BORROWER'S HANDBOOK

Kentucky

Drinking Water and Clean Water

State Revolving Fund

KENTUCKY DRINKING WATER AND CLEAN WATER STATE REVOLVING FUND

Borrower's Handbook

Kentucky Division of Water
200 Fair Oaks, 4th Floor
Frankfort, KY 40601
(502) 564-3410

Kentucky Infrastructure Authority
1024 Capital Center Drive, Suite 340
Frankfort, KY 40601
(502) 573-0260

Revised October 2015

Table of Contents

Introduction to the SRF .....Section 1

Start to Finish Overview .....Section 2

Environmental Review Guidelines.....Section 3

Plans and Specs Guidelines .....Section 4

Procurement Procedures and Reporting .....Section 5

Pay Request .....Section 6

Project Closeout.....Section 7

LOOK FOR THIS SYMBOL!

Attachments

ATTACHMENT NO. & TITLE **PAGE NO.**

Sections 1 & 2

No Attachments

Section 3 Environmental Review Guidelines

3-1 Sample: Cross-Cutter Scoping Letter....19

3-2 Statutory Cross-Cutters Checklist....20-21

Section 4 Plans and Specifications

4-1 Kentucky Federally Assisted SRF Plans and Specifications Review Checklist....26-41

4-2 Bid Advertisement Checklist....42

4-3 Sample: Advertisement for Bids....43

Section 5 Procurement Procedures and Reporting

5-1 Project Review and Cost Summary....50-51

5-2 SRF Project Cost Summary....52

5-3 DBE Summary: KY SRF Loan Program....53-55

5-4 DBE Participation Policy....56-58

5-5 Bidder's List Form....59

5-6 EPA Form 6100-2 (DBE Subcontractor Participation Form)....60-61

5-7 EPA Form 6100-3 (DBE Subcontractor Performance Form)....62-63

5-8 EPA Form 6100-4 (DBE Subcontractor Utilization Form)....64-65

5-9 Tip Sheet for Registering with the Central Contractor Registration....66

5-10 Davis Bacon Contract Award Information....67

5-11 Project Wage Rate Sheet....68

5-12 Davis Bacon Quarterly Compliance Certification....69

5-13 Davis Bacon Quarterly Compliance – Contractor....70

5-14 Davis Bacon Quarterly Compliance – Sub-Contractor....71

Note!

A disc will no longer be included with this handbook. All forms and attachments are available on the Division of Water's web page and KIA webpage at http://water.ky.gov/Funding/Pages/default.aspx.and http://kia.ky.gov/loan/forms.htm

If you have problems accessing this website or need forms or attachments emailed to you, contact Anshu Singh at the Division of Water at (502) 564-3410 or anshu.singh@ky.gov.

Introduction to the SRF

Introduction

1

Overview of Kentucky's Drinking Water and Clean Water State Revolving Funds (DWSRF & CWSRF)

The SRF is a national program by which the Environmental Protection Agency provides funding to states to further the goals of the Safe Drinking Water Act and the Clean Water Act. Kentucky's SRF program is jointly administered by the Kentucky Infrastructure Authority (KIA) and the Division of Water (DOW), and provides low interest loans to communities for drinking water and clean water infrastructure projects.

WHO IS ELIGIBLE?

An eligible borrower must be a public water or wastewater system that is also a governmental agency:

- Municipal corporations
- Cities
- Agencies
- Commissions
- Authorities

Types of Assistance Available

- Low-interest, fixed-rate loans with 20-year terms (term of loan may be less depending on useful life of project being financed)
- 30-year terms may be available for those borrowers that qualify as disadvantaged
- Planning and Design (P&D) loan at 2.75% with 5-year term; can be rolled into construction loan

Interest Rates

Below-market interest rates will be offered to borrowers based on the following criteria:

2.75%	Systems with a Median Household Income (MHI) above the Commonwealth's MHI
1.75%	1. Systems with a MHI between 80 and 100 percent of the Commonwealth's MHI 2. Project will achieve compliance with an order or judgment addressing environmental noncompliance 3. Project meets the definition of regionalization per 200 KAR 17:050 for clean water or 200 KAR 17:070 for drinking water
0.75%	Systems with a MHI below 80 percent of the Commonwealth's MHI

Loan subsidies in the form of principal forgiveness will be offered to borrowers based on a system's MHI as outlined in the current Intended Use Plan. Please contact the KIA if you have questions regarding principal forgiveness eligibility. (Principal forgiveness will show up as a credit on the loan amortization schedule.)

Loan Servicing Fees

An administration fee is charged to recover the administrative expenses incurred over the life of the loan. The fee is calculated on the current outstanding balance of the loan and will be charged as a part of each semi-annual loan payment. The fee is 0.25 percent for drinking water projects and 0.20 percent for clean water projects.

A Replacement Reserve requirement is built into all loan approvals and equals 2.5 percent of the loan amount, funded over 10 years and held for the life of the loan. This is an annual amount the system is responsible for and required to set aside to cover the cost of any repairs needed to the project being financed over the life of the loan.

Funding Limits

Kentucky's Drinking Water State Revolving Fund (DWSRF) has a $4,000,000 annual limit on the amount of funds available to any one borrower from a specific federal capitalization grant. There are no such limits with wastewater or Clean Water State Revolving Fund (CWSRF) loans.

General SRF Loan Requirements

- Participants must design, permit, bid and close financings by a schedule provided by the SRF loan program
- All projects must undergo an environmental review
- Federal Davis-Bacon Wage Rates rules apply
- Disadvantaged Business Enterprise (DBE) rules apply
- American Iron and Steel rules apply
- Monthly progress reports are required
- Annual audit submissions are required throughout the life of the loan

American Iron and Steel

The Consolidated Appropriations Act of 2014 (Public Law 113-76) includes an "American Iron and Steel (AIS)" requirement that requires Drinking Water State Revolving Fund and Clean Water State Revolving Fund assistance recipients to use iron and steel products that are produced in the United States for projects for the construction, alteration, maintenance, or repair of a public water system or treatment works. Additional information can be found at:

http://water.epa.gov/grants_funding/aisrequirement.cfm

Loan Re-payment

- Interest and principal payments are due twice a year- June and December
- Interest payments on the outstanding principal amount commences within six months of first disbursement of funds
- Repayment of principal commences within one year of the initiation of operation of the project

Page intentionally left blank

Start to Finish Overview

Start to Finish

2

Start to Finish

Applying for an SRF Loan:

- The SRF Call for Projects runs annually from October through December. During this time, interested SRF borrowers must provide their Area Development District (ADD) Planner with a list of projects that need SRF funding. The ADD Planner creates an electronic Project Profile that will be scored and ranked by the DOW and included in the Project Priority List.

- The DOW creates a Project Priority List to include in the annual Intended Use Plan (IUP), which is released the following spring.

- After the IUP is released, high ranking projects on the Project Priority List are invited to submit a loan application to the KIA.

- KIA reviews the loan application and financial information and conducts a credit analysis to ensure the applicant can afford the loan.

We've gone green!
Projects are submitted electronically into the WRIS. In fact, most documents throughout the loan process can be submitted via email. No hard copies necessary!

- Borrowers are invited to attend an "Introductory Meeting" with KIA and DOW staff to go over the next steps in the loan process and create a timetable of events. In an effort to accommodate borrowers, this meeting is now being scheduled the same day the project is taken before the KIA Board for approval, if possible.

- Projects are taken before the KIA board for approval throughout the year.

Fulfilling SRF Loan Requirements:

- A Conditional Commitment Letter is issued by the KIA upon KIA Board approval that commits funds to the approved project for a period of 12 months and requires such items as having plans and specifications approved, conducting an environmental review, and bidding the project. Recommended milestones are as follows:

Within 45-days of Submitting Loan Application	Engineering services need to be procured
Within 6 months of the Conditional Commitment Letter issued by KIA	Plans and specifications and Environmental documents need to be submitted to DOW
Within 9 months of the Conditional Commitment Letter issued by KIA	Borrower needs to advertise for bids
Within 12 months of the Conditional Commitment Letter issued by KIA	• Borrower must award contracts • Assistance Agreement Executed

- Within 14 days of the bid opening, the borrower must submit an Authority to Award (ATA) package to the DOW.

- The DOW approves the ATA package, initiates Assistance Agreement and a Pre-Construction Conference is held with the borrower and contractor.

- Borrower submits executed construction contracts to the DOW.

- Borrower submits monthly pay requests with invoices and monthly progress reports to KIA via the email kia.srfloans@ky.gov by the 5th of each month to be disbursed within the same month.

Note! Any modifications made to the project contract without prior approval from DOW may not be reimbursed with SRF funds.

- Borrower submits any modifications to the contract to DOW for approval. This includes technical changes, monetary changes, and time changes. Change orders will be issued a Technical Approval until all SRF requirements are met.

- Construction begins.

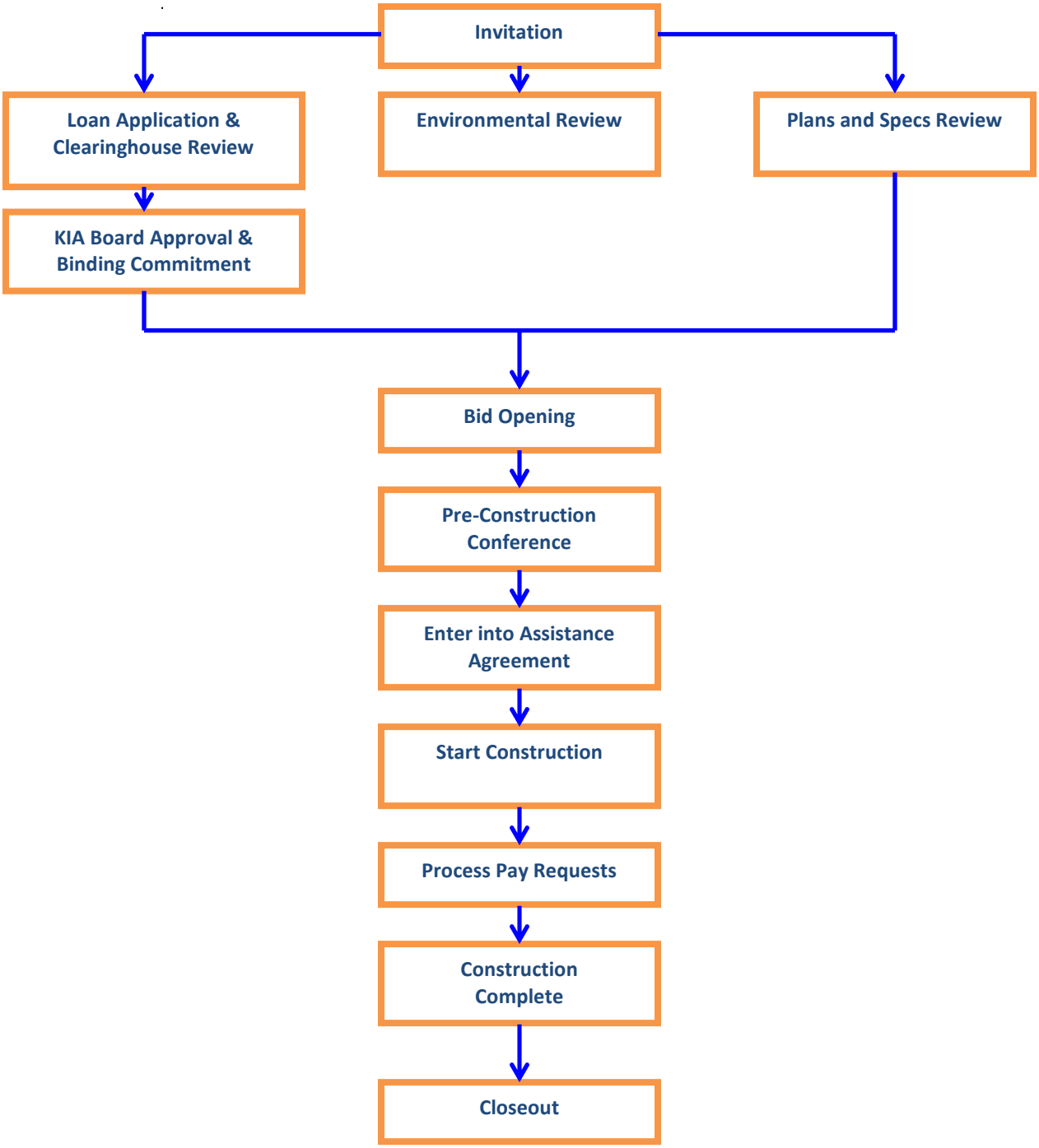
- During the course of construction, DOW will conduct interim inspections.

Project Closeout:

- All closeout items (see Section 7 for complete list of closeout items) must be submitted to the KIA in order to close the loan.

- After the final inspection by DOW, KIA is prompted to close out the loan. An "Exhibit F" and amortization schedule are prepared by the KIA and sent to the loan recipient. The Exhibit F must be signed and returned to KIA. These documents complete the borrowing cycle by establishing the final loan balance and when repayments will be made.

SRF Project Flowchart



Environmental Review Guidelines

Environmental Review

3

Environmental Review Guidelines for SRF Projects

Contact: *Cindy McDonald, KY Division of Water*
cindy.mcdonald@ky.gov, (502) 564-3410

The SRF follows a National Environmental Policy Act (NEPA)-like process. The Water Infrastructure Branch environmental reviewer reviews all SRF projects to assure compliance with Kentucky's State Environmental Review Process (SERP) and other environmental laws and regulations, such as the Endangered Species Act, Farmland Protection Policy Act, etc.

Note!

The majority of SRF projects will be eligible for a Categorical Exclusion (CE) determination. Therefore, this section will primarily address the CE. If your project is not eligible for a CE, **STOP**. Contact Cindy McDonald at the Division of Water at (502) 564-3410 or at cindy.mcdonald@ky.gov for Environmental Assessment guidance.

Categorical Exclusions (CEs) are identified categories of actions which do not have a significant effect on the quality of the environment. The Division of Water determines eligibility for a CE. A list of criteria for a CE is attached. For all projects not eligible for Categorical Exclusion, an Environmental Information Document (EID) must be completed. An EID describes and evaluates the environmental impacts of the feasible alternatives, including the 'No Action' alternative.

Prior to the preparation of a CE or an EID, the applicant must obtain concurrence for the proposed project from the cross-cutter agencies including: the Kentucky Heritage Council, the US Fish and Wildlife Service, the Natural Resources Conservation Service, and the US Army Corps of Engineers (wetlands, Section 404 permits, dredge and fill, structures placed in navigable waterways.) The cross-cutters checklist (Attachment 3-2) will need to be submitted with the EID.

Environmental Review Flowchart

Introductory Meeting

The Applicant will meet with the Division of Water and the Kentucky Infrastructure Authority to discuss the loan requirements. If at all possible, the project will be designated either a Categorical Exclusion or Environmental Assessment at the time of the meeting.

↓

Scoping

The Applicant will distribute scoping letters to the cross-cutters. Expect a 45-day turn around. Electronic submittal to the KY State Clearinghouse is also required if not submitted with the loan application.
Go to https://kydlgweb.ky.gov/FederalGrants/eClearinghouse.cfm for instructions.

↓

Submit a Project Narrative to the DOW

The Applicant will submit a Project Narrative to the DOW environmental reviewer assigned to the project. The Project Narrative must include a short but detailed scope of the project, all scoping letters and responses, maps, and cross-cutters checklist.

↓

The DOW Issues a CED

DOW will issue official Categorical Exclusion determination. The Applicant will be responsible for making the environmental review documents available to all interested parties. A 30-day public comment period is not required for categorically excluded projects.

Examples of Criteria for Determining Categorical Exclusions

Eligibility for a CE will be determined by the DOW during the Introductory Meeting with the borrower.

1. Minor rehabilitation of existing facilities including:
   a) Equipment rehabilitation at existing treatment plants, pumping, or storage facilities (pumping or storage facilities applicable to **DW** projects only).
   b) Replacement of *existing* water or sewer lines constructed:
      (1) within areas where streets have been established in easements and rights-of-ways, where underground utilities have been installed, where building sites have been excavated, or where such lands have otherwise been disturbed from a natural condition,
      (2) within the existing system service areas intended to serve existing customers, or
      (3) within the existing service resulting in no change in existing land use and only modest growth (less than 10% for **DW** projects, less than 30% for **CW** projects).

2. Functional replacement of equipment including equipment replacement or modification at existing treatment plants, pumping, or storage facilities with no significant change in capacity (less than 30% for **CW** projects).

3. Ancillary facilities adjacent or appurtenant to existing facilities including new water or sewer lines constructed
   a) within areas where streets have been established in easements and rights-of-ways, where underground utilities have been installed, where building sites have been excavated, or where such lands have otherwise been disturbed from a natural condition,
   (b) within ½ mile of the existing distribution or collection system and storage facilities (storage facilities applies to **DW** projects only),
   (c) for the purpose of system reliability, or
   (d) primarily for existing residential or commercial users.

4. Land acquisition that will be an integral part of the treatment process or are necessary for construction.

Examples of Criteria for excluding from a CE:

1. The action is known or expected to have a significant effect on the quality of the human environment, either individually, cumulatively over time, or in conjunction with other federal, state, local, tribal, or private actions.

2. The action is known or expected to directly or indirectly affect:
   a) cultural resource areas such as archaeological and historic sites,
   b) endangered or threatened species and their critical habitats,
   c) environmentally important natural resource areas such as floodplains, wetlands, important farmlands, or aquifer recharge zones.

3. The action is known or expected not to be cost-effective.

4. The action is known or expected to cause significant public controversy.

5. The average daily design capacity of an existing regional facility is proposed to be expanded by more than 30% (**CW** projects only).

6. The equivalent population served by an existing regional sewage collection system is proposed to be expanded by more than 30% of the existing population served (**CW** projects only).

7. Project involves new or relocated discharges to surface or ground water (**CW** projects only).

8. Project results in substantial increases in the volume of discharge or the loadings of pollutant to the receiving water (**CW** projects only).

9. If the borrower enters into a Memorandum of Agreement (MOA) with the U.S. Fish and Wildlife Service or U.S. Army Corps of Engineers, a full Environmental Assessment, complete with a public meeting and 30-day public comment period will be required.

Categorical Exclusion Project Narrative Guidelines

For all projects that are not eligible for a CE, the applicant must complete an **Environmental Information Document (EID)**. Environmental Information Documents are **not** required for CEs. However, in order for the Division of Water Environmental Reviewer to prepare the official Categorical Exclusion Determination, a brief Project Narrative document must be submitted, outlining the details of the proposed project. The Project Narrative must include the following:

- A brief but detailed scope of the project
- Total project cost and a list of the funding sources
- Need for the project
- Maps
- All scoping letters and associated responses
- Statutory Cross-Cutters Checklist

Has the scope of work changed?

Remember- the scope of work must be the same in the Project Profile, Loan Application, and this Project Narrative. Any changes along the way must be updated in all three areas and associated mapping.

The Project Narrative should be submitted to Cindy McDonald at the Division of Water, 200 Fair Oaks, Frankfort, KY 40601, (502) 564-3410, or electronically to cindy.mcdonald@ky.gov.

Important Note!

If the borrower enters into a Memorandum of Agreement (MOA) with the U.S. Fish and Wildlife Service or U.S. Army Corps of Engineers, a full Environmental Assessment, complete with a public meeting and 30-day public comment period will be required.

Cross-Cutters General Contact Information

The following agencies must be provided with an accurate description of the proposed project along with a map, and given the opportunity to provide comments and recommendations, in order to comply with the associated federal Acts. This is a mandatory component of the environmental review process.

COMMENTS REQUIRED FROM:

- Clearinghouse
- USFWS
- NRCS
- USACE

Kentucky State Clearinghouse

The e-Clearinghouse review will encompass comments from environmental authorities over the following policies and Acts:

- Archaeological and Historic Preservation Act of 1974 (PL 86-523, as amended)
- Clean Air Act (PL 84-159, as amended)
- Floodplain Management, Executive Order 11988, as amended by 12148
- National Historic Preservation Act of 1966 (PL 89-665, as amended)
- Wild and Scenic Rivers Act (PL 90-542, as amended)
- State Wild Rivers and Outstanding Resource Waters
- State Water Withdrawal Permits
- Kentucky Pollutant Discharge Elimination System
- KY Fish and Wildlife (NOT the same as U.S. Fish and Wildlife Service)
- Department of Transportation

Go to https://kydlgweb.ky.gov/FederalGrants/eClearinghouse.cfm for instructions on how to submit a project to the Clearinghouse or contact:
Ms. Lee Nalley
1024 Capitol Center Drive
Frankfort, KY 40601, (502) 573-2382

U.S. Fish and Wildlife Service (USFWS)

- Endangered Species Act (PL 93-205, as amended)
- Fish and Wildlife Coordination Act (PL 85-624, as amended)

Kentucky has a field office located in Frankfort. Send requests for comments to:
Mr. Virgil Lee Andrews, Jr., Field Office Supervisor
U.S. Dept. of the Interior, Fish and Wildlife Service
J.C. Watts Federal Building
330 West Broadway, Ste. 265
Frankfort, KY 40601 502.695.0468

Website: www.fws.gov , click on “Offices” for information on regional office locations, contacts, etc. For projects near Kentucky’s borders with other states, the USFWS field offices for the adjoining state must also be contacted. Projects as far as 10 miles from the border could be considered “near” due to species such as the Indiana bat.

U.S. Natural Resources Conservation Service (NRCS)

- Farmland Protection Policy Act (PL 97-98)

For district office addresses, go to their website at http://offices.sc.egov.usda.gov/locator/app. Click on the appropriate state and county for contact information.

U.S. Corps of Engineers (USACE)

The Division of Water, Water Quality Section, must be solicited for comments for projects that will affect a "jurisdictional body of water", including wetlands. The USACE may be contacted simultaneously. In the case of stream crossings, comments are not necessary if directional boring practices are used.

Kentucky Division of Water

If your project involves one or more of the following activities, you may need more than one permit from the Kentucky DOW:

- Building in a floodplain
- Road culvert in a stream
- Streambank stabilization
- Stream cleanout
- Utility line crossing a stream
- An acre or more construction site

- KPDES Storm Water Permit required if the project will disturb one acre or more of land, or is part of a larger common plan of development or sale that will ultimately disturb one acre or more of land. This permit requires the creation of an erosion control plan.
  Contact: Shawn Hokanson, shawn.hokanson@ky.gov or (502) 564-3410, extension 4923

- Stream Construction Permit required if the project involves filling in the floodplain.
  Contact: Ron Dutta, Ramendra.Dutta@ky.gov or (502) 564-3410, extension 4694

- Stream Construction Permit *and* Water Quality Certification required if project involves work **IN** a stream, such as bank stabilization, road culverts, utility line crossings, and stream alteration.
  Contact: Chloe Brantley, Chloe.Brantley@ky.gov or (502) 564-3410, extension 4863

SAMPLE: CROSS-CUTTER SCOPING LETTER

[DATE]

Mr. Virgil Lee Andrews, Jr., Field Office Supervisor
U.S. Department of the Interior
Fish and Wildlife Service
J.C. Watts Federal Building
330 West Broadway, Suite 265
Frankfort, KY 40601

RE: [PROJECT TITLE]

Dear Mr. Andrews:

As part of the environmental review requirements pursuant to the State Environmental Review Process for the Kentucky Division of Water, [DRINKING WATER OR CLEAN WATER] State Revolving Fund, low-interest loan program, please review and comment on the proposed project. The [UTILITY'S NAME] is planning to [BRIEF PROJECT DESCRIPTION]. The attached map shows the location of the proposed project.

Please advise of any present concerns your office may have related to possible effects of the abovementioned project on threatened or endangered species or critical wildlife habitat. We would appreciate a response within 30 days, if possible. If you need any further information or wish to discuss the project, please contact me at [PHONE NUMBER AND/OR EMAIL ADDRESS].

Sincerely,

[SIGNATURE]

Enclosure: Map

Statutory Cross-Cutters Checklist

Federal Laws and Authorities listed at 40 CFR 6.3

Project Name _____ **SRF No.** _____

Area of Statutory or Regulatory Compliance	Not Applicable to this Project	Consultation Required*	Review Required*	Permits Required*	Determination of Consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation (attach additional material if needed)
Historic Properties							
Floodplain Management							
Wetlands Protection							
Interbasin Water Transfer							
Water Quality – Aquifers							
Endangered Species							
Wild and Scenic Rivers							
Air Quality							
Farmlands Protection							
Environmental Justice							

Statutory Cross-Cutters Checklist (continued)

Project Name _____ **SRF No.** _____

Summary of Findings and Conclusions:

Project Modifications and Alternatives Considered:

Additional Studies Performed (Attach Study or Summary):

Mitigation Measures Needed:

Prepared By: _____ **Title:** _____

Plans and Specifications

Plans & Specs Review

4

Technical Plans and Specifications Review

Contact: *Terry Humphries, KY Division of Water*
terry.humphries@ky.gov, (502) 564-3410

This section will cover the plans and specifications requirements for a SRF funded project.

The following items are to be submitted to the DOW, Engineering Section:

- Plans and Specifications (2 copies)
- Completed Construction Application
- Letter of Acceptance from the utility
- Engineering calculations
- Customer list with addresses of new customers (**DW** projects only)
- Review fee (if applicable)
- Completed SRF Specifications Checklist
- Clear site certificate (need prior to start of construction)
- Floodplain release (if applicable)
- United States Army Corps of Engineers permit (if applicable)

Which Construction Application Should You Use?

The DOW has five construction applications for projects:

1. Construction Application for Drinking Water Distribution (Form DW-1)

2. Construction Application for Drinking Water Treatment (Form DW-2)

3. Construction Application for Small Groundwater and Semi-Public Systems (Form DW-3)

4. Construction Application for Wastewater Collection (Form S-1a)

5. Construction Application for Wastewater Treatment (Form W-1)

Be sure to use the appropriate construction application when submitting your plans and specs to the DOW. **And don't forget to identify the project as SRF funded!**

IMPORTANT

- Don't use an old application
- Attach SRF Checklist
- Make sure project title on **Construction Application** matches title on **Loan Application**

All DOW applications, SRF Checklist, and SRF Supplemental General Conditions are located on our website, at http://water.ky.gov/Funding/Pages/default.aspx.

Note!

- Provide detailed information pertaining to total number of contracts and their names to DOW Project Administrator.
- Until Final Environmental Clearance has been issued by the DOW, the borrower is not authorized to bid the project. A "Technical Approval" may be issued by the DOW in the interim. A "Bid Authorization Approval" will be issued by the DOW upon satisfactory review of the plans and specs, and complete environmental review.

Bid Advertisement

Advertising for Bids

- Borrowers are expected to follow Kentucky Revised Statutes (KRS), Title VI Chapter 45A Kentucky Model Procurement Code for all SRF projects.
- The bid advertisement must run for no less than 7 days and no more than 21 days in the newspaper of largest circulation in the area that the project is being constructed.
- See sample bid advertisement (Attachment 4-2).

DOW Engineering Staff Contacts

Terry Humphries, P.E., Supervisor
(502) 564-3410, extension 4881
terry.humphries@ky.gov

Daniel Kulik
(502) 564-3410, extension 4838
Daniel.kulik@ky.gov

Mohammad Mohiuddin
(502) 564-3410, extension 4827
Mohammad.mohiuddin@ky.gov

Abbas Pourghasemi
(502) 564-3410, extension 4833
Abbas.pourghasemi@ky.gov

Greg Goode, P.E.
(502) 564-3410, extension 4832
Greg.goode@ky.gov

Fred Sarabi
(502) 564-3410, extension 4825
Fred.sarabi@ky.gov

Mortaza Tabayeh
(502) 564-3410, extension 4826
Mortaza.tabayeh@ky.gov

William Wright
(502) 564-3410, extension 4829
William.wright@ky.gov

KENTUCKY FEDERALLY ASSISTED STATE REVOLVING FUND PLANS AND SPECIFICATIONS REVIEW CHECKLIST

Loan Recipient: _____

Loan No.: _____

Contract ID (Name and #): _____

Name: _____

Design Firm: _____

The information provided is accurate for the above referenced contract to the best of my knowledge and belief.

Design Engineer: _____

Signature: _____ Date: _____

Please submit three copies of the plans and specifications with the other required construction permit forms and documents to the Division of Water. All plans and specifications must be prepared, sealed, signed and dated by a Professional Engineer licensed to practice in the state of Kentucky.

Note!

When the project is advertised a copy of the advertisement must be submitted to the Division of Water immediately.

Questions marked with (DOW) are to be completed by the Division of Water (DOW) Review Engineer.

I have reviewed the information provided by the design engineer, verified the accuracy, and completed the **(DOW)** questions.

(DOW) Review Engineer: _____

Signature: _____ Date: _____

Loan Recipient: _____ Loan No.: _____

Projected Sources of Funds

Source	Amount
_____	$_____
_____	$_____
_____	$_____
_____	$_____

Contract Period, Number of Days _____

Estimated Construction Amount $_____ SRF Loan Amount $_____

SRF Eligible $ _____ SRF Non-eligible $_____

Detailed description of proposed project:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Does the eligible portion include:

*These questions are for **ALL** projects*

Yes	No	N/A	
☐	☐	☐	Demolition: Is it limited to that required for new construction?
☐	☐	☐	Replacement of existing utilities: Is no "betterment" proposed?
☐	☐	☐	Paving: Is it limited to the trench width and cutbacks?
☐	☐	☐	Standby generators: Has justification been provided?

*These questions are for **CW** Projects only*

Yes	No	N/A	
☐	☐	☐	Collector sewers: Is more than 50% of the expected flow from a community constructed prior to October 18, 1972?
☐	☐	☐	Property service lines: Are they limited to the "Tee or Wye" and the service line needed to reach the property line and owned by the utility?
☐	☐	☐	Sewer cleaning machines: Has justification been provided?
☐	☐	☐	Sewer line inspection television equipment: Has justification been provided?

The following items are considered ineligible for SRF projects. Are any of these included in the specifications?

*These questions are for **ALL** projects*

Yes	No	N/A	
☐	☐	☐	Bonus payments?
☐	☐	☐	Immediately available hand tools?
☐	☐	☐	Mowers, snow blowers, trimmers?
☐	☐	☐	Replacement of facilities previously funded by EPA or SRF, which are still within the useful life unless EPA or SRF has approved abandonment?
☐	☐	☐	Redundant facilities (unless required by state or federal reliability requirements)?
☐	☐	☐	Routine maintenance items (oil, grease, filters, etc.)?
☐	☐	☐	Utility vehicles/golf carts?

List all SRF loan ineligible items in the project:

_____

_____

_____

_____

_____

_____

General

*These questions are for **ALL** projects*

Yes	No	N/A		
☐	☐	☐	1a.	Are permits to construct required from other Federal or State Agencies? If yes, indicate which Agencies. _____ _____
☐	☐	☐	1b.	Have the required permits been issued? Provide the DOW with copies.
☐	☐	☐	1c.	Have the required permits been applied for?
☐	☐	☐	2.	If the project includes work that will cumulatively disturb more than 200 linear feet of a blue line stream as shown on a USGS 7.5-min. topographic map, has an application for 401 Certification been submitted to the DOW Water Quality Section?
☐	☐	☐	3.	If the project involves construction within a floodplain, including stream crossings, has an application for the appropriate permits been submitted to the DOW Floodplain Management Section?
☐	☐	☐	4.	If the loan recipient has requested to buy equipment and be exempt from sales tax, are the specifications written to accommodate this?
☐	☐	☐	5.	Have all required easements been obtained? NOTE: Clear Site Certificate is required before construction starts.
☐	☐	☐	6.	If this project is a result of a DOW enforcement action, have all mandated construction related activities been addressed in the scope of work for this project? Notify the Division of Enforcement.

*These questions are for **DW** Projects only*

Yes	No	N/A		
☐	☐	☐	7.	Are electric motors and components above the 100-year flood elevation?
☐	☐	☐	8.	Are buildings protected from the 100-year flood and usable at the 25-year flood level?
☐	☐	☐	9.	Does this project eliminate any existing water treatment plants?
☐	☐	☐	10a.	If this proposed project includes a sludge lagoon system has the DOW Groundwater Section been contacted regarding the need for a Groundwater Protection Plan (GWPP)?
☐	☐	☐	10b.	Is a GWPP required? Provide copies of correspondence.

*These questions are for **CW** Projects only*

Yes	No	N/A		
☐	☐	☐	11.	Does this design meet the 401 KAR 5:005, Section 13 reliability requirements?
☐	☐	☐	12.	Has the design engineer provided demonstration of how the design meets the reliability requirements? This shall include calculations, which indicate that the permit limits can be met with the largest unit of each process out of service during times of anticipated cleaning and repair.
☐	☐	☐	13.	Does this project eliminate any existing wastewater treatment plants?

*These questions are for the **DOW** Review Engineer to answer*

Yes	No	N/A		
☐	☐	☐	14.	Does the DOW review engineer concur with the description of SRF ineligible items?
☐	☐	☐	15.	Are the plans and specifications sealed, signed, and dated by a professional engineer?
☐	☐	☐	16a.	Has the DOW written or issued an Environmental Statement (Environmental Impact Statement (EIS), Categorical Exclusion Document (CED), or a Finding of No Significant Impact (FONSI))?
☐	☐	☐	16b.	Is the scope of the SRF project identified in the plans and specifications consistent with the Environmental Statement?
☐	☐	☐	17.	Has a site certificate been received? NOTE: Clear Site Certificate is required before construction starts.
☐	☐	☐	18.	Does the WWTP discharge to a blue line stream or are easements provided to a blue line stream?
☐	☐	☐	19.	Is the discharge from the WWTP within five miles upstream of a water plant intake?

Clearinghouse Comments

*These questions are for **ALL** projects*

Yes	No	N/A		The Recipient has:
☐	☐	☐	1a.	Obtained Kentucky Department of Transportation encroachment permits?
☐	☐	☐	1b.	Has applied for Kentucky Department of Transportation encroachment permits?
☐	☐	☐	2.	Has assigned a place in the Contract Documents for Wage Determinations for federal and state wage rates? NOTE: The Kentucky Labor Cabinet must be contacted for Wage Determinations when the Advertising Date is known. Davis-Bacon Wage Determinations may have to be added by Addendum if they change while the project is advertised.
☐	☐	☐	3.	If state labor laws apply, do specifications indicate overtime pay is required for work in excess of an 8-hour day?
☐	☐	☐	4.	If sludge is to be disposed of in a landfill, has the landfill operator provided a letter of intent?
☐	☐	☐	5.	If sludge is to be land-farmed, has Division of Waste Management approved the proposed site? (Note: Submit copy of approval letter.)

*This question is for **CW** Projects only*

Yes	No	N/A		
☐	☐	☐	6.	If land farming is proposed, does WWTP include a process to significantly reduce pathogens (PSRP)?

Proposal

*These questions are for **ALL** projects*

Yes	No	N/A		
☐	☐	☐	1.	Have SRF eligible and ineligible items been separated?
☐	☐	☐	2.	Time of completion _____ days.
☐	☐	☐	3.	If the contract allows for substitution of equipment, is the method for determining the low bidder clearly indicated?
☐	☐	☐	4.	Has a base bid and any alternatives been specified?
☐	☐	☐	5.	Are there any special conditions on evaluating lump sum contract? Please specify: _____ _____

Environmental Considerations

*These questions are for **CW** Projects only*

Yes	No	N/A		
☐	☐	☐	1.	If the project includes a proposed WWTP, is it located within 200 feet of any present or future residence?
☐	☐	☐	2.	Have provisions been made to prevent by-passing during construction?
☐	☐	☐	3.	If a construction permit is not necessary, has a reason been provided for not needing one?

*These questions is for the **DOW** Review Engineer to answer*

Yes	No	N/A		
☐	☐	☐	4.	If bypass is proposed, have we coordinated with the DOW Regional Office or EPA Facilities Performance Branch, whichever is applicable?
☐	☐	☐	5.	If the project includes an increase in WWTP capacity, modifications due to a change in effluent limits, or relocation of the discharge point have both a construction permit application and a KPDES permit application been submitted? NOTE: KPDES permit must be submitted before a construction permit and Authorization to Bid is issued
☐	☐	☐	6.	Is the reason for not needing a construction permit justified by 401 KAR 5:005?

SPECIFICATIONS AND CONTRACT DOCUMENTS

Yes	No	N/A		
☐	☐	☐	1.	Have the specifications been prepared in accordance with Section 204 (a) (6) of P.L. 92-500? (Listing of one brand name followed by or equal).
☐	☐	☐	2.	Are bid schedules written to not lead bidders and suppliers to believe that there is only one brand permitted for bidding the project?

NOTE: **(DOW) column on the left is for DOW Review Engineer verification. Design Engineer must list the sections and page numbers for all items. Not completing these items is a reason for this project to receive a Notice of Deficiency.**

INVITATION TO BID OR ADVERTISEMENT

(DOW)	Section	Page		
☐	_____	_____	1.	Time and place of Bid Opening
☐	_____	_____	2.	Where plans and specs may be obtained
☐	_____	_____	3.	Work to be performed
☐	_____	_____	4.	A statement bidders must comply with Title VI of the Civil Rights Act of 1964, the Anti-Kickback Act, and the Contract Work Hours Standard Act
☐	_____	_____	5.	A statement that bidders must comply with the President's Executive Order No. 11246 as amended, which prohibits discrimination in employment regarding race, creed, color, sex or national origin
☐	_____	_____	6.	This project will be in compliance with Executive Order 11246 (Equal Employment Opportunity) as amended
☐	_____	_____	7.	A statement that the Contractor/Subcontractor will comply with 41 CFR 60-4, in regard to affirmative action, to insure equal opportunity to females and minorities and will apply the time tables and goals set forth in 41 CFR 60-4
☐	_____	_____	8.	A statement that the bidder will make positive efforts to use small, minority, women owned and disadvantaged businesses
☐	_____	_____	9.	A statement that this procurement will be subject to DOW Procurement Guidance including the Davis-Bacon Act
☐	_____	_____	10.	A statement that the contract is being funded in part with a SRF loan
☐	_____	_____	11.	A statement that the award will be made to the lowest, responsive, responsible bidder

INSTRUCTIONS TO BIDDERS, GENERAL AND SPECIAL CONDITIONS

(DOW)	Section	Page		
☐	_____	_____	1.	Bid Bond Requirements (5% for Contracts over $100,000)
☐	_____	_____	2.	100% Performance Bond and 100% Payment Bond for contracts over $100,000. Single Payment and Performance Bonds may be used for contracts under $100,000. Performance Bond must be valid for one year beyond date of acceptance of the completed project.
☐	_____	_____	3.	Method of Award (to the low responsive, responsible bidder unless all bids are rejected). Refer to 40 CFR 31.36(d). All bids shall not be rejected without proper justification.
☐	_____	_____	4.	Basis for determining responsiveness and responsibility of low bidder
☐	_____	_____	5.	Contract Time: _____ days
☐	_____	_____	6.	Liquidated Damages: _____ dollars per day
☐	_____	_____	7.	Criteria that are used to evaluate proposed "equal" products
☐	_____	_____	8.	Workmen's Compensation Insurance
☐	_____	_____	9.	Public Liability Insurance
☐	_____	_____	10.	Fire and extended coverage insurance (Builders Risk)
☐	_____	_____	11.	Reasonable care shall be taken during construction to avoid damage to vegetation. Ornamental shrubbery and tree branches shall be temporarily tied back, where appropriate, to minimize damage. Trees that receive damage to branches shall be trimmed of those branches to improve the appearance of the tree. Tree trunks receiving damage from equipment shall be treated with a tree dressing.
☐	_____	_____	12.	Compliance with OSHA (P.L. 91-596) and the Contract Work Hours and Safety Standards Act (P.L. 91-54)
☐	_____	_____	13.	A statement that change orders to the construction contract must comply with DOW Procurement Guidance for Construction and Equipment Contracts
☐	_____	_____	14.	Does the contract require cost, pricing, and certification for change orders exceeding $100,000 as required by DOW Procurement Guidance for Construction and Equipment Contracts?
☐	_____	_____	15.	Does the contract require that the contractor provide project construction and payment schedules?

(DOW)	Section	Page		
☐	_____	_____	16.	Compliance with Title VI of the Civil Rights Act of 1964, the Anti-Kickback Act and the contract Work Hours Standards Act
☐	_____	_____	17.	Provisions for timely periodic payments and for limiting retainage (40 CFR 31.36)
☐	_____	_____	18.	Provision to obtain a Section 404 permit from the Corps of Engineers, if applicable
☐	_____	_____	19.	A statement in regard to minimizing siltation and soil erosion during construction

*This question is for **CW** Projects only*

☐	_____	_____	20.	A statement that no wastewater by-passing will occur during construction unless a schedule has been approved by the State and/or by EPA/NEPA permit if required

American Iron and Steel Requirement (AIS)

*These questions are for **ALL** projects*

Yes	No	N/A		
☐	☐	☐	1.	Are any of the following included in the project? Please indicate which apply:

- ☐ Lined or unlined pipes or fittings
- ☐ Manhole Covers
- ☐ Municipal Castings (defined in more detail on page 11)*
- ☐ Hydrants
- ☐ Tanks
- ☐ Flanges
- ☐ Pipe clamps and restraints
- ☐ Valves (EPA considers only the significant iron and steel components of a covered valve or hydrant– the body, bonnet, shoe, stem, and wedge/disc/gate/ball – to be within the definition of "iron and steel products")
- ☐ Structural steel (defined in more detail on page 11) **
- ☐ Reinforced precast concrete
- ☐ Construction materials (defined in more on page 11) ***

Yes	No	N/A		
☐	☐	☐	2.	Will the Iron and Steel components for the items above or for construction, alteration, maintenance or repair of a Public Water System or Treatment Works be manufactured in the United States? *The term ''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.*
☐	☐	☐	3.	Are any waivers of the American Iron and Steel being requested? (Only EPA can issue waivers to authorize the use of a non-domestic item. If you answered item 1 yes and item 2 no, your project is NOT eligible for SRF funding. Please contact Greg Goode or Terry Humphries at the DOW at (502) 564-3410.
☐	☐	☐	4.	Contracts must contain the following clause requiring compliance with the AIS requirements provided at the top of page 11. † Please indicate page number containing the AIS clause _____.

†The Contractor acknowledges to and for the benefit of the City of _____ ("Purchaser") and the_____ (the "State") that it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided by the Contactor pursuant to this Agreement. The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the State. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover as damages against the Contractor any loss, expense, or cost (including without limitation attorney's fees) incurred by the Purchaser or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Purchaser). While the Contractor has no direct contractual privity with the State, as a lender to the Purchaser for the funding of its project, the Purchaser and the Contractor agree that the State is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the State.

*__Municipal castings__ are cast iron or steel infrastructure products that are melted and cast. They typically provide access, protection, or housing for components incorporated into utility owned drinking water, storm water, wastewater, and surface infrastructure. They are typically made of grey or ductile iron, or steel. Examples of municipal castings are: Access Hatches; Ballast Screen; Benches (Iron or Steel); Bollards; Cast Bases; Cast Iron Hinged Hatches, Square and Rectangular; Cast Iron Riser Rings; Catch Basin Inlet; Cleanout/Monument Boxes; Construction Covers and Frames; Curb and Corner Guards; Curb Openings; Detectable Warning Plates; Downspout Shoes (Boot, Inlet); Drainage

Grates, Frames and Curb Inlets; Inlets; Junction Boxes; Lampposts; Manhole Covers, Rings and Frames, Risers; Meter Boxes; Service Boxes; Steel Hinged Hatches, Square and Rectangular; Steel Riser Rings; Trash receptacles; Tree Grates; Tree Guards; Trench Grates; Valve Boxes, Covers and Risers.
****Structural steel** is rolled flanged shapes, having at least one dimension of their cross-section three inches or greater, which are used in the construction of bridges, buildings, ships, railroad rolling stock, and for numerous other constructional purposes. Such shapes are designated as wide-flange shapes, standard I-beams, channels, angles, tees and zees. Other shapes include H-piles, sheet piling, tie plates, cross ties, and those for other special purposes.
*****Construction materials** are those articles, materials, or supplies made primarily of iron and steel, that are permanently incorporated into the project, not including mechanical and/or electrical components, equipment and systems. Some of these products may overlap with what is also considered "structural steel". This includes, but is not limited to, the following products: wire rod, bar, angles, concrete reinforcing bar, wire, wire cloth, wire rope and cables, tubing, framing, joists, trusses, fasteners (i.e., nuts and bolts), welding rods, decking, grating, railings, stairs, access ramps, fire escapes, ladders, wall panels, dome structures, roofing, ductwork, surface drains, cable hanging systems, manhole steps, fencing and fence tubing, guardrails, doors, and stationary screens.
NOTE: Mechanical and electrical components, equipment and systems are not considered construction materials. Mechanical equipment is typically that which has motorized parts and/or is powered by a motor. Electrical equipment is typically any machine powered by electricity and includes components that are part of the electrical distribution system.

SUPPLEMENTAL GENERAL CONDITIONS

Have the Supplemental General Conditions (February 2014) been included in the specifications?

_____

If not, has the required wording/information from the referenced attachments been included?

_____

*These questions are for the **DOW** Review Engineer to answer*

Yes	No	N/A	
☐	☐	☐	1. Have the technical specifications been written to assure the maximum competition? a. No unjustified experience clause (over five years, excessive construction for a time period). b. Use of brand name or equal in specifications. c. If manufacturers are listed on the bid schedule, at least three manufacturers should be listed (may ask for manufacturer if manufacturer names are not listed on bid schedule).

DOW Review Engineer, forward Pages 38, 39, 40, and 41
and give to SRF & SPAP Section Project Administrator

Note: The consultant must complete this section for each contract. If not applicable, complete where appropriate and explain.

AREAS OF WORK – DISADVANTAGED BUSINESS ENTERPRISE

Loan Recipient: _____ Loan No.: _____

Project Name: _____

Utility: _____

Contact Person: _____

Address: _____

Phone No: _____

Consultant: _____

Contact Person: _____

Address: _____

Phone No.: _____

Contract No./Type: _____ Estimated Bid Date: _____

This contract will include the following work:

General Construction

	Check if Included	Estimated Cost
Backhoe	☐	$_____
Concrete Construction	☐	$_____
Concrete Finishers	☐	$_____
Demolition	☐	$_____
Excavating	☐	$_____

	Check if Included	Estimated Cost
General Construction	☐	$_____
Material Haulers	☐	$_____
Seeding	☐	$_____
Sodding	☐	$_____
Surveyors	☐	$_____
Pipe Layers	☐	$_____

Building Construction

	Check if Included	Estimated Cost
Drywall	☐	$_____
Electrical Contractors	☐	$_____
Flooring	☐	$_____
HVAC	☐	$_____
Insulation	☐	$_____
Landscaping	☐	$_____
Masonry	☐	$_____
Painting Contractors	☐	$_____
Plaster	☐	$_____
Plumbing	☐	$_____
Roofing	☐	$_____
Sandblasting	☐	$_____
Sprinkler System Installation	☐	$_____
Wiring	☐	$_____

Roadway Construction

	Check if Included	Estimated Cost
Asphalt Removal	☐	$_____
Guardrail Work	☐	$_____
Roadway and Right-of-Way Work	☐	$_____

Water Line Construction

	Check if Included	Estimated Cost
Pipe Fabrication	☐	$_____
PVC or D.I. Pipe Supplier	☐	$_____
Water Line Work	☐	$_____
Water Valve Supplier	☐	$_____
Fire Hydrant Supplier	☐	$_____

Sewer Construction

	Check if Included	Estimated Cost
Pipe Fabrication	☐	$_____
PVC Sewer Pipe Supplier	☐	$_____
Storm and Sewer Line Work	☐	$_____

Specialized Construction

	Check if Included	Estimated Cost
Asbestos Removal	☐	$_____
Installation of Alarm Systems	☐	$_____
Safety Equipment Installation	☐	$_____
Steel Erecting and Tying	☐	$_____
Installation of Telemetry	☐	$_____

Supplier

	Check if Included	Estimated Cost
Construction Equipment Sales	☐	$_____
Glass Suppliers and Glazing	☐	$_____
Industrial Chemical Suppliers	☐	$_____
Industrial Equipment Suppliers	☐	$_____
Manufacturer - canopies, aluminum windows, and aluminum handrails	☐	$_____
Plumbing Suppliers	☐	$_____

	Check if Included	Estimated Cost
Sheet Metal Manufacturer	☐	$_____
Steel Fabrication	☐	$_____
Steel Supplier	☐	$_____
Trucking	☐	$_____
Water Treatment Chemicals and Equipment	☐	$_____
Window Replacements	☐	$_____

Given the nature of the scope of work of this contract, is a DBE participation of 3 and 5 percent achievable?

☐ Yes ☐ No

DOW will send this checklist to the following agencies:

Kentucky Procurement Technical Assistance Center
One Quality Street
Suite 635
Lexington, Kentucky 40507

Office for Civil Rights & Small Business Development
Department of Transportation
200 Mero Street
Frankfort, Kentucky 40622

For Projects West of Elizabethtown:
Minority Economic Development Initiative
Hopkinsville-Christian County Economic Development Council
2800 Fort Campbell Boulevard
Hopkinsville, Kentucky 42240
Attn: Director

BID ADVERTISEMENT CHECKLIST

When submitting contract documents for review, the Advertisement for Bids (with bid date and time left blank) shall be included. At a minimum, the Advertisement for Bids shall include:

- ☐ The Utility's (Owner's) name
- ☐ Project title
- ☐ Project location
- ☐ The place that bid will be received
- ☐ The date and time that bids will be opened and read aloud
- ☐ Description of the project
- ☐ Where the bidding documents can be examined
- ☐ Where the bidding documents can be obtained
- ☐ The cost of obtaining the documents, if applicable
- ☐ Bid security requirements
- ☐ Statement that the utility/borrower can reject any and all bids
- ☐ Length of time the bids must remain valid
- ☐ Statement that contract award will be made to the lowest, responsive, responsible bidder
- ☐ Construction time and liquidated damages, if applicable
- ☐ List of funding sources
- ☐ Statement that SRF requirements must be met by the bidder and all subcontractors
- ☐ Statement that state and federal prevailing wage rates are to be paid
- ☐ Statement that small and Disadvantaged Business Enterprises are encouraged to bid on the project
- ☐ Statement that utility/borrower is an Equal Opportunity Employer

SRF projects shall be advertised in the newspaper of largest circulation in the county of the project. Projects shall be advertised at least seven days before, but within twenty-one days of, the bid opening. Bidders shall be given reasonable time to prepare and submit responsive and responsible bids.

SAMPLE: ADVERTISEMENT FOR BIDS

[UTILITY NAME]
[PROJECT NAME]
[PROJECT LOCATION]

Separate sealed bids will be received for [PROJECT NAME] by the Owner, [UTILITY NAME], at [MAILING ADDRESS] until [BID TIME] on [BID DATE]. Bid will then be opened and read aloud at this location.

This project consists of [PROJECT DESCRIPTION].

Bidding documents for this project may be examined at:

- [LIST LOCATIONS WHERE PLANS ARE AVAILABLE FOR INSPECTION. INCLUDE NAME AND ADDRESS.]

Bidding documents may be obtained from:

- [LIST LOCATIONS WHERE THE PLANS CAN BE PURCHASED. INCLUDE NAME OF SOURCE, ADDRESS, PHONE NUMBER, AND COSTS (PLAN COSTS AND SHIPPING COSTS).]

All bidders shall submit with their bid an acceptable bid bond or a certified check in the amount of five percent (5%) of the bid, payable to the Owner.

The Owner reserves the right to waive any informalities or to reject any and all bids.

No bidder may withdraw their bid within [NUMBER OF DAYS] after the date of the bid opening.

The award of this project will be to the lowest, responsive, responsible bidder.

The Bidder awarded the contract shall complete this project within [NUMBER OF DAYS] calendar days. Liquidated damages will be assessed at [DOLLAR AMOUNT] per calendar day.

This project is funded with funds provided by the Kentucky [DRINKING WATER OR CLEAN WATER] State Revolving Fund (SRF) with federal funds provided by the Environmental Protection Agency. SRF requirements (including American Iron and Steel and Davis Bacon) and provisions must be met by the Bidder and all subcontractors. SRF requires the higher of state or federal prevailing wage rates to be paid to all employees of the Bidder and all employees of any subcontractor.

[LIST OTHER FUNDING AGENCIES]

Small and Disadvantaged Business Enterprises are encouraged to bid on this project.
[UTILITY NAME] is an Equal Opportunity Employer.

Procurement Procedures and Reporting

Bidding and Reporting

5

Procurement Procedures and Reporting

Contact: Buddy Griffin, KY Division of Water
buddy.griffin@ky.gov, (502) 564-3410

The following section will cover SRF bidding requirements, special provisions, such as Davis-Bacon requirements, procedures for submitting pay requests, and reporting. For most of these processes, you will work with an assigned Project Administrator at the Division of Water, who can assist you along the way.

Advertising for Bids

- Borrowers are expected to follow KRS, Title VI Chapter 45A Kentucky Model Procurement Code for all SRF projects.
- The bid advertisement must run for no less than 7 days and no more than 21 days in the newspaper of largest circulation in the area that the project is being constructed.
- See sample bid advertisement (Section 4, Attachment 4)

Note!

The borrower should NOT advertise for bids until the environmental review and plans and specifications have been completed and approved by the DOW. To do so without prior approval would be at the borrower's own risk.

Awarding Bids

After the bid period has closed and bids opened, an Authority to Award (ATA) package must be submitted to the DOW Project Administrator. The following table provides a checklist of items required for DOW approval before bids can be awarded.

Check	Authority to Award Package
	Project Review and Cost Summary Form: *Signed by the authorizing representative*
	Affidavit of Publication: *Published in the daily paper of largest circulation*
	As-Bid Budget
	Certified Bid Tabs: *Must have engineer's seal, number, and signature (if seal is not available, sign and number)*
	Disadvantaged Business Enterprise Participation Policy Form
	Information Concerning the Efforts to Obtain Subcontractors Form: *Along with PROOF of their solicitation (faxes, letters, emails, advertisement in paper 7-21 days before bid open, list of calls made, etc.)*
	Forms 6100-3, 6100-4, (6100-2 is optional)
	DBE Subcontractor Certification, Executed Subcontract, or Letter of Intent: *If a DBE subcontractor is involved, a copy of their certification is needed (only KDOT, SBA, EPA are accepted-no self-certifications)*
	Davis-Bacon Contract Award Information: *Must be completed by the borrower for each prime contract of the project. Submit with HUD 4720 form (http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/forms/hud4).* ***Both state and federal wage determinations must be cited on BOTH forms.***
	Clear site certificate

Important!

Davis-Bacon Language

All laborers and mechanics employed on projects funded in whole or in part by the SRF are to be paid the higher of federal wages or state locally prevailing wages for labor, as set by the US Department of Labor (DOL) for any contracts or subcontracts equal to or greater than $2,000. Owner operators, force account labor and apprentices/trainees are exempt.

Davis-Bacon (DB) language and appropriate state and federal DB wage determinations **must** be included in bid documents and contracts for construction with appropriate federal labor standards provisions. This requisite language is included in the most recent Supplemental General Conditions (on DOW's website), and should be included when submitting plans and specifications to DOW for review and approval.

How to Find the Correct Davis-Bacon Wage Determination

- Federal Wage Determinations should be retrieved online from the DOL website (WWW.WDOL.gov).
- State Wage Determinations should be retrieved online from KY Labor website (http://www.labor.ky.gov/dows/doesam/pw/Pages/Current-Wage-Rates.aspx)
- Modifications to Federal Wage Determinations published less than 10 days before bid opening may be disregarded if found there is not sufficient time to notify bidders, and a report is made to contract file.
- Federal Wage Determinations are locked-in at bid opening provided contract is awarded within 90 days.
- Must update Federal Wage Determination if contract award is more than 90 days after bid opening.
- Once a Davis-Bacon wage rate has been "locked," it stays in effect for the duration of the project.
- ***Projects are required to pay the higher of state or federal wages for labor; however, in all cases, the Federal Wage Determination should be included.***

Preconstruction Conference

After the ATA has been approved by the DOW, the Project Administrator will notify the borrower to schedule a preconstruction conference, where contract documents will be signed and reporting requirements will be covered. The DOW Project Administrator will attend via conference call. A Preconstruction Conference Packet should be printed out before the meeting. The following documents must be submitted to the DOW Project Administrator before any payments can be issued.

Check	DWSRF Construction Documents	Submit to:
	Original "Preconstruction Meeting Sign-In Form"	**DOW Project Administrator**
	Signed "Preconstruction Meeting" Form	**DOW Project Administrator**
	Executed Contract	**DOW Project Administrator**
	Notice to Proceed	**DOW Project Administrator**
	Bid, Payment, and Performance Bonds	**DOW Project Administrator**
	Design Life Certification on Engineer's Letterhead	**DOW Project Administrator**

HELP!

If you need help with Davis-Bacon *reporting* requirements, contact **Project Administrator**, DOW at (502) 564-3410.

Davis-Bacon Reporting Requirements

All the forms below are due to KIA no later than October 5th, January 5th, April 5th and July 5th for the most recent quarter end. Reporting Forms can be submitted electronically to Project Administrator via email or mailed to the following address: DOW, 200 Fair Oaks Ln, 4th Floor, Frankfort, KY 40601.

Check	Davis-Bacon Wage Rate Reporting Requirements	Submit to:
	Davis-Bacon Quarterly Compliance Certification-Borrower: *Submitted no later than the 5th day of each calendar quarter. Copies of any contractor and sub-contractor certifications received within the quarter should be included as well.*	**DOW Project Administrator**
	Davis-Bacon Quarterly Compliance-Contractor: *This form should be completed by the contractor and submitted to the KIA loan recipient.*	**DOW Project Administrator**
	Davis-Bacon Quarterly Compliance- Subcontractor: *This form should be completed by the sub-contractor and submitted to the contractor with a copy to the KIA Loan Recipient.*	**DOW Project Administrator**
	Payroll Submission Form WH347*: The KIA Loan Recipient must receive certified weekly payroll records for all laborers/mechanics for any contractor or subcontractor for all weeks of construction. It is recommended that payrolls be submitted by contractors and subcontractors weekly. KIA recommends using the WH-347 form for the payroll submission; however, other forms may be used so long as the certified payroll is in a format acceptable to the KIA Loan recipient and is accompanied by a Statement of Compliance. Forms can be found at* http://www.dol.gov/whd/forms/wh347.pdf	**Loan Recipient**
	Labor Interview Form *(Optional)*: • *Loan recipients will no longer be required to provide interview documentation. The following exceptions apply:* ➢ *Interviews are to be conducted if KIA finds that it is necessary or if there is suspected noncompliance by a loan recipient* ➢ *Loan recipients may conduct interviews based on the assessment of the risks of noncompliance with DB* ➢ *Loan recipients shall immediately conduct necessary interviews in response to an alleged violation of the prevailing wage requirements* • *The Labor Interview form can be found at:* http://www.gsa.gov/portal/forms/download/115910 • *Copies of labor interviews should be submitted to KIA along with the quarterly Borrower Compliance Certifications.*	**DOW Project Administrator**

Tips for Payroll Receipt and Review

- Payroll records should indicate that employees are paid weekly.
- If there are any apprentices or trainees on the project, ensure they are registered with a DOL-approved program (if applicable). In addition, ensure that the ratio of apprentices / trainees working on the project is consistent with the ratios prescribed in the DOL-approved program.
- Wage rates paid to contractor and subcontractor should be verified to ensure that the wage rates are at or above the higher of (a) the applicable federal DB wage determination provided in the contract for the appropriate labor category or (b) the applicable Kentucky State Prevailing Wage.
- Verify that fringe contributions were made as designated. This could include payments in cash (on a weekly basis) or paid to a bona fide fringe benefit plan.
- Payrolls should be in file during entire period of contract. Even if no work was completed, the payrolls or additional documentation should be in file showing zero work was performed.
- If a contractor or subcontractor had a start / stop aspect to their contract, at the end of each payroll submission period, the payroll should be marked “FINAL”.

***Example**: If White Electric worked for 2 weeks in June 2009 and for 2 weeks in January 2010, it may not be necessary to have payrolls in between those dates. However, the final payroll submission from June 2009 should be marked FINAL and there will be an additional FINAL payroll from the January 2010 work.*

- Payrolls should be spot checked for calculation errors.
- Ensure employees who worked more than one (1) job classification are paid at least the appropriate wages for each class and the time is reported under each classification.

Tips for Labor Interviews *(if applicable)*

- Interviews should be reviewed against payroll records received by the KIA Loan Recipient to ensure payroll is accurately reporting that employee for the proper classifications and wages paid.
- In addition, Labor Interviews should be signed by the employee as well as the Interviewer.
- Not all employees have to be interviewed; however, a sampling of contract employees for each contract should be interviewed.
- Owner-operators are exempt from reporting and DO NOT have to be interviewed. If someone was interviewed who is exempt from DB (i.e. owner-operator), make sure that is noted on the Interview form.
- If interviews are needed and employees are no longer available, then attempts should be made to obtain interviews with employees. These attempts may include (1) contacting the employees on a different job site, (2) telephone interviews or (3) mailed interview forms provided with return envelop and required postage provided.

Signage

- Davis-Bacon wage poster (WH-1321) should be posted at the construction site in a prominent location, in all necessary languages, and protected from the weather http://www.dol.gov/whd/programs/dbra/wh1321.htm
- The applicable Davis-Bacon Wage Determination(s) should be posted as well.
- Make sure you have pictures in the project files of the signage required showing the location and how the signage was protected from weather.

Records Retention

All project related files should be maintained by the KIA Loan Recipient for a minimum of three (3) years following the completion of the project's construction.

ATTACHMENT 5-1

PROJECT REVIEW AND COST SUMMARY

This questionnaire/checklist is furnished as an administrative aid and is required for use in supplying information and documents, reporting minor changes, and project status. The information and documents should be submitted to DOW as soon as possible after bid opening.

DRINKING WATER SRF ☐ **CLEAN WATER SRF** ☐

SECTION 1.

1. Project Name _____ Project Number _____

2. Changes: Have there been any changes in the project since DOW's approval of the plans and specifications?

☐ Yes ☐ No Construction Drawings. If yes, submit revised drawings and addenda. **See Note***

☐ Yes ☐ No Specifications. If yes, submit addenda. **See Note***

☐ Yes ☐ No Site Changes. If so, new Clear Site Certificates are required prior to start of construction.

☐ Yes ☐ No Authorized Representative (Mayor, City Manager, etc.). If so, provide name and title.

***Note:** **Prior approval is required for changes in design, scope, type of treatment, size, capacity, time to complete the project, etc. Changes, which result in increase in the amount of a contract, must be procured in accordance with state and federal requirements, as applicable.**

SECTION 2.

DATE BIDS OPENED: _____ DATE BIDS EXPIRE: _____

1. The following items should be submitted to DOW after bid opening:

a) Executed Project Review & Cost Summary Form (this form).
b) Original bid advertisement or copy of advertisement with affidavit of publication.
c) Revised Budget (copies attached, use appropriate form).
d) Certified Bid Tabulations with engineer's seal.
e) DBE Documentation (See Attachment No. 11 of the Supplemental General Conditions (SGC)):
   (1) Disadvantaged Business Enterprise Participation Policy from the successful low bidder with DBE certifications and executed subcontracts with DBEs or letters of

intent signed by both parties; and documentation on the level of effort taken to obtain DBEs including copies of correspondence with DBE contractors, requesting quotes and copies of any advertisements soliciting DBE contractors, copies of returned envelopes and certified mail receipts, telephone log, etc.

(2) Bidder's List Form from recipient and successful bidder.

(3) EPA Form 6100-3 from DBE subcontractors.

(4) EPA Form 6100-4 from successful bidder.

2. The following items must be submitted to DOW at the Pre-construction Meeting:

a) Executed Contract Documents (once contract is signed).

b) Notice of Award, Notice To Proceed, Bid Bond, Payment Bond, and Performance Bond (generally included in executed contract).

c) Technical Specification (generally included in executed contract).

d) Contractor's Certification Regarding Lobbying (See Attachment No. 11 in the SGC).

e) Contractor's Debarred Firm Certification (See Attachment No. 10 in the SGC).

3. A copy of the items identified in Section 2.1 and Section 2.2, above, and the following must be retained by the owner. This documentation is subject for review, by DOW, at the time of the pre-construction conference.

a) Name and qualifications of the proposed resident inspector(s).

b) Proposal of the successful bidder(s).

c) EEO documentation required by Executive Order 11246 as amended. Items 1 through 11 (See Attachment No. 7 in the SGC), is required for all contracts over $10,000 except supplier contracts. Supplier contracts require:

(1) Name, address, and telephone number.

(2) Materials to be supplied and dollar value.

For contracts below $10,000, the same information required for supplier contracts must be submitted.

d) Engineer's letter to the loan recipient recommending award of the contract. Letter must include a description of work, dollar amount, and name of the low bidder. If award is recommended to be made to other than the low bidder, a justification indicating why the low bidder is not responsive or responsible.

e) Contractor project construction schedule and payment schedule.

f) Applicable wage rate determination letter.

g) Tentative Award Resolution.

4. Comments: _____

_____

I hereby certify that all documentation outlined in Section 2.1, 2.2 and 2.3 will be retained in our project files and all documentation outlined in Section 2.1 has been submitted to DOW and all documentation outlined in Section 2.2 will be submitted to DOW during the Pre-construction meeting.

_____ _____

Signature of Authorized Representative Date

_____

Print Name and Title

ATTACHMENT 5-2

SRF Project Cost Summary

Project Title: _____ **WRIS#:** _____

Project Budget: Estimated _____ (enter date) **As Bid** _____ (enter date) **Revised** _____ (enter date)

	Cost Classification	SRF KIA Loan	Funding Source 1	Funding Source 2	Funding Source 3	Funding Source 4	Funding Source 5	Local Funds	Unfunded Costs	Total
1	Administrative Expenses									
2	Legal Expenses									
3	Land, Appraisals, Easements									
4	Relocation Expenses & Payments									
5	Planning									
6	Engineering Fees – Design									
7	Engineering Fees – Construction									
8	Engineering Fees – Inspection									
9	Engineering Fees – Other									
10	Construction									
11	Equipment									
12	Miscellaneous									
13	Contingencies									
	Total									

	Funding Sources	Amount	Date Committed
1			
2			
3			
4			
5			
	Total		

	Local Funding Sources	Amount	Date Committed
1			
2			
3			
	Total		

Total Funding $ _____

Cost Categories	Funding Source	Total Cost
Treatment **(DW)**		
Transmission and Distribution **(DW)**		
Source **(DW)**		
Storage **(DW)**		
WWTP Secondary Portion **(CW)**		
WWTP Advanced Portion **(CW)**		
Inflow and Infiltration Correction **(CW)**		
Major Sewer Rehabilitation **(CW)**		
Collector Sewers **(CW)**		
Interceptor Sewers including Pump Station **(CW)**		
Combined Sewer Overflow Correction **(CW)**		
Purchase of Systems **(DW and CW)**		
Restructuring **(DW and CW)**		
Land Acquisition **(DW and CW)**		
	Total Costs	

DBE SUMMARY: Kentucky State Revolving Fund Loan Program

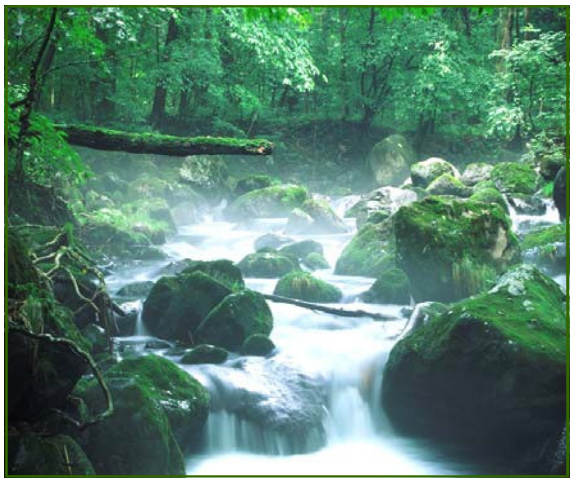
Kentucky Infrastructure Authority
1024 Capital Center Drive – Suite 340
Frankfort, KY 40601
www.kia.ky.gov

Kentucky Division of Water
200 Fair Oaks Lane – 4th Floor
Frankfort, KY 40601
www.water.ky.gov

A SUMMARY OF THE EPA DBE RULE AND ITS IMPACT ON SRF LOAN PARTICIPANTS

The Environmental Protection Agency's (EPA) Disadvantaged Business Enterprise (DBE) rule became effective on May 27, 2008. This rule sets forth an EPA program that serves the compelling government interest of remedying past and current racial discrimination through agency-wide procurement objectives. It revises and replaces EPA's Minority and Women Business Enterprise (MBE/WBE) Program. Because the State Revolving Fund (SRF) Loan Program funding is provided by EPA, the DBE rule requirements apply to all SRF funded projects. It is designed to increase the participation of DBE's in procurements funded by EPA assistance agreements. The key substantive changes that the new EPA DBE rule makes to the MBE/WBE program involve the following: certification of minority & women owned businesses, the six good faith efforts, contract administration requirements, negotiation of fair share goals, recordkeeping & reporting requirements and new requirements for Tribal and insular area fair share negotiations.

* Certification of DBE: In order to be counted as a DBE under the EPA DBE rule DBEs must be certified by a federal agency (e.g., EPA, Small Business Administration, Department of Transportation) or by a State, locality, Indian Tribe, or independent private organization that meets the certification requirements of the new EPA DBE rule. In addition, individuals claiming economic disadvantaged status must have an initial and continued personal net worth of less than $750,000.



Q: Where can DBEs get certified in the State of Kentucky?

A: DBEs can get certified with the Kentucky Transportation Cabinet (KTC). KTC's certification process meets the requirements of the EPA DBE rule. The website is http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Documents/DBE_Brochure.pdf. Please identify on the application that you are seeking certification under the EPA DBE rule. If you have any questions regarding the KTC website or certification process contact the KTC Branch Manager Tony Youssefi at (502) 782-4810.

Q: If my firm is currently on the Kentucky Transportation Cabinet's list of certified DBEs do I need to get recertified?

A: No, you do not need to get re-certified. KTC's certification process meets the requirements of the EPA DBE rule.

Q: Are there entities that KTC cannot certify? If so, where can those entities go for certification under the EPA DBE rule?

A: There are entities that KTC cannot certify. Those entities are: a) Disabled American-owned firms, b) non – profit organizations (private and voluntary organizations controlled by individuals who are socially and economically disadvantaged), and c) those entities who exceed the size standards that are specific to DOT certification process under 49 CFR Part 26. These entities should seek certification through EPA's DBE certification program. The entity may apply to EPA's Office of Small Business Programs (EPA OSBP) for certification as DBE. The website is http://www2.epa.gov/resources-small-businesses. For questions regarding certification by EPA, please contact Denean Jones, EPA Office of Small Business Programs, at 202-566-2075 or email jones.denean@epa.gov. Direct general questions regarding the EPA DBE rule to Charles Hayes, Region 4 MBE/WBE Coordinator, phone number is (404) 562-8377.

Q: Can I self-certify as an MBE/WBE through my attorney?

A: No. Therefore, if you want to bid on SRF projects then you will need to get certified through KTC or the EPA in order to be counted as a DBE under the EPA DBE rule. Noncertified DBEs may be used by loan recipients for their procurement needs but those firms cannot be counted toward their DBE accomplishments. Under the EPA DBE rule entities can no longer self-certify.

Q: How do I obtain certification as a DBE?

A: Under the DBE program, in order to be counted as an MBE or WBE under an EPA financial assistance agreement, an entity will have to be certified as such. The EPA will require an DBE to first seek certification by a federal agency (such as the U.S. Small Business Administration, the U.S. Department of Transportation) or by a State, local, or independent private organization provided their criteria match those of the Small Business Act and SBA's applicable Business Development Program regulations. The EPA will only consider certifying firms that cannot get certified by one of these entities. An EPA DBE certification would only be accepted by the EPA.

Q: Where can I find a list of DBEs who have been certified and meet the requirements under the EPA DBE rule?

A: The KTC DBE directory can be accessed at: http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx which is located under the heading Certified DBE Directory. Those entities that were certified through EPA are posted on the EPA Office of Small Business Program's (OSBP) website. The website is: http://www.epa.gov/osbp/grants.htm.

Q: Can individuals having a personal net worth of $750,000 or more get certified as a DBE under the new EPA rule?

A: No. An individual claiming economic disadvantaged status must have an initial and continued personal net worth of less than $750,000.

Q: How can I find out more information about certification and the EPA DBE rule in general?

A: You are encouraged to read the fact sheets located at http://www.epa.gov/osbp/grants.htm.

* Contract Administration: The EPA DBE rule adds additional contract administration requirements that are intended to protect DBE subcontractors. Some of the requirements include provisions intended to ensure that subcontractors receive prompt payment from prime contractors (30 day payment provision). Loan recipients must be notified of DBE subcontractor terminations and prime contractors are required to make good faith efforts if the prime contractor chooses to hire another subcontractor. The rule requires that 3 forms be filled out by the prime contractor and subcontractor if there are DBE subcontractors involved in procurement.

The loan recipient must ensure that each contract awarded contains the terms and conditions set forth below: "Term and Condition: The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies."

Another requirement is that loan recipients are required to create and maintain a bidders list. The list must include all firms that bid or quote on prime contracts or subcontracts, including DBEs and non DBEs. The bidders list must be kept until the project period for the identified loan has ended. The project period is defined as the timeframe that the loan recipient receives SRF funding. The following information must be obtained from all prime and subcontractors: 1) entity's name with point of contact; 2) entity's mailing address, telephone number, and e-mail address; 3) the procurement on which the entity bid or quoted, and when; and 4) entity's status as an DBE or non-DBE.

Q: What is the purpose of the bidders list? And, as a loan recipient must I maintain it? Do I need to also provide a copy to SRF?

A: The purpose of the bidders list is to provide the loan recipient and SRF with a more accurate database of the universe of DBE and non DBE prime and subcontractors. The bidders list is intended to be a list of all firms that are participating, or attempting to participate, on EPA assisted contracts. The list must include all firms that bid on prime contracts, or bid or quote on subcontracts under EPA assisted projects, including both DBEs and non DBEs. As a loan recipient you must maintain the list. You will also provide SRF a copy of the bidders list when you submit your post-bid documentation to the Kentucky Division of Water's SRF & SPAP Section.

* Reporting Requirements: Loan participants, who close loans after the signing of the 2009 EPA Capitalization Grant, will be required to submit their MBE/WBE participation reports on a semiannual basis to the Kentucky Division of Water's SRF & SPAP Section. All loan participants who closed loans prior to the signing of the 2009 EPA Capitalization Grant will continue to report on a quarterly basis. Only certified MBE/WBE will be counted towards MBE/WBE participation.

Q: What are the Six Good Faith Efforts?

A: The good faith efforts are activities by an SRF loan recipient and its prime contractor to increase DBE awareness of procurement opportunities through race/gender neutral efforts. EPA combined the "Six Positive Efforts" (found at 40 CFR Part 31) with the "Six Affirmative Steps" (found at 40 CFR Part 30) and renamed them the six "good faith efforts" (found at 40 CFR Part 33). The substance of the efforts has not changed.

The Six Good Faith Efforts as defined by the EPA are as follows:

- Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

Q: What are the three forms and where can I go to get a copy of the new forms?

A: The forms can be obtained at http://www.epa.gov/osbp.grants.htm under "Forms". The three forms are:

* EPA Form 6100-2 - DBE Program Subcontractor Participation Form. This form gives a DBE subcontractor the opportunity to describe the work the DBE subcontractor received from the prime contractor, how much the DBE subcontractor was paid and any other concerns the DBE subcontractor might have.

* EPA Form 6100-3 - DBE Program Subcontractor Performance Form. This form captures an intended subcontractor's description of work to be performed for the prime contractor and the price of the work submitted to the prime.

* EPA Form 6100-4 – DBE Program Subcontractor Utilization Form. This form captures the prime's intended use of an identified DBE subcontractor, and the estimated dollar amount of the subcontract.

Form	Requirement	Provided By:	Completed By:	Submitted To:
EPA Form 6100-2	Recipients required to have prime contractors provide form to Subcontractors	Prime Contractors	DBE Subcontractors	EPA DBE Coordinator
EPA Form 6100-3	Recipients required to have prime contractors provide form to Subcontractors	Prime Contractors	DBE Subcontractors	Recipients as part of a bid or proposal package
EPA Form 6100-4	Recipients required to have prime contractors complete the form	Recipients	Prime Contractors	Recipients as part of a bid or proposal package

ATTACHMENT 5-4

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION POLICY

PROJECT NAME: _____ **BID DATE:** _____

1. **Name, address and telephone number of contact person on all DBE matters:**

   Prime Contractor's Name: _____
   Contact Person: _____
   Address: _____
   Phone: _____
   Cell Phone: _____
   Email: _____
   Total Contract Amount: _____

2. **Total dollar amount/percent of contract of MBE participation:** _____

3. **Total dollar amount/percent of contract of WBE participation:** _____

4. **Are certifications* for each MBE/WBE/DBE subcontractor enclosed; if no, please explain:** _____ ☐ Yes ☐ No

5. **Are MBE/WBE/DBE subcontracts or letters of intent signed by both parties enclosed; if no, please explain:** _____ ☐ Yes ☐ No

6. **List of MBE Subcontractors:**

   Name: _____
   Contact Person: _____
   Address: _____
   Phone: _____
   Cell Phone: _____
   Email: _____
   Type of Contract: _____
   Work to be Done: _____
   Amount: _____

7. **List of WBE Subcontractors:**

   Name: _____
   Contact Person: _____
   Address: _____
   Phone: _____
   Cell Phone: _____
   Email: _____
   Type of Contract: _____
   Work to be Done: _____
   Amount: _____

Attach Additional Sheets, If Necessary

*Self-certification: Self certification of MBE/WBE/DBE firms will NOT be accepted as a valid form of certification of MBE/WBE/DBE status.

8. Information and documentation concerning efforts taken to comply with EPA's "six good faith efforts"

(i). Ensure DBE construction firms or material suppliers are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities; including placing DBEs on solicitation lists and soliciting them whenever they are potential sources. A good source for a list of DBEs is the Kentucky Transportation's website: http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx.

☐ The prime contractor certifies that a bidders list (see example sheet below) of qualified vendors, including DBEs, was developed for current and future solicitations and that the list will be maintained. *Submit a copy of the list as documentation.*

(ii). Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process; including, whenever possible, posting solicitation for bids or proposals for a sufficient amount of time as to receive a competitive bid or proposal pool.

☐ The prime contractor certifies that every opportunity was provided to a number of DBEs to encourage their participation in the competitive process and that an adequate amount of time was provided for response. Must do at least one of the below.

a. List each DBE construction firm or material supplier to which a solicitation was attempted. *Submit copies of letters, emails, faxes, telecommunication logs, certified mail receipts, returned envelopes, certified mail return receipts, etc. as documentation.*

Company name and phone number: _____

Area of work expertise: _____

Date of any follow-ups and person spoke to: _____

b. Advertisements, if applicable: List each publication in which an announcement or notification was placed. *Submit original advertisement or a copy of the advertisement with an affidavit of publication for each announcement as documentation.*

Name of publication: _____

Date(s) of advertisement: _____

Specific subcontract areas announced: _____

c. Other, if applicable: List each notification method in which an announcement or outreach was used; list serve, public meeting, etc. *Submit applicable information to document effort.*

Method of notification: _____

Date(s) of notification: _____

(iii). Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs; including dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

☐ The prime contractor certifies that the project was broken into its basic elements (i.e., dirt hauling, landscaping, painting, pipe installation, material supplies, etc.) and that a determination was made whether it's economically feasible to bid the elements separately and that the analysis of this effort was documented with a short memo to the project file.

(iv). Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises.

☐ The prime contractor certifies that they established delivery schedules which would allow DBEs to participate in the projects.

(v). Use the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the U.S. Department of Commerce. The easiest way to utilize the services of SBA and MBDA is to visit their websites: www.sba.gov and www.mbda.gov and use the electronic tools available there or you may send the nearest SBA and MBDA office a certified letter that generally describes the solicitation, the dates it will be open, the types of vendors you are seeking and applicable Standard Industrial Classification (SIC) or North American Industry Classification System (NAIC) codes if known. You may also use the services and assistance of the Procurement Technical Assistance Center (PTAC). The easiest way to utilize the services of PTAC is to send an email: ptac@ksbdc.org and generally describe the solicitation, the dates it will be open, the types of vendors you are seeking and applicable SIC or NAIC codes if known.

☐ The prime contractor certifies that the assistance of the SBA, MBDA, and/or PTAC was utilized. *Submit pages printed off the SBA and MBDA websites which evidence efforts to register a solicitation on those sites or submit copies of the letter sent and certified mail receipt as documentation; submit copies of emails with PTAC as documentation.*

(vi). If a subcontractor awards any subcontracts, require the subcontractor to take the steps in numbers (i) through (v) above.

☐ The prime contractor certifies that subcontractors used for this project will be required to follow the steps of the "six good faith efforts" as listed above.

9. Signature and date:

To the best of my knowledge and belief, all "six good faith efforts" have been met and the information contained in this document is true and correct; the document has been duly authorized by the legal representative.

_____ _____

Signature Print name and title

_____

Date

ATTACHMENT 5-5

BIDDER'S LIST FORM

OWNER: _____ **LOAN NO:** _____

PROJECT TITLE: _____ **BID DATE:** _____

Instructions:

1. This list must include all firms that were solicited for participation, bid on, or quoted for a prime contract or subcontracts under EPA assisted projects, included both DBE's and non DBE's.
2. SRF loan participants must keep the Bidder's List until the project period for the identified loan has ended and no funds are remaining.
3. This list must be submitted to DOW in the ATA Package. Contract Award Approval cannot be given until this form has been received by DOW.
4. The following information must be obtained from all prime and subcontractors. Please complete the form below:

ENTITY'S NAME	MAILING ADDRESS	CONTACT PERSON	PHONE#	E-MAIL ADDRESS	M/WBE?

United States Environmental Protection Agency

OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Participation Form

An EPA Financial Assistance Agreement Recipient must require its prime contractors to provide this form to its DBE subcontractors. This form gives a DBE[1] subcontractor[2] the opportunity to describe work received and/or report any concerns regarding the EPA-funded project (e.g., in areas such as termination by prime contractor, late payments, etc.). The DBE subcontractor can, as an option, complete and submit this form to the EPA DBE Coordinator at any time during the project period of performance.

Subcontractor Name	Project Name	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact
Address		
Telephone No.	Email Address	
Prime Contractor Name	Issuing/Funding Entity:	

Contract Item Number	Description of Work Received from the Prime Contractor Involving Construction, Services , Equipment or Supplies	Amount Received by Prime Contractor

[1] A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

[2] Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

United States Environmental Protection Agency

OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Participation Form

Please use the space below to report any concerns regarding the above EPA-funded project:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Subcontractor Signature	Print
Title	**Date**

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) 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, Collection Strategies 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.

EPA FORM 6100-2 (DBE Subcontractor Participation Form)

OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

United States Environmental Protection Agency

Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form

This form is intended to capture the DBE[1] subcontractor's[2] description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name	Project Name	
Bid/Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact
Address		
Telephone No.	Email Address	
Prime Contractor Name	Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services , Equipment or Supplies	Price of Work Submitted to the Prime Contractor
DBE Certified By: ___ DOT ___SBA ___ Other: _____	Meets/ exceeds EPA certification standards? ___YES ____NO ____Unknown	

[1] A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

[2] Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
Title	**Date**

Subcontractor Signature	Print Name
Title	**Date**

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) 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, Collection Strategies 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.

United States Environmental Protection Agency

OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE[1] subcontractors[2] and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name		Project Name
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact
Address		
Telephone No.		Email Address
Issuing/Funding Entity:		

I have identified potential DBE certified subcontractors	___ YES	___ NO
If yes, please complete the table below. If no, please explain:		

Subcontractor Name/ Company Name	**Company Address/ Phone/ Email**	**Est. Dollar Amt**	**Currently DBE Certified?**
	Continue on back if needed		

[1] A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

[2] Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

United States Environmental Protection Agency

OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
Title	**Date**

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) 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, Collection Strategies 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.

U.S. EPA, Office of Grants and Debarment
Tip Sheet for Registering with the System for Award Management (SAM)

What is SAM?

- The General Service Administration office of the Integrated Award Environment has consolidated the government wide acquisition and award support systems into one new system- the System for Award Management (SAM). SAM, formerly Central Contractor Registration (CCR), is the primary database for the U.S. Federal Government to manage on potential business partners or federal financial assistance recipients. SAM is streamlining processes, eliminating the need to enter the same data multiple times, and consolidating hosting to make the process of doing business with the government more efficient.
- **Already registered?** If you have previously registered your organization in CCR all of your entity's information has been brought into SAM. To access your entity's registration you will need to migrate your legacy account. Step by step instructions on this process can be accessed at https://www.sam.gov/sam/SAM_Guide/SAM_User_Guide.htm#_Toc326749274 .
- **Need to register?** If an organization is not registered, it may register online at https://www.sam.gov/portal/SAM/#1 CCR has developed a quick start guide at https://www.sam.gov/sam/transcript/SCR_QSG_v2.pdf and a user guide at https://www.sam.gov/sam/transcript/System_for_Award_Managementv3.2.pdf to assist with the process. These publications include details on the information that will need to be gathered to complete the SAM registration process.

When an organization registers with the SAM, it must provide:

- **DUNS number.** The Data Universal Numbering System (DUNS) Number is a unique nine-character identification number provided by D&B. Organizations may call D&B at 1-866-705-5711 or access the website http://fedgov.dnb.com/webform if they do not have a DUNS Number.
- **U.S. Federal TIN.** The Tax Identification Number (TIN) is the nine-digit number which is either an Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS) or Social Security Number (SSN) assigned by the Social Security Administration (SSA). If an organization does not have a TIN/EIN, contact the IRS at 1-866-255-0654.
- **Commercial and Government Entity (CAGE) Code.** CAGE Code is a five-character alpha-numeric identifies assigned to entities by the Defense Logistics Agency Commercial and Government Branch to identify a commercial or government entity. If you don't have a CAGE code it will automatically be assigned to your entity once you submit your entity's registration and the TIN validation has been returned.
- **Electronic Funds Transfer (EFT).** You must provide your bank's routing number, bank account number, and account type, i.e. checking or savings, to set up Electronic Funds Transfer.

Davis Bacon Contract Award Information

Fill out one form for each contract awarded. This information is required for compliance of the Davis Bacon provisions of the Drinking Water SRF or Clean Water SRF funded projects.
Complete and submit a copy of the Project Wage Rate Sheet as of contract award date (HUD 4720) with this form.

Borrower Name:	
WX / SX Number:	
KIA Loan Number:	
Project Name:	
Bid Opening Date:	
Federal Wage Decision #, modification #, and Effective Date used in contract:	
State Wage Decision #, modification #, and Effective Date used in contract:	
Contract Award Date:	
Construction Start Date:	
Estimated Completion of Construction Date:	
Contract Amount:	
Contractor Name:	
Contractor Address:	
Subcontractor Name(s):	

Questions regarding Davis Bacon determination:	Answer Yes or No
Do you certify that Davis Bacon wages and provisions were included in your bid specifications?	
Do Contractor(s) and Sub-Contractor(s) agree to provide **weekly** payroll information with a Statement of Compliance to Borrower (WH-347 Form or other format acceptable to Borrower w/Statement of Compliance)?	
Does Borrower agree to conduct reviews of certified payroll information submitted by contractor(s) and sub-contractor(s) to verify payment of appropriate wages and compliance with Davis Bacon provisions?	
Does Borrower agree to conduct on-site interviews as a result of suspected noncompliance or in response to an alleged violation of the prevailing wage requirements and complete the Labor Standards Interview Sheet (SF 1445)?	

I certify the correct wage decision is being applied to the above noted project.

_____ _____
Signature of Authorized Official of Borrower Date

_____
Printed Name and Title of Authorized Official

PLEASE NOTE: KIA will use a combination of funding (CWSRF/DWSRF funds and non-CWSRF/DWSRF funds) to finance projects. Both federal Davis Bacon prevailing wages and the Commonwealth of Kentucky prevailing wages apply to this project. Payment of the wage and fringe benefits that are most beneficial to the employees are required.

ATTACHMENT 5-11

Project Wage Rate Sheet	U.S. Department of Housing and Urban Development Office of Labor Relations	

PROJECT NAME:	WAGE DECISION NUMBER/MODIFICATION NUMBER:
PROJECT NUMBER:	PROJECT COUNTY:

WORK CLASSIFICATION	BASIC HOURLY RATE (BHR)	FRINGE BENEFITS	TOTAL HOURLY WAGE RATE	LABORERS FRINGE BENEFITS:		$
				GROUP #	BHR	TOTAL WAGE
Bricklayers			$			
Carpenters			$			$
Cement Masons			$			$
Drywall Hangers			$			$
Electricians			$			$
Iron Workers			$			$
Painters			$	OPERATORS FRINGE BENEFITS:		$
				GROUP #	BHR	TOTAL WAGE
Plumbers			$			
Roofers			$			$
Sheet Metal Workers			$			$
Soft Floor Layers			$			$
Tapers			$			$
Tile Setters			$	TRUCK DRIVERS FRINGE BENEFITS:		$
				GROUP #	BHR	TOTAL WAGE
OTHER CLASSIFICATIONS						
			$			$
			$			$
			$			$

ADDITIONAL CLASSIFICATIONS (HUD Form 4230-A)

WORK CLASSIFICATION	BASIC HOURLY RATE	FRINGE BENEFITS	TOTAL HOURLY WAGE RATE	DATE OF HUD SUBMISSION TO DOL	DATE OF DOL APPROVAL
			$		
			$		
			$		
			$		

form HUD-4720
(03/2004)

Davis Bacon Quarterly Compliance Certification

This information is required for compliance of the Davis Bacon provisions of the Clean Water SRF or Drinking Water SRF funded projects. This form should be submitted to DOW no later than 5th day of each calendar quarter.

Borrower Name:	
WX / SX Number:	
KIA Loan Number:	
Project Name:	
Number of Prime Contractors on-site for this reporting period:	
If more than one, please list:	
Number of Sub-Contractors on-site for this reporting period:	
If more than one, please list:	
For Reporting Quarter Ending:	

Questions regarding Davis Bacon determination:	**Answer Yes or No**
Have quarterly compliance certifications been received from ALL contractor and sub-contractors for the above period?	
Are all contracts and sub-contracts in compliance with Davis Bacon provisions?	
Have weekly certified payrolls been received for each contract and subcontract with a Statement of Compliance (WH-347 Form or other acceptable forms accompanied by Statement of Compliance)?	
Have reviews of weekly payroll information submitted by the contracts and sub-contractors been reviewed to verify payment of appropriate wages and compliance?	
Have on-site interviews been conducted as a result of suspected noncompliance or in response to an alleged violation of the prevailing wage requirements?	
If so, please submit copies of the Labor Standard Interview Sheet (SF 1445) for interviews conducted within the quarter.	

I certify the correct wage decision is being applied to the above noted project.

Signature of Authorized Official of Borrower

Date

Printed Name and Title of Authorized Official

** Attach copies of all contractor and sub-contractor Davis Bacon certifications received during the most recent quarter for KIA's files – **DO NOT** include payroll reports **

Note: All supporting documentation must be retained at the borrower's offices for a period of at least 3 years after the project completion date.

PLEASE NOTE: KIA will use a combination of funding (CWSRF/DWSRF funds and non-CWSRF/DWSRF funds) to finance projects. Both federal Davis Bacon prevailing wages and the Commonwealth of Kentucky prevailing wages apply to this project. Payment of the wage and fringe benefits that are most beneficial to the employees are required.

ATTACHMENT 5-13

Davis Bacon Quarterly Compliance – Contractor

Please fill out one form for each contract awarded and submit to the KIA loan recipient. This information is required for compliance of the Davis Bacon provisions of the Clean Water SRF or Drinking Water SRF funded projects. This form should be submitted to the Prime Contractor no later than 5th day of each calendar quarter.

Borrower Name:	
WX / SX Number:	
KIA Loan Number:	
Project Name:	
Federal Wage Decision #, modification #, and Effective Date used in contract:	
State Wage Decision #, modification #, and Effective Date used in contract:	
Contract Amount:	
Contractor Name:	
Contractor Address:	
Contract Actual Start / Anticipated End Date	
Active Work Dates on Site (Covered by this certificate)	
Certificate for Quarter Ending	

Questions regarding Davis Bacon determination:	Answer Yes or No
Was the appropriate wage rate paid to all workers from the first day on which work was performed?	
Have all weekly payroll information reports with a Statement of Compliance (in the form of WH-347) been submitted to the Borrower for review?	
Is the appropriate signage and notification of federal wage rates posted at the construction site?	
Are all sub-contracts in compliance?	

I certify the correct wage decision is being applied to the above noted project.

_____ _____

Signature of Authorized Official of Contractor Date

_____

Printed Name and Title of Authorized Official

- ***The prime contractor must keep a complete set of all of the payrolls for every contractor (including subcontractors) for at least 3 years after completion of the project.***
- ***Every contractor (including every subcontractor) must keep a complete set of their own payrolls and other basic records such as time cards, tax records, and evidence of fringe benefit payments, for a Davis Bacon project for at least 3 years after the project is complete.***

PLEASE NOTE: **KIA will use a combination of funding (CWSRF/DWSRF funds and non-CWSRF/DWSRF funds) to finance projects. Both federal Davis Bacon prevailing wages and the Commonwealth of Kentucky prevailing wages apply to this project. Payment of the wage and fringe benefits that are most beneficial to the employees are required.**

Davis Bacon Quarterly Compliance – Sub-Contractor

Fill out one form for each contract awarded and submit to the Prime Contractor. This information is required for compliance of the Davis Bacon provisions of Clean Water SRF or Drinking Water SRF funded projects. This form should be submitted to the Prime Contractor no later than the 5th day of each calendar quarter.

Borrower Name:	
WX / SX Number:	
KIA Loan Number:	
Project Name:	
Federal Wage Decision #, modification #, and Effective Date used in contract:	
State Wage Decision #, modification #, and Effective Date used in contract:	
Contract Amount:	
Prime Contractor Name:	
Contractor Address:	
Sub-Contractor Name:	
Sub-Contractor Address:	
Sub-Contract Actual Start / Anticipated End Date	
Active Work Dates on Site (Covered by this certificate)	
Certificate for Quarter Ending	

Questions regarding Davis Bacon determination:	**Answer Yes or No**
Was the appropriate wage rate paid to all workers from the first day on which work was performed?	
Have all weekly payroll information reports with a Statement of Compliance (in the form of WH-347) been submitted to the Borrower or Prime Contractor?	
Is the appropriate signature and notification of federal wage rates posted at the construction site?	

I certify the correct wage decision is being applied to the above noted project.

_____ _____

Signature of Authorized Official of Contractor Date

_____

Printed Name and Title of Authorized Official

- ***Every contractor (including every subcontractor) must keep a complete set of their own payrolls and other basic records such as time cards, tax records, and evidence of fringe benefit payments, for a Davis Bacon project for at least 3 years after the project is complete.***

PLEASE NOTE: KIA will use a combination of funding (CWSRF/DWSRF funds and non-CWSRF/DWSRF funds) to finance projects. Both federal Davis Bacon prevailing wages and the Commonwealth of Kentucky prevailing wages apply to this project. Payment of the wage and fringe benefits that are most beneficial to the employees are required.

Division of Water SRF Project Administrators

Buddy Griffin, Supervisor
(502) 564-3410, extension 4971
Buddy.griffin@ky.gov

Bill Averell
(502) 564-3410, extension 4980
William.averell@ky.gov

Amber Vaughn
(502) 564-3410, extension 4591
Amber.vaughn@ky.gov

Cathy Arnett
(502) 564-3410, extension 4594
Cathy.arnett@ky.gov

Joel Murphy
(502) 564-3410, extension 4592
Joel.murphy@ky.gov

KY Infrastructure Authority SRF Financial Analysts

Jami Johnson
(502) 573-0260
Jami.johnson@ky.gov

Brandi Norton
(502) 573-0260
Brandi.Norton@ky.gov

Sarah Aitken
(502) 573-0260
sarah.aitken@ky.gov

Debbie Landrum
(502) 573-0260
Debbie.landrum@ky.gov

Amanda Yeary
(502) 573-0260
Amanda.yeary@ky.gov

Page intentionally left blank

Pay Request

Pay Request

6

Note! **PAY REQUESTS must be received by DOW and KIA by the 5th calendar day of the month via the email kia.srfloans@ky.gov or the payment request will not be processed until the following month.**

Pay Request

Contact: *Buddy Griffin, KY Division of Water*
buddy.griffin@ky.gov, (502) 564-3410

Brandi Norton, Kentucky Infrastructure Authority
Brandi.Norton@ky.gov, (502) 573-0260

The project is finally in the construction phase and it is time to pay the contractor.

Pay requests should be submitted using a draw request form along with DBE Utilization form to kia.srfloans@ky.gov by the 5th of each month to be disbursed within the same month (funds are normally in the borrowers account by the 18th of month). If a pay request is received after the 5th, it will be held until the following month.

Draw Request Form can be accessed at http://kia.ky.gov/loan/forms.htm

Note! **KIA/DOW will no longer be accepting copies of pay requests to be mailed in or emailed to staff email addresses.**

Project Closeout

Project Closeout

7

Project Closeout

Contact: *James Nelson, Kentucky Infrastructure Authority*
James.nelson@ky.gov, (502) 573-0260

Sarah Aitken, Kentucky Infrastructure Authority
sarah.aitken@ky.gov, (502) 573-0260

The project is finally finished and it is time to close the SRF loan. The following is a list of closeout items needed by the KIA Financial Analyst:

- ☐ **Final Pay Request Form (Exhibit B)**
- ☐ **Initiation of Operation Letter** *The date of the initiation of operation signifies when the constructed items will be doing what they were designed to do.*
- ☐ **Release of Lien from Contractor(s)**
- ☐ **Final adjusting change order(s), if applicable**
- ☐ **Record drawings** (aka As-Builts. *These can be a .pdf copy.)*
- ☐ **Consulting engineer's Certification of Completion on letterhead**
- ☐ **Borrower's Certification of Completion on letterhead**

Final Steps

Upon notification of a final inspection by DOW, KIA will request submission of all the closeout items listed above to close out the loan. An "Exhibit F" and amortization schedule are prepared by the KIA and sent to the loan recipient. The Exhibit F must be signed and returned to KIA. These documents complete the borrowing cycle by establishing the final loan balance and when repayments will be made.