Massachusetts Clean Water Trust

Office of the Treasurer and Receiver - General Executive
Office for Administration and Finance
Department of Environmental Protection



Application for Financial Assistance State Revolving Fund Planning Stage

Clean Water Planning

Drinking Water Lead Service Line Inventories and Replacement Plans Loans

Sewer Overflow and Stormwater Reuse Municipal Grants (OSG) Program Planning/Design

Drinking Water Planning

April 2025

Department of Environmental Protection Bureau of Water Resources Division of Municipal Services 100 Cambridge Street, Suite 900 Boston, Massachusetts 02114

INTRODUCTION

This document provides the instructions, and additional information regarding the supporting documentation required for submission with the Application for:

Clean Water Planning
Clean Water PFAS Planning
Clean Water Sewer Overflow and Stormwater Reuse Municipal Grants (OSG) Program Planning/Design
Drinking Water PFAS Planning
Drinking Water PFAS Planning

Applicants should note that neither the filing of an application nor issuance by the Massachusetts Department of Environmental Protection (MassDEP) of a Project Approval Certificate (PAC) constitutes a binding commitment of the Massachusetts Clean Water Trust (Trust) or MassDEP to make a loan and/or award a grant. Binding commitments, subject to the availability of funds, will be issued by the Trust after review of the financial information contained in the application.

Please note that this application is subject to revision.

GENERAL INFORMATION

Please complete all parts of this application on the eSRF Portal.

State Revolving Fund Applications & Forms | Mass.gov

Use of This Application - This application is to request for a loan/grant assistance for the local governmental unit (LGU) or Public Water Suppliers (PWS) in the planning of water pollution abatement or drinking water projects.

All planning project applications are accepted on a rolling basis while funding is available.

For rolling applications, a Project Evaluation Form (PEF) is not necessary, and these applications are categorized as "NON-IUP" (Non-Intended Use Plan) Projects.

Once the application is created in the eSRF Portal the user has 30 days to complete it. If your application requires more time to complete, please contact the SRF Data Support Team at srfmadep@mass.gov.

There are three (3) categories of planning projects funded through the State Revolving Fund as described below:

Lead Service Line Inventory Planning Loans

Lead Service Line planning projects may include lead service line inventories or the creation of a Lead Service Line Replacement Plan.

Clean Water and Drinking Water Planning Loans

Planning projects that will likely result in PFAS remediation projects are eligible for 0% interest loans pending availability of funding.

All other planning projects for water pollution abatement or drinking water such as the preparation of Integrated Water Resource Management Plans, Comprehensive Wastewater Management Plans, Project Evaluation Reports, Stormwater Management Plans, etc. are eligible for 2% interest rate loans. Housing Choice communities are eligible for 1.5% interest rate loans. For the list of Housing Choice communities see here: https://www.mass.gov/info-details/housing-choice-designation-list-of-communities

Clean Water Sewer Overflow and Stormwater Reuse Municipal Grants (OSG) Program Planning/Design Eligible applicants are small rural communities with a population of 10,000 or less and Disadvantaged Communities with populations greater than 10,000 that fall into one of the three tiers using the Trust's annual affordability calculation: The Disadvantaged Community Program | Mass.gov.

The maximum OSG grant award will be \$250,000 per applicant. The program will follow the same process and procedures of other SRF financial assistance programs. If the recipient's Project Costs will be equal to \$250,000 or less, no local appropriation is required. If the recipient's Project Costs will be greater than \$250,000 and an SRF loan will be used to fund the remainder of the project, the recipient will be required to supply documentation of the local appropriation for the entire cost of the project.

Grantees must begin planning/design activities within six months of project approval and complete all activities within two years in accordance with the Grant Agreement. MassDEP reserves the right to monitor project proposal costs and cap project costs based on the availability of funds.

Please note that participating communities will be in receipt of federal funds and will be responsible for the reporting requirements associated with those funds. Please view the Trust's Financing Agreement Terms and Conditions for further information: https://www.mass.gov/info-details/borrower-documents-reports-and-publications. All federal fund grant recipients must comply with the Uniform Grant Guidance, including the procurement provisions, as outlined here: Uniform Grant Guidance (Mass.gov).

OVERFLOW AND STORMWATER PLANNING INFORMATION

OSG Eligible Projects

Planning and/or design projects must be in support of construction projects that are eligible for OSG grant funds and meet the following specifications:

Eligible projects must meet the established criteria as described in CWA section 221(a)(1). This section describes that financial assistance can be provided:

- (1) . . . to a municipality or municipal entity for planning, design, and construction of —*
 - (A) treatment works to intercept, transport, control, treat, or reuse municipal combined sewer overflows, sanitary sewer overflows, or stormwater; and
 - (B) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).

Eligible projects must also meet criteria as described in the EPA <u>Sewer Overflow and Stormwater Reuse Municipal</u> <u>Grants Program - Grant Implementation Document (epa.gov)</u> dated March 2021 and amended November 2022, as described below.

March 2021: "Eligible projects exist under the following three general categories:

- 1) combined sewer overflow correction,
- 2) sanitary sewer overflow correction, and
- 3) stormwater and subsurface drainage water. "

November 2022: "Additional Eligible Activity: Notification systems that inform the public of combined sewer and sanitary overflows that result in sewage being released into rivers and other waters are now eligible."

This list is not meant to be an exclusive listing, and it is possible that there are other eligible projects that are consistent with the OSG authorizing statute that are not specifically mentioned in this document. In all cases, municipalities or municipal entities are eligible to apply. In addition, only capital projects are eligible, including infrastructure planning, design, construction*, and equipment purchases. Operations and maintenance activities are not eligible for funding."

* The Massachusetts OSG Program will consider only planning and/or design project proposals. The list of projects included in the EPA Grant Implementation Document is provided in OSG Implementation as a reference for applicants to consider when submitting their planning and/or design proposals.

OSG Ineligible Activities

Cost of planning/design activity that MassDEP determines as being necessary for the completion of the project are eligible for funding through this grant. Work required under a current NPDES MS4 permit is not eligible for OSG grant funding. The cost of infrastructure equipment and other capital expenditures, including street sweepers and vacuum trucks, is not eligible.

GENERAL INFORMATION

General Eligibility - A project must meet the eligibility criteria of the SRF program to be eligible for financial assistance.

Clean Water:

https://www.mass.gov/regulations/310-CMR-4400-the-clean-water-state-revolving-fundhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/downloadhttps://www.mass.gov/doc/clean-water-srf

Drinking Water:

https://www.mass.gov/regulations/310-CMR-4500-the-drinking-water-state-revolving-fund https://www.mass.gov/doc/drinking-water-srf-eligible-project-costs-0/download

PROGRAM CONTACTS

Contact Section Chiefs for your region.

https://www.mass.gov/lists/state-revolving-fund-applications-forms#contact

SRF FINANCIAL ASSISTANCE PROCESS INFORMATION

Each year, the Massachusetts Clean Water Trust (the Trust) and Massachusetts Department of Environmental Protection (MassDEP) offer borrowers a joint presentation on State Revolving Fund (SRF) Financing. The <u>Trust's Annual IUP Borrower Presentation</u> is an overview of the services, projects, and financing provided by MassDEP and the Trust. In this presentation, borrowers will learn more about the services each agency provides, and the step-by-step process of financing a Clean Water or Drinking Water project.

Effective April 7, 2025, the EPA has <u>suspended</u> certain requirements related to the Disadvantaged Business Enterprise (DBE) program. Specifically, the EPA suspended requirements for funding recipients to negotiate DBE goals, as well as certain reporting and record keeping requirements. In response to this change, SRF will no longer require funding recipients to adhere to previously established DBE participation goals. However, SRF funding recipients are advised that they must continue to agree to adhere to the "six good faith efforts" whenever procuring construction, equipment, services, and supplies. The specific six good faith efforts can be found at: <u>40 CFR 33.301</u>. SRF funding recipients are reminded to retain appropriate documentation to demonstrate compliance with the six good faith efforts.

For projects that are utilizing interim financing from the Trust, the grantee/borrower or their consultant will need to request reimbursement in accordance with the instructions and forms provided in the Application package. The grantee/borrower can request reimbursement no more frequently than once per month for the work completed and a payment request schedule will be established for the project as part of the grant/loan agreement process. Reimbursement requests will be submitted to MassDEP for payment approval and must include at a minimum the required forms and backup documentation.

Closeout documentation will be required at completion of the project. To receive the final disbursement and to be considered in compliance with the Grant/Loan Agreement, the grantee is required to submit a Project Closeout Certificate. The Project Closeout Certificate will be supplied by MassDEP near the end of the project. It must be signed by a governing authority with the power to make fiscal decisions. An example of the Project Closeout Certificate form will be provided in the Application.

When the administrative requirements are met and the recipient has certified that the project scope of work was completed to their satisfaction through the Project Closeout Certificate process, the last grant/loan reimbursement will be made, and the project will be considered complete and in compliance with the grant/loan agreement.

APPLICANT INFORMATION

1. Local Government Unit (LGU) - Any town, city, district, commission, agency, authority, board or other instrumentality of the commonwealth or of any of its political subdivisions, including any regional local governmental unit defined in M.G.L. c. 29C, which is responsible for the ownership or operation of a water pollution abatement project and/or drinking water project and is authorized by a bond act to finance all or any part of the cost thereof through the issue of bonds.

In April of 2022 the Office of Management and Budget (OMB) required federal agencies to transition from collecting DUNS numbers to collecting **Unique Entity IDs (UEI)**. UEIs are assigned by the Federal Government and are used to track the flow of federal funds. MassDEP and the Massachusetts Clean Water Trust recommend SRF loan and grant applicants apply for a UEI at their earliest convenience because if applicants do not have an UEI assigned, disbursements may be delayed until one is issued.

The UEI application and FAQs can be found on the SAM.gov website, linked here: https://sam.gov

Applicant PWSID – For Drinking Water Planning projects only please provide the Public Water Supplier ID #. To view searchable list of Public Water Supplier by name or by ID.

2. Authorized Representative - Provide the name, title, complete mailing address, phone number and email address of the authorized representative. The application must contain a resolution or authorization designating by title the official (Mayor, City or Town Manager, Chairperson of the Board of Sewer Commissioners, Chairperson of the Select Board, etc.) to act as the representative of the applicant to sign for, accept, and take whatever action is necessary relative to the project. In the city form of government, the City Council will generally name the authorized representative. If the community is governed by Town Meeting, then the Town Meeting action will name the appropriate group, such as the Select Board or Board of Public Works. The appropriate governing body will then name the authorized representative. If the authority to file statement names an office, then a certified statement is required specifically identifying the individual currently holding that office. For wastewater and water districts, provide the requisite authorization of the governing board.

In the event the authorized official is replaced while the project is still active, a revised statement naming the new incumbent and the effective date of appointment must be submitted. On occasion an authorized representative may desire to delegate to another person the authority to also act on their behalf in processing paperwork during the implementation of the project. This is accomplished by having the authorized representative submit a letter advising of this delegation.

- **3. LGU Project Primary Contact Person** (if different from above) Provide the name, title, mailing address, phone number and email address.
- 4. Engineering/Consultant Firm, Agency or same as LGU (Prefilled by eSRF Portal)
- **5. Engineer or Consulting Firm Contact Person** Provide the name, mailing and email address and phone number.

PROJECT INFORMATION

SRF ID (Project ID) (Prefilled from Project Evaluation Form) i.e. CWSRF-#### or DWSRF-#####

- **6. Project Name** (this section is limited to 50 characters)
- **7. Project Description** (this section is limited to 1000 characters)

For Lead Service Line Planning application please include all applicable PWSID#.

For Sewer Overflow and Stormwater Reuse Municipal Grants (OSG) Planning application, please indicate if the community has a population of 10,000 or fewer. For Disadvantaged Communities with populations greater than 10,000, please identify the applicable Tier (1, 2, or 3) based on the Trust's annual affordability calculation.

8. Location – The project's latitude and longitude in decimal format or radius and location description. If no specified location, please enter the latitude and longitude of the city/town.

FUNDING SOURCES

If this project is receiving funding from another federal, state, or local program outside of the SRF, please enter the amount(s) received.

ASSISTANCE REQUESTED

Project Cost and Schedule – The application must contain the costs and a realistic schedule for starting and completing the planning project. It is critical that this schedule be as accurate as possible. Please include month, day and year. Indicate the total and eligible costs of the project. Eligibility must be consistent with the MassDEP Policy on Eligible Project Costs. The amount of financial assistance you are requesting is the calculated Eligible Cost.

https://www.mass.gov/doc/clean-water-srf-eligible-project-costs-0/download https://www.mass.gov/doc/drinking-water-srf-eligible-project-costs-0/download

Cash Flow Projection – Provide a month-by-month schedule of project expenditures.

The application must contain a realistic schedule for starting and completing the Planning Project. Since the Trust will use this timeframe for administration of grants and bonds, it is critical that this schedule be as accurate as possible.

REQUIRED DOCUMENTS

Part I - Applicant Information and Certification

AUTHORITY TO FILE

Refer to APPLICANT INFORMATION section for definitions of Local Government Unit (LGU) and Authorized Representative. (Sample Form)

CERTIFYING STATEMENT FOR AUTHORITY TO FILE

Statement must be certified by submitting a separate certifying statement along with a copy of the resolution or authorization designating by title the official (Mayor, City or Town Manager, Chairperson of the Board of Sewer Commissioners, Chairperson of the Select Board, etc.) to act as the representative of the applicant for whatever action is necessary relative to the project. The Certifying Statement shall name the individual currently holding that title. The statement shall be signed by the town or city clerk, and an impression of the entity's official seal affixed. If the entity is not a municipality, a notary may be used. (Sample Form)

LOCAL APPROPRIATION (not required for OSG Planning Grant unless project cost is greater than \$250,000 and an SRF loan will be used to fund the remainder of the project.)

The applicant must demonstrate that sufficient funds are available to cover the total (both eligible and ineligible) project costs. This is accomplished by means of a vote of Town Meeting, City Council, Wastewater District/Commission, Water Supply District, or other designated body, as appropriate. Local bond counsel should be consulted for exact language depending on whether the applicant uses general obligation or revenue obligation borrowing.

Important points to remember include:

The applicant may borrow from the Massachusetts Clean Water Trust in accordance with Chapter 29c, as amended, of the Massachusetts General Laws. The resolution must be certified. It must denote who can act on behalf of the applicant to file for and accept financing. It must specifically state what project or type of project is being authorized, such as planning.

SRF FINANCIAL ASSISTANCE APPLICATION FOR PLANNING PROJECT

This application needs to be signed by the authorized representative.

Part II - Planning Information

PLAN OF STUDY – Schedule

PLAN OF STUDY – Scope of Work

A detailed Plan of Study must be submitted with the application, outlining the scope of services for the planning work. The plan of study should be of sufficient detail to demonstrate that all MassDEP planning requirements will be met. For further guidance on this issue, contact the appropriate MassDEP Section Chief. https://www.mass.gov/lists/state-revolving-fund-applications-forms#contact

REQUIRED DOCUMENTS

Part III - Professional Services Agreements Requirements

CASH FLOW PROJECTION – Provide a month-by-month schedule of project expenditures. The consulting engineer should be able to provide an estimate of the project schedule and anticipated fund amounts necessary to complete the project. This information will be important to determine subsidy and bonding requirements. (Since it will be necessary to make assumptions regarding project start-up and loan award dates in order to complete this section, it may be necessary to update this information later to reflect the actual date of project initiation.)

DETAILED FEE BREAKDOWN

All fees shall be broken out by task (shop drawings, resident services, start-up, etc.), job category (vice president, project engineer, draftsman, etc.), and cost.

PROCUREMENT CONSIDERATIONS

Six Good Faith Efforts. 40 CFR, Part 33, Subpart C: Pursuant to 40 CFR Section 33.301, the sub-recipient agrees to make good faith efforts whenever procuring construction, equipment, services, and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained. The specific six good faith efforts can be found at: 40 CFR Section 33.301 (a)-(f). See Good Faith Efforts Certification form.

PROFESSIONAL SERVICES AGREEMENT

The application must contain <u>draft</u> agreements for all professional services which clearly outline the duties and responsibilities of the applicant and its consultants. The agreement will include, but not be limited to, scope of work for the various planning tasks, cost to perform the work to be paid in accordance with the provisions of eligible contracts, provisional overhead rate, and time of completion.

MODEL SUBAGREEMENT CLAUSES

The provisions within this reference file are to be made a part of all professional services agreements.

STATEMENT OF TAX COMPLIANCE - CHAPTER 233

A statement must be signed by the consultant engineer for the project that states that the engineering/consulting firm is in compliance with Massachusetts tax laws. A <u>sample statement</u> is provided for your reference.

SUBCONTRACTS

All subcontractors shall be listed with a description of the tasks/type of the project work they will perform. All lower tier subcontracts more than \$25,000 must be submitted in draft form with the application along with a detailed fee breakdown. The subcontracts must incorporate the Model Sub-agreement Clauses.