



## ROUND 2 NYS WATER INFRASTRUCTURE IMPROVEMENT ACT FREQUENTLY ASKED QUESTIONS

*NOTE: Italicized questions have been added as of April 29, 2016 and pertain to the expanded eligibility announcement made April 15, 2016.*

### GENERAL

**1. What is the funding split between Clean Water and Drinking Water of the \$175 million available in Round 2?**

A split between the two programs has not yet been determined.

**2. Can the project be completely financed through the loan and grant program?**

Yes, EFC encourages municipalities to consider financing their projects through either the CWSRF or DWSRF in conjunction with an award of a Water Grant. EFC may provide reduced interest rates on the loan portion of a project's financing plan, as well as the convenience of one-stop shopping for all financial needs.

**3. If a municipality finances their Water Grant project through EFC, does EFC subsidize the interest payments on the financing?**

Subsidized financial assistance will be available to Water Grant projects that have SRF project scores above the published 2016 IUP subsidy line. For projects with an SRF score below the published subsidy line, EFC offers market-rate financing for the balance of the project costs not covered by the grant.

**4. What is the definition of a sewage treatment works? Does sewage treatment works equal sewage treatment plant?**

"Sewage treatment works" is defined in Section 17-1903 as a "facility for the purpose of treating, neutralizing or stabilizing sewage, including treatment or disposal plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such plants or sewers, equipment and furnishings thereof and their appurtenances".

A sewage treatment plant qualifies as a sewage treatment works.

**5. Will additional Water Grant funds be available if the final project cost exceeds the estimated cost listed on the application?**

The maximum grant amount under the NYS Water Grants Program is the lesser of 60% of eligible project costs or \$3 million for drinking water projects and the lesser of 25% of eligible project costs or \$5 million for clean water projects. At this time, we are unaware if additional Water Grant will be available for cost over runs for projects. However, financial assistance for additional project cost is available through the base CWSRF and DWSRF programs.



**6. If my municipality received an Engineering Planning Grant (EPG), Storm Mitigation Loan Program (SMLP) or Green Innovation Grant Program (GIGP) grant, are we precluded from applying for a NYS Water Grant?**

No. The award of an EPG, SMLP or GIGP grant does not preclude a municipality from applying for a NYS Water Grant and does not impact the maximum amount of Water Grant for which a municipality is eligible. However, if a municipality was awarded a SMLP grant for a project, that project is not eligible for a Water Grant.

**7. The grant awards are calculated from the “net project costs”. How does the net project cost differ from the total project cost?**

For Clean Water projects, net eligible project cost is the total project cost, less any awarded co-funding (e.g. grants from other funding sources) and/or ineligible project costs. Drinking Water projects will be evaluated on total eligible project cost; grants from other funding sources do not reduce the eligible project costs.

**8. Some of the documents I want to submit with my Water Grant application are large and may not be accepted as email attachments. How can I submit these documents to EFC?**

On the EFC Water Grant webpage ([www.efc.ny.gov/nyswatergrants](http://www.efc.ny.gov/nyswatergrants)), please use the NYS Water Grant Drop Box for submission of any documents in support of your Water Grant Application.

**9. Will applicants who made the April 15, 2016 deadline have to resubmit an application? Will they be able to revise their application and resubmit by June 20, 2016?**

*No. Applicants that submitted their applications by April 15, 2016 will not have to resubmit. Any applicant that wishes to revise and resubmit their application may do so between now and June 20, 2016.*

**10. Will the grant awards for all of Round 2 be announced after the new June 20, 2016 deadline?**

*Yes. Round 2 grant awards will be announced after June 20, 2016.*

**11. Will the IUP project listing deadline also extend to June 20th?**

*Yes. Applicants who submit their IUP project listing by June 20th will have their projects listed on the 2017 IUP. Interested parties may submit their information via the PLUS portal (<http://plus.efc.ny.gov/>) through the end of the comment period on the draft 2017 IUP.*

**12. I submitted an application for Water Grant in Round 1 but did not receive an award. Do I need to resubmit for Round 2? Or is my Round 1 application OK for Round 2?**

*Applications received for Round 1 that were not awarded a grant will be handled as follows:*

- Eligible projects with complete applications will be carried forward for Round 2 consideration. No further action is necessary. Applicants are free to submit additional information to supplement their application, if they wish. All submissions must be received by June 20, 2016.*
- Eligible projects with incomplete applications will be carried forward for Round 2 consideration after the items necessary for a complete application have been received by EFC. The applicants with incomplete Round 1 applications have been contacted by*



*EFC with information identifying the items necessary to complete their applications. All submissions must be received by June 20, 2016.*

## **WATER GRANT ELIGIBILITY**

**13. If a project is already listed on either the CWSRF or DWSRF Intended Use Plan (IUP), does the municipality need to apply to be considered for a Water Grant?**

Yes, all applicants must complete a Water Grant Application to be considered for a Water Grant.

**14. Does SMLP funding preclude applying for a Water Grant?**

A municipality may still apply for a Water Grant; however, a project that has already received a SMLP grant is not eligible for a Water Grant.

**15. If a municipality received an SRF grant as part of a CWSRF or DWSRF funding package, is the municipality ineligible for a Water Grant?**

No. However, municipalities are limited to a total of \$5 million of aggregate CWSRF grant and NYS Water Grant or \$3 million of aggregate DWSRF grant and NYS Water Grant over a five-year period (October 1, 2011 to September 30, 2016), for any combination of projects or phases of projects. Therefore, the maximum grant amount available for a project submitted in Round 2 will be decreased by the amount of SRF grant previously received in the five-year period.

**16. Can municipalities apply for Water Grants for both clean water and drinking water projects and be eligible for both?**

Yes. Municipalities are encouraged to submit applications for both clean water and drinking water projects.

**17. If we have a short-term financing for our project with EFC, can we apply for a Water Grant under this program?**

Municipalities are encouraged to apply for a Water Grant if they are currently utilizing the CWSRF and DWSRF programs, so long as, for the specific project, they have not closed a short-term loan through either program before October 1, 2014 and did not complete construction as of October 1, 2015.

**18. If we closed a long-term EFC financing within the last year on a clean water or drinking water project, are we eligible to apply for a Water Grant for that project?**

No, if you closed on a long-term financing that project is not eligible for a Water Grant. However, you can apply for a Water Grant for a different project.

**19. Can you provide more information on “expanded eligibility” as it pertains to the hardship criteria and the current categories?**

*With the infusion of additional funds, EFC is expanding eligibility for the Clean Water portion of the NYS Water Grants program to all wastewater projects authorized under the Water Infrastructure Improvement Act of 2015. These include, among others, the following capital projects:*

- *New, expanded or rehabilitated wastewater treatment plants*



- *Collector, trunk and interceptor sewers*
- *Sewer rehabilitation and infiltration/inflow correction*
- *Combined and sanitary sewer overflow abatement*
- *Resiliency projects*

**20. If a project is below the subsidy line, is it still eligible for a NYS Water Grant?**

*Yes. A project listed below the published subsidy line in Categories A, B and C in the 2016 or 2017 IUP may compete for a Clean Water NYS Water Grant. If awarded a NYS Water Grant, the project would be offered a market rate financing to accompany the grant.*

**21. Are projects that have already been designed and started eligible for a NYS Water Grant?**

*Yes. Projects already under design or with completed design and under construction are eligible for a NYS Water Grant. A project would be ineligible if construction was completed before October 1, 2015.*

## **COORDINATION WITH OTHER GRANT PROGRAMS**

**22. What, if any, relation does this program have to the Consolidated Funding Application (CFA)?**

None. The NYS Water Grants program is not associated with the CFA process.

**23. If the project is financed through another funding agency, can the municipality apply for a Water Grant?**

Yes, but if the municipality is awarded a NYS Water Grant, the amount of the Clean Water NYS Water Grant may be reduced by the amount of any other grant funds received for the project.

## **MWBE**

**24. What are the MWBE goals for the NYS Water Grants program?**

23% if using CWSRF assistance, 26% if using DWSRF assistance, and 30% if receiving a Water Grant only without SRF assistance.

**25. Is the 23% CWSRF MWBE participation goal applied only to the Grant value or the total project value?**

The MWBE goal is applied to the entire project.

**26. Are the MWBE goals the same for both Professional Services and Construction Services?**

Yes.



**27. If a listed CWSRF or DWSRF project is underway and is awarded a Water Grant, would the MWBE goals be required to be increased to the higher Water Grant MWBE goals? Will waivers be allowed?**

MWBE Utilization Plans that were previously approved by EFC and contracts that have already been advertised for bid with the 20% participation goals will not need to meet the higher Water Grant MWBE participation goals. Upon award of a Water Grant, any new construction or non-construction contracts will be subject to the higher MWBE participation goals. Waivers may be available to those who meet the "good faith effort" criteria as described in the EFC MWBE program.

## **DRINKING WATER**

**28. For drinking water projects, "installation" means that Water Grants can be used to construct new pipelines, is that correct?**

Installation of new water mains may be eligible. The municipality should contact the NYSDOH to confirm project eligibility under this Grant program.

**29. Will 75% of the funding allocation for drinking water projects continue to be reserved for Hardship communities?**

For this Round 2 we are continuing the 75% minimum reserve for hardship communities. No determination has been made at this time for future Rounds.

**30. Are Resiliency drinking water projects eligible for NYS Water Grants?**

Yes, resiliency drinking water projects are eligible for Water Grants.

**31. Does the Drinking Water Grant cover the construction of a water tower?**

The project would likely be eligible, however more details about the project would be needed to make a final eligibility determination. Contact NYSDOH to confirm project eligibility under this Grant program.

**32. Would the dredging of a raw water supply reservoir be considered an eligible project?**

No. Any work related to reservoirs or dams is not eligible.

**33. We have part of a community that has only private wells, but they are considering establishing a water district. Would this type of project be eligible?**

The project may be eligible, but the municipality should call the NYSDOH to confirm project eligibility under this Grant program.

**34. We have water mains on three streets that need to be replaced. Would this type of project be eligible for grant, and if so, are we at a disadvantage if we package all 3 as one project in an "all or nothing" application?**

Replacement of existing water mains is an eligible project. There would be no disadvantage with respect to priority ranking if the application is submitted as one project or three separate applications for each project. However, a municipality is precluded from being awarded more than one grant in each program (i.e., Drinking Water and Clean Water). Therefore, the applicant would typically maximize its grant opportunities by submitting a single larger project, rather than three separate smaller projects. Ultimately, the applicant will need to determine



the best approach based on total project cost and affordability. The municipality is encouraged to contact the NYSDOH for guidance.

**35. We have a 10-year old water line that is failing due to defective installation. Do we qualify as Hardship?**

The determination of Hardship is based on the municipality's Median Household Income (MHI) as determined by the 2013 American Community Survey (ACS). Hardship is not related to the age/condition of a system's infrastructure.

**36. If a project is proposing a new water system to replace existing wells, is it eligible for a drinking Water Grant?**

The project may be eligible, but the municipality should call the NYSDOH to confirm project eligibility under this Grant program.

**37. If a community is proposing to extend an existing water system into an area not previously served, is it eligible for a drinking Water Grant?**

The project may be eligible, but the municipality should call the NYSDOH to confirm project eligibility under this Grant program.

## **DWSRF APPLICATION**

**38. Is there a Smart Growth Assessment form specific to DWSRF, or does the CWSRF form apply to both?**

There are different Smart Growth Assessment forms for the CWSRF and DWSRF programs. Both Smart Growth assessment forms are available on the NYS Water Grants webpage.

**39. Is it mandatory to submit an Engineering Report in order to be on the list by March 1? Can it be submitted afterwards as part of the actual Water Grants application process?**

A municipality that is applying for a NYS Water Grant must submit an engineering report by June 20, 2016.

**40. Please clarify the application requirements for a drinking Water Grant?**

To be considered for Round 2 of the NYS Water Grants program, a complete NYS Water Grants application with all required supporting documents must be submitted (or be on file) by June 20, 2016. The required supporting documents are:

- A NYS Water Grant Application
- Engineering Report (if not previously submitted)
- Project Budget
- Project Schedule
- Smart Growth Assessment Form
- Plan of Finance (only for projects not seeking DWSRF financial assistance for non-NYS Water Grant funded portion of project)
- Complete DWSRF financing application if seeking DWSRF funding for non-NYS Water Grant funded portion of project



- Bond Resolution (certified)
- District Formation completed (if applicable to project)
- Environmental Review completed (SERP for DWSRF projects; SEQR for non-DWSRF projects)
- SHPO review completed

The deadline to submit the items listed above for consideration for future rounds of NYS Water Grant funding has not yet been determined. However, potential drinking water candidates are encouraged to submit a NYS Water Grant Application, Engineering Report, and Smart Growth Assessment form as soon as possible.

***41. If we already submitted an application by April 15, 2016 requesting the maximum \$2 million grant, do we now have to re-apply to request the new maximum \$3 million grant?***

*No. All applications will be evaluated based on the new \$3 million maximum grant amount.*