matrix Project Management Plan Evidence of Experience with Similar Projects Draft of Final Bid Specifications with required language Sample of Final Bid Specifications with required language 		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Certifications		<input type="checkbox"/>

*Required



APPLICATION FORM

Provide the following information in this form. Narrative answers can reference source documents (include the name of the document and relevant pages or sections). Provide any referenced documents as attachments.

Section A: Key Applicant and Loan Information

1. Legal name of prospective borrower:

Erie County Water Authority

2. Project name (for purposes of identification assign a short name to the project):

ECWA Strategic Plan Improvements Project

3. Estimated total eligible project costs (in dollars):

46,700,000

☐ Check here if total eligible project costs have changed since the letter of interest submittal

4. Requested amount of the WIFIA loan (in dollars):

22,883,000

5. Anticipated Closing Date and what is driving date: 11/30/2021

6. Applicant Contact Information

Team Member	Name and Title	Email	Phone Number
Authorized Signatory	Russel J Stoll	rstoll@ecwa.org	716-685-8276
WIFIA Point of Contact	Karen A Prendergast	kprendergast@ecwa.org	716-849-8461
Financial Advisor	Rick Ganci – Capital Markets Advisors	rganci@capmark.org	716-662-3910
Bond Counsel	TBD	Click or tap here to enter text.	Click or tap here to enter text.
Project Manager	Leonard F Kowalski	lkowalski@ecwa.org	716-685-8220
Environmental Review Contact	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Other:	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.



US Environmental Protection Agency
WIFIA Program
Application

OMB Control No. 2040-0292

EPA Form No. 6100-032

Approval expires 4/24/2023

Other: Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Other: Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

7. Employer/taxpayer identification number (EIN/TIN):

16-6000337

8. Dun and Bradstreet Data Universal Number System (DUNS) number:

071478119

9. Is the applicant registered in the System for Award Management (SAM)? If yes, provide

☒ Yes

☐ No

SAM 32DZ4

Existing Entity Registrations | System for Award Management

<https://sam.gov/SAM/pages/secured/entity/mySAMRegistrations.jsf>

View assistance for Entity Registrations-Existing Entity Registrations	
Download Your Active SAM Registrations (XML)	Download Your Active
Download Your Expired SAM Registrations (XML)	Download Your Expire
<div>Entity List</div> <div>ERIE COUNTY WATER AUTHORITY (071478119)</div>	
<div>Search by CAGE/NCAGE Code</div> <div>Use this field to search entities with which you have roles by CAGE or NCAGE Code. The Commercial and Government Entity (CAGE) Code is a five-character ID used to support a variety of mechanized systems throughout the government and provides a standardized method of identifying a given facility at a specific location.</div>	
<div>Registration Details for Complete Record</div> <div>Entity Name: ERIE COUNTY WATER AUTHORITY</div> <div>DUNS Number: 071478119</div> <div>CAGE: 32DZ4</div> <div>Address: 295 MAIN ST BUFFALO, NY 14203-2412 UNITED STATES</div>	<div>Registration Details for Incomplete Record</div> <div>Your entity registration is Active. Please select Update Entity from Registration Details for Complete Record if you want to update or renew it.</div>



Section B: Applicant Background

1. Describe the authorizing actions required by the applicant in order to enter into a loan agreement with the WIFIA program (e.g., board vote, local vote, ordinance).

Affirmative vote of the Board of Commissioners and approval of the New York State Comptroller

2. Disclose any current, threatened, or pending litigation involving the applicant related to permitting, public involvement, environmental irregularities, construction defects, securities fraud, conflict of interest, failure to perform under a State or Federal contract, or other charges which may reflect on the applicant's financial position or ability to complete the project(s).

There is no current, threatened or pending litigation related to any of the above which would reflect on the Authority's financial position or ability to complete the project.

3. List the historical, if available, or projected customer concentration analysis, including a breakdown of customers by class (residential, non-residential, commercial, bulk, etc.), usage, and revenues for the past 12 months and a list of the top ten (10) customers by percentage of revenues.

Attachment 01 – Customers by Class; Attachment 02 – Largest Customers

4. Provide the average residential customer combined water and sewer rates as a percentage of Median Household Income.

Attachment 03 – Affordability Metrics; Attachment 04 – Annual Water Bill Burden

5. Describe the applicant's capital improvement planning process. Include a capital improvement plan, other planning documents, and capital budgets produced in the current year and previous three (3) years as attachments.

Capital budgets are prepared based on a prioritized Capital Improvement Plan (Attachment 05) and funded through generated revenue and periodic debt issuance. The current and last three capital budgets are attached. (Attachment 06; Attachment 07; Attachment 08; Attachment 09)

6. Describe accounts receivables outstanding, including the 12-month trailing average of on-time payment amounts as a percentage of amount billed per period. Include a brief description of the process for collections.

Attachment 10 - On-time Payment Analysis The analysis illustrates, while our on-time payments remain high, those customers who were delinquent at the beginning of the COVID-19 pandemic have been less likely to make payments.

Attachment 11 – ECWA Tariff. The Authority's Tariff, contains the following collection provision.



9.06 All bills are to be payable net cash when rendered. In case any water bill or charges, except those billed under Service Classification No. 1C and 3, provided for in and by these rules shall not be paid within fifteen (15) days following the rendering of the bill, the Authority or its agents may discontinue water service to the customer and service will not be reestablished until such unpaid charges, together with the charge for restoration of service as elsewhere provided herein are fully paid, and the deposit as specified in paragraph 14.06 has been paid. Bills and charges provided for in and by these rules billed under Service Classification No. 1C shall be paid within thirty (30) days following the rendering of the bill. Bills and charges provided for in and by these rules billed Service Classification No. 3 shall be paid within forty-five (45) days following the rendering of the bill.

7. Describe or provide an attachment with the status of liabilities and funding for pension contributions, defined benefits, and other post-employment benefits.

The Footnotes and Required Supplemental Information from the Authority's December 31, 2020 audited Financial Statements describe the Authority's liability and funding status.

Attachment 12 – OPEB Footnote;

Attachment 13 – Pension Footnote

8. Provide the latest system condition assessment report or master plan available for the water and/or wastewater system this project supports. If a report or plan is unavailable, provide a brief description of significant facilities (i.e. pump stations or treatment plants) within the system, including construction and major rehabilitation dates, and any asset management processes utilized for the system.

Attachment 14 - System Condition Assessment was completed in conjunction with our 2018 Series bond issuance.

9. If applicable, describe community outreach efforts conducted to date and planned for the project(s). Include community meetings, outreach sessions and groups contacted.

Under the New York State Environmental Quality Review process, all three projects qualify as a Type 2 action, which involves replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. Therefore, no community outreach efforts are required.

For Project and Corporate Financing Transactions Only:

10. Provide a project-level organizational chart, include the major parties involved in planning, owning, financing, providing supply and/or offtake, constructing, operating, and/or maintaining the project(s). Include the major service contractors that have been, or will be, retained for the project (e.g., architects, developers, engineers, attorneys, financial advisors and underwriters, environmental consultants). Please also disclose if there is a financial relationship between the project sponsor and any key project partners.

[Click or tap here to enter text.](#)



Section C: Financing Plan

1. Provide a sources and uses of funds table for the construction period(s), including the proposed WIFIA assistance. For applicants other than Public Entities, please identify the amount and source(s) of project equity, letters of credit, and other sources of debt as applicable. Note any ineligible project costs. More information about eligible costs is available in the [WIFIA program handbook](#). If other debt is being issued, describe the timing and certainty.

Sources Category	Estimated Dollar Value
1. WIFIA Loan (cannot exceed 49% of eligible costs)	\$ 22,883,000
2. Revenue Bonds	Click or tap here to enter text.
3. SRF Loan	Click or tap here to enter text.
4. Borrower Cash	\$ 23,817,000
5. Previously Incurred Eligible Costs*	Click or tap here to enter text.
6. Other (please specify) Click or tap here to enter text.	Click or tap here to enter text.
TOTAL SOURCES	\$ 46,700,000
Uses Category	Estimated Cost
1. Construction	\$ 42,030,000
2. Design	Click or tap here to enter text.
3. Planning	Click or tap here to enter text.
4. Land Acquisition	Click or tap here to enter text.
5. Other Capital Costs	Click or tap here to enter text.
6. Contingency	\$ 4,670,000
7. Total Capital Costs	\$ 46,700,000
8. Financing Costs	Click or tap here to enter text.
8. Ineligible Costs (if applicable)	Click or tap here to enter text.
9. Other (please specify) Click or tap here to enter text.	Click or tap here to enter text.
10. Other (please specify) Click or tap here to enter text.	Click or tap here to enter text.
TOTAL USES	\$ 46,700,000

*Previously Incurred Eligible Costs are project related costs incurred prior to the WIFIA loan's execution. Please see the WIFIA Program Handbook for additional information on Eligible Costs.

2. Describe the proposed credit terms of the WIFIA assistance. Complete the following table and include additional text below.

Credit Term	Proposed
Lien Priority	<input checked="" type="radio"/> Senior Lien Subordinate Lien: all project debt <input checked="" type="radio"/> having the same priority as the WIFIA loan.



	<input type="checkbox"/> Subordinate Lien: not all project debt has the same priority as the WIFIA loan. A springing lien will be used in a bankruptcy related event.	
Security Pledge	Click or tap here to enter text.	
WIFIA Loan Maturity Date	Click or tap here to enter text.	

3. Describe all dedicated revenue sources to be used to repay project financing, the expected rate(s), and the base to which such rates will be applied (e.g. average monthly consumption). Include rate covenant requirements that may affect these revenue sources.

All of the Authority's debt is secured by water revenue under the Fourth General Water Revenue Bond Resolution (Attachment 15) and subsequent supplemental resolutions. The rates are set by the Board of Commissioners annually in conjunction with the budget adoption. Subsequent rate increases, although not adopted, are projected for the next four years. Projections are based on historical consumption assumptions.

4. Provide the file name for and submit a new or recent preliminary rating letter from a nationally recognized statistical rating organization opining on the proposed WIFIA financing and describing the applicant's ability to obtain an investment grade rating on the project's senior obligations. An existing rating may be used in place of a preliminary rating letter if it is recent and actively maintained. The applicant should discuss using an existing rating with its transaction team prior to application submittal.

In March of 2021, Fitch Ratings affirmed their AA+ rating on outstanding debt and assigned an AA+ issuer default rating to the Authority. Attachment 16

5. Provide the year-end audited financial statement for the applicant for past three (3) years, as an attachment, and enter the file names below.

Attachment 17 - 2018 Financial Statements; Attachment 18 - 2019 Financial Statements;
Attachment 19 - 2020 Financial Statements

6. Attach the financial model for the project(s) and provide its file name below. All amounts should be expressed on a cash (year-of-expenditure) basis and should clearly show assumptions used to arrive at such estimates. A sample pro forma can be found [here](#). The pro forma(s) should include:
- Details on projected revenues, operations and maintenance expense, capital expenditures and other key line items. Include rate changes and inflation factors as appropriate;
 - Estimated total debt service coverage. Also show senior and junior lien debt coverages separately, if applicable;



-
- c. Disbursement and repayment schedule for all debt sharing the WIFIA security, addressing, as applicable, senior- and junior-lien debt. Same lien debt amounts may be aggregated;
 - d. Anticipated disbursement and repayment schedule of the requested WIFIA loan.

Attachment 20 – Financial Model; Attachment 21 – WIFIA Cash Flow

7. Describe the rate setting process, including regulations governing rate setting, approval requirements, timing for implementation, etc. Include 10 years of rate schedule history for the applicant and specify if recommended rate increases were ever rejected.

Rate increases are recommended to the Board of Commissioners by the executive staff through the budget process or through a formal Rate Study. A ten-year rate history is attached. A rate study completed in 2016 resulted in a restructuring of Authority rates, assigning infrastructure investment charges by meter size and volumetric rates by meter size and customer class. A new rate study was completed in 2020 to support a new capital improvement plan.

Attachment 22 – Raftelis Rate Study

Attachment 23 – Rate History

8. If available, provide a flow of funds diagram or description and summarize key obligations in the flow of funds.

There is no flow of funds diagram available. All money collected by the Authority is pledged to bondholders, used to pay operating and maintenance expenses, and repair and replace infrastructure. The Powers of the Authority are outlined in §1054 of the Authority's Enabling Legislation.

Attachment 24 – ECWA Enabling Legislation

9. Describe what document(s) will be the starting point for the WIFIA loan agreement:

☒ Standard WIFIA loan agreement.

☐ Existing Master Indenture or Bond Ordinance. Included as an attachment is the Existing Master Indenture or Bond Ordinance.

☐ Customized loan agreement for the project(s) and applicant.

☐ Other.

Additional notes for loan agreement:



Section D: Federal Requirements Compliance

1. Describe the status of the environmental review in accordance with the National Environmental Policy Act (NEPA). If applicable, submit the [Programmatic Environmental Assessment \(PEA\) Questionnaire form](#), Environmental Assessment (draft or final), or Environmental Impact Statement (draft or final),

[Click or tap here to enter text.]

2. Describe the status of the SRF environmental review, if applicable. Submit the available SRF Findings and/or SRF consultation documentation.

[Click or tap here to enter text.]

3. If the environmental review for the project is underway or complete, complete the following table to identify the anticipated impacts and mitigations. Mark a "X" in the appropriate column to identify the impacts anticipated for each resource type and, if applicable, provide a short explanation of the mitigations.

Resource Type	Anticipated Impacts			Mitigations
	No Impact	Less Than Significant Impact	Potentially Significant Impact	
Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enter text here.
Biological	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enter text here.
Cultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enter text here.
Others as Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enter text here.

4. Identify any agencies with which cross-cutter consultations have been undertaken for the project and include supporting documentation as attachments. (Check all that apply)

- ☐ State Historic Preservation Officer
- ☐ Fish and Wildlife Service
- ☐ National Marine and Fisheries Service
- ☐ Coastal Zone Management Agency
- ☐ Other [Click or tap here to enter text.]

5. Describe the status of any additional permits and approvals that the project(s) may require. Add additional rows as needed. If providing permit information as attachments, list the filenames below.

Major Permits or Approvals Required	Approving Authority	Status	Expected Approval Date
-------------------------------------	---------------------	--------	------------------------



Enter text here.		Enter text here.		Enter text here.		Enter date here.	
Enter text here.		Enter text here.		Enter text here.		Enter date here.	
Enter text here.		Enter text here.		Enter text here.		Enter date here.	

|Click or tap here to enter text.|

6. If applicable, specify if a new or relocated discharge, either permanent or temporary, to surface or groundwater is expected or new or relocated water intakes are expected.

|Click or tap here to enter text.|

7. Additional forms will need to be completed and submitted prior to closing the WIFIA loan. Check all that are included with the application:



epa_form_6600_06.
pdf

☐

SFLLL_1_2-V1.2.pdf

☐

epa_form_4700_4.p
df

☐

8. If the project(s) include acquisition of real property, identify how the project complies or will comply with [Uniform Relocation Assistance and Real Property Acquisition Policies Act](#) (Uniform Act).

|Click or tap here to enter text.|

Section E: Contract Information

Complete the "Section E: Supplemental Spreadsheet." Instructions for each column are available on the first tab labeled "Instructions – Section E". Provide answers for each project in the application using separate rows designated, "Contract 1, Contract 2, etc."



CERTIFICATIONS

1. *National Environmental Policy Act:* The applicant acknowledges that any project receiving credit assistance under this program must comply with all provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
2. *American Iron and Steel:* The applicant acknowledges that any project receiving credit assistance under this program for the construction, alteration, maintenance, or repair of a project may only use iron and steel products produced in the United States and must comply with all applicable guidance.
3. *Prevailing Wages:* The applicant acknowledges that all laborers and mechanics employed by contractors or subcontractors on projects receiving credit assistance under this program shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor, in accordance with sections 3141-3144, 3146, and 3147 of Title 40 (Davis-Bacon wage rules).
4. *Credit Ratings:* This applicant has received a preliminary rating opinion letter(s) on the project's senior debt instrument, from one or more rating agencies. These letters or ratings are attached.
5. *Credit Processing Fees:* The undersigned certifies that it will reimburse EPA for its costs incurred in negotiating the credit agreement, irrespective of whether the credit agreement is executed.
6. *Lobbying:* Section 1352 of Title 31, United States Code provides that none of the funds appropriated by any Act of Congress may be expended by a recipient of a contract, grant, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, or an employee of a Member of Congress in connection with the award or making of a Federal contract, grant, loan, or cooperative agreement or the modification thereof. EPA interprets this provision to include the use of appropriated funds to influence or attempt to influence the selection for assistance under the WIFIA program.

WIFIA applicants must file a declaration: (a) with the submission of an application for WIFIA credit assistance; (b) upon receipt of WIFIA credit assistance (unless the information contained in the declaration accompanying the WIFIA application has not materially changed); and (c) at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the information contained in any declaration previously filed in connection with the WIFIA credit assistance.

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement,



- the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
7. *Debarment:* The undersigned further certifies that it is not currently: 1) debarred or suspended from participating in any Federal programs; 2) formally proposed for debarment, with a final determination still pending; or 3) indicted, convicted, or had a civil judgment rendered against it for any of the offenses listed in the Regulations Governing Debarment and Suspension (Governmentwide Nonprocurement Debarment and Suspension Regulations: 2 C.F.R. Part 180 and Part 1532).
8. *Default/Delinquency:* The undersigned further certifies that neither it nor any of its subsidiaries or affiliates are currently in default or delinquent on any debt or loans provided or guaranteed by the Federal Government.
9. *Other Federal Requirements:* The applicant acknowledges that it must comply with all other federal statutes and regulations, as applicable. A non-exhaustive list of federal cross-cutting statutes and regulations can be found at : <https://www.epa.gov/wifia/wifia-resources#complianceanchor>.
10. *Signature:* By submitting this application, the undersigned certifies that the facts stated and the certifications and representations made in this application are true, to the best of the applicant's knowledge and belief after due inquiry, and that the applicant has not omitted any material facts. The undersigned is an authorized representative of the applicant.

Name:
Title:
Organization:
Street Address:
City/State/Zip:
Phone:
E-mail:

Signature: _____

Date Signed: _____



KEY DEFINITIONS

- (a) *Administrator* means the Administrator of EPA.
- (b) *Community water system* has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).
- (c) *Credit assistance* means a secured loan or loan guarantee under WIFIA.
- (d) *Credit agreement* means a contractual agreement between EPA and the project sponsor (and the lender, if applicable) that formalizes the terms and conditions established in the term sheet (or conditional term sheet) and authorizes the execution of a secured loan or loan guarantee.
- (e) *Eligible project costs* mean amounts, substantially all of which are paid by, or for the account of, an obligor in connection with a project, including the cost of:
 - (1) Development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;
 - (2) Construction, reconstruction, rehabilitation, and replacement activities;
 - (3) The acquisition of real property or an interest in real property (including water rights, land relating to the project, and improvements to land), environmental mitigation (including acquisitions pursuant to section 33 U.S.C. §3905(7)), construction contingencies, and acquisition of equipment; and
 - (4) Capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction.
- (f) *Investment-grade rating* means a rating category of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a nationally recognized statistical rating organization (NRSRO) to project obligations offered into the capital markets.
- (g) *Iron and steel products* means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
- (h) *Nationally Recognized Statistical Rating Organization (NRSRO)* means a credit rating agency identified and registered by the Office of Credit Ratings in the Securities and Exchange Commission.
- (i) *Project* means:
 - (1) Any project for flood damage reduction, hurricane and storm damage reduction, environmental restoration, coastal or inland harbor navigation improvement, or inland and intracoastal waterways navigation improvement that the Secretary determines is technically sound, economically justified, and environmentally acceptable, including—



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- (A) a project to reduce flood damage;
 - (B) a project to restore aquatic ecosystems;
 - (C) a project to improve the inland and intracoastal waterways navigation system of the United States; and
 - (D) a project to improve navigation of a coastal or inland harbor of the United States, including channel deepening and construction of associated general navigation features.
- (2) 1 or more activities that are eligible for assistance [under section 1383\(c\) of this title](#), notwithstanding the public ownership requirement under paragraph (1) of that subsection.
 - (3) 1 or more activities described in section [300j-12\(a\)\(2\) of title 42](#).
 - (4) A project for enhanced energy efficiency in the operation of a public water system or a publicly owned treatment works.
 - (5) A project for repair, rehabilitation, or replacement of a treatment works, community water system, or aging water distribution or waste collection facility (including a facility that serves a population or community of an Indian reservation).
 - (6) A brackish or sea water desalination project, including chloride control, a managed aquifer recharge project, a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion.
 - (7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.
 - (8) Acquisition of real property or an interest in real property—
 - (A) if the acquisition is integral to a project described in paragraphs (1) through (6); or
 - (B) pursuant to an existing plan that, in the judgment of the Administrator or the Secretary, as applicable, would mitigate the environmental impacts of water resources infrastructure projects otherwise eligible for assistance under this section.
 - (9) A combination of projects, each of which is eligible under paragraph (2) or (3), for which a State infrastructure financing authority submits to the Administrator a single application.
 - (10) A combination of projects secured by a common security pledge, each of which is eligible under paragraph (1), (2), (3), (4), (5), (6), (7), or (8), for which an eligible entity, or a combination of eligible entities, submits a single application.
- (j) *Public entity* means:
- (1) a Federal, State, or local Governmental entity, agency, or instrumentality; or
 - (2) a Tribal Government or consortium of Tribal Governments.
- (k) *Publicly sponsored* means the obligor can demonstrate, to the satisfaction of the Administrator that it has consulted with the affected State, local or Tribal Government in which the project is located, or is otherwise affected by the project, and that such government supports the proposed project. Support can be shown by a certified letter signed by the approving municipal department or similar agency, mayor or other similar designated authority, local ordinance, or any other means by which local government approval can be evidenced.



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- (l) *Small Community* means a community with a population of no more than 25,000 individuals.
- (m) *State* means any one of the fifty states, the District of Columbia, Puerto Rico, or any other territory or possession of the United States.
- (n) *State infrastructure financing authority* means the State entity established or designated by the Governor of a State to receive a capitalization grant provided by, or otherwise carry out the requirements of, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et. seq.) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).
- (o) *Term sheet* means a contractual agreement between EPA and the project sponsor (and the lender, if applicable) that sets forth the key business terms and conditions of a Federal credit instrument. Execution of this document represents a legal obligation of budget authority.
- (p) *Treatment works* has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).
- (q) *WIFIA* means the Water Infrastructure Finance and Innovation Act of 2014, Pub. L. 113-121, 128 Stat, 1332, codified at 33 U.S.C. §§ 3901-3914.



Section E

General Project Information (Columns A-I)

COLUMN A: Replace "Project Component X" with the project component name.

COLUMN B: Describe each of the Project components including dimensions, quantities, capacities, square footage, etc. Indicate whether the contract involves the construction of new facilities or the renovation or replacement of existing ones.

COLUMN C: Describe the location of the project(s); specify if the location is within an existing facility. Include location address(es), and/or latitude and longitude details for all project components or sub-projects included in the contract. Attach a project map(s) for all project components or sub-projects included in the contract, if available.

COLUMN D: Replace "Contract X" with the contract name and/or number.

COLUMN E: Describe each of the contract components including dimensions, quantities, capacities, square footage, etc. Indicate whether the contract involves the construction of new facilities or the renovation or replacement of existing ones.

COLUMN F: Provide design criteria and useful life information for all contract components.

COLUMN G: Pick your project delivery method. If your project delivery method is not on the drop-down list, type your response in the project cell for Column E.

Column H: List the file names of technical reports (such as Planning Documents, Preliminary Design Reports or Conceptual Design Reports) and design documentation (such as executed or draft contract documents). For alternative project delivery method contracts (i.e., design-build, construction manager at-risk, design-bid-build), provide the file names of procurement documentation (including contractor selection materials such as Request for Qualifications and Request for Proposals) available for review. Attach all listed documents.

Column I: List the file names of environmental reports (such as Biological Resource Survey Reports, Cultural Resource Survey Reports) and environmental documentation (such as NEPA documents completed by another federal agency or reviews completed for the State Revolving Fund or under a State environmental review process, such as CEQA). Attach all listed documents.

Schedule (Columns J-P)

COLUMNS J-O: Present the overall project schedule start and end dates for key milestones in Columns G-N. Attach the detailed project schedule for each contract (required).

COLUMN P: Provide additional notes about the schedule, if needed.

Cost Information (Columns Q-X)

COLUMNS Q-V: Present the overall project costs in the Columns Q-V.

COLUMN R: Provide the file name for the Engineer's Cost Estimate or similar, which verify the costs listed in Columns N-Q. The estimate should include quantities, unit prices, and total costs. Attach the cost estimate for each contract (required).

COLUMN V: If previously incurred costs are included in the overall project cost, indicate the amount. Attach the executed contract documents.

COLUMN W: Describe the process the applicant implements for overseeing scope/schedule/costs of projects. Attach Project Management Plan or similar document, if available.

COLUMN X: Provide additional notes about the project costs, if needed.

Other Project Information (Columns Y-AC)

COLUMN Y: Describe how the applicant has developed a plan for operating, maintaining, and repairing the project over the useful life of the project. Attach either existing operations and maintenance plans or professional service contracts or similar evidence that a plan will be developed.

COLUMN Z: For loans which include assets to be operated and/or maintained by a third party, provide the file names for any contractual arrangements that the applicant plans to execute for the operation and maintenance of the project(s), key performance indicators, insurance policies that may be used to cover the project(s), and reserves that will be set aside for the maintenance of the project(s). Attach listed files.

COLUMN AA: Choose the risk mitigation strategies implemented for this project from the drop-down list. Sample risks might include construction schedule delays, cost escalation, delayed approvals, and litigation. If you chose "Risk Mitigation Plan and/or Project Mgmt Plan has been developed", attach the plans. If you chose "Risk Mitigation Plan and/or Project Mgmt Plan has not been developed," explain how the applicant intends to mitigate major risks for the project.

COLUMN AB: List any state or local agencies conducting reviews of the project design that must review final plans and specifications prior to construction. Describe any applicable statutory references and expected timelines.

COLUMN AC: Use Column Z to provide any additional notes in the Other Project Information section.

Bid Specifications (Columns AD-AE)

COLUMN AD: Select all federal requirements listed in Column AA are in final or draft bid specifications (or project procurement documents) and drawings developed for the project(s). To select multiple choices, enable spreadsheet macros. If bid specifications, draft or final, are not available, skip this question and proceed to Column AB. Attach the draft of Final Bid Specifications with required language.

Links to more information about the federal requirements:

[Davis-Bacon and Related Acts](#)

[American Iron and Steel \(AIS\) Requirements](#)

[Disadvantaged Business Enterprises \(DBE\) Requirements](#)

[Debarment and Suspension Requirements](#)

[Equal Employment Opportunity \(EEO\) Requirements](#)

[New Restrictions on Lobbying](#)

COLUMN AE: If draft or final bid specifications (or procurement documents) have not yet been developed, indicate whether or not the applicant is aware of how to comply with the federal requirements identified in Column AA. Attach sample of final bid specifications with required language.

General Project Information								
Project Component Name	Project Component Description	Project Component Location	Contract Name/Number	Contract Scope of Work	Design Criteria/Useful Life	Project Delivery Method	Names of Technical Reports/Design Documentation	Names of Environmental Reports/ Documentation
Contract MP-85 Sturgeon Point Filter Valve and Piping (PN202000166)		Sturgeon Point WTP	Contract 1	Letter of Interest - Attachment 02	AWWA Standards	Design-Bid-Build		
Contract GHD-009 Powdered Activated Carbon System Upgrades (PN202000133)		Sturgeon Point WTP & VanDeWater WTP	Contract 2	Letter of Interest - Attachment 05	AWWA Standards	Design-Bid-Build		
Contract MP-86 Ball Pump Station Improvements (PN202000177)		Ball Pump Station	Contract 3	Letter of Interest - Attachment 07	AWWA Standards	Design-Bid-Build		
			Contract 4					
			Contract 5					
			Contract 6					
			Contract 7					
			Contract 8					
			Contract 9					
			Contract 10					
Note: Add more components as applicable			Note: Add more contracts as applicable					

[illegible]

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General Project Information		Bid Specifications	
Project Component Name	Federal Requirements	Federal Requirement Compliance Awareness	
Contract MP-85 Sturgeon Point Filter Valve and Piping (PN202000166)	Davis-Bacon and Related Acts, American Iron and Steel Requirements	No. The applicant will work with WIFIA to include the correct required language in bid specification as the project progresses.	
Contract GHD-009 Powdered Activated Carbon System Upgrades (PN202000133)	Davis-Bacon and Related Acts, American Iron and Steel Requirements	No. the applicant will work with WIFIA to include the correct required language in bid specification as the project progresses	
Contract MP-86 Ball Pump Station Improvements (PN202000177)	Davis-Bacon and Related Acts, American Iron and Steel Requirements	No. the applicant will work with WIFIA to include the correct required language in bid specification as the project progresses	
Note: Add more components as applicable			