

STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH
DRINKING WATER STATE REVOLVING FUND (DWSRF)

Applicant's PWS Name

FULL LOAN APPLICATION

DPH Control Number
(office use only)

APPLICANT CHECK LIST

Connecticut General Statutes Section 22a-475 through 22a-483 inclusive, as amended, establish and authorize the State to operate a Drinking Water State Revolving Fund (DWSRF) program. Pursuant to Connecticut General Statute Section 22a-482, the Commissioner of Environmental Protection and the Commissioner of Public Health are required to adopt regulations to carry out the purposes of the state statutes governing the operation of the DWSRF program. Pending the adoption of such regulations, applicants that receive DWSRF assistance must comply with Section 22a-482-1 through Section 22a-482-4 of the Regulations, Connecticut State Agencies.

Prior to submission of this application for a DWSRF loan, please be sure that you have included your PWS name in the upper left hand corner of each page where indicated on this application as well as on all supportive documents you submit.

An incomplete application will significantly affect the review process and/or your application status.

- Applicant Check List (page 1)
- Applicant Information including Project Cost Overview (page 2).
- Applicant Representatives (page 3).
- An Application for Planning (page 4)
- An Application for Design (page 5)
- An Application for Construction (page 6)
- Construction Project Assurances (page 7/8)
- Financial Documentation Requirements (page 9/10)
- Release of Information (page 11).

ATTACHMENTS:

- Contract Compliance Information for Bidders/Contractors.
- Contract Compliance Requirements Instruction Sheet.
- Notification to Bidders/Contractors.
 - Contract Compliance Questionnaire.
 - EEO Employment Data Form.
 - Affirmative Action Policy Statement.
 - CT Law Journal.

SAMPLE MBE/WBE MEMORANDUM DOCUMENT

STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH
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Applicant's PWS Name

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(c:FLA)

(1)

Please type or print.

A. APPLICANT INFORMATION

Date Submitted:

Name and Title of the Authorized Legal Representative(s)
of the Public Water System (PWS) Applicant.

_____/_____/_____
MONTH DAY YEAR

Representative of the PWS:

Address 1

City

State

Zip

Address 2

City

State

Zip

() _____
Home Phone

() _____
Business Phone

() _____
Fax Number

PWS Name: _____

(Please give full legal name of applicant)

PWS Address: (Please give the physical location of the project). _____

B. Project Type: (Please check all appropriate items)

Estimated Project Time Frame:

____ Planning ____ Design ____ Construction

Start Date _____ Completion Date _____

C. Total Project Cost Overview. (Please include ALL funding source contributions for the total project -
Use an additional page if necessary.)

List the broad project categories to be funded:	Identify each contributing source of funding:	List the amount of other funds being contributed:	List the amount of DWSRF funds being requested:	List the total categorical costs:
1. Total Administrative	\$ _____	\$ _____	\$ _____	\$ _____
2. Land, Structures, Rights of Way, Appraisals, etc.	\$ _____	\$ _____	\$ _____	\$ _____
3. Relocation Expenses	\$ _____	\$ _____	\$ _____	\$ _____
4. Architectural Design Fees	\$ _____	\$ _____	\$ _____	\$ _____
5. Other Architectural Design Fees.	\$ _____	\$ _____	\$ _____	\$ _____
6. Engineering Design Fees	\$ _____	\$ _____	\$ _____	\$ _____
7. Other Engineering Fees	\$ _____	\$ _____	\$ _____	\$ _____
8. Project Inspection Fees	\$ _____	\$ _____	\$ _____	\$ _____
9. Site Work	\$ _____	\$ _____	\$ _____	\$ _____
10. Demolition & Removal	\$ _____	\$ _____	\$ _____	\$ _____
11. Construction	\$ _____	\$ _____	\$ _____	\$ _____
12. Equipment	\$ _____	\$ _____	\$ _____	\$ _____
13. Miscellaneous (Contingencies etc.)	\$ _____	\$ _____	\$ _____	\$ _____
14. Closing Costs (Including Legal Opinion)	\$ _____	\$ _____	\$ _____	\$ _____
15. Accrued Interest	\$ _____	\$ _____	\$ _____	\$ _____

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Please attach Supportive Documentation TOTALS \$ _____ \$ _____ \$ _____

(2)

APPLICANT REPRESENTATIVES

(Corporate entities should attach a list of all officers)

President, Chairman, etc.: (Please include name and title.)

Address

(____) _____

Business Phone

(____) _____

Fax #

Contact Person for this loan request if different from the Legal Representative listed on page 2 Item A
(Please include name and title.)

Address

(____) _____

Business Phone

(____) _____

Fax #

Bond Counsel: (Applicable to municipal applicants only.)

Address

(____) _____

Business Phone

(____) _____

Fax #

Legal Counsel:

Address

(____) _____

Business Phone

(____) _____

Fax #

Architect/Consulting Engineer: (Please include name and title.)

Address

(____) _____

Business Phone

(____) _____

Fax #

Financial Advisor or Chief Fiscal Officer: (Please include name and title.)

Address _____

(____) _____

(____) _____

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FULL LOAN APPLICATION

DPH Control Number
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Business Phone

Fax #
(3)

AN APPLICATION FOR PLANNING*

If your proposed project is for Planning only, or if it includes Planning, then the following details must be included:

A. In the Plan:

1. Identification of the proposed planning area.
2. Identification of the entity or entities that will be conducting the planning.
3. The nature and scope of the proposed planning project and public participation program, including a schedule for the completion of specific tasks; and
4. An itemized description of the estimated engineering report costs.

B. Proposed subagreements, or an explanation of the intended method of awarding subagreements, for performance of any substantial portion of the project.

C. A resolution adopted by the PWS to authorize the execution and delivery of the Agreement. In the case of a municipality, the resolution must be certified and sealed by the Town/City clerk; and in the case of a private entity, authorization must be evidenced by the appropriate parties.

D. A cash flow projection.

E. PWS status of compliance with any DPH enforcement action if applicable.

F. The consultant's MBE/WBE commitment.

G. Completed Commission on Human Rights and Opportunities (CHRO) form.
(Please see the attached EEO-4 Form)

H. A description of the project's consistency with the systems Water Supply Plan?

* Note: Planning Projects should be intended to eventually lead to construction projects.

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(4)

AN APPLICATION FOR DESIGN

If your proposed project includes any design work then you must address the following items:

Note: Some of these issues may have already been included in the Planning process.

A. An engineering report meeting all the requirements set forth in Section 22a-482-3(a) of the Regulations, Connecticut State Agencies:

Proposed sub-agreements, or an explanation of the intended method of awarding sub-agreements, for performance of any substantial portion of the project.

C. A resolution adopted by the PWS to authorize the execution and delivery of the agreement. In the case of a municipality, the resolution must be certified and sealed by the Town/City clerk; and in the case of a private entity, authorization must be evidenced by the appropriate parties.

D. A value engineering (VE) commitment in compliance with Section 22a-482-3(d) of the Regulations, Connecticut State Agencies for all design funding assistance applications for projects with a projected total building cost of \$10 million or more.

E. Proposed or executed (as determined appropriate by the Commissioner) consent agreements necessary for the construction and operation of the proposed projects.

F. A schedule for initiation and completion of the project work;

G. A cash flow projection.

H. PWS status of compliance with any DPH enforcement actions if applicable.

I. The consultant's MBE/WBE commitment.

J. Completed Commission on Human Rights and Opportunities (CHRO) form.
(Please see the attached EEO-4 Form)

K. Is the project consistent with Water Supply Plan?

Note: The eligibility for Design costs are based on an allowance of the estimated initial allowable construction costs.

(5)

Applicant's PWS Name

FULL LOAN APPLICATION

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AN APPLICATION FOR CONSTRUCTION

Construction projects must include the following information. Please note that some or all of this information may have already been included in the Planning and Design areas.

- A. All requirements for design funding assistance as specified in Section 22 482-2 (c)(2) of the Regulations, Connecticut State Agencies;
- B. A final legal opinion stating the acquisition of all sites, easements or rights-of-way necessary to assure undisturbed construction and operation and maintenance of the proposed project have been acquired. The cost of any real property eligible for funding assistance must reflect fair market value as determined by standard recognized appraisal methods. The acquisition of any interest in land is eligible for funding only if it is integral to the project.
- C. Two copies of contract plans and specifications for the review and approval of the Commissioner;
- D. A Schedule for submission of a proper operation and maintenance program including a preliminary plan of operation;
- E. Evidence that local authority to construct the project has been obtained. (Planning and Zoning, Inland wetlands, etc.)
- F. A cash flow projection.
- G. Amounts and terms of any other financial assistance.
- H. PWS status of compliance with any DPH enforcement action if applicable.
- I. The consultant's MBE/WBE commitment (At the time of the construction contract request for authorization to award, the proposed contractor's MBE/WBE commitment will be needed).
- J. Completed Commission on Human Rights and Opportunities (CHRO) form.
(Please see the attached EEO-4 Form)
- K. Is the project consistent with your Water Supply Plan?

STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH
DRINKING WATER STATE REVOLVING FUND (DWSRF)

Applicant's PWS Name

FULL LOAN APPLICATION

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CONSTRUCTION PROJECT ASSURANCES

Note: Certain of these assurances may not be applicable to your project or program. Further, certain federal programs may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal funds, and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the DPH. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the DPH with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the DPH.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the DPH.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L.93-255), as amended, relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1970 (P.L.91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd.-3 and 290 ee-3) as amended, relating to confidentiality of alcohol and drug abuse patient record; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provision in the specific statute(s) under which application for funding is being made; and (j) the requirements on any other non-discrimination Statute(s) which may apply to the application.

STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH
DRINKING WATER STATE REVOLVING FUND (DWSRF)

Applicant's PWS Name

FULL LOAN APPLICATION

DPH Control Number
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CONSTRUCTION PROJECT ASSURANCES

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally funded programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874, the contract Work Hours and Safety Standards Act (40 U.S. 327-333) regarding labor standards for federally assisted construction subagreements.

14. Will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,100 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of Environmental Policy Act of 1969 (P.L. 91-910) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11900; (d) evaluation of flood hazards in floodplains in accordance with EO 1198; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955 as amended (42 U.S.C.7401 et.seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the DPH in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) EO 11593 (identification and preservation of historic properties), and the Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

Date Submitted

Name and Title of the Authorized Legal Representative(s)
of Public Water System (PWS) Applicant

____/____/____
MONTH DAY YEAR

Please print Name

Please Print Title

Applicant's PWS Name

FULL LOAN APPLICATION

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FINANCIAL DOCUMENTATION REQUIREMENTS

The following financial statements and supportive documents must be submitted for the company and principal owner(s): (Please check one category only)

___ **NON-INCORPORATED INVESTOR OWNED PUBLIC WATER SYSTEM:**

- 1) Three years of financial statements and supportive documents for the company and principal owner(s).
- 2) Three (3) years of Federal and State tax returns for both the company and the principal owners(s).
- 3) Demonstrated viability of revenue streams and/or three years cash flow showing revenue vs. expenses and financial statements showing account balances.
- 4) Three years of projected income and expenses.

If the major investor owns more than 60% of interest in the company, financial statements for that individual will be required.

___ **INCORPORATED INVESTOR OWNED PUBLIC WATER SYSTEM:**

- 1) Three years of financial statements and supportive documents for the company.
- 2) Three (3) years of Federal and State tax returns for the company.
- 3) Demonstrated viability of revenue streams and/or three years cash flow showing revenue vs. expenses and financial statements showing account balances.
- 4) Three years of projected income and expenses.

If the major investor owns more than 60% of interest in the company, financial statements for that individual will be required.

___ **FOR A MUNICIPALITY, [WATER AUTHORITY]; NON-PROFIT PUBLIC WATER SYSTEM / NON- TRANSIENT, NON-COMMUNITY SYSTEM:**

- 1) Three years of financial statements and supportive documents.
- 2) Demonstrated viability of funding streams and/or three years cash flow showing revenue vs. expenses and financial statements showing account balances.
- 3) If rate increases are expected, please submit an explanation.
- 4) Three years of projected income and expenditures.

Please PRINT the Name and Title of the person preparing this information:

Name

Title

Applicant's PWS Name

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FINANCIAL DOCUMENTATION REQUIREMENTS (continued)

Reminder: All Non-Profit entities must attach a copy of their Internal Revenue Service letter certifying their Non-Profit status as described in the Internal Revenue Code Section 501(c)(3).

How the Public Water System (PWS) to handle the full faith and credit issue of the loan agreement.

A certified bonding resolution for the costs of the Planning Phase.

Evidence that local authority to construct the facilities has been obtained (Planning and Zoning, Inland Wetlands, etc...). A certified bonding resolution for the Total Cost of the Project.

Those systems regulated by the Department of Public Utility Control (DPUC) must include a copy of their Annual Report with this application.

The following items will be required of a potential private entity borrower as part of the loan application for the Drinking Water State Revolving Fund loan program:

- * A copy of the most recent prospectus (if entity has borrowed within the past 6 months). If not, the application must include information concerning:
 - a) The management of the company.
 - b) The management of the project funded by the loan.
 - c) Population served by the entity including locations.
 - d) Any subsidies, abatements or waivers currently in force.

- * Details of the rates and revenue generating capacity of the entity; how established and set; how billed, collected, and 5 years of collection history; contractual relationship with users, if any.

- * Projected rates for the period in which the loan will be outstanding and detailed explanation of the assumptions.

- * Project specific information which may be requested by the State and which may vary according to the type of project.

- * A one year debt service reserve may be required of applicants in order to secure a DWSRF Loan.

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DRINKING WATER STATE REVOLVING FUND (DWSRF)

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FULL LOAN APPLICATION

DPH Control Number
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A complete application requires a release of information letter that authorizes the State of Connecticut to access additional financial information that may be needed to assess your funding eligibility. The following is a form letter which has been provided for your convenience. Please fill in the blanks appropriately, use the wording as it is written and submit this letter on company letterhead.

I/We * _____ hereby authorize the State of Connecticut and its various departments and agencies to review this application and all the information herein contained for accuracy and completion in relation to my application for funding under the Drinking Water State Revolving Fund (DWSRF). I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge. I understand that any false statements knowingly made in this document or its attachments may be punishable as a criminal offense.

Further, I/We * _____ understand that this application becomes part of the loan documentation and that a legal opinion from our attorney (a bond attorney in the case of a municipal applicant), in a form satisfactory to the State of Connecticut, will be required as a condition of funding and that approvals from the Department of Environmental Protection and the Department of Public Utility Control may be necessary in addition to approvals from the Department of Public Health.

I understand that this application (including any attachments thereto) and any other documents, records or information that I submit to the State of Connecticut in connection with the DWSRF program shall be public records, except as otherwise provided by any federal law or state statute. I further understand that third parties may have access to such public records as required under the Connecticut Freedom of Information Act, Connecticut General Statutes, Sections 1-7 through 1-211, as amended.

Date Submitted

* _____
Signature of the Authorized Legal
Representative(s) of the Public Water System
(PWS)Applicant.

_____/_____/_____
Month Date Year

Please Print Name

Please Print Title

STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH
DRINKING WATER STATE REVOLVING FUND (DWSRF)

Applicant's PWS Name

FULL LOAN APPLICATION

DPH Control Number
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Please complete the attached Department of Environmental Protection documents and return them as part of your DWSRF Full Loan Application:

Contract Compliance
Information for Bidders / Contractors

Notice to Bidders / Contractors

Contract Compliance Requirements
Instruction Sheet

Contract Compliance Questionnaire

EEO-4 Employment Data

Affirmative Action Policy Statement

CT Law Journal

NOTE: We have also included a SAMPLE MBE/WBE Memorandum document as a model for your use and convenience.

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DRINKING WATER STATE REVOLVING FUND (DWSRF)

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