



**Environmental
Facilities Corporation**

State and Federal Financings and Grants for Water and Wastewater Projects

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Overview



- ✓ About EFC
- ✓ State Revolving Funds (SRFs)
- ✓ Grant Programs
- ✓ Federal Bipartisan Infrastructure Law (BIL)
- ✓ The Bond Act
- ✓ Technical Assistance
- ✓ Q&A Session



About EFC

About EFC

We Fund New York State Water Infrastructure

Clean Water State Revolving Fund

Low-cost capital for sewer and wastewater treatment projects.

Drinking Water State Revolving Fund

Low-cost capital for drinking water projects.

State Water Grants

Ease the cost burden of capital infrastructure costs.

Federal Bipartisan Infrastructure Law Funding

Administered Through the State Revolving Funds.

Nation-Leading Investment

\$35.8B

Provided to
Wastewater
Projects Since
1990

\$8.99B

Provided to
Drinking Water
Projects Since
1996

\$2B

EFC Water
Grants Awarded
to 879 Projects
Since 2015

Types of Financial Assistance

Offered by EFC

Short-Term Financing



- Available to Provide Recipients with Funding to Design and Construct Projects
- Up to 5-Year Term

Long-Term Financing



- Amortized Up To a Term of 30 Years

Interest-Rates



- Interest-Free
- Subsidized
- Market-Rate

Grant Programs

Engineering
Planning
Grant

EPG

Water
Infrastructure
Improvement

WIIA

Intermunicipal
Grants

IMG

Green
Innovation
Grant Program

GIGP

State Revolving
Fund Grants

SRF

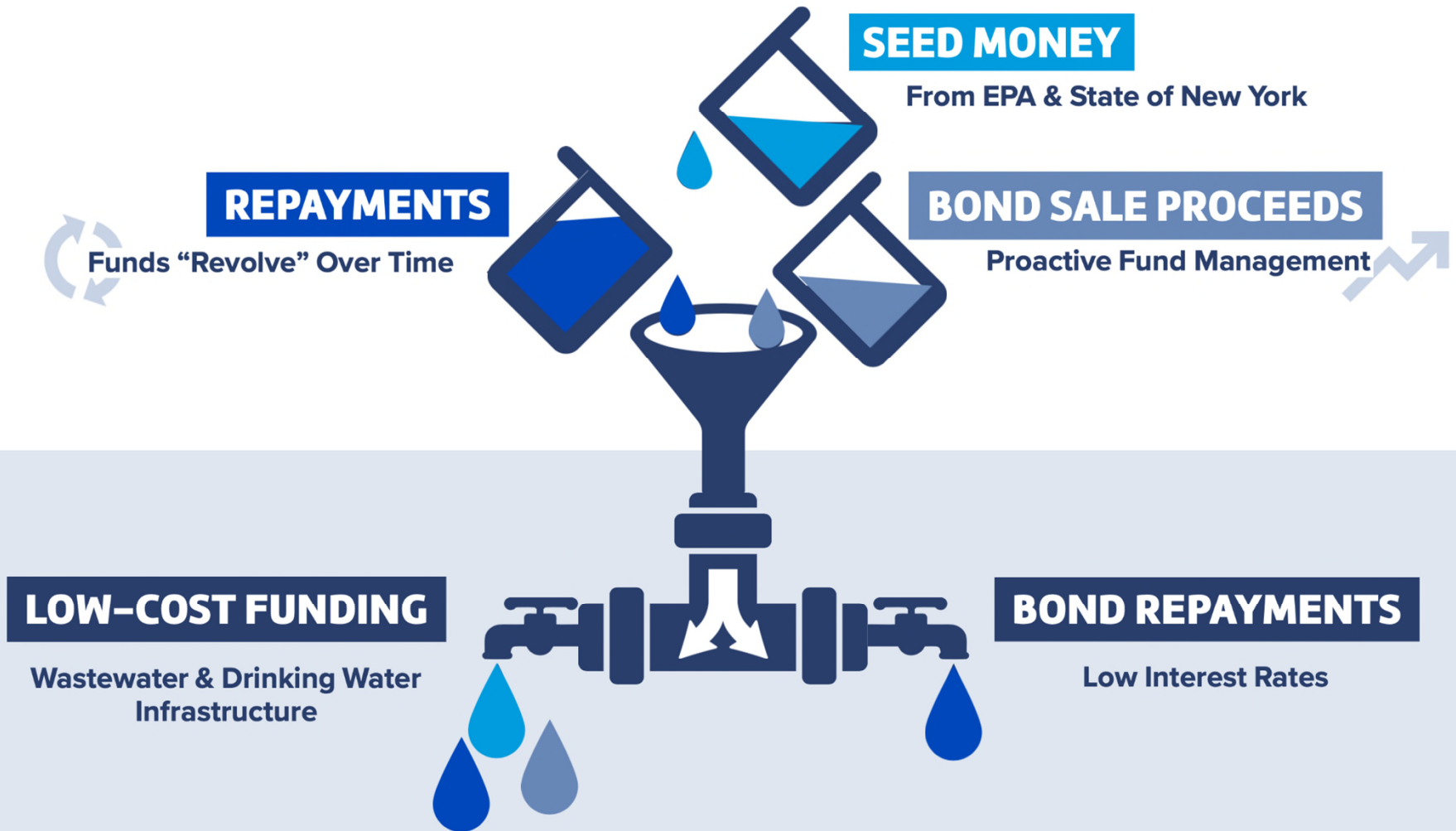
Bipartisan
Infrastructure
Grants

BIL



State Revolving Funds (SRF)

NEW YORK STATE REVOLVING FUND





Intended Use Plan

The First Step in Seeking
State Revolving Funds



Prepared Annually By Law

The Intended Use Plans describe each SRF program, list the funds that are available and identify how the funds will be used



Project Rank and Score

Each project is ranked and scored based on water quality and public health impacts as described in the documents submitted by applicants

Eligible costs are based on documented estimates from engineering reports, plans and specifications, and contract awards

Project Priority Lists



Financing Process

List Your
Project

Projects
Ranked &
Scored

IUP is
Released

Prepare
Application
Materials

Apply for
Financing

STEP 1

STEP 2

STEP 3

STEP 4

STEP 5



List or Update
by June 16, 2023
for the 2024 IUP

Eligible Projects

Clean Water State Revolving Fund

Administered by EFC in partnership with DEC

- Municipally-Owned Treatment Works
- Non-Point Source
- National Estuary Conservation and Management Plan
- Decentralized Systems
- Recycled Water and Water Re-Use
- Construction of new and/or rehabilitation of wastewater and stormwater infrastructure

Drinking Water State Revolving Fund

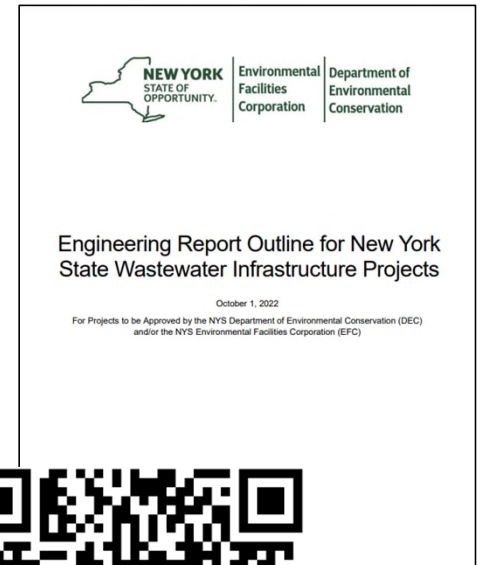
Administered by EFC in partnership with DOH

- Municipally-Owned Community Water Systems
- Privately-Owned Community Water Systems
- Non-Profit, Non-Community Water Systems
- Consolidation of Water Supply Services
- Construction of new and/or rehabilitation of drinking water infrastructure

Engineering Report Outline

- ✔ **Each SRF program has its own Engineering Report Outline, which includes:**
 - **Project background and history,**
 - **Alternatives analysis,**
 - **Summary and comparison of alternatives,**
 - **Recommended alternatives, and**
 - **Project objectives including Environmental Justice, Resiliency, and Green infrastructure.**

- ✔ **Acceptability reviews will be performed to ensure all required items are included before a project can be on the Annual List.**



SRF Application

- ✓ **Project must be on Annual List**
- ✓ **Used for both CWSRF and DWSRF**
- ✓ **Required Documents**
 - **SRF Financing Application**
 - **Bond Resolution**
 - **Environmental Review**
 - **SHPO Letter**
 - **District Formation, if applicable**

**Submit by
June 16, 2023**





Mandatory Terms & Conditions (T&Cs)

- ✓ Contracts paid for with EFC funds must include T&Cs
- ⚠ Any contracts that do not include the required language may be ineligible for funding
- ✓ Program requirements include:
A/E Services Procurement,
MWBE/EEO/ DBE, Service-Disabled
Veteran Owned Business, American
Iron & Steel, Davis-Bacon Prevailing
Wage

A/E Procurement Requirements

- ✓ **Architectural/Engineering Services Procurement**
- ✓ **Applies to the following types of projects:**
 - Projects with CWSRF Financing Agreements closing after October 1, 2022
 - Projects receiving BIL grants
 - Projects receiving CWSRF or DWSRF grants
 - Projects receiving Engineering Planning Grants (EPG)
- ✓ **A/E procurement may not apply if your project does not have BIL or SRF federal grants and the engineering agreement was executed before October 1, 2022**
 - Consult with your EFC project team

A/E Procurement Required Steps



01 Public Announcement

Public announcement of the solicitation

02 Evaluation and Ranking

Evaluation and ranking of the submitted qualifications statements based on established, publicly available criteria

03 Discussion with at least 3 Firms

Discussion with at least three firms to consider anticipated concepts and compare alternative methods for furnishing services

04 Selection of at least 3 Firms

Selection of at least three firms considered to be the most highly qualified to provide the services required

05 Contract Negotiation

Contract negotiation with the most highly qualified firm to determine compensation that is fair and reasonable based on a clear understanding of the project scope, complexity, professional nature, and the estimated value of the services to be rendered



Grant Programs

**Water
Infrastructure
Improvement**

WIIA

**Intermunicipal
Grants**

IMG

**Green
Innovation
Grant Program**

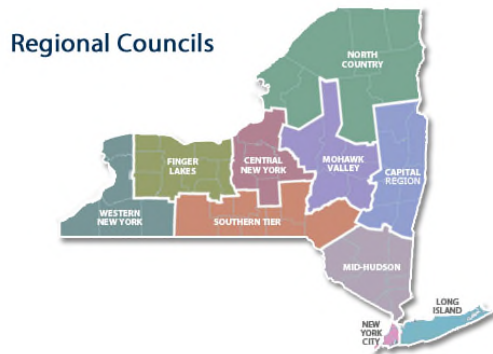
GIGP

**Engineering
Planning
Grant**

EPG

Engineering Planning Grants (EPG)

- Funding for hardship communities to pay for the initial planning of eligible CWSRF projects.
- State Financial Assistance T&Cs (30% MWBE/6% SDVOB)



**Anticipated beginning
of application period
in Spring 2023**



This funding helps develop
an Engineering Report

Engineering Reports are
required to list your
project on the Annual
List of the Intended Use
Plan.



Grant awards
up to \$100K

- Up to \$100,000 per locality for inflow/infiltration studies required by enforcement action
- Up to \$50,000 for all other projects

Green Innovation Grant Program

Supports projects that utilize unique EPA-designated green stormwater infrastructure design and create cutting-edge green technologies.



This funding supports projects that improve water quality and mitigate climate change.

SRF T&Cs (20% MWBE)



Projects must implement one of the following green practices:

- Green Stormwater Infrastructure
 - Maintain and restore natural hydrology by infiltration, evapotranspiration, and harvesting stormwater
 - 75-90% grants available
- Energy Efficiency
 - Reduce Energy Consumption or Produce Renewable Energy
 - 50-75% grants available
- Water Efficiency
 - Reuse, Conserve or Improve Water Efficiency
 - 50-75% grants available
- Environmental Innovation



**Anticipated beginning
of application period
in Spring 2023**

WIIA

Available to
Municipalities for Sewage
Treatment Works and
Drinking Water Projects

Anticipated
beginning of
application
period in
Spring 2023



Clean Water WIIA

- Municipalities will be awarded **25%** of total net eligible project costs **up to \$25 million**.
- Grants administered through EFC will not be used to calculate net eligible project costs (GIGP, CWSRF)

Drinking Water WIIA

- Municipalities will be awarded **60%** of total net eligible project costs **up to \$5 million**.
- The maximum a municipality can receive is \$5 million in DWSRF grant and/or WIIA grant per year.
- Projects addressing an emerging contaminant above the State determined Maximum Contaminant Level (MCL) may be awarded **60% of total net eligible project costs**.



Intermunicipal Grants

Available for clean water and drinking water projects that serve multiple municipalities for consolidation of infrastructure or services

- ✔ Awards up to **40%** of net eligible costs, **up to \$30 million**
- ✔ One municipality must be the lead municipality and apply on behalf of all cooperating municipalities
- ✔ Must have a current, valid, and binding project Intermunicipal Agreement (IMA) between at least two cooperating municipalities related to the financing and implementation of the project.

WIIA/IMG Eligibility Criteria

- ✓ **Available for municipalities**
- ✓ **Water quality infrastructure projects at municipally-owned sewage treatment works and public water systems for:**
 - **Construction, replacement or repair of infrastructure**
 - **Compliance with federal or state environmental and public health laws/regulations**
- ✓ **Projects must meet the following criteria:**
 - **Result in construction of the project**
 - **Include the applicable EFC Terms and Conditions in contracts under construction**
 - **Construction start and completion date limits (included with each round)**
 - **May not be for the construction of water infrastructure that exclusively supports new development, whether residential or commercial**

WIIA & IMG Program Requirements

- ✔ **All awarded projects must comply with the following state requirements:**
 - Environmental Review (SEQR/SHPO)
 - Smart Growth
 - MWBE/EEO

- ✔ **Awarded projects with SRF financing must also comply with the following federal requirements:**
 - American Iron and Steel
 - Davis-Bacon Federal Prevailing Wage

- ✔ **Awarded projects without SRF financing must also comply with the following federal requirements:**
 - Service-Disabled Veteran-Owned Business (SDVOB)



Federal Bipartisan Infrastructure Law (BIL)

BIL & SRFs

BIL funding for water infrastructure is being administered through the State Revolving Funds over five years.

The first installment of \$428 million has been made available in the 2023 IUPs, in addition to annual base appropriations.

2022 FFY Funding By Category

\$196M

CWSRF

General Supplemental
Required Additional Subsidy: 49%

\$10M

CWSRF

Emerging Contaminants
Required Additional Subsidy: 100%

\$73M

DWSRF

General Supplemental
Required Additional Subsidy: 49%

\$30M

DWSRF

Emerging Contaminants
Required Additional Subsidy: 100%

\$115M

DWSRF

Lead Service Line Repl.
Required Additional Subsidy: 49%

*Required additional subsidy percentages are based on the full Cap Grant amounts and are not necessarily the percentage available per project.

Eligible Projects – CWSRF BIL

BIL General Supplemental (GS)

Municipal water pollution control projects including, but not limited to:

- Wastewater treatment facilities
- Pumping stations and sewers
- Combined sewer overflow abatement
- Stormwater pollution abatement
- Other municipally owned projects or portions of projects that maintain, protect or improve water quality.

BIL Emerging Contaminants (EC)

Construction costs on CWSRF eligible projects whose primary purpose is to address emerging contaminants, including but not limited to, groundwater or surface water contamination caused by:

- Perfluoroalkyl and polyfluoroalkyl substances (PFAS)
- Pharmaceuticals
- Personal care products
- Micro/nanoplastics.

CWSRF BIL GS

- ✔ **Grant funding up to 50% of eligible project costs, net of non-EFC grants, up to a maximum amount of \$25 million**
- ✔ **Project must be listed above the Hardship Funding Line in IUP Category D**
- ✔ **Must not have:**
 - **Incurred SRF-eligible debt or closed an EFC financing before November 15, 2021;**
 - **Issued a Notice to Proceed to construction before November 15, 2021;**
 - **Closed a long-term project financing agreement; and**
 - **Substantially completed construction before the beginning of the FFY**



CWSRF BIL GS

- ✓ **A BIL-GS Funding Line is established in IUP Subcategory D1 to identify projects that qualify for BIL-GS Additional Subsidy**
 - Projects above the line, are eligible to receive a BIL-GS Additional Subsidy award letter for the amounts listed
 - Projects below the line, will NOT receive BIL-GS Additional Subsidy in that FFY
- ✓ **Of the 188 CWSRF projects identified as BIL-GS eligible in the 2023 IUP, 44 qualified for funding**



CWSRF BIL EC

- ✓ **Grant funding up to 100% of eligible project costs, up to a maximum amount of \$25 million**
- ✓ **Additional subsidy will be offered in Project Priority Score order**
- ✓ **To be considered for additional subsidy, a municipality must have:**
 - **Been included in Subcategory D2 in the IUP;**
 - **Not executed a CWSRF short-term project financing agreement or incurred SRF-eligible debt before November 15, 2021;**
 - **Not executed a long-term project financing agreement; and**
 - **Not have substantially completed construction before the beginning of the FFY.**



Eligible Projects – DWSRF BIL

BIL General Supplemental (GS)

Municipally owned and privately-owned community water systems and non-profit non-community water projects including:

- Construction, rehabilitation, and upgrading of water treatment plants; transmission and distribution mains; storage facilities; pump stations
- Rehabilitation or development of new drinking water sources
- Consolidation of water supply services; and
- Capital investments to improve security of drinking water systems.

BIL Emerging Contaminants (EC)

DWSRF eligible projects with the primary purpose to address emerging contaminants in drinking water, with a focus on PFAS.

BIL Lead Service Line Replacement (LSLR)

DWSRF eligible projects that replace or are associated with an LSLR project or associated activity directly connected to the identification, planning, design, and replacement of lead service lines. Any project funded under this category involving the replacement of lead service lines must replace the entire lead service line (public and privately owned portion), not just a portion.

DWSRF BIL GS

- ✔ **Grant funding up to 70% of eligible project costs, net of non-EFC grants, but not to exceed \$5 million**
- ✔ **Projects on the BIL-GS Eligible Project List awarded additional subsidy and interest-free financing in public health priority score order**
 - **Must not have closed a short-term financing before October 1 of the FFY in which the assistance is awarded**
 - **Additional subsidy may not be used to forgive debt that was incurred prior to November 15, 2021**
- ✔ **Of the 120 DWSRF projects identified as BIL-GS eligible in the 2023 IUP, 18 were awarded funding**



DWSRF BIL EC

- ✔ Grant funding up to 100% of eligible project costs, net of non-EFC grants, but not to exceed \$5 million for disadvantaged communities
- ✔ Grant funding up to 70% of eligible project costs, net of non-EFC grants, but not to exceed \$5 million for non-disadvantaged communities
- ✔ First priority given to projects that address PFAS
- ✔ At least 25% of the BIL-EC funds will go to state-defined disadvantaged communities



DWSRF BIL LSLR

✓ LSL Replacement Projects

- Grant funding up to 70% of eligible project costs, net of non-EFC grants, but not to exceed \$10 million (disadvantaged communities)

✓ LSL Inventory Projects

- Grant funding up to 100% of eligible project costs, net of non-EFC grants, but not to exceed \$2 million (disadvantaged communities)

✓ Projects will be awarded in public health priority score order until the available funds have been exhausted



BIL Program Requirements

Includes Base SRF Program Requirements

American Iron and Steel (AIS)

Requires recipients to use iron and steel products produced in the United States in construction

DBEs

Goals applied to contracts and subcontracts to promote participation opportunities for certified DBEs in governmental procurement contracts

Davis-Bacon Prevailing Wage

Requires Contractors and Subcontractors to pay laborers and mechanics not less than the prevailing wage

Mandatory T&Cs

Additional Federal Requirements

- ✓ Professional (A/E) Service Procurement requirements
- ✓ Build America, Buy America Act (BABA): expands domestic preference procurement requirements
- ✓ Telecom Exclusion
- ✓ Disadvantaged Business Enterprise (DBE)
- ✓ Single Audit and federal thresholds (\$750,000)
- ✓ Additional coordination for Environmental Review
- ✓ Federal Equivalency Requirements are necessary for any project funded through BIL
 - Equivalency projects are identified on CWSRF IUP with an “E” notation

Build America, Buy America (BABA) Act

- ✔ All of the iron, steel, manufactured products, and construction materials used in the project must be produced in the United States. BABA was effective May 14, 2022
- ✔ What this means:
 - Iron, steel, and construction materials: All manufacturing processes occurred in the United States
 - Manufactured products: The product was manufactured in the United States, and the cost of components that are mined, produced, or manufactured in the United States is greater than 55% of the product costs
 - Additional guidance forthcoming from EPA and federal Office of Management and Budget
 - EPA issued a waiver that will exempt most projects on the 2023 IUPs



Clean Water, Clean Air, & Green Jobs Environmental Bond Act

Bond Act

Investing \$4.2B in New York's Environment and Communities

- ✓ Funding to protect water quality, help communities adapt to climate change, improve resiliency & create green jobs
- ✓ 35% of funding to be directed to Environmental Justice communities

**BROWSE BOND ACT
WEBPAGE**



\$650M

**For Water
Infrastructure
Improvement**

Bond Act

Funding Allocation

\$650M

Water Quality Improvement
& Resilient Infrastructure

\$650M

Open Space Land
Conservation & Recreation

\$1.1B

Restoration & Flood
Risk Reduction

\$1.5B

Climate Change
Mitigation



Water Quality Improvement & Resilient Infrastructure

Minimum \$200 million for water improvement and infrastructure projects

Minimum \$250 million to support municipal storm-water grants

\$200 million to support:

- ✓ Green infrastructure
- ✓ Projects to reduce agricultural nutrient run off and promote soil health
- ✓ Projects to reduce the frequency of harmful algal blooms (HABs)
- ✓ Lead service line replacement

Bond Act **Priorities**

**Advance
Environmental
Justice**

**Mitigate
Climate
Change**

**Create
Jobs**

Next Steps

Identify Priority Projects

Governor Hochul directed an inter-agency working group to begin identifying needs for environmental funding across the State.

Educational Listening Tour

Will offer the opportunity to discuss what the Bond Act will fund, as well as provide communities an opportunity to weigh in on draft criteria developed to identify potential projects.



Technical Assistance

Technical Assistance



Governor's Priority

Governor Hochul announced the creation of Community Assistance Teams to build on EFC's history of assisting communities with accessing funding for water infrastructure projects

Virtual and In-person Support

EFC staff are available to provide support to municipalities interested in accessing our funding opportunities through one-on-one consultations and community events

Visit Our Website

EFC has information about upcoming events and how to request assistance on our website

Thank you!

Liz Ricci, P.E.

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Division of Engineering

NYS Environmental Facilities Corporation

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