



## Department of Health

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Sent Via Email:

December 31, 2019

Mr. Stephen R. Vida  
SRF Team Leader  
U.S. Environmental Protection Agency  
Region 2  
290 Broadway, 27<sup>th</sup> Floor  
New York, New York 10007

Re: Drinking Water State Revolving Fund  
Federal Fiscal Years 2018 & 2019  
Biennial Report

Dear Mr. Vida:

Enclosed is a copy the Drinking Water State Revolving Fund (DWSRF) Biennial Report for the Federal Fiscal Years 2018 & 2019 reporting period.

We appreciate the ongoing support that we continue to receive from the staff at the U.S. Environmental Protection Agency Region 2 office and look forward to another productive DWSRF funding cycle in Federal Fiscal Year 2020.

If you have any questions related to the report, please contact David Phillips at [david.phillips@health.ny.gov](mailto:david.phillips@health.ny.gov) or 518-402-7650.

Sincerely,

Michael Montysko, P.E.  
Chief, Design Section  
Bureau of Water Supply Protection

cc via E-mail w/ attachment:

NYSDOH: R. Sokol / K. Wheeler / T. Hunt / D. Phillips  
NYSEFC: M. Coleman / A. Nowosielski  
US EPA Region 2: J. Leu



**NEW YORK**  
STATE OF  
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**Department  
of Health**

**NEW YORK STATE  
DRINKING WATER STATE REVOLVING FUND**

**BIENNIAL REPORT  
for  
FEDERAL FISCAL YEARS 2018 & 2019**

Prepared For:  
United States Environmental Protection Agency  
Region II Office  
290 Broadway, 27<sup>th</sup> Floor  
New York, New York 10007

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December 2019

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**EXHIBITS:**

- Exhibit 1 - List of Projects Receiving Financing Assistance
- Exhibit 2 - US EPA Project Benefit and Reporting System Report
- Exhibit 3 - US EPA National Information Management System Report
- Exhibit 4 - Set-Aside Uses and Amounts as Published in the Intended Use Plans
- Exhibit 5 - Copies of the Federal Capitalization Grant Awards

## **1.0 INTRODUCTION**

The Drinking Water State Revolving Fund (DWSRF) program was created nationally with the passage of the 1996 Amendments to the Federal Safe Drinking Water Act (SDWA) and was created in New York State through the New York State enactment of the 1996 Clean Water/Clean Air Bond Act. The DWSRF provides a significant financial incentive for public water systems to finance needed drinking water infrastructure improvements to enhance and protect public health. In New York State, the program provides market rate and below market rate financings for the construction of eligible water system infrastructure projects to community public water systems and non-profit, non-community public water systems. For communities with eligible projects and demonstrated financial hardship, interest rates can be reduced to zero percent. In addition, in the event of severe financial hardship, additional financial assistance in the form of grants may be available for eligible projects. The DWSRF program is a New York State Department of Health (DOH) program that is jointly administered by the New York State Environmental Facilities Corporation (EFC).

The 1996 SDWA Amendments provided a mechanism for New York State to receive annual federal capitalization grants for the DWSRF program. The 1996 New York State Clean Water/Clean Air Bond Act allocated \$265 million for the DWSRF program for drinking water infrastructure improvements, as well as to meet the federally mandated state match of at least 20% of the federal DWSRF capitalization grants. Additionally, the Bond Act provided \$90 million for State Assistance Payments (state grants) which were provided to communities with eligible DWSRF projects and demonstrated financial hardship.

Since its inception in 1996, the New York State DWSRF program has received \$1.58 billion including \$1.31 billion in federal funds through United States Environmental Protection Agency (US EPA) federal capitalization grants and \$265 million in state funds from the 1996 New York State Clean Water/Clean Air Bond Act. With this \$1.58 billion investment into the program, the New York State DWSRF has executed over \$7 billion in financings and grants including \$4.28 billion in long term and short-term financings, \$2.35 billion in refinancings and \$375 million in grants for disadvantaged communities. This tremendous level of success has been achieved through the efficient management of the program, the leveraging of program funds, and the recycling of repayments and interest earnings. These financings and grants have assisted 487 public water systems in protecting public health by making drinking water system infrastructure projects more affordable for residents throughout New York State. The New York State DWSRF continues to be the national leader in providing DWSRF assistance to public water systems.

This Biennial Report covers the operation of the DWSRF program and describes how New York State met the goals and objectives identified in the two Intended Use Plans (IUPs) generated for Federal Fiscal Years (FFYs) 2018 & 2019. Additionally, this report provides information related to the following DWSRF program elements for the reporting period; assistance provided, the program fiscal status, the IUP process, the hardship assistance program including additional subsidies, set-aside activities and distributions, small water system assistance, the State Environmental Review Process and Equivalency Projects, compliance with the conditions of the capitalization grants and audits. The report also provides details related to the New York State Water Infrastructure Improvement Act and the Intermunicipal Grant programs and their impacts to the DWSRF program.

## **2.0 FEDERAL CAPITALIZATION GRANTS AND ASSISTANCE PROVIDED**

### **2.1 Federal Capitalization Grants**

During the reporting period New York State was awarded two DWSRF federal capitalization grants to support the program totaling approximately \$79 million. Table 1 provides details related

to the federal capitalization grants and copies of the federal capitalization grant awards are included in Exhibit 5.

<b>TABLE 1 - Federal Capitalization Grants Awarded</b>			
<b>FFY</b>	<b>Grant #</b>	<b>Date Awarded</b>	<b>Amount</b>
2018	99290518	07/11/2018	\$45,363,000
2019	99290519	09/13/2019	\$44,938,000
<b>Total</b>			<b>\$79,459,000</b>

The federal grants shown in Table 1 were the full amount of the FFY’s allotments available to New York State and the funds are being used to finance projects drinking water infrastructure projects, for the management of the program and other set-aside activities as detailed in the IUPs. During the early years of the DWSRF program, New York State had deposited a total of \$265,000,000 from the 1996 New York State Clean Water/Clean Air Bond Act into the fund and those funds are credited each year towards meeting the ongoing 20% state match requirement for the federal DWSRF capitalization grants.

It is federally required that not less than 20% of the federal capitalization grants must be provided to public water systems for eligible infrastructure projects as additional subsidy in the form of grants, negative interest rate or principal forgiveness and that not less than an additional 6% be provided in the form of principal forgiveness providing there are sufficient applications. This additional 6% in the form of principal forgiveness became effective beginning in FFY 2019. As published in the IUPs during the reporting period, 20% of the federal capitalization grants were committed as additional subsidy in the form of grants to disadvantaged communities for eligible drinking water infrastructure projects. With respect to the additional 6% in the form of principal forgiveness that became effective in FFY 2019, New York State had insufficient applications and therefore is not providing principal forgiveness additional subsidy but will continue to meet the required minimum additional subsidy of 20% of the federal capitalization grants in the form of grants to disadvantaged communities. The reason for the insufficient applications for the 6% additional subsidy in the form of principal forgiveness is due to the state’s infrastructure grant programs that went into effect in 2015. Through December 31, 2019, these state grant programs have awarded \$690 million in state grant funds for 339 public water infrastructure projects. Many of the 339 projects were for disadvantaged communities, some of which also were assisted with DWSRF interest free financings. Between the 20% of the federal capitalization grant being provided as additional subsidy in the form of grants and the state’s grant programs, all qualifying disadvantaged communities with eligible projects are being assisted with additional subsidy in the form of grants. The state grant programs have significantly leveraged the DWSRF program and increased the number of projects seeking assistance through the DWSRF. Details about the state grant programs is included in section 12 of this report.

## 2.2 Assistance Provided to Public Water Systems

For this biennial reporting period, the DWSRF program executed approximately \$1.06 billion in financings and assistance including approximately \$27 million in additional subsidy in the form of grants. The summary of the assistance provided during the reporting period is shown in Table 2.

<b>TABLE 2 - Total Assistance Provided During Reporting Period</b>			
<b>FFY</b>	<b>Loans*</b>	<b>Grants</b>	<b>Totals</b>
2018	\$537,175,064	\$12,372,168	<b>\$549,547,232</b>
2019	\$498,602,605	\$14,812,653	<b>\$513,515,258</b>
<b>Totals</b>	<b>\$1,035,777,669**</b>	<b>\$27,184,821</b>	<b>\$1,062,962,490</b>
* Throughout this report, the terms loan and financing may be considered interchangeable			
** Loan Totals Include \$535,974,797 in DWSRF Refinancings			
<b>Note:</b> See Exhibit 1 for a list of systems that received Assistance			

### 3.0 DWSRF GOALS AND ACCOMPLISHMENTS

#### 3.1 Short-term DWSRF Goals and Accomplishments

The two IUPs prepared during the reporting period described six short-term goals that were implemented. Achieving these short-term goals protects public health by assisting public water systems in New York to improve drinking water quality, quantity, dependability, protect public drinking water supplies, enhance capacity development, and successfully attain and/or maintain compliance with drinking water requirements. The short-term goals were as follows:

1. Continue to implement the DWSRF program for the State of New York. New York State met the federal SDWA statutory requirements for the DWSRF program by adopting regulations in 1997 that establish the provisions and procedures under which financial assistance is provided to public water systems. The DOH regulation (10 NYCRR Part 53) includes the project Public Health Priority Ranking Criteria which is used to rank projects eligible for funding and the Affordability Criteria which is used to determine whether communities qualify for financial hardship under the DWSRF program. The EFC regulation (21 NYCRR Part 2604) covers the project financing requirements of the DWSRF program. New York State implements the DWSRF program according to the adopted regulations and federal requirements.
2. Receive project Listing Forms, revise existing listed projects, score and rank all projects based on public health risk and compliance with the SDWA. All projects listed in the IUPs are given a ranking based on public health priority. The Public Health Priority Ranking Criteria was developed to establish the highest priority for projects that pose the most serious risks to public health. In New York State, the highest priority is given to acute public health risks, particularly those related to microbiological organisms. The next priority is given to conditions that pose chronic and longer-term risks to consumers, such as organic chemical contamination. The Public Health Priority Ranking Criteria also incorporates considerations for the reliability of the public water system, financial, technical, and managerial viability and median household income.

The total number of projects listed in the IUPs for the reporting period is shown in Table 3.

<b>Table 3- Projects listed in the Intended Use Plan</b>		
<b>FFY</b>	<b>Number Projects Listed</b>	<b>Cumulative Project Cost Listed</b>
2018	1941	\$7,712,395,887
2019	2011	\$7,839,579,254

3. Make available short-term financing to help accelerate project development and for construction. During the reporting period, the DWSRF program executed 75 short-term financings totaling \$568,472,111. The short-term financings for this biennial reporting period are summarized in Table 4.

<b>Table 4- Summary of Short-Term Financings</b>		
<b>FFY</b>	<b>Number of Short-Term Financings (Includes Loans &amp; Grants)</b>	<b>Amounts</b>
2018	28	\$273,208,440
2019	47	\$295,263,671
<b>Totals</b>	<b>75</b>	<b>\$568,472,111</b>
A list of public water systems that received short-term and long-term financings during this reporting period is presented in <b>Exhibit 1</b>		

4. Make available long-term financing for projects in public health priority order, with consideration of project affordability. Projects in the IUP are listed in public health priority order. Eligible high public health priority projects located in hardship (disadvantaged) communities are evaluated for additional subsidization in the form of grants and hardship 0% loans. Hardship projects appear at the top of the Annual (Fundable) List and are typically projects with higher public health priority. In addition, non-hardship DWSRF project funding is also provided based on public health priority for reduced interest rate financing. Projects that are lower in public health priority may still receive financing either through the bypass process (see section 5.3) or through the market rate financing program. The market rate financing program allows for any DWSRF eligible project, regardless of public health priority, to be financed without impacting the DWSRF resources. However, market rate financing is based on a first come first served basis until available thresholds are met. The benefit of the market rate program is that it assists systems to make upgrades that may be a lower public health priority and thereby improving a system's technical, managerial, and financial capacity.

During the reporting period, the NYS DWSRF program executed 34 long-term financings totaling \$494,490,380. The long-term financings for this biennial reporting period are summarized in Table 4.

<b>Table 5- Summary of Long-Term Financings</b>		
<b>FFY</b>	<b>Number of Long-Term Financings (Includes Loans &amp; Grants)</b>	<b>Amounts</b>
2018	15	\$276,338,792
2019	19	\$218,151,588
<b>Totals</b>	<b>34</b>	<b>\$494,490,380</b>
A list of public water systems that received short-term and long-term financings during this reporting period is presented in <b>Exhibit 1</b>		

5. Make available loans and/or financial assistance payments (grants) to help small public water systems and disadvantaged communities finance needed projects.

**Small Systems:** Since the inception of the DWSRF program DOH has consistently exceeded the federal requirement of providing a minimum of 15% of capitalization grant dollars to public water systems with a population of 10,000 people or less. The data is reported annually into the US EPA National Information Management System (NIMS).

The total assistance provided to small systems and as reported for the US EPA NIMS reporting periods are summarized in Table 6.

<b>Table 6 - Assistance to Small Systems by Population Range as Reported in NIMS</b>		
<b>Population</b>	<b>2018</b>	<b>2019</b>
Less than 501	\$2,965,961	\$21,171,096
501 to 3,300	\$12,561,713	\$28,458,935
3,301 to 10,000	\$26,096,194	\$14,388,168
<b>Totals</b>	<b>\$41,623,868</b>	<b>\$64,018,199</b>
<b>Percentage of Available Resources (Minimum requirement is 15%)</b>	<b>~ 92%</b>	<b>~ 142%</b>
NOTE: A copy of the US EPA National Information Management System Report is provided in Exhibit 3.		

**Disadvantaged Communities:** For reporting period, it is required that not less than 20% of the capitalization grant funds be used as additional subsidization in the form of grants, principal forgiveness, or negative interest loans for projects. With the passage of the American Water Infrastructure Act (AWIA) and beginning in FFY 2019, an additional 6% of the capitalization grant funds is required to be provided as additional subsidy to disadvantaged communities in the form of principal forgiveness if there are sufficient applications to do so. Due to the state’s grant programs discussed in section 12 of this report, New York State will not be providing this 6% as additional subsidy in the form of principal forgiveness as there are insufficient qualifying applications to do so. Section 12.1 of this report provides further details regarding this under the heading “4. WIIA/IMG impacts to the Additional Subsidy Requirements”.

The DOH continues to meet the 20% requirement through its existing DWSRF hardship program which provides additional subsidization assistance in the form of grants to disadvantaged communities. Since 1997 and through the reporting period, this successful program has provided over \$375 million in grants for disadvantaged communities. Currently, the New York State DWSRF program has approximately \$8 million in additional subsidy committed to projects listed on the IUP and those projects are required to close their financings within two years. Additional commitments totaling 20% of the estimated FFY 2020 federal capitalization grant will also be made.

**For FFY 2018:** The full 20% (\$9,072,600) of the capitalization grant additional subsidy as required was provided and reported into the US EPA Project Benefit Reporting System (PBR) through the provision of \$9,072,600 million in grants for eight disadvantaged communities.

**For FFY 2019:** \$2,086,507 of the required 20% (\$8,987,600) of the capitalization grant has been reported in the US EPA PBR through the financing of one project for a disadvantaged community. The remaining \$6,901,093 will be met through



projects with grant commitments already in place and are expected to close during FFY 2020 and these will be reported in the US EPA PBR as they close. Table 7 shows a summary of the progress for meeting the additional subsidy requirement for the reporting period.

<b>Table 7–Additional Subsidy Reporting Requirement Progress</b>			
FFY	Additional Subsidy Required to be Reported (20% of Capitalization Grant)	Reported in US EPA PBR	Over/(Under) Required Additional Subsidy Reported in US EPA PBR
2018	\$9,072,600	\$9,072,600	\$0 (Fully Reported)
2019	\$8,987,600	\$2,086,507	(\$6,901,093) *
<p>* New York State is in full compliance with federal additional subsidy requirements as the FFY 2019 capitalization grant remains open until 9/30/2024 and additional subsidy can be reported against the capitalization grant until the grant is closed out. With the FFY 2018 additional subsidy being fully reported, projects are now being reported against the FFY 2019 capitalization grant as they close on their previously committed DWSRF additional subsidy.</p> <p><b>Note:</b> These numbers differ from the additional subsidy assistance (grants) shown in Table 2 and in Exhibit 1 due to the PBR additional subsidy reporting dates typically lagging by at least one FFY or longer. This is the result of both the time associated with projects to be developed as well as the capitalization grants being awarded near the end of the FFYs</p>			

6. Make available emergency financing to allow for emergency repairs when no other funding source is available to the eligible public water system.

There were no DWSRF emergency financings during this reporting period. However, in 2017, New York State initiated a state emergency loan program for drinking and waste water infrastructure projects. The emergency loan program uses state funds that are entirely outside of the DWSRF program and several public water systems availed themselves to emergency financings during the reporting period. This program provides interest free emergency loans for a term of up to one year. Public Water Systems may apply to the DWSRF program for the funds to repay the emergency loans provided that the projects meet all the DWSRF requirements. With the creation of this state emergency loan program, public water systems may be less inclined to seek DWSRF Emergency Loan Funds for the foreseeable future as the terms for the state emergency loan program are more attractive.

### 3.2 Long-term DWSRF Goals and Accomplishments

The two IUPs prepared during the reporting period described eight long-term goals that were implemented. Achieving these long-term goals protects public health by assisting public water systems in New York State to improve drinking water quality, quantity, dependability, protect public drinking water supplies, enhance capacity development, and successfully attain and maintain compliance with drinking water requirements. The goals were as follows:

1. Help public water supplies achieve and maintain compliance with federal and state drinking water standards and enforceable requirements of the SDWA and the New York State Sanitary Code.

In accordance with its regulations, projects are listed in order of public health priority. The Public Health Priority Ranking Criteria is centered on assisting water supplies to achieve

and maintain compliance with federal and state drinking water standards and the enforceable requirements of the SDWA and the New York State Sanitary Code. Details regarding overall compliance categories for funded projects are reported in the US EPA PBR report (See Exhibit 2) and in the US EPA NIMS report (See Exhibit 3). A copy of the Public Health Priority Ranking Criteria is available as Attachment 1 of the IUPs.

## 2. Capacity Development Program

Implementation of the State's Capacity Development Program is based on the Capacity Development Strategy approved by the US EPA on September 29, 2000 is ongoing. The Annual Capacity Development Report for FFY 2018 was submitted to EPA on December 21, 2018 and the FFY 2019 report is anticipated to be submitted to EPA by December 31, 2019. As required, the triennial assessment report on the Department's capacity development program was last completed in September 2017 and submitted to the Governor and the next triennial assessment report is due by September 30, 2020. Section 8 of the FFY 2018 & 2019 IUPs provided details related to the Capacity Development program including a summary of the capacity development reviews. In addition, in 2017, the New York State Legislature passed the New York State Water Infrastructure Improvement Act of 2017 which expanded on the 2015 Act. This program provides state grant funding for municipal wastewater and drinking water infrastructure projects that improve water quality and protect public health. These funds can be used to co-fund DWSRF projects and are assisting many public water systems with respect to financial, managerial and technical capacity by making needed drinking water infrastructure projects more affordable. Section 12 of this report provides additional details related to the New York State water infrastructure grant programs.

## 3. Operator Certification Program

During the reporting period, the DOH assured that public water systems were run by competent operators by certifying 788 new operators, renewing 3,487 operator certifications, reviewing and endorsing 102 operator certification courses, and reviewing and approving 2,062 operator renewal training courses.

## 4. Source Water Protection Program

Source water assessments were completed in 2002 and 2003 in collaboration with field staff. The assessments allow for prioritization of resources for source water protection. Source water protection is one of the barriers in the multiple barrier approach to protection of drinking water quality. Source water assessments have been completed for most public water system sources, but assessments are needed for new drinking water sources developed since this effort. New drinking water sources (wells, intakes, springs, etc.) must be evaluated so that appropriate measures can be taken to protect source water quality and quantity. DOH requires that a report of the source water assessment completed by the applicant be submitted with the application for approval of a new source along with the water system plans and specifications. A summary of the assessment information is included in Annual Water Quality Reports, prepared each year by community public water systems.

In addition, the DOH continues to assess whether community groundwater systems may be under the influence of surface water (GWUDI).

## 5. Administer the DWSRF in a manner that will assure its revolving nature in perpetuity.

The State has imposed strict safeguards on DWSRF funds to ensure the funds will remain secure and available for future loans, including:

- Requiring annual independent audits of financial statements and public authorities law compliance reports (available upon request).
  - When DOH receives federal capitalization grants and state matching funds for the DWSRF, the funds are invested by EFC in secure obligations, as required by state law.
  - When DWSRF senior leveraged loans are made, DWSRF funds, equal to one-third, are generally invested in an Investment Agreement (IA). Typically, IAs are collateralized by direct obligations of the U.S. Government. Each IA entered into during this reporting period requires that the collateral be maintained at not less than 110 percent of invested funds.
  - DWSRF funds used to finance direct loans and to fund debt service reserve funds are recycled. With respect to direct loans, loan repayments (principal and interest) become available for new lending activity, such that DWSRF funds are continually freeing up to support additional DWSRF-eligible projects. Senior revenue bonds issued by EFC to finance DWSRF loans are supported by debt service reserves funded with DWSRF funds. For every \$3 in loans made from bond proceeds, \$1 in DWSRF funds are deposited in debt service reserves and invested in a collateralized IA. As these loans amortize, DWSRF funds deposited in the debt service reserve free up and become available to support additional eligible projects.
  - In general, EFC loans bond sale proceeds to municipalities in return for a general obligation or revenue pledge from the municipal entity for the amount of the loan. The schedule of repayment on the municipal bonds provides sufficient cash flow to meet the repayment schedule for the EFC bonds.
  - As senior leveraged loans are repaid, the \$1 of federal and state capitalization funds held in reserve for each \$3 in loans is freed-up to be invested again to leverage new loans or to make new direct loans. This process assures that loan money will continue to revolve in perpetuity for use in future loans. However, if needed, money freed-up as one borrower repays its loan can be used to temporarily make up for defaulted payments from another borrower. The money once again becomes available for new loans when the defaulting borrower makes up for the default through additional payments or the transfer of its state aid to the DWSRF.
  - If a general obligation borrower defaults on repayment of its loan, EFC must call on the State Comptroller to intercept State assistance payments, other than school aid, that have been previously earmarked for the municipality. These payments would then be used to repay the DWSRF for any funds used to cover the default.
6. Assist public water supplies to improve drinking water quality, quantity and dependability by providing reduced interest rate long-term loans and/or financial assistance payments (additional subsidy in the form of grants).

Lists of the projects that received short-term financing, long-term financing, and/or financial assistance payments and closed during the reporting period are presented in Exhibit 1. Financial assistance payments, in the form of grants from a portion of the federal DWSRF capitalization grant, were awarded as additional subsidy to disadvantaged communities with median household incomes less than the 80% state-

wide median household income or between 80%-100% of the statewide and had a family poverty rate higher than the statewide family poverty rate.

7. Incorporate Smart Growth Concepts and Principles including a “Fix it First” philosophy.

On August 30, 2010, the New York State Environmental Conservation Law was amended to add the State Smart Growth Public Infrastructure Policy Act. This law requires that starting September 27, 2010, any new or expanded public infrastructure project receiving financing from a state infrastructure agency must be consistent with the relevant smart growth public infrastructure criteria as they are defined in the law to the extent practicable.

Inherent in the law’s criteria is preference to the rehabilitation of existing infrastructure. These criteria complement the core structure of the DWSRF program in that existing systems usually receive a higher public health priority score because they are existing public water systems with violations or other deficiencies that require upgrades to correct. New public water systems can be funded through the DWSRF; however, they usually score much lower from a public health priority because they do not have existing infrastructure that may add to the cumulative score totals. Therefore, most projects funded fall into the “fix it first” category and where there is expanded infrastructure, consideration is given to sizing and other attributes to ensure that smart growth is considered. These types of limitations also help to ensure that the most economical projects are being considered during the process.

8. Public health benefits reporting.

Historically, the environmental and public health benefits were reported in the IUP and through the US EPA NIMS reporting system (see Exhibit 3). Starting in 2010, the US EPA improved the Project Benefit Reporting System to include the ability to report public health benefits and other project details on non-ARRA projects. States are required to report financings and project information within 7 days of projects’ financing and the DOH continues the input of that data on a timely basis. As a part of the program’s long-term goals, efforts to streamline this reporting through a more thorough DWSRF application process has been implemented. In addition, outside of reporting, the state continues to improve DWSRF environmental and public health benefits through actions like the implementation of the State’s Smart Growth Law requirements into the DWSRF program.

#### **4.0 DWSRF FISCAL STATUS**

As of September 30, 2019, New York State has been awarded a total of 25 Federal DWSRF Capitalization Grants totaling \$1.31 billion. The SDWA requires a 20% state match for DWSRF capitalization grants. The minimum state match has been met through the \$265 million that were provided during the early years of the program from the 1996 NYS Clean Water/Clean Air Bond Act. These funds which were in excess of the 20% minimum match required under the federal SDWA are credited (banked) against future state match requirements. Based on the recent federal capitalization grant amounts, it is estimated that sufficient state match continues to be available for approximately two more years. Thereafter, additional state appropriations will be required to provide that 20% match requirement.

All DWSRF financings have been and will continue to be made in a fiscally responsible manner that will ensure the revolving nature of the program in perpetuity. In addition, the fiscal aspects of the program are regularly evaluated to ensure optimum use of DWSRF resources. Further, the long-term effect of leveraging the DWSRF three to one will be continued to extend the reach of financial assistance benefits to more New York State public water systems than could be served if leveraging were set at a lower level.

New York State continues to exceed the required binding commitment rate as evidenced and tracked annually in the US EPA NIMS report which is included in Exhibit 3.

The program receives annual independent audits with respect to its financial condition. A copy of the Public Authorities Law Compliance Reports, audited financial statements, and auditor reports are available upon request.

## **5.0 IUP PROCESS**

During the reporting period, the DOH produced and published two IUPs. The FFY 2018 final IUP was effective on October 1, 2017 and the FFY 2019 final IUP was effective on October 1, 2018. For both funding periods, a draft IUP was issued and notice of availability was published in the New York State Environmental Notice Bulletin, the New York State Register and on the web. A minimum 45-day public comment period accompanied the notice of availability of the draft IUPs. In addition, public outreach included public webinars and public hearings that were held during the comment periods to solicit public comments and input. A responsiveness summary that addressed public comments was included in each final IUP.

### **5.1 Assistance to eligible systems**

Public water systems that were eligible for project funding under the DWSRF were community water systems, both municipally and privately owned, and non-profit, non-community water systems.

Drinking water projects that were eligible for DWSRF financing included investments to upgrade or replace infrastructure needed to achieve or maintain compliance with federal or state health standards and to provide the public with safe affordable drinking water.

Projects submitted by systems that were in significant non-compliance or that lacked technical, managerial or financial capacity were not eligible for funding unless the proposed project ensured system compliance and/or capacity. Also, projects whose primary purpose was fire protection or growth and or development, dams and reservoirs, or acquisition of land not integral to an eligible project were not eligible for funding.

A list of public water systems that received assistance during this reporting period is presented in Exhibit 1.

### **5.2 Project Public Health Priority Ranking Criteria**

The DWSRF Public Health Priority Ranking Criteria establishes a list of eligible projects to be funded in a manner consistent with the SDWA such that the most serious risks to public health are given the highest priority. The highest priority is given to acute public health risks, particularly those related to microbiological organisms. The next priority is given to situations that pose chronic and longer-term risks to consumers, such as organic chemical contamination. The ranking criteria also consider issues that are related to infrastructure upgrading or replacement. Further, as mandated by the SDWA, the ranking criteria considers, special allocations and restrictions on the

use of DWSRF monies for disadvantaged and small systems. The numerical scores in the DWSRF public health priority ranking criteria are consistent with these priorities. Finally, the criteria establish the procedures for by-passing priority projects on the IUP. The Public Health Priority Ranking Criteria is contained in Attachment 1 of the IUPs.

### 5.3 Project By-passing

Attachment I of the IUP explains the bypass process as follows:  
Projects on the Project Readiness List can be by-passed, upon written notice, if any of the following occurs:

1. Project is withdrawn by the applicant.
2. Project does not meet the dates and/or conditions in the project schedule or the Project Financing and Loan Agreement.
3. The applicant has reached the 50% annual DWSRF resources cap for fundable projects on the Project Readiness List. All other projects for the applicant that would exceed the 50% cap will be by-passed.

For this reporting period, the bypass provisions were not exercised.

## **6.0 HARDSHIP PROGRAM**

The 1996 New York State Clean Water/Clean Air Bond Act provided \$90 million for state assistance payments (grants) during the early years of the program to provide direct state assistance payments for projects in disadvantaged communities. As of December 1998, the \$90 million was fully committed. Since program inception, the DOH and EFC also regularly exercised the federal SDWA Hardship Provision that allowed states to utilize up to 30% of their annual DWSRF Federal Capitalization Grant to provide Additional Loan Subsidies (Federal Assistance Payments or grants). Those Additional Subsidies are beyond the interest free loan rate to eligible disadvantaged communities. This was done each year except for FFY 2009 due to the reductions in the federal capitalization grant along with the high demand on the program.

For this current reporting period, it was required that not less than 20% of the capitalization grant funds be used as additional subsidization in the form of grants, principal forgiveness, or negative interest loans for projects. The DOH continues to meet this requirement through its existing DWSRF hardship program which provides additional subsidization assistance to disadvantaged communities. Since the program's inception in 1996, this successful program has provided 291 grants totaling over \$375 million for disadvantaged communities' projects and the program was providing additional subsidization for disadvantaged communities before it became a federal requirement in FFY 2010. Currently, the NYS DWSRF program has approximately \$8 million in additional subsidy committed to projects listed on the IUP and those projects are required to close their financings within two years. Additional commitments totaling 20% of the estimated FFY 2020 federal capitalization grant will also be made.

A detailed description of the disadvantaged community hardship program including the types of financial hardship assistance that are available to hardship communities, eligibility requirements for hardship assistance, method for making hardship determinations, the hardship application process, and the confirmation of hardship availability is included in Section 7 of each IUP.

## **7.0 SMALL SYSTEM REQUIREMENTS**

The federal SDWA Amendments of 1996 require that, on an annual basis, water systems serving fewer than 10,000 persons must receive a minimum of 15% of the DWSRF assistance.

Since the inception of the DWSRF program DOH has consistently and significantly exceeded the requirement of providing a minimum of 15% of capitalization grant dollars to systems with a population of 10,000 people or less. The data demonstrating compliance is routinely reported and tracked in the US EPA NIMS system. Table 6 summarizes the reported assistance to small systems during the current reporting period. Exhibit 3 includes a copy of the US EPA National Information Management System Report and the assistance provided by project population size is shown on lines 137-143 (page 15 of 40) of that report.

## **8.0 STATE ENVIRONMENTAL REVIEW PROCESS (SERP)**

DOH conducted environmental reviews on all DWSRF projects in accordance with the State Environmental Review Process approved by the US EPA Region 2. In addition, Equivalency Projects cumulative funding exceed the amount of the capitalization grants. During this reporting period, the amount of funding to “Equivalency Projects” totaled \$183 million as reported in the Federal Funding Accountability and Transparency Act Sub-Award Reporting System (FSRS). That reporting covered the FFY 2018 capitalization grant. It is anticipated that the FFY 2019 reporting will be completed once the equivalency project(s) for the FFY 2019 capitalization grant close.

The selection of “Equivalency Projects” was consistent with the Federal DWSRF guidelines (EPA 816-R-97-005 February 1997 and 63 FR 59844 November 5, 1998) and the SERP. The “Equivalency Projects” include:

- projects for which an environmental review consistent with the National Environmental Policy Act (NEPA) has been completed in compliance with the federal cross-cutting authorities (cross-cutters);
- projects which will be jointly funded with federal agencies such as the United States Department of Agriculture Rural Development (USDA RD) and the United States Department of Housing and Urban Development (HUD). These projects have already completed a NEPA review and complied with the necessary cross-cutters. This approach is consistent with the Joint Memorandum, dated April 3, 1997, between the EPA, the USDA RD, and HUD regarding cooperation and coordination; and
- projects for which the environmental review can be considered functionally equivalent to a NEPA review and comply with federal cross-cutter requirements.

In addition, all non-equivalency projects undergo the State Environmental Quality Review.

## **9.0 SET-ASIDE ACTIVITIES**

Section 1452 of the SDWA authorizes states to use a portion of the federal capitalization grant called set-asides to administer the DWSRF program and to support various drinking water programs. Section 1452 allows up to 31% of a state’s federal Capitalization Grant to be used for administrative activities, technical assistance activities, state program management activities, and special activities. Historically, New York State has used only 16% of the federal grants for program administration and technical assistance set-asides even though up to 31% of the grants

could be used thereby demonstrating the efficiencies of the New York’s DWSRF program’s administration.

New York State State maximized the use of capitalization grant monies for water supply infrastructure projects and minimized the use for set-asides to the extent practical. New York State allocated 16% capitalization grants received during the reporting period for set-aside purposes. Therefore, only those funds considered essential for DWSRF administration and water supply program support were allocated to set-aside activities. Descriptions of how the set-aside monies have been budgeted were included in the federal Capitalization Grant Application Set-aside work plans that were submitted to the US EPA. Exhibit 4 provides excerpts from the published Intended Use Plans detailing the intended uses and estimated amounts of the set-asides. The actual set-aside amounts awarded for each FFY are detailed in the federal grant awards which are included in Exhibit 5

## 10.0 UNLIQUIDATED OBLIGATION FUNDS

Unliquidated Obligations (ULO) are funds from previously awarded capitalization grants that have not been drawn and spent. There are two types of ULOs and they are project available ULO funds and set-aside ULO funds. New York State has one of the lowest total ULO funds rate nationally and will continue to work to minimize all ULO funds going forward. The DWSRF program has been awarded approximately \$1.1 billion in project funds since the program’s inception and currently has \$0.00 of project ULO funds thereby demonstrating New York State’s ability to utilize federal DWSRF funds quickly and efficiently and get those dollars out to public water systems for drinking water infrastructure improvements. The program has been awarded approximately \$152 million in total set-asides since inception and currently has \$10.5 million or 7.1% in ULOs of set-aside funds. DOH is working to reduce this and anticipates that with the ongoing reductions in the capitalization grants, these ULO funds will be reduced over time as they are used to pay staff to manage the program and for other set-aside activities as outlined in the IUPs. Table 8 provides an overview of New York’s ULO funds.

All Funds (Project & SA)			Project Funds Only			Set Aside Funds Only		
Federal Cap Grants Awarded	Project & SA ULOs	ULOs as a % of Federal Cap Grants	Project Funds Awarded	Project Fund ULOs	ULOs as a % of Project Funds Awarded	SA Awarded	SA ULOs	ULOs as a % of SA Awarded
\$1,259,513,029	\$10,581,842	0.80%	\$1,107,518,919	\$0.00	0.00%	\$151,994,110	\$10,581,842	7.00%

The Federal Cap Grant number shown in Table 8 is taken from the US EPA ULO report and may not reconcile with the Federal Cap Grant number reported in other areas of this report due to recissions and/or EPA not including special grants such as DRRA

## 11.0 COMPLIANCE WITH CAPITALIZATION GRANT CONDITIONS

The administrative grant conditions are included in the grant awards in Exhibit 5 and the grant general terms and conditions can be found at <https://www.epa.gov/grants/grant-terms-and-conditions>

The DOH agreed to all assurances and certifications in the Operating Agreement in the capitalization grant Agreements for the reporting period. All assurances and certifications in the Operating Agreement, as well as the grant conditions have been and continue to be met. The US EPA conducts annual on-site Program Evaluation Reviews to evaluate and ensure compliance with the grant conditions and had conducted those reviews during the reporting period.



## **12.0 The NYS Water Infrastructure Improvement Act & Intermunicipal Grant Programs**

In 2015, New York State implemented state grant programs for municipalities called the Water Infrastructure Improvement Act (WIIA) Grant program and shortly thereafter the Intermunicipal Grant (IMG) Grant Program. These programs provide state grants to municipalities for drinking water and waste water infrastructure projects that address public health and water quality improvements. Since the inception of these grant programs, 339 drinking water infrastructure projects totaling \$1.6 billion in total project costs have been awarded \$690 million in these state grant funds. Out of the 339 projects, an estimated 180 of them are or will be using an estimated \$482 million in DWSRF loans for the non-grant funded portions of the projects.

New York State has set aside a significant amount of WIIA and IMG funds to address the emerging contaminants 1,4 dioxane and Per- and polyfluoroalkyl substances (PFAS). To date, out of the 339 projects cited above, 40 were for projects to address these emerging contaminants and they were awarded approximately \$120 million in WIIA and IMG state grants for project costs totaling approximately \$250 million.

While these WIIA and IMG funds are not DWSRF program funds nor are they deposited into the DWSRF, the program has similarities to the DWSRF. Eligible drinking water infrastructure projects for these grant funds are those projects that are defined as eligible through the DWSRF program. WIIA grants are limited to the lesser of 60% of the total project cost or \$3 million and IMG projects are limited to lesser of \$10 million or 40% of the total project costs. As of 2019, WIIA Grants for emerging contaminant projects are not subject to the \$3 million cap but are limited to 60% of the total project costs. While municipalities with WIIA and IMG projects are not required to utilize the DWSRF program funds for non-WIIA grant funded portions of their projects, the option of doing so is provided to all the awardees of these grants.

Due to this state grant program, New York State is experiencing a significant increase in the number of projects that are coming into the DWSRF for assistance and anticipate that increase to continue over at least the next 5 years.

### **12.1 WIIA/IMG Impacts to the DWSRF Program**

#### **1. Prior to the WIIA/IMG grant programs' implementation**

For the three years prior to the WIIA/IMG programs, FFYs 2012-2014, 56 projects were reported into the PBR as executing DWSRF agreements. This is an average of approximately 18.7 project agreements per year over the three years preceding the implementation of the WIIA program.

#### **2. Subsequent to the WIIA/IMG grant programs' implementation**

For the 5 years subsequent to the implementation of the WIIA program, FFYs 2015-2019, 170 projects were reported into the PBR as executing DWSRF agreements. This is an average of approximately 34 project agreements per year.

As cited above, to date, 339 drinking water infrastructure projects totaling \$1.6 billion in project costs have been awarded \$690 million in WIIA/IMG state grant funds. Of those 339 projects, at least 180 of them have or are anticipating coming into the DWSRF for an estimated \$482 million in DWSRF loans. Additional WIIA/IMG grant funds will also be awarded in FFY 2020 with the amount yet to be determined and it is anticipated that this will continue to add to the increase of the number of DWSRF projects being assisted.

### 3. NIMS reporting of WIIA Projects

WIIA/IMG grant awarded projects are reported in the NIMS under the category of “State Funded Drinking Water Grant Programs (Separate from DWSRF - Similar Eligibilities)”.

See Lines 323 through 330 (page 36 of 40) of Exhibit 3 - US EPA National Information Management System Report.

### 4. WIIA/IMG impacts to the DWSRF Additional Subsidy Requirements

While New York State will continue to work to ensure that a minimum of 20% of the federal capitalization grant will be provided as additional subsidy in the form of grants to disadvantaged communities, the additional 6% as required by the passage of AWIA will not be provided as principal forgiveness.

Since the implementation of the WIIA/IMG state grant programs in 2015, New York state has awarded approximately \$208 million in state grants to municipalities that are below 80% of the statewide median household income which is one of the key requirements for additional subsidy assistance under the DWSRF disadvantaged community assistance program. A number of these WIIA/IMG assisted projects are also receiving 0% interest rate hardship financing through our disadvantaged communities’ program as well. Since the additional 6% as principal forgiveness would only equate to \$2.7 million based in the FFY 2019 capitalization grant and given the fact that the state is providing significantly more state grant dollars to disadvantaged communities that are utilizing the DWSRF, the intent of assisting disadvantaged communities is more than met without the additional 6% additional subsidy in the form of principal forgiveness. If New York State were to provide the additional 6% in principal forgiveness, it would not be possible to also meet the minimum 20% of the federal capitalization grant additional subsidy requirement as there are insufficient applications due to the WIIA/IMG State Grant programs assisting so many disadvantaged communities.

In summary, between the regular 20% of the DWSRF federal capitalization grant being provided as additional subsidy in the form of grants and the state’s WIIA/IMG grant funds that are being provided to disadvantaged communities, all DWSRF eligible projects for disadvantaged communities are being assisted with state and federal grant funds. These state grant funds have resulted in insufficient eligible applications available to provide the additional 6% of the capitalization grant as additional subsidy in the form of principal forgiveness.

## 13.0 Conclusion

The New York State DWSRF program continues to lead the nation in assistance provided to public water systems. This assistance directly results in public water systems achieving and/or maintaining compliance with state and federal standards. The program contributes directly to the protection of public health by making needed drinking water infrastructure projects more affordable for many public water systems throughout the state.

New York State uses innovative approaches for the implementation of the DWSRF program and those innovative approaches have significantly contributed to the program’s ongoing success.

The innovative approaches include but are not limited to:

- Having a robust disadvantaged community program. While additional subsidy didn’t become a DWSRF federal requirement until FFY 2010, New York State has provided

additional subsidy in the form of grants since the inception of the program in 1996. The program has provided over \$375 million in grants through 291 binding commitments for disadvantaged communities. In addition, while not considered additional subsidy, these disadvantaged communities are receiving well over \$600 million in mostly 0% interest rate hardship loans for the non-grant funded portion of their projects. Those loans are saving communities an estimated more than \$300 million in interest rate payments as compared to recent market interest rates over the 30-year life of the loans. Also, with the State WIIA/IMG Grant programs, while not limited to disadvantaged communities, all qualifying disadvantaged community projects listed on the IUP and who apply for assistance are being assisted with DWSRF additional subsidy grants or WIIA/IMG state grants.

- Providing short-term financings for up to 5 years for full project costs. This provides public water systems needed funds for planning and design and provides the funds for projects to move right to construction when ready. These short-term financings are similar to Bond Anticipation Notes. At or before maturity, communities can either repay the short-term financings from outside sources or if all DWSRF requirements are met, they can choose the option of converting them to DWSRF long-term financings. The short-term financing program also results in the proper sizing of the long-term financings thereby reducing the amount of funds that may be encumbered for the length of long-term financings for financings that are associated with bond holdings. This efficiency in the sizing of the long-term financings frees up funds that would otherwise not be available for infrastructure projects.
- Expanding the number of projects eligible for subsidized interest rate financing. New York State leverages a portion of its DWSRF and uses that leveraging to subsidize the interest rate it charges by 33% for eligible projects. Several years ago, New York put in place an initiative to reach more projects with subsidized interest rate financing. This is accomplished by inviting more project to apply for subsidized interest rate financing by lowering the “subsidized interest rate funding line” in the IUP by nearly double the available resources. This method to assist more public water systems is supported by the fact that historically, many projects that are listed in the IUP that are eligible to apply do not come in for financing. Prior to this initiative of expanding the subsidized interest rate funding line, systems with acute health risk violations such as coliform contamination or SWTR violations typically ranked high enough to be eligible for subsidized interest rate financing whereas those with chronic health risk violations such as organic contamination may not have been eligible. This change to the program makes interest rate subsidy available for more projects with chronic health risks while continuing to assist those systems with projects that address acute public health risks. This change also provides a more affordable funding alternative to many compliant public water systems that require drinking water infrastructure improvements to assist them in remaining compliant and thereby continue to protect public health.
- Providing market rate financings for projects. Market financings are loans that assist compliant systems with needed improvements to remain compliant and to rebuild aging infrastructure which may not be as high of a public health priority as projects that are eligible for subsidized interest rate loans and or additional subsidy. Market rate financings use DWSRF program equity for short-term market rate financings which are similar to Bond Anticipation Notes. It uses non-DWSRF funds for long-term market rate financings and these long-term financings are similar to typical municipal bonds where the source of the funds are from bond investors. Regardless of the source of the funds, all DWSRF requirements must be met for both the short-term and long-term market rate financings.

- The implementation of the State's Water Infrastructure Improvement Act and Intermunicipal Grant programs as discussed in section 12 of this report has resulted in a significant increase in DWSRF assistance being requested throughout the state. This increase is envisioned to continue for at least several more years and will contribute to further to the protection of public health by making needed improvements of drinking water infrastructure more affordable.

New York State has historically and will continue to operate the DWSRF in accordance with all state and federal requirements. The State will also continue to minimize ULOs and operate the program efficiently and in a manner to assist as many public water systems as possible with needed drinking water infrastructure projects. This document fulfills the federal requirement for the submittal of a DWSRF Biennial Report for FFYs 2018 & 2019.

Questions related to this report should be directed to the Design Section Chief for the New York State Department of Health's Bureau of Water Supply protection at:

Chief, Design Section  
NYS Department of Health  
Bureau of Water Supply Protection  
Empire State Plaza  
Corning Tower Rm. 1135  
Albany, NY 12237  
or by email to:  
[bpwsp@health.ny.gov](mailto:bpwsp@health.ny.gov)

EXHIBIT 1

PROJECTS RECEIVING FINANCIAL ASSISTANCE  
(Both Long Term and Short Term)

**Exhibit 1-Projects Receiving Financing Assistance (Long Term, Short Term and Grants)**

**FFY 2018**

<b>Closing Date</b>	<b>Community</b>	<b>County</b>	<b>Grant</b>	<b>Loan</b>	<b>Term</b>
10/19/2017	Esperance	Schoharie	\$2,000,000	\$720,000	S
11/2/2017	Cortland	Cortland	\$0	\$920,000	S
11/9/2017	North Castle	Westchester	\$0	\$535,582	L
11/9/2017	East Greenbush	Rensselaer	\$0	\$3,665,650	L
11/9/2017	Poughkeepsie	Dutchess	\$0	\$4,349,456	L
11/9/2017	Poughkeepsie	Dutchess	\$0	\$10,353,399	L
12/7/2017	Ticonderoga	Essex	\$2,000,000	\$10,033,104	S
12/14/2017	NYCMWFA	New York	\$0	\$58,929,000	L
12/14/2017	NYCMWFA	New York	\$0	\$102,025,000	L
12/14/2017	Albany MWFA	Albany	\$0	\$874,140	S
12/14/2017	Clifton	St. Lawrence	\$0	\$1,161,394	S
12/14/2017	Albany MWFA	Albany	\$0	\$1,854,160	S
1/4/2018	Hornell	Steuben	\$0	\$3,870,000	S
1/11/2018	Rosendale	Ulster	\$0	\$2,155,500	L
2/8/2018	Schaghticoke	Rensselaer	\$2,309,962	\$2,768,400	S
2/15/2018	Dresden	Yates	\$0	\$95,186	S
2/15/2018	Newark	Wayne	\$0	\$3,600,000	S
3/8/2018	Wallkill	Orange	\$0	\$2,120,209	L
3/22/2018	NYCMWFA	New York	\$0	\$196,000,000	S
4/5/2018	Round Lake	Saratoga	\$0	\$474,000	S
5/10/2018	Westfield	Chautauqua	\$1,852,800	\$1,235,200	S
5/10/2018	Auburn	Cayuga	\$0	\$1,573,000	S
5/17/2018	Brocton	Chautauqua	\$2,000,000	\$4,570,500	S
6/7/2018	Red Hook	Dutchess	\$0	\$1,441,500	S
6/14/2018	Lockport	Niagara	\$0	\$3,500,000	S
6/21/2018	Oxford	Chenango	\$0	\$997,750	S
6/21/2018	Roxbury	Delaware	\$2,000,000	\$1,400,000	S
7/12/2018	Colonie	Albany	\$0	\$640,000	S
7/12/2018	Kiryas Joel	Orange	\$0	\$2,100,000	S
7/12/2018	Orleans	Jefferson	\$0	\$12,360,571	S
7/19/2018	Pawling	Dutchess	\$0	\$1,135,044	S
7/19/2018	Rotterdam	Schenectady	\$0	\$2,100,000	S
7/26/2018	Sleepy Hollow	Westchester	\$0	\$3,813,000	L
8/2/2018	NYCMWFA	New York	\$0	\$67,545,000	L
8/16/2018	Herkimer	Herkimer	\$0	\$680,000	S
9/13/2018	Bolivar	Allegany	\$15,473	\$239,114	L
9/13/2018	Richburg	Allegany	\$57,889	\$978,559	L
9/13/2018	Bolivar	Allegany	\$136,044	\$2,152,163	L
9/13/2018	Denmark	Lewis	\$0	\$800,000	S
9/20/2018	Corinth	Saratoga	\$0	\$13,111,866	L
9/26/2018	Dutchess County WWA	Dutchess	\$0	\$4,155,888	L
9/27/2018	Fonda	Montgomery	\$0	\$1,441,729	S
9/27/2018	Saratoga County WA	Saratoga	\$0	\$2,700,000	S
<b>Totals for FFY 2018</b>			<b>\$12,372,168</b>	<b>\$537,175,064</b>	<b>\$549,547,232</b>

**Exhibit 1 Continued -Projects Receiving Financing Assistance (Long Term, Short Term and Grants)**

**FFY 2019**

<b>Closing Date</b>	<b>Community</b>	<b>County</b>	<b>Grant</b>	<b>Loan</b>	<b>Term</b>
10/11/2018	Albany MWFA	Albany	\$0	\$640,000	S
10/18/2018	Fredonia	Chautauqua	\$0	\$620,687	S
10/25/2018	Rensselaer	Rensselaer	\$0	\$8,731,275	L
11/1/2018	Dryden	Tompkins	\$0	\$6,902,470	L
11/1/2018	Fultonville	Montgomery	\$0	\$360,000	S
11/8/2018	Stark	Herkimer	\$1,392,806	\$694,897	S
11/8/2018	Lake Placid	Essex	\$0	\$1,800,000	S
11/15/2018	Deferiet	Jefferson	\$0	\$2,090,764	L
11/15/2018	Chaumont	Jefferson	\$0	\$594,800	S
11/15/2018	Cleveland	Oswego	\$0	\$1,459,200	S
11/29/2018	Trumansburg	Tompkins	\$0	\$2,412,425	L
11/29/2018	NYCMWFA	New York	\$0	\$65,101,000	L
11/29/2018	NYCMWFA	New York	\$0	\$115,035,000	L
11/29/2018	Roxbury	Delaware	\$0	\$400,000	S
11/29/2018	Schoharie	Schoharie	\$0	\$1,100,000	S
11/29/2018	Amsterdam	Montgomery	\$0	\$2,500,000	S
11/29/2018	Mayville	Chautauqua	\$3,000,000	\$3,452,000	S
12/6/2018	Jay	Essex	\$0	\$1,268,250	S
12/20/2018	Tupper Lake	Franklin	\$0	\$5,353,901	S
1/10/2019	Phoenix	Oswego	\$0	\$517,843	L
2/21/2019	Harrison	Westchester	\$0	\$221,735	L
2/21/2019	Ellenville	Ulster	\$2,000,000	\$2,386,957	L
2/28/2019	Newcomb	Essex	\$0	\$1,141,350	L
2/28/2019	Brownville	Jefferson	\$0	\$2,414,000	S
3/7/2019	Hague HOA	Warren	\$0	\$88,933	L
3/7/2019	Mentz	Cayuga	\$12,351	\$223,147	L
3/7/2019	Montezuma	Cayuga	\$13,519	\$1,101,537	L
3/7/2019	Port Byron	Cayuga	\$79,964	\$2,782,142	L
3/7/2019	Kiryas Joel	Orange	\$0	\$2,700,660	S
3/14/2019	Ashford	Cattaraugus	\$0	\$1,246,890	L
3/14/2019	Sharon Springs	Schoharie	\$0	\$1,689,400	S
3/14/2019	Rome	Oneida	\$0	\$8,951,482	S
3/21/2019	North Collins	Erie	\$0	\$270,000	S
3/21/2019	Herkimer	Herkimer	\$0	\$300,000	S
3/21/2019	Hounsfield	Jefferson	\$0	\$305,000	S
3/21/2019	Holley	Orleans	\$0	\$1,246,000	S
3/21/2019	Gilbertsville	Otsego	\$2,000,000	\$1,986,000	S
3/21/2019	Fine	St. Lawrence	\$1,024,737	\$5,144,564	S
3/28/2019	Pulaski	Oswego	\$0	\$2,255,000	S
4/4/2019	Genoa	Cayuga	\$0	\$712,816	S
4/11/2019	Thompson	Sullivan	\$0	\$160,000	S
4/11/2019	Nelson	Madison	\$0	\$1,060,000	S
4/11/2019	Alexander	Genesee	\$0	\$1,588,000	S
4/11/2019	Lowville	Lewis	\$0	\$2,031,008	S
4/11/2019	Waterloo	Seneca	\$0	\$2,600,000	S
4/11/2019	Hastings	Oswego	\$0	\$11,390,000	S
5/2/2019	Interlaken	Seneca	\$0	\$3,328,800	S
5/16/2019	Sullivan	Madison	\$0	\$224,448	S

**Exhibit 1 Continued -Projects Receiving Financing Assistance (Long Term, Short Term and Grants)**

**FFY 2019 Continued**

<b>Closing Date</b>	<b>Community</b>	<b>County</b>	<b>Grant</b>	<b>Loan</b>	<b>Term</b>
5/16/2019	Chesterfield	Essex	\$2,000,000	\$5,399,470	S
6/13/2019	Ocean Beach	Suffolk	\$0	\$1,041,224	L
6/13/2019	Troy	Rensselaer	\$0	\$1,233,200	L
6/13/2019	Ocean Beach	Suffolk	\$0	\$1,792,000	L
6/13/2019	Kiryas Joel	Orange	\$0	\$1,995,862	L
6/20/2019	Owasco	Cayuga	\$0	\$841,307	S
7/9/2019	NYCMWFA	New York	\$0	\$183,300,000	S
7/11/2019	Westfield	Chautauqua	\$832,337	\$2,442,200	S
7/11/2019	Sandy Creek	Oswego	\$0	\$8,466,000	S
7/25/2019	Fredonia	Chautauqua	\$0	\$1,950,087	S
8/1/2019	Middletown	Orange	\$0	\$2,334,560	S
8/8/2019	South Glens Falls	Saratoga	\$0	\$1,080,000	S
8/15/2019	Guilford	Chenango	\$0	\$470,000	S
8/29/2019	Greenville	Greene	\$0	\$739,006	S
9/19/2019	Delaware	Sullivan	\$2,456,940	\$1,681,068	S
9/19/2019	Tivoli	Dutchess	\$0	\$1,893,312	S
9/26/2019	Mechanicville	Saratoga	\$0	\$102,204	S
9/26/2019	Rhinebeck	Dutchess	\$0	\$1,256,724	S
<b>Totals for FFY 2019</b>			<b>\$14,812,653</b>	<b>\$498,602,605 *</b>	<b>\$513,415,258</b>
<b>Combined Totals for FFYs 2018 &amp; 2019</b>			<b>\$27,184,821</b>	<b>\$1,035,777,669 *</b>	<b>\$1,062,962,490</b>
<i>* Loan Totals Include \$535,974,797 in DWSRF Refinancings</i>					



EXHIBIT 2  
US EPA Project Benefit and Reporting System Report

# Drinking Water SRF Reporting Assistance Provided for New York

Report Generated: 12/26/2019 -- Data Last Modified: 12/24/2019 3:08:00 PM

Tracking Number	Recipient	1st Agreement Date in Selected Period	Assistance Amount	Grant Amount	Negative Interest Amount	Principal Forgiveness Amount	Recipient Could Afford Project without Subsidy?	Population Served	GPR Amount
15003	Ellenville (V)	9/27/2012	4,386,957	2,000,000	0	0	<input type="checkbox"/>	4,135	0
15072-70	Beaver Dam Lake Water Corporation	2/10/2010	3,348,796	0	0	1,010,188	<input type="checkbox"/>	487	0
15080	Hoosick Falls (V)	9/30/2010	8,516,375	0	0	0	<input type="checkbox"/>	4,400	0
15097	Hague Community Homeowners Association In	9/28/2017	92,000	0	0	0	<input type="checkbox"/>	25	0
15204	Hannibal (T)	9/22/2011	8,138,000	2,000,000	0	0	<input type="checkbox"/>	1,200	0
15288	Wappingers Falls (V)	8/12/2010	5,377,359	0	0	0	<input type="checkbox"/>	4,605	0
15301	Tivoli (V)	9/19/2019	1,893,312	0	0	0	<input type="checkbox"/>	1,303	0
15343-70	Unadilla (V)	11/23/2009	3,200,000	0	0	1,561,704	<input type="checkbox"/>	1,350	0
15540	Theresa (V)	5/6/2010	4,864,000	2,000,000	0	0	<input type="checkbox"/>	950	0
15546	Auburn (C)	5/10/2018	1,573,000	0	0	0	<input type="checkbox"/>	101,082	0
15603	Hounsfield (T)	3/8/2012	4,588,952	2,000,000	0	0	<input type="checkbox"/>	345	0
15749	Rensselaer (C)	10/30/2014	8,731,275	0	0	0	<input type="checkbox"/>	7,500	0
15770	Hector (T)	12/31/2009	4,506,417	2,000,000	0	0	<input type="checkbox"/>	1,229	0
15813	Long Lake (T)	4/22/2010	601,344	513,762	0	0	<input type="checkbox"/>	90	0
15862	Southeast (T)	5/9/2013	1,689,614	0	0	0	<input type="checkbox"/>	212	0
15881	Westport (T)	3/25/2010	1,800,000	1,350,000	0	0	<input type="checkbox"/>	140	0
15953	Scio (T)	1/7/2010	1,439,397	776,259	0	0	<input type="checkbox"/>	1,039	0
15958	Prattsville (T)	9/14/2017	1,454,454	872,672	0	0	<input type="checkbox"/>	410	0
15996	Franklin (V)	7/24/2014	1,145,171	972,326	0	0	<input type="checkbox"/>	481	0
16013-70	Briarcliff Manor (V)	11/23/2009	18,799,238	0	0	8,690,238	<input type="checkbox"/>	8,831	0
16106	Tannersville (V)	5/12/2016	3,457,998	2,000,000	0	0	<input type="checkbox"/>	448	0
16114A	Cayuga (V)	1/2/2014	2,805,600	704,000	0	0	<input type="checkbox"/>	1,213	0
16114B	Aurelius (T)	1/2/2014	5,237,000	1,296,000	0	0	<input type="checkbox"/>	1,213	0
16146	Milford (V)	5/12/2016	2,762,980	2,000,000	0	0	<input type="checkbox"/>	407	0
16236	Red Hook (V)	11/8/2012	1,242,000	0	0	0	<input type="checkbox"/>	2,214	0
16261	Constantia (T)	9/29/2011	13,125,648	2,000,000	0	0	<input type="checkbox"/>	2,765	0
16278	Long Lake (T)	9/27/2012	3,767,993	2,000,000	0	0	<input type="checkbox"/>	800	0
16323-70	Monroe County Water Authority	12/16/2009	35,500,000	0	0	17,750,000	<input type="checkbox"/>	310,000	23,333,333
16486	Westmoreland (T)	6/24/2010	1,344,190	0	0	0	<input type="checkbox"/>	600	0
16558	Bath (V)	6/24/2010	4,907,476	0	0	0	<input type="checkbox"/>	5,641	0
16618	Dutchess County Water & Wastewater Authorit	9/26/2013	4,725,000	0	0	0	<input type="checkbox"/>	7,012	0

Tracking Number	Recipient	1st Agreement Date in Selected Period	Assistance Amount	Grant Amount	Negative Interest Amount	Principal Forgiveness Amount	Recipient Could Afford Project without Subsidy?	Population Served	GPR Amount
16635	Copenhagen (V)	7/14/2011	2,926,066	2,000,000	0	0	<input type="checkbox"/>	850	0
16692	Stark (T)	11/10/2011	2,087,702	1,392,805	0	0	<input type="checkbox"/>	500	0
16736	Schodack (T)	5/1/2010	9,315,304	0	0	0	<input type="checkbox"/>	150	0
16741	Pawling (V)	7/23/2015	1,385,031	0	0	0	<input type="checkbox"/>	1,907	0
16744	Fleishmans (V)	7/21/2011	3,227,510	1,671,689	0	0	<input type="checkbox"/>	620	0
16746	Canaseraga (V)	7/2/2013	3,247,397	2,000,000	0	0	<input type="checkbox"/>	594	0
16882-70	Marcellus (T)	12/7/2009	6,204,775	0	0	2,729,546	<input type="checkbox"/>	700	0
16906	Kiryas Joel (V)	11/4/2010	36,147,639	0	0	0	<input type="checkbox"/>	20,500	0
17060	Cape Vincent (T)	4/26/2007	6,544,743	1,678,249	0	0	<input type="checkbox"/>	670	0
17068	Schaghticoke (V)	2/8/2018	5,078,362	2,309,962	0	0	<input type="checkbox"/>	675	0
17139	East Greenbush (T)	11/9/2017	3,665,650	0	0	0	<input type="checkbox"/>	10,200	0
17151	Aurora (T)	8/20/2015	12,086,595	0	0	0	<input type="checkbox"/>	3,200	0
17163	Ticonderoga (T)	12/7/2017	12,033,104	2,000,000	0	0	<input type="checkbox"/>	5,000	0
17193	Jay (T)	12/6/2018	1,268,250	0	0	0	<input type="checkbox"/>	500	0
17195	Keene (T)	11/12/2009	4,045,362	0	0	0	<input type="checkbox"/>	450	0
17201	Ellisburg (V)	5/27/2010	3,570,000	0	0	0	<input type="checkbox"/>	269	0
17218	Fredonia (V)	7/25/2019	1,950,087	0	0	0	<input type="checkbox"/>	10,400	0
17254	Spafford (T)	4/22/2010	6,454,417	0	0	0	<input type="checkbox"/>	1,800	0
17273	Mexico (T)	8/5/2010	8,311,067	1,806,080	0	0	<input type="checkbox"/>	1,400	0
17301	Adams (V)	12/3/2009	2,455,000	0	0	0	<input type="checkbox"/>	2,000	0
17306	Henderson (T)	4/8/2010	3,848,615	1,897,905	0	0	<input type="checkbox"/>	350	0
17321-70	Hounsfield (T)	12/4/2009	4,780,000	1,695,136	0	2,192,523	<input type="checkbox"/>	300	0
17331-70	Poestenkill (T)	12/30/2009	9,530,000	0	0	4,765,000	<input type="checkbox"/>	2,300	0
17358-70	Schodack (T)	11/23/2009	1,218,000	0	0	609,000	<input type="checkbox"/>	454	0
17361	Cobleskill (V)	4/20/2017	1,300,200	0	0	0	<input type="checkbox"/>	4,533	0
17367	Troupsburg (V)	6/28/2012	183,000	183,000	0	0	<input type="checkbox"/>	250	0
17369	Livingston County Water Authority	2/3/2011	1,279,700	327,950	0	0	<input type="checkbox"/>	350	0
17372	Mexico (T)	2/2/2012	7,043,804	1,652,834	0	0	<input type="checkbox"/>	800	0
17377	Silver Creek (V)	5/24/2012	3,513,000	0	0	0	<input type="checkbox"/>	2,896	0
17379-70	Erwin (T)	12/28/2009	5,569,024	1,949,134	0	2,733,646	<input type="checkbox"/>	2,950	0
17382-70	Caneadea (T)	11/23/2009	7,659,811	1,615,604	0	3,445,510	<input type="checkbox"/>	2,000	0
17388	Chesterfield (T)	10/2/2014	935,342	0	0	0	<input type="checkbox"/>	2,445	0
17390	Bangor (T)	4/22/2010	2,644,962	1,939,490	0	0	<input type="checkbox"/>	50	0
17419	Wappingers Falls (V)	2/2/2017	4,028,305	0	0	0	<input type="checkbox"/>	5,522	0
17422	Herkimer (T)	8/16/2018	680,000	0	0	0	<input type="checkbox"/>	320	0
17425	New Berlin (T)	1/10/2013	2,937,207	2,000,000	0	0	<input type="checkbox"/>	450	0
17427	New Scotland (T)	3/6/2014	2,840,040	0	0	0	<input type="checkbox"/>	375	0
17432	Cassadaga (V)	1/5/2017	3,780,710	0	0	0	<input type="checkbox"/>	101,082	0

Tracking Number	Recipient	1st Agreement Date in Selected Period	Assistance Amount	Grant Amount	Negative Interest Amount	Principal Forgiveness Amount	Recipient Could Afford Project without Subsidy?	Population Served	GPR Amount
17438	Rome (C)	11/7/2013	5,391,791	0	0	0	<input type="checkbox"/>	32,000	0
17442	North Collins (V)	11/1/2012	5,194,821	0	0	0	<input type="checkbox"/>	1,190	0
17444	Coxsackie (V)	2/23/2012	5,232,692	0	0	0	<input type="checkbox"/>	4,010	0
17454	Louisville (T)	10/31/2013	9,145,000	2,000,000	0	0	<input type="checkbox"/>	1,080	0
17456	Indian Lake (T)	12/2/2010	2,587,250	2,000,000	0	0	<input type="checkbox"/>	900	0
17457-70	Chaffee Water Company	2/11/2010	947,038	455,844	0	0	<input type="checkbox"/>	200	0
17458-70	Onondaga County Water Authority	2/9/2010	12,262,778	0	0	6,131,389	<input type="checkbox"/>	256,000	0
17463	Bedford (T)	6/1/2011	22,255,159	0	0	0	<input type="checkbox"/>	8,000	0
17469	Fort Plain (V)	9/25/2014	1,519,954	1,306,500	0	0	<input type="checkbox"/>	2,400	0
17473	LeRay (T)	6/23/2011	7,700,000	2,000,000	0	0	<input type="checkbox"/>	600	0
17490	Syracuse (C)	5/1/2010	36,381,323	0	0	0	<input type="checkbox"/>	192,000	0
17493-70	Warwick (V)	11/23/2009	2,225,513	0	0	1,087,164	<input type="checkbox"/>	6,083	0
17496	Hunter (V)	9/27/2012	1,724,274	0	0	0	<input type="checkbox"/>	896	0
17497-70	Amsterdam (C)	12/3/2009	10,482,097	0	0	5,081,049	<input type="checkbox"/>	20,700	0
17504	Esperance (T)	10/19/2017	2,720,000	2,000,000	0	0	<input type="checkbox"/>	561	0
17513	Newcomb (T)	9/3/2015	2,684,665	2,000,000	0	0	<input type="checkbox"/>	436	0
17529	Cape Vincent (T)	7/23/2015	1,696,451	806,503	0	0	<input type="checkbox"/>	200	0
17537	Colchester (T)	9/28/2017	462,476	191,086	0	0	<input type="checkbox"/>	500	0
17538-70	Richland (T)	11/23/2009	10,893,600	1,242,096	0	3,965,316	<input type="checkbox"/>	2,350	0
17543	Moreau (T)	9/4/2014	5,154,322	0	0	0	<input type="checkbox"/>	4,500	0
17552	Newport (V)	9/12/2013	2,531,632	1,800,000	0	0	<input type="checkbox"/>	740	0
17558	NYCMWFA	2/11/2010	123,468,687	0	0	0	<input type="checkbox"/>	1,000,000	24,693,737
17560	Delaware (T)	9/19/2019	4,138,008	2,456,940	0	0	<input type="checkbox"/>	172	0
17561	Forestville (V)	3/25/2010	5,700,000	2,000,000	0	0	<input type="checkbox"/>	804	0
17562	Deferiet (V)	4/10/2014	4,208,764	2,000,000	0	0	<input type="checkbox"/>	300	0
17572	Sharon Springs (V)	3/14/2019	1,689,400	0	0	0	<input type="checkbox"/>	547	0
17576	Cherry Creek (V)	3/11/2010	4,000,000	1,736,859	0	0	<input type="checkbox"/>	650	0
17589	West Valley Crystal Water Company, Inc.	9/26/2013	2,587,374	0	0	0	<input type="checkbox"/>	880	0
17611	Saranac Lake (V)	10/6/2011	12,870,000	2,000,000	0	0	<input type="checkbox"/>	8,000	0
17612	Elbridge (V)	12/3/2009	922,000	0	0	0	<input type="checkbox"/>	1,519	0
17614	Dunkirk (C)	1/26/2017	6,000,000	0	0	0	<input type="checkbox"/>	12,500	0
17618	Gouverneur (V)	4/7/2016	163,800	0	0	0	<input type="checkbox"/>	4,263	0
17621	Angelica (V)	12/5/2013	1,198,320	1,103,427	0	0	<input type="checkbox"/>	950	0
17622	Brocton (V)	5/17/2018	6,570,500	2,000,000	0	0	<input type="checkbox"/>	4,000	0
17623	Corinth (V)	9/26/2013	13,111,866	0	0	0	<input type="checkbox"/>	4,700	0
17625	Sandy Creek (T)	10/25/2012	13,828,000	0	0	0	<input type="checkbox"/>	1,540	0
17629	Essex (T)	9/26/2013	2,977,707	1,146,341	0	0	<input type="checkbox"/>	300	0
17637	Pomfret (T)	10/18/2012	4,829,269	1,328,269	0	0	<input type="checkbox"/>	1,000	0

Tracking Number	Recipient	1st Agreement Date in Selected Period	Assistance Amount	Grant Amount	Negative Interest Amount	Principal Forgiveness Amount	Recipient Could Afford Project without Subsidy?	Population Served	GPR Amount
17645	Greenwich (V)	5/3/2012	1,100,000	0	0	0	<input type="checkbox"/>	2,000	0
17668	Hornell (C)	1/4/2018	3,870,000	0	0	0	<input type="checkbox"/>	101,082	0
17682	Moriah (T)	1/19/2012	1,239,904	1,239,904	0	0	<input type="checkbox"/>	78	0
17727 & 18058	Kingston (C)	6/17/2010	3,552,158	0	0	0	<input type="checkbox"/>	24,000	0
17787	Schoharie (V)	11/29/2018	1,100,000	0	0	0	<input type="checkbox"/>	1,030	0
17800	Kiryas Joel (V)	6/21/2012	885,040	0	0	0	<input type="checkbox"/>	21,750	0
17851	NYCMWFA	6/17/2011	190,474,711	0	0	0	<input type="checkbox"/>	1,000,000	38,094,942
17888	Trumansburg (V)	4/14/2016	3,374,000	0	0	0	<input type="checkbox"/>	2,300	0
17928	Castile (T)	5/31/2012	5,111,267	2,000,000	0	0	<input type="checkbox"/>	1,135	0
17929	Corning (T)	8/29/2013	2,334,342	0	0	0	<input type="checkbox"/>	168	0
17931A	Port Byron (V)	9/25/2014	5,112,000	2,000,000	0	0	<input type="checkbox"/>	1,400	0
17931B	Mentz (T)	9/25/2014	250,000	0	0	0	<input type="checkbox"/>	120	0
17931C	Montezuma (T)	9/25/2014	1,231,000	0	0	0	<input type="checkbox"/>	1,400	0
17956	Roxbury (T)	2/10/2010	347,267	347,267	0	0	<input type="checkbox"/>	755	347,267
17957	Bard College	2/10/2010	1,590,825	1,590,825	0	0	<input type="checkbox"/>	1,400	1,590,825
17958	Beacon (C)	2/10/2010	233,100	233,100	0	0	<input type="checkbox"/>	19,000	233,100
17959	Dutchess County Water & Wastewater Authorit	2/11/2010	61,692	61,692	0	0	<input type="checkbox"/>	1,227	61,692
17960	Saranac Lake (V)	2/10/2010	1,000,000	1,000,000	0	0	<input type="checkbox"/>	5,800	1,000,000
17961	Orleans (T)	2/12/2010	208,078	208,078	0	0	<input type="checkbox"/>	750	208,078
17963	Syracuse (C) GIGP 23	2/9/2010	315,000	315,000	0	0	<input type="checkbox"/>	19,200	315,000
17964	Syracuse (C) GIGP 21	2/9/2010	438,543	438,543	0	0	<input type="checkbox"/>	192,000	438,543
17965	Richland (T) GIGP 133	2/11/2010	797,949	797,949	0	0	<input type="checkbox"/>	2,350	585,000
17966	Schaghticoke (V)	2/9/2010	75,000	75,000	0	0	<input type="checkbox"/>	675	75,000
17967	Troy (C)	2/11/2010	450,000	450,000	0	0	<input type="checkbox"/>	49,170	450,000
17968	Sharon Springs (V)	2/9/2010	203,148	203,148	0	0	<input type="checkbox"/>	547	203,148
17969	Bath Electric, Gas and Water	2/11/2010	437,400	437,400	0	0	<input type="checkbox"/>	5,641	437,400
17970	Wurtsboro (V)	2/10/2010	223,064	223,064	0	0	<input type="checkbox"/>	1,060	201,438
17974	South Corning (V)	9/26/2013	1,280,000	0	0	0	<input type="checkbox"/>	1,400	0
17976;17987	Oneonta (T)	10/6/2016	6,700,000	2,000,000	0	0	<input type="checkbox"/>	1,570	0
17983	NYCMWFA	9/27/2012	217,000,000	0	0	0	<input type="checkbox"/>	1,000,000	0
18004	Westfield (V)	5/10/2018	4,300,000	1,852,800	0	0	<input type="checkbox"/>	3,450	0
18005	Savannah (T)	11/10/2011	3,490,206	1,990,206	0	0	<input type="checkbox"/>	900	0
18009	Dryden (V)	11/7/2013	6,902,470	0	0	0	<input type="checkbox"/>	2,000	0
18013	Randolph (T)	9/25/2014	3,593,000	2,000,000	0	0	<input type="checkbox"/>	1,850	0
18017A	Richburg (V)	9/19/2013	1,714,840	578,000	0	0	<input type="checkbox"/>	600	0
18017B	Bolivar (V)	9/19/2013	3,801,670	1,281,400	0	0	<input type="checkbox"/>	1,040	0
18017C	Bolivar (T)	9/19/2013	417,130	140,600	0	0	<input type="checkbox"/>	1,040	0
18020	Denmark (T)	9/13/2018	800,000	0	0	0	<input type="checkbox"/>	275	0

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18022	Perrysburg (T)	6/6/2013	681,455	0	0	0	<input type="checkbox"/>	404	0
18023	Rome (C)	6/9/2016	9,214,982	0	0	0	<input type="checkbox"/>	101,082	0
18029	Hoosick Falls (V)	4/12/2012	470,744	0	0	0	<input type="checkbox"/>	4,400	0
18038	Mechanicville (C)	1/5/2017	4,115,240	1,491,240	0	0	<input type="checkbox"/>	101,082	0
18051	Fultonville (V)	11/1/2018	360,000	0	0	0	<input type="checkbox"/>	740	0
18054	NYCMWFA	6/18/2015	200,358,869	0	0	0	<input type="checkbox"/>	1,000,000	0
18058	Kingston (C)	6/21/2012	749,063	0	0	0	<input type="checkbox"/>	24,000	0
18060	Highlands (T)	10/25/2012	1,194,716	0	0	0	<input type="checkbox"/>	1,379	0
18061	Tupper Lake (V)	5/25/2017	7,353,901	2,000,000	0	0	<input type="checkbox"/>	5,500	0
18067	Gilbertsville (V)	1/26/2017	3,986,000	2,000,000	0	0	<input type="checkbox"/>	600	0
18080A	Poughkeepsie (C)	11/5/2015	10,353,339	0	0	0	<input type="checkbox"/>	80,000	0
18080B	Poughkeepsie (T)	11/5/2015	4,349,456	0	0	0	<input type="checkbox"/>	80,000	0
18081	NYCMWFA	4/14/2016	200,000,000	0	0	0	<input type="checkbox"/>	1,000,000	0
18084	Brocton (V)	3/31/2016	1,990,000	0	0	0	<input type="checkbox"/>	4,000	0
18094	Champlain (T)	1/8/2015	13,420,000	2,000,000	0	0	<input type="checkbox"/>	3,000	0
18095	Constantia (T)	3/30/2017	1,839,200	0	0	0	<input type="checkbox"/>	2,305	0
18096	Orleans (T)	9/29/2016	12,360,571	0	0	0	<input type="checkbox"/>	100	0
18097	Clayton (V)	2/2/2017	3,190,000	0	0	0	<input type="checkbox"/>	2,100	0
18105	Sinclairville (V)	9/24/2015	6,816,000	2,000,000	0	0	<input type="checkbox"/>	772	0
18107	Dryden (V)	11/7/2013	1,954,000	0	0	0	<input type="checkbox"/>	2,000	0
18110	Cattaraugus	10/27/2016	818,636	0	0	0	<input type="checkbox"/>	1,100	0
18111	Rosendale (T)	1/29/2015	4,169,000	2,000,000	0	0	<input type="checkbox"/>	2,200	0
18114	Babylon (T)	3/31/2016	1,200,000	0	0	0	<input type="checkbox"/>	120	0
18120	Poughkeepsie (C)	2/11/2016	9,663,000	0	0	0	<input type="checkbox"/>	28,000	0
18127	Interlaken (V)	5/2/2019	3,328,800	0	0	0	<input type="checkbox"/>	650	0
18135	Round Lake (V)	4/5/2018	474,000	0	0	0	<input type="checkbox"/>	650	0
18136	Schoharie (V)	1/26/2017	65,276	0	0	0	<input type="checkbox"/>	1,030	0
18139	Fine (T)	4/7/2016	7,144,564	2,000,000	0	0	<input type="checkbox"/>	927	0
18140	Red Hook (V)	1/8/2015	1,520,000	0	0	0	<input type="checkbox"/>	11,319	0
18146-75	Water Authority of Great Neck North	7/23/2015	15,038,000	3,862,500	0	0	<input checked="" type="checkbox"/>	31,400	0
18147-75	Kingston (C)	7/23/2015	3,948,955	679,737	0	0	<input type="checkbox"/>	24,000	0
18148A-75	Harrison (T/V)	6/25/2015	295,646	73,911	0	0	<input checked="" type="checkbox"/>	28,005	0
18148B-75	Mamaroneck (V)	6/25/2015	153,714	38,428	0	0	<input checked="" type="checkbox"/>	19,237	0
18148C-75	Mamaroneck (T)	6/25/2015	111,639	27,909	0	0	<input checked="" type="checkbox"/>	29,156	0
18149-75	Ocean Beach (V)	7/23/2015	3,650,000	625,000	0	0	<input checked="" type="checkbox"/>	4,500	0
18150-75	Sleepy Hollow (V)	6/30/2016	5,420,263	1,576,465	0	0	<input checked="" type="checkbox"/>	101,082	0
18152-75	Wallkill (T)	6/2/2016	1,650,000	412,500	0	0	<input checked="" type="checkbox"/>	15,000	0
18153-75	Wallkill (T)	9/10/2015	2,937,586	716,238	0	0	<input checked="" type="checkbox"/>	15,000	0

Tracking Number	Recipient	1st Agreement Date in Selected Period	Assistance Amount	Grant Amount	Negative Interest Amount	Principal Forgiveness Amount	Recipient Could Afford Project without Subsidy?	Population Served	GPR Amount
18155-75	Suffolk County Water Authority	7/30/2015	1,221,896	305,474	0	0	<input checked="" type="checkbox"/>	100,000	0
18156-75	Suffolk County Water Authority	7/30/2015	16,727,659	4,181,914	0	0	<input checked="" type="checkbox"/>	1,000,000	0
18160-75	NYCMWFA	9/22/2016	12,147,373	3,036,843	0	0	<input checked="" type="checkbox"/>	101,082	0
18161-75	Dering Harbor (V)	9/8/2016	600,000	125,000	0	0	<input checked="" type="checkbox"/>	136	0
18166-75	Suffolk County Water Authority	7/30/2015	800,393	200,098	0	0	<input checked="" type="checkbox"/>	1,000,000	0
18167-75	Suffolk County Water Authority	7/30/2015	3,301,461	825,365	0	0	<input checked="" type="checkbox"/>	1,000,000	0
18170	North Castle (T)	11/3/2016	587,370	0	0	0	<input type="checkbox"/>	2,500	0
18173	Brownville (T)	2/28/2019	2,414,000	0	0	0	<input type="checkbox"/>	400	0
18184	Crown Point (T)	3/30/2017	1,103,336	0	0	0	<input type="checkbox"/>	995	0
18185	Phoenix (V)	9/7/2017	517,843	0	0	0	<input type="checkbox"/>	2,138	0
18192	NYCMWFA	3/2/2017	177,058,438	0	0	0	<input type="checkbox"/>	1,000,000	0
18193	Ashford (T)	5/5/2016	1,282,560	0	0	0	<input type="checkbox"/>	880	0
18198	Oxford (V)	6/21/2018	997,750	0	0	0	<input type="checkbox"/>	1,738	0
18203	Middletown (C)	8/1/2019	2,334,560	0	0	0	<input type="checkbox"/>	26,200	0
18208-A	Kiryas Joel (V)	3/7/2019	2,700,660	0	0	0	<input type="checkbox"/>	30,475	0
18209	Kingston (C)	2/9/2017	1,356,000	0	0	0	<input type="checkbox"/>	24,000	0
18214	Waterloo (V)	4/11/2019	2,600,000	0	0	0	<input type="checkbox"/>	7,000	0
18215	Delhi (V)	6/22/2017	911,835	0	0	0	<input type="checkbox"/>	3,833	0
18232	Adams (V)	3/30/2017	0	0	0	0	<input type="checkbox"/>	2,000	0
18239	Greenville (T)	8/29/2019	739,006	0	0	0	<input type="checkbox"/>	11,000	0
18242	Dresden (V)	2/15/2018	95,186	0	0	0	<input type="checkbox"/>	493	0
18250	Clifton (T)	12/14/2017	1,161,394	0	0	0	<input type="checkbox"/>	350	0
18257	Cairo (T)	3/30/2017	1,400,000	0	0	0	<input type="checkbox"/>	725	0
18261	Sullivan (T)	5/16/2019	224,448	0	0	0	<input type="checkbox"/>	55	0
18262	Chatham (V)	3/30/2017	323,287	0	0	0	<input type="checkbox"/>	2,800	0
18264	Newark (V)	2/15/2018	3,600,000	0	0	0	<input type="checkbox"/>	9,682	0
18268	Cornwall on Hudson (V)	2/9/2017	1,692,875	0	0	0	<input type="checkbox"/>	9,500	0
18272	Troy (C)	10/6/2016	1,256,995	0	0	0	<input type="checkbox"/>	49,170	0
18275	Chesterfield (T)	5/16/2019	7,399,470	2,000,000	0	0	<input type="checkbox"/>	2,300	0
18278	Saratoga County Water Authority	9/27/2018	2,700,000	0	0	0	<input type="checkbox"/>	15,000	0
18280	Kiryas Joel (V)	5/4/2017	2,051,087	0	0	0	<input type="checkbox"/>	20,500	0
18282	Cleveland (V)	11/15/2018	1,459,200	0	0	0	<input type="checkbox"/>	925	0
18283	Cortland (C)	11/2/2017	920,000	0	0	0	<input type="checkbox"/>	20,095	0
18284	Liberty (T)	8/31/2017	1,360,000	0	0	0	<input type="checkbox"/>	1,200	0
18285	Pulaski (V)	3/28/2019	2,255,000	0	0	0	<input type="checkbox"/>	2,398	0
18291	Lake Placid (V)	11/8/2018	1,800,000	0	0	0	<input type="checkbox"/>	5,000	0
18292	Stark (T)	11/3/2016	240,000	0	0	0	<input type="checkbox"/>	372	0
18294	Lockport (C)	6/14/2018	3,500,000	0	0	0	<input type="checkbox"/>	22,279	0

Tracking Number	Recipient	1st Agreement Date in Selected Period	Assistance Amount	Grant Amount	Negative Interest Amount	Principal Forgiveness Amount	Recipient Could Afford Project without Subsidy?	Population Served	GPR Amount
18309	Guilford (T)	8/15/2019	470,000	0	0	0	<input type="checkbox"/>	160	0
18310	Lowville (V)	4/11/2019	2,031,008	0	0	0	<input type="checkbox"/>	4,000	0
18329	Chaumont (V)	11/15/2018	594,800	0	0	0	<input type="checkbox"/>	625	0
18332	South Glens Falls (V)	8/8/2019	1,080,000	0	0	0	<input type="checkbox"/>	3,700	0
18338	Sidney (V)	4/6/2017	5,852,683	0	0	0	<input type="checkbox"/>	4,180	0
18339	NYCMWFA	3/22/2018	196,000,000	0	0	0	<input type="checkbox"/>	1,000,000	0
18345	Herkimer (V)	3/21/2019	300,000	0	0	0	<input type="checkbox"/>	7,606	0
18346	Roxbury (T)	9/21/2017	400,000	0	0	0	<input type="checkbox"/>	361	0
18347	Genoa (T)	4/4/2019	712,816	0	0	0	<input type="checkbox"/>	900	0
18348	Roxbury (T)	6/21/2018	3,237,550	2,000,000	0	0	<input type="checkbox"/>	101,082	0
18350	Nelson (T)	4/11/2019	1,060,000	0	0	0	<input type="checkbox"/>	1,200	0
18351	Sandy Creek (T)	7/11/2019	8,466,000	0	0	0	<input type="checkbox"/>	2,600	0
18365	South Corning (V)	12/19/2019	2,308,000	0	0	0	<input type="checkbox"/>	1,147	0
18376	Hastings (T)	4/11/2019	11,390,000	0	0	0	<input type="checkbox"/>	487	0
18377	Albany (C)-Minicipal Water Finance Authority	12/14/2017	874,140	0	0	0	<input type="checkbox"/>	101,082	0
18378	Albany (C)-Minicipal Water Finance Authority	12/14/2017	1,854,160	0	0	0	<input type="checkbox"/>	101,082	0
18381	North Collins (T)	3/21/2019	270,000	0	0	0	<input type="checkbox"/>	3,509	0
18385	NYCMWFA	7/9/2019	183,300,000	0	0	0	<input type="checkbox"/>	1,000,000	0
18389	Fredonia (V)	10/18/2018	620,687	0	0	0	<input type="checkbox"/>	10,400	0
18411	Alexander (V)	4/11/2019	1,588,000	0	0	0	<input type="checkbox"/>	781	0
18414	Holley (V)	3/21/2019	1,246,000	0	0	0	<input type="checkbox"/>	2,150	0
18425	Hounsfield (T)	3/21/2019	305,000	0	0	0	<input type="checkbox"/>	40	0
18433	Albany (C)-Minicipal Water Finance Authority	10/11/2018	640,000	0	0	0	<input type="checkbox"/>	101,082	0
18446	Rotterdam (T)	7/19/2018	2,100,000	0	0	0	<input type="checkbox"/>	2,000	0
18448	Fonda (V)	9/27/2018	1,441,729	0	0	0	<input type="checkbox"/>	1,080	0
18449	Fort Plain (V)	10/17/2019	600,000	0	0	0	<input type="checkbox"/>	2,400	0
18470	Amsterdam (C)	11/29/2018	2,500,000	0	0	0	<input type="checkbox"/>	20,700	0
18491	Thompson (T)	4/11/2019	160,000	0	0	0	<input type="checkbox"/>	150	0
18499	Rhinebeck (V)	3/26/2019	1,256,724	0	0	0	<input type="checkbox"/>	4,300	0
18520	Mayville (V)	11/29/2018	6,452,000	3,000,000	0	0	<input type="checkbox"/>	1,856	0
18521	Colonie (T)	7/12/2018	640,000	0	0	0	<input type="checkbox"/>	78,500	0
18525	Hancock (V)	10/17/2019	1,600,000	0	0	0	<input type="checkbox"/>	1,189	0
18577	Mechanicville (C)	9/26/2019	34,068	0	0	0	<input type="checkbox"/>	5,100	0
18584	Berlin (T)	12/19/2019	1,001,800	0	0	0	<input type="checkbox"/>	700	0
18585	Petersburgh (T)	10/10/2019	66,480	0	0	0	<input type="checkbox"/>	240	0
18589	Owasco (T)	6/20/2019	841,307	0	0	0	<input type="checkbox"/>	3,000	0
18622	Alfred (V)	10/10/2019	1,934,400	0	0	0	<input type="checkbox"/>	3,500	0
18633	Hempstead (V)	10/24/2019	734,596	0	0	0	<input type="checkbox"/>	55,806	0



<b>Tracking Number</b>	<b>Recipient</b>	<b>1st Agreement Date in Selected Period</b>	<b>Assistance Amount</b>	<b>Grant Amount</b>	<b>Negative Interest Amount</b>	<b>Principal Forgiveness Amount</b>	<b>Recipient Could Afford Project without Subsidy?</b>	<b>Population Served</b>	<b>GPR Amount</b>
18634	Hempstead (V)	10/24/2019	1,028,281	0	0	0	<input type="checkbox"/>	56,000	0
<b>Total for all 260 Agreements</b>			<b>2,450,448,587</b>	<b>142,821,320</b>	<b>0</b>	<b>61,752,272</b>		<b>14,598,329</b>	<b>92,268,503</b>

**EXHIBIT 3**  
**US EPA National Information Management System (NIMS)**

**Drinking Water SRF Program Information  
for the State of New York**

<b>Federal and State Investment</b> <i>Data Entered by EPA</i>	<i>For Federal Fiscal Year Ending September 30 of:</i>							
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Federal Grants (Dollars)</b>								
1 Date of Last Award in the Year	-	9/9/1998	6/28/1999	4/6/2000	6/21/2001	9/18/2002	9/30/2003	9/21/2004
2 **Total Annual Federal Grants	\$0	\$104,229,300	\$47,228,900	\$49,084,500	\$49,287,400	\$62,430,700	\$62,055,500	\$64,373,600
3 *Cumulative Federal Grants	\$0	\$104,229,300	\$151,458,200	\$200,542,700	\$249,830,100	\$312,260,800	\$374,316,300	\$438,689,900
<b>Transfer of Federal Funds Between DWSRF and CWSRF</b>								
4 Amount of Federal Funds Transferred into DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5 Amount of Federal Funds Transferred out of DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
6 *Net Transfer into/(out of) DWSRF	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
7 *Cumulative Net Transfer into/(out of) DWSRF	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Quarterly Outlays (Dollars)</b>								
8 First Quarter Outlays	\$0	\$0	\$6,064,175	\$399,067	\$0	\$0	\$0	\$0
9 Second Quarter Outlays	\$0	\$0	\$7,251,533	\$1,785,504	\$7,465,699	\$41,609,053	\$49,012,513	\$57,779,196
10 Third Quarter Outlays	\$0	\$0	\$25,917,803	\$0	\$0	\$0	\$500,041	\$0
11 Fourth Quarter Outlays	\$0	\$23,453,998	\$7,875,734	\$37,046,959	\$65,087,253	\$18,537,202	\$14,629,240	\$2,537,371
12 *Total Annual Outlays	\$0	\$23,453,998	\$47,109,245	\$39,231,530	\$72,552,952	\$60,146,255	\$64,141,794	\$60,316,567
13 *Cumulative Outlays	\$0	\$23,453,998	\$70,563,243	\$109,794,773	\$182,347,725	\$242,493,980	\$306,635,774	\$366,952,341

\* Calculated values.

\*\* Includes funds received from the Disaster Relief Appropriations Act of 2013

**Drinking Water SRF Program Information  
for the State of New York**

Federal and State Investment <i>Data Entered by EPA</i>	For Federal Fiscal Year Ending <b>September 30</b> of:							
	2005	2006	2007	2008	2009	2010	2011	2012
<b>Federal Grants (Dollars)</b>								
1 Date of Last Award in the Year	9/20/2005	9/20/2006	9/26/2007	8/13/2008	9/30/2009	9/27/2010	9/27/2011	9/18/2012
2 **Total Annual Federal Grants	\$64,237,300	\$36,636,100	\$36,638,000	\$36,265,000	\$123,076,000	\$89,427,000	\$62,055,000	\$59,138,000
3 *Cumulative Federal Grants	\$502,927,200	\$539,563,300	\$576,201,300	\$612,466,300	\$735,542,300	\$824,969,300	\$887,024,300	\$946,162,300
<b>Transfer of Federal Funds Between DWSRF and CWSRF</b>								
4 Amount of Federal Funds Transferred into DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5 Amount of Federal Funds Transferred out of DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
6 *Net Transfer into/(out of) DWSRF	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
7 *Cumulative Net Transfer into/(out of) DWSRF	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Quarterly Outlays (Dollars)</b>								
8 First Quarter Outlays	\$1,449,352	\$1,816,712	\$116,887	\$146,663	\$135,401	\$2,672,544	\$4,670,315	\$0
9 Second Quarter Outlays	\$43,956,554	\$58,904,173	\$34,579,508	\$34,357,332	\$35,249,534	\$64,188,804	\$27,523,118	\$43,817,342
10 Third Quarter Outlays	\$0	\$134,918	\$99,828	\$126,088	\$108,658	\$1,838,270	\$16,709,185	\$0
11 Fourth Quarter Outlays	\$18,728,510	\$133,795	\$3,087,802	\$3,306,475	\$79,579	\$22,404,982	\$5,918,570	\$44,138,252
12 *Total Annual Outlays	\$64,134,416	\$60,989,598	\$37,884,025	\$37,936,558	\$35,573,172	\$91,104,600	\$54,821,188	\$87,955,595
13 *Cumulative Outlays	\$431,086,757	\$492,076,355	\$529,960,380	\$567,896,938	\$603,470,110	\$694,574,710	\$749,395,898	\$837,351,492

\* Calculated values.

\*\* Includes funds received from the Disaster Relief Appropriations Act of 2013

**Drinking Water SRF Program Information  
for the State of New York**

<b>Federal and State Investment</b> <i>Data Entered by EPA</i>		<i>For Federal Fiscal Year Ending September 30 of:</i>						
		2013	2014	2015	2016	2017	2018	2019
<b>Federal Grants (Dollars)</b>								
1	Date of Last Award in the Year	9/25/2013	9/24/2014	9/23/2015	9/20/2016	8/8/2017	7/11/2018	9/6/2019
2	**Total Annual Federal Grants	\$55,872,000	\$99,027,914	\$42,726,000	\$39,900,000	\$39,559,000	\$45,363,000	\$44,938,000
3	*Cumulative Federal Grants	\$1,002,034,300	\$1,101,062,214	\$1,143,788,214	\$1,183,688,214	\$1,223,247,214	\$1,268,610,214	\$1,313,548,214
<b>Transfer of Federal Funds Between DWSRF and CWSRF</b>								
4	Amount of Federal Funds Transferred into DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5	Amount of Federal Funds Transferred out of DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
6	*Net Transfer into/(out of) DWSRF	\$0	\$0	\$0	\$0	\$0	\$0	\$0
7	*Cumulative Net Transfer into/(out of) DWSRF	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Quarterly Outlays (Dollars)</b>								
8	First Quarter Outlays	\$0	\$554,057	\$26,210,355	\$38,906,776	\$969,976	\$35,164,237	\$44,464,731
9	Second Quarter Outlays	\$43,817,342	\$28,353,335	\$41,432,752	\$4,514,689	\$40,028,004	\$8,991,052	\$7,605,321
10	Third Quarter Outlays	\$0	\$53,700	\$0	\$863,549	\$1,737,714	(\$1,051,535)	\$1,578,238
11	Fourth Quarter Outlays	\$1,394,821	\$0	\$49,325	\$1,337,374	\$6,704,659	\$4,930,975	\$1,015,175
12	*Total Annual Outlays	\$45,212,163	\$28,961,092	\$67,692,432	\$45,622,389	\$49,440,353	\$48,034,729	\$54,663,464
13	*Cumulative Outlays	\$882,563,655	\$911,524,747	\$979,217,179	\$1,024,839,568	\$1,074,279,921	\$1,122,314,650	\$1,176,978,115

\* Calculated values.

\*\* Includes funds received from the Disaster Relief Appropriations Act of 2013

**Drinking Water SRF Program Information  
for the State of New York**

**Federal and State Investment**

*For the Reporting Year Ending June 30 of:*

	1997	1998	1999	2000	2001	2002	2003	2004
<b>DWSRF Fund Investment Summary (Calculated Values)</b>								
14 *Annual Capitalization Grants	\$0	\$59,167,700	\$92,290,500	\$49,084,500	\$49,287,400	\$0	\$62,430,700	\$62,055,500
15 *Cumulative Capitalization Grants	\$0	\$59,167,700	\$151,458,200	\$200,542,700	\$249,830,100	\$249,830,100	\$312,260,800	\$374,316,300
<b>Adjustments to the DWSRF Fund</b>								
16 *Annual Net Transfers with CWSRF into/(out of) the DWSRF Fund (from line 43)	\$0	\$0	\$0	\$49,981,206	\$16,197,885	\$16,264,842	\$0	\$0
17 *Annual Amount (Awarded) for Set-Asides (from line 111)	\$0	(\$10,058,509)	(\$8,306,245)	(\$4,417,605)	(\$4,435,866)	\$0	(\$6,243,069)	(\$6,826,105)
18 *Annual Amount of Transfers into DWSRF Fund from Set-Asides (from line 113)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
19 *Annual Net Federal Contributions Adjusted for Transfers and Set-Asides	\$0	\$49,109,191	\$83,984,255	\$94,648,101	\$61,049,419	\$16,264,842	\$56,187,631	\$55,229,395
20 *Cumulative Net Federal Contributions Adjusted for Transfers and Set-Asides	\$0	\$49,109,191	\$133,093,446	\$227,741,547	\$288,790,966	\$305,055,808	\$361,243,439	\$416,472,834
21 *Annual State Contributions	\$0	\$35,000,000	\$25,000,000	\$25,000,000	\$35,000,000	\$65,000,000	\$50,000,000	\$30,000,000
22 *Cumulative State Contributions	\$0	\$35,000,000	\$60,000,000	\$85,000,000	\$120,000,000	\$185,000,000	\$235,000,000	\$265,000,000
23 *Annual Net Investments for the DWSRF Fund	\$0	\$84,109,191	\$108,984,255	\$119,648,101	\$96,049,419	\$81,264,842	\$106,187,631	\$85,229,395
24 *Cumulative Net Investments for the DWSRF Fund	\$0	\$84,109,191	\$193,093,446	\$312,741,547	\$408,790,966	\$490,055,808	\$596,243,439	\$681,472,834
25 *State Contributions as a % of Grants - Annual	-	59%	27%	51%	71%	-	80%	48%
26 *State Contributions as a % of Grants - Cumulative	-	59%	40%	42%	48%	74%	75%	71%
<b>Outlays (Dollars)</b>								
27 *Annual	\$0	\$0	\$62,687,509	\$10,060,305	\$44,512,658	\$106,696,306	\$68,049,756	\$72,408,436
28 *Cumulative	\$0	\$0	\$62,687,509	\$72,747,814	\$117,260,472	\$223,956,778	\$292,006,534	\$364,414,970
28a *State Contributions as a % of Outlays - Annual	-	-	40%	249%	79%	61%	73%	41%
28b *State Contributions as a % of Outlays - Cumulative	-	-	96%	117%	102%	83%	80%	73%
<b>State Match Contributions Deposited (Dollars)</b>								
29 Cash or Appropriations	\$0	\$35,000,000	\$25,000,000	\$25,000,000	\$35,000,000	\$65,000,000	\$50,000,000	\$30,000,000
30 Bonds Retired Outside the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
31 Bonds Retired from the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
32 Pre-existing Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
33 Other Sources	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
34 *Total Annual Match Contributions	\$0	\$35,000,000	\$25,000,000	\$25,000,000	\$35,000,000	\$65,000,000	\$50,000,000	\$30,000,000
35 *Cumulative Match Contributions	\$0	\$35,000,000	\$60,000,000	\$85,000,000	\$120,000,000	\$185,000,000	\$235,000,000	\$265,000,000
<b>Additional Match for State Program Management Activities (Dollars)</b>								
36 Credit for 1993 Funding Used	\$0	\$295,839	\$1,384,408	\$736,268	\$739,311	\$0	\$1,248,614	\$1,551,387
37 Cash Contributions Deposited	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
38 Contributions as In-Kind Services	\$0	\$295,839	\$1,384,408	\$736,268	\$739,311	\$0	\$1,248,614	\$1,551,387
39 *Total Annual Additional Contribution	\$0	\$591,678	\$2,768,816	\$1,472,536	\$1,478,622	\$0	\$2,497,228	\$3,102,774
40 *Cumulative Additional Contribution	\$0	\$591,678	\$3,360,494	\$4,833,030	\$6,311,652	\$6,311,652	\$8,808,880	\$11,911,654
<b>Net Transfer of Funds with CWSRF into/(out of) the DWSRF Fund</b>								
41 *Annual Net Transfer of Federal Funds with CWSRF into/(out of) the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
42 Annual Net Transfer of Non-Federal Funds with CWSRF into/(out of) the DWSRF Fund	\$0	\$0	\$0	\$49,981,206	\$16,197,885	\$16,264,842	\$0	\$0
43 *Total Annual Net Amount Transferred	\$0	\$0	\$0	\$49,981,206	\$16,197,885	\$16,264,842	\$0	\$0
44 *Cumulative Total Net Amount Transferred	\$0	\$0	\$0	\$49,981,206	\$66,179,091	\$82,443,933	\$82,443,933	\$82,443,933

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Federal and State Investment	For the Reporting Year Ending June 30 of:							
	2005	2006	2007	2008	2009	2010	2011	2012
<b>DWSRF Fund Investment Summary (Calculated Values)</b>								
14 *Annual Capitalization Grants	\$64,373,600	\$64,237,300	\$36,636,100	\$36,638,000	\$36,265,000	\$123,076,000	\$89,427,000	\$62,055,000
15 *Cumulative Capitalization Grants	\$438,689,900	\$502,927,200	\$539,563,300	\$576,201,300	\$612,466,300	\$735,542,300	\$824,969,300	\$887,024,300
<b>Adjustments to the DWSRF Fund</b>								
16 *Annual Net Transfers with CWSRF into/(out of) the DWSRF Fund (from line 43)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
17 *Annual Amount (Awarded) for Set-Asides (from line 111)	(\$7,066,103)	(\$5,861,776)	(\$5,862,080)	(\$5,862,080)	\$0	(\$10,651,060)	(\$9,037,768)	(\$9,747,680)
18 *Annual Amount of Transfers into DWSRF Fund from Set-Asides (from line 113)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
19 *Annual Net Federal Contributions Adjusted for Transfers and Set-Asides	\$57,307,497	\$58,375,524	\$30,774,020	\$30,775,920	\$36,265,000	\$112,424,940	\$80,389,232	\$52,307,320
20 *Cumulative Net Federal Contributions Adjusted for Transfers and Set-Asides	\$473,780,331	\$532,155,855	\$562,929,875	\$593,705,795	\$629,970,795	\$742,395,735	\$822,784,967	\$875,092,287
21 *Annual State Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
22 *Cumulative State Contributions	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000
23 *Annual Net Investments for the DWSRF Fund	\$57,307,497	\$58,375,524	\$30,774,020	\$30,775,920	\$36,265,000	\$112,424,940	\$80,389,232	\$52,307,320
24 *Cumulative Net Investments for the DWSRF Fund	\$738,780,331	\$797,155,855	\$827,929,875	\$858,705,795	\$894,970,795	\$1,007,395,735	\$1,087,784,967	\$1,140,092,287
25 *State Contributions as a % of Grants - Annual	0%	0%	0%	0%	0%	0%	0%	0%
26 *State Contributions as a % of Grants - Cumulative	60%	53%	49%	46%	43%	36%	32%	30%
<b>Outlays (Dollars)</b>								
27 *Annual	\$47,943,277	\$79,584,313	\$34,930,018	\$37,717,885	\$38,800,068	\$68,779,197	\$71,307,600	\$49,735,912
28 *Cumulative	\$412,358,247	\$491,942,560	\$526,872,578	\$564,590,463	\$603,390,531	\$672,169,728	\$743,477,327	\$793,213,240
28a *State Contributions as a % of Outlays - Annual	0%	0%	0%	0%	0%	0%	0%	0%
28b *State Contributions as a % of Outlays - Cumulative	64%	54%	50%	47%	44%	39%	36%	33%
<b>State Match Contributions Deposited (Dollars)</b>								
29 Cash or Appropriations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30 Bonds Retired Outside the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
31 Bonds Retired from the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
32 Pre-existing Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
33 Other Sources	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
34 *Total Annual Match Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
35 *Cumulative Match Contributions	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000
<b>Additional Match for State Program Management Activities (Dollars)</b>								
36 Credit for 1993 Funding Used	\$0	\$1,831,805	\$1,831,900	\$1,831,900	\$0	\$1,813,250	\$2,686,904	\$3,046,150
37 Cash Contributions Deposited	\$0	\$0	\$0	\$0	\$0	\$1,813,250	\$0	\$0
38 Contributions as In-Kind Services	\$3,211,865	\$1,831,805	\$1,831,900	\$1,831,900	\$0	\$0	\$2,686,904	\$3,046,150
39 *Total Annual Additional Contribution	\$3,211,865	\$3,663,610	\$3,663,800	\$3,663,800	\$0	\$3,626,500	\$5,373,808	\$6,092,300
40 *Cumulative Additional Contribution	\$15,123,519	\$18,787,129	\$22,450,929	\$26,114,729	\$26,114,729	\$29,741,229	\$35,115,037	\$41,207,337
<b>Net Transfer of Funds with CWSRF into/(out of) the DWSRF Fund</b>								
41 *Annual Net Transfer of Federal Funds with CWSRF into/(out of) the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
42 Annual Net Transfer of Non-Federal Funds with CWSRF into/(out of) the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
43 *Total Annual Net Amount Transferred	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
44 *Cumulative Total Net Amount Transferred	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Federal and State Investment	For the Reporting Year Ending June 30 of:						
	2013	2014	2015	2016	2017	2018	2019
<b>DWSRF Fund Investment Summary (Calculated Values)</b>							
14 *Annual Capitalization Grants	\$59,138,000	\$55,872,000	\$99,027,914	\$42,726,000	\$39,900,000	\$39,559,000	\$45,363,000
15 *Cumulative Capitalization Grants	\$946,162,300	\$1,002,034,300	\$1,101,062,214	\$1,143,788,214	\$1,183,688,214	\$1,223,247,214	\$1,268,610,214
<b>Adjustments to the DWSRF Fund</b>							
16 *Annual Net Transfers with CWSRF into/(out of) the DWSRF Fund (from line 43)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
17 *Annual Amount (Awarded) for Set-Asides (from line 111)	(\$8,877,600)	(\$6,792,700)	(\$9,011,077)	(\$5,956,320)	(\$6,369,440)	(\$7,258,080)	(\$7,190,080)
18 *Annual Amount of Transfers into DWSRF Fund from Set-Asides (from line 113)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
19 *Annual Net Federal Contributions Adjusted for Transfers and Set-Asides	\$50,260,400	\$49,079,300	\$90,016,837	\$36,769,680	\$33,530,560	\$32,300,920	\$38,172,920
20 *Cumulative Net Federal Contributions Adjusted for Transfers and Set-Asides	\$925,352,687	\$974,431,987	\$1,064,448,824	\$1,101,218,504	\$1,134,749,064	\$1,167,049,984	\$1,205,222,904
21 *Annual State Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
22 *Cumulative State Contributions	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000
23 *Annual Net Investments for the DWSRF Fund	\$50,260,400	\$49,079,300	\$90,016,837	\$36,769,680	\$33,530,560	\$32,300,920	\$38,172,920
24 *Cumulative Net Investments for the DWSRF Fund	\$1,190,352,687	\$1,239,431,987	\$1,329,448,824	\$1,366,218,504	\$1,399,749,064	\$1,432,049,984	\$1,470,222,904
25 *State Contributions as a % of Grants - Annual	0%	0%	0%	0%	0%	0%	0%
26 *State Contributions as a % of Grants - Cumulative	28%	26%	24%	23%	22%	22%	21%
<b>Outlays (Dollars)</b>							
27 *Annual	\$87,955,595	\$30,355,913	\$67,643,107	\$44,334,340	\$44,073,068	\$49,808,414	\$58,579,265
28 *Cumulative	\$881,168,834	\$911,524,747	\$979,167,854	\$1,023,502,194	\$1,067,575,262	\$1,117,383,675	\$1,175,962,940
28a *State Contributions as a % of Outlays - Annual	0%	0%	0%	0%	0%	0%	0%
28b *State Contributions as a % of Outlays - Cumulative	30%	29%	27%	26%	25%	24%	23%
<b>State Match Contributions Deposited (Dollars)</b>							
29 Cash or Appropriations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30 Bonds Retired Outside the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
31 Bonds Retired from the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
32 Pre-existing Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
33 Other Sources	\$0	\$0	\$0	\$0	\$0	\$0	\$0
34 *Total Annual Match Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
35 *Cumulative Match Contributions	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000	\$265,000,000
<b>Additional Match for State Program Management Activities (Dollars)</b>							
36 Credit for 1993 Funding Used	\$2,774,250	\$2,122,750	\$2,108,800	\$1,995,000	\$0	\$0	\$0
37 Cash Contributions Deposited	\$0	\$0	\$0	\$0	\$0	\$0	\$0
38 Contributions as In-Kind Services	\$2,774,250	\$2,122,750	\$2,108,800	\$1,995,000	\$0	\$0	\$0
39 *Total Annual Additional Contribution	\$5,548,500	\$4,245,500	\$4,217,600	\$3,990,000	\$0	\$0	\$0
40 *Cumulative Additional Contribution	\$46,755,837	\$51,001,337	\$55,218,937	\$59,208,937	\$59,208,937	\$59,208,937	\$59,208,937
<b>Net Transfer of Funds with CWSRF into/(out of) the DWSRF Fund</b>							
41 *Annual Net Transfer of Federal Funds with CWSRF into/(out of) the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
42 Annual Net Transfer of Non-Federal Funds with CWSRF into/(out of) the DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
43 *Total Annual Net Amount Transferred	\$0	\$0	\$0	\$0	\$0	\$0	\$0
44 *Cumulative Total Net Amount Transferred	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933	\$82,443,933

\* Calculated values.



**Drinking Water SRF Program Information  
for the State of New York**

Set-Asides	For the Reporting Year Ending June 30 of:							
	1997	1998	1999	2000	2001	2002	2003	2004
<b>Administrative Expenses (Dollars)</b>								
45	\$0	\$2,366,708	\$3,691,620	\$1,963,380	\$1,971,496	\$0	\$2,497,228	\$2,482,220
46	-	4.0%	4.0%	4.0%	4.0%	-	4.0%	4.0%
47	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
48	\$0	\$2,366,708	\$3,691,620	\$1,963,380	\$1,971,496	\$0	\$2,497,228	\$2,482,220
49	\$0	\$2,366,708	\$6,058,328	\$8,021,708	\$9,993,204	\$9,993,204	\$12,490,432	\$14,972,652
50	\$0	\$1,333,889	\$2,100,292	\$2,240,773	\$2,100,700	\$2,046,728	\$1,613,914	\$1,913,742
51	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
52	\$0	\$1,333,889	\$2,100,292	\$2,240,773	\$2,100,700	\$2,046,728	\$1,613,914	\$1,913,742
53	\$0	\$1,333,889	\$3,434,181	\$5,674,954	\$7,775,654	\$9,822,382	\$11,436,296	\$13,350,038
54	\$0	\$1,032,819	\$2,624,147	\$2,346,754	\$2,217,550	\$170,822	\$1,054,136	\$1,622,614
<b>Small Systems Technical Assistance</b>								
55	\$0	\$1,183,354	\$1,845,810	\$981,690	\$985,748	\$0	\$1,248,614	\$1,241,110
56	-	2.0%	2.0%	2.0%	2.0%	-	2.0%	2.0%
57	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
58	\$0	\$1,183,354	\$1,845,810	\$981,690	\$985,748	\$0	\$1,248,614	\$1,241,110
59	\$0	\$1,183,354	\$3,029,164	\$4,010,854	\$4,996,602	\$4,996,602	\$6,245,216	\$7,486,326
60	\$0	\$48,162	\$461,287	\$631,825	\$773,626	\$641,433	\$1,260,362	\$1,335,707
61	\$0	\$48,162	\$509,449	\$1,141,274	\$1,914,900	\$2,556,333	\$3,816,695	\$5,152,402
62	\$0	\$1,135,192	\$2,519,715	\$2,869,580	\$3,081,702	\$2,440,269	\$2,428,521	\$2,333,924
63	0	52	140	201	172	215	196	163
64	0	52	192	393	565	780	976	1,139
<b>State Program Management (Dollars)</b>								
65	\$0	\$591,677	\$2,768,815	\$1,472,535	\$1,478,622	\$0	\$2,497,227	\$3,102,775
66	-	1.0%	3.0%	3.0%	3.0%	-	4.0%	5.0%
67	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
68	\$0	\$591,677	\$2,768,815	\$1,472,535	\$1,478,622	\$0	\$2,497,227	\$3,102,775
69	\$0	\$591,677	\$3,360,492	\$4,833,027	\$6,311,649	\$6,311,649	\$8,808,876	\$11,911,651
70	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
71	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
72	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
73	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
74	\$0	\$3,920	\$105,057	\$773,345	\$894,869	\$246,768	\$1,182,367	\$1,220,993
75	\$0	\$3,920	\$108,977	\$882,322	\$1,777,191	\$2,023,959	\$3,206,326	\$4,427,319
76	\$0	\$5,880	\$79,008	\$162,518	\$200,582	\$133,982	\$349,314	\$365,088
77	\$0	\$5,880	\$84,888	\$247,406	\$447,988	\$581,970	\$931,284	\$1,296,372
78	\$0	\$9,800	\$184,065	\$935,863	\$1,095,451	\$380,750	\$1,531,681	\$1,586,081
79	\$0	\$9,800	\$193,865	\$1,129,728	\$2,225,179	\$2,605,929	\$4,137,610	\$5,723,691
80	\$0	\$581,877	\$3,166,627	\$3,703,299	\$4,086,470	\$3,705,720	\$4,671,266	\$6,187,960

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Set-Asides	For the Reporting Year Ending June 30 of:								
	2005	2006	2007	2008	2009	2010	2011	2012	
<b>Administrative Expenses (Dollars)</b>									
45	Amount Awarded for Inclusion in Workplans	\$2,569,492	\$1,465,444	\$1,465,520	\$1,465,520	\$0	\$4,923,040	\$2,442,640	\$2,436,920
46	*Annual Amount Awarded as a % of Grants Awarded	4.0%	2.3%	4.0%	4.0%	0.0%	4.0%	2.7%	3.9%
47	Amount Transferred to/(from) Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
48	*Annual Amount Awarded and Transferred	\$2,569,492	\$1,465,444	\$1,465,520	\$1,465,520	\$0	\$4,923,040	\$2,442,640	\$2,436,920
49	*Cumulative Amount Awarded, Including Transfers	\$17,542,144	\$19,007,588	\$20,473,108	\$21,938,628	\$21,938,628	\$26,861,668	\$29,304,308	\$31,741,228
50	Annual Expenses - DWSRF Administration	\$2,270,059	\$2,585,965	\$2,312,109	\$2,109,407	\$1,871,074	\$1,435,652	\$1,803,488	\$2,146,712
51	Annual Expenses - Technical Assistance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
52	*Total Annual Administrative Expenses	\$2,270,059	\$2,585,965	\$2,312,109	\$2,109,407	\$1,871,074	\$1,435,652	\$1,803,488	\$2,146,712
53	*Cumulative Administrative Expenses	\$15,620,097	\$18,206,062	\$20,518,171	\$22,627,578	\$24,498,652	\$25,934,304	\$27,737,792	\$29,884,504
54	*Remaining Awarded Amount	\$1,922,047	\$801,526	(\$45,063)	(\$688,950)	(\$2,560,024)	\$927,364	\$1,566,516	\$1,856,724
<b>Small Systems Technical Assistance</b>									
55	Amount Awarded for Inclusion in Workplans	\$1,284,746	\$732,722	\$732,760	\$732,760	\$0	\$2,461,520	\$1,221,320	\$1,218,460
56	*Annual Amount Awarded as a % of Grants Awarded	2.0%	1.1%	2.0%	2.0%	0.0%	2.0%	1.4%	2.0%
57	Amount Transferred to/(from) Small Systems Technical Assistance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
58	*Annual Amount Awarded and Transferred	\$1,284,746	\$732,722	\$732,760	\$732,760	\$0	\$2,461,520	\$1,221,320	\$1,218,460
59	*Cumulative Amount Awarded, Including Transfers	\$8,771,072	\$9,503,794	\$10,236,554	\$10,969,314	\$10,969,314	\$13,430,834	\$14,652,154	\$15,870,614
60	Annual Expenses - Small System Technical Assistance	\$1,866,269	\$1,343,896	\$1,479,592	\$1,295,435	\$1,111,731	\$725,300	\$1,288,691	\$1,221,320
61	*Cumulative Small Systems Technical Assistance	\$7,018,671	\$8,362,567	\$9,842,159	\$11,137,594	\$12,249,325	\$12,974,625	\$14,263,316	\$15,484,636
62	*Remaining Awarded Amount	\$1,752,401	\$1,141,227	\$394,395	(\$168,280)	(\$1,280,011)	\$456,209	\$388,838	\$385,978
63	Annual Number of Systems Receiving Assistance	139	144	116	79	55	61	56	59
64	*Cumulative Number of Small Systems Receiving	1,278	1,422	1,538	1,617	1,672	1,733	1,789	1,848
<b>State Program Management (Dollars)</b>									
65	Amount Awarded for Inclusion in Workplans	\$3,211,865	\$3,663,610	\$3,663,800	\$3,663,800	\$0	\$3,266,500	\$5,373,808	\$6,092,300
66	*Annual Amount Awarded as a % of Grants Awarded	5.0%	5.7%	10.0%	10.0%	0.0%	2.7%	6.0%	9.8%
67	Amount Transferred to/(from) State Program Management	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
68	*Annual Amount Awarded and Transferred	\$3,211,865	\$3,663,610	\$3,663,800	\$3,663,800	\$0	\$3,266,500	\$5,373,808	\$6,092,300
69	*Cumulative Amount Awarded, Including Transfers	\$15,123,516	\$18,787,126	\$22,450,926	\$26,114,726	\$26,114,726	\$29,381,226	\$34,755,034	\$40,847,334
70	Annual Expenses - PWSS Administration	\$0	\$0	\$0	\$0	\$4,915,062	\$4,614,396	\$5,342,402	\$6,437,749
71	*Cumulative Expenses - PWSS Administration	\$0	\$0	\$0	\$0	\$4,915,062	\$9,529,458	\$14,871,860	\$21,309,609
72	Annual Expenses - Source Water Protection Technical Assistance	\$0	\$112,294	\$1,094,812	\$1,237,817	\$0	\$0	\$0	\$0
73	*Cumulative Expenses - Source Water Protection Technical Assistance	\$0	\$112,294	\$1,207,106	\$2,444,923	\$2,444,923	\$2,444,923	\$2,444,923	\$2,444,923
74	Annual Expenses - Capacity Development	\$1,423,766	\$1,827,888	\$2,544,204	\$1,731,931	\$0	\$0	\$0	\$0
75	*Cumulative Expenses - Capacity Development	\$5,851,085	\$7,678,973	\$10,223,177	\$11,955,108	\$11,955,108	\$11,955,108	\$11,955,108	\$11,955,108
76	Annual Expenses - Operator Certification Programs	\$561,898	\$561,646	\$0	\$0	\$0	\$0	\$0	\$0
77	*Cumulative Expenses - Operator Certification Programs	\$1,858,270	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916
78	*Total Annual State Program Management Expenses	\$1,985,664	\$2,501,828	\$3,639,016	\$2,969,748	\$4,915,062	\$4,614,396	\$5,342,402	\$6,437,749
79	*Cumulative State Program Management Expenses	\$7,709,355	\$10,211,183	\$13,850,199	\$16,819,947	\$21,735,009	\$26,349,405	\$31,691,807	\$38,129,556
80	*Remaining Awarded Amount	\$7,414,161	\$8,575,943	\$8,600,727	\$9,294,779	\$4,379,717	\$3,031,821	\$3,063,227	\$2,717,778

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Set-Asides	For the Reporting Year Ending June 30 of:							
	2013	2014	2015	2016	2017	2018	2019	
<b>Administrative Expenses (Dollars)</b>								
45	Amount Awarded for Inclusion in Workplans	\$2,219,400	\$1,698,200	\$3,949,957	\$1,596,000	\$1,582,360	\$1,814,520	\$1,797,520
46	*Annual Amount Awarded as a % of Grants Awarded	3.8%	3.0%	4.0%	3.7%	4.0%	4.6%	4.0%
47	Amount Transferred to/(from) Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
48	*Annual Amount Awarded and Transferred	\$2,219,400	\$1,698,200	\$3,949,957	\$1,596,000	\$1,582,360	\$1,814,520	\$1,797,520
49	*Cumulative Amount Awarded, Including Transfers	\$33,960,628	\$35,658,828	\$39,608,785	\$41,204,785	\$42,787,145	\$44,601,665	\$46,399,185
50	Annual Expenses - DWSRF Administration	\$2,159,588	\$2,425,608	\$2,271,569	\$2,088,301	\$2,055,968	\$2,133,435	\$2,221,687
51	Annual Expenses - Technical Assistance	\$0	\$0	\$0	\$0	\$0	\$0	\$0
52	*Total Annual Administrative Expenses	\$2,159,588	\$2,425,608	\$2,271,569	\$2,088,301	\$2,055,968	\$2,133,435	\$2,221,687
53	*Cumulative Administrative Expenses	\$32,044,092	\$34,469,700	\$36,741,269	\$38,829,570	\$40,885,538	\$43,018,973	\$45,240,660
54	*Remaining Awarded Amount	\$1,916,536	\$1,189,128	\$2,867,516	\$2,375,215	\$1,901,607	\$1,582,692	\$1,158,525
<b>Small Systems Technical Assistance</b>								
55	Amount Awarded for Inclusion in Workplans	\$1,109,700	\$849,000	\$843,520	\$726,720	\$791,180	\$907,260	\$898,760
56	*Annual Amount Awarded as a % of Grants Awarded	1.9%	1.5%	0.9%	1.7%	2.0%	2.3%	2.0%
57	Amount Transferred to/(from) Small Systems Technical Assistance	\$0	\$0	\$0	\$0	\$0	\$0	\$0
58	*Annual Amount Awarded and Transferred	\$1,109,700	\$849,000	\$843,520	\$726,720	\$791,180	\$907,260	\$898,760
59	*Cumulative Amount Awarded, Including Transfers	\$16,980,314	\$17,829,314	\$18,672,834	\$19,399,554	\$20,190,734	\$21,097,994	\$21,996,754
60	Annual Expenses - Small System Technical Assistance	\$1,218,460	\$1,109,700	\$849,100	\$726,720	\$76,928	\$47	\$712,906
61	*Cumulative Small Systems Technical Assistance	\$16,703,096	\$17,812,796	\$18,661,896	\$19,388,616	\$19,465,544	\$19,465,591	\$20,178,497
62	*Remaining Awarded Amount	\$277,218	\$16,518	\$10,938	\$10,938	\$725,190	\$1,632,403	\$1,818,257
63	Annual Number of Systems Receiving Assistance	47	50	40	15	8	11	20
64	*Cumulative Number of Small Systems Receiving	1,895	1,945	1,985	2,000	2,008	2,019	2,039
<b>State Program Management (Dollars)</b>								
65	Amount Awarded for Inclusion in Workplans	\$5,548,500	\$4,245,500	\$4,217,600	\$3,633,600	\$3,995,900	\$4,536,300	\$4,493,800
66	*Annual Amount Awarded as a % of Grants Awarded	9.4%	7.6%	4.3%	8.5%	10.0%	11.5%	9.9%
67	Amount Transferred to/(from) State Program Management	\$0	\$0	\$0	\$0	\$0	\$0	\$0
68	*Annual Amount Awarded and Transferred	\$5,548,500	\$4,245,500	\$4,217,600	\$3,633,600	\$3,995,900	\$4,536,300	\$4,493,800
69	*Cumulative Amount Awarded, Including Transfers	\$46,395,834	\$50,641,334	\$54,858,934	\$58,492,534	\$62,488,434	\$67,024,734	\$71,518,534
70	Annual Expenses - PWSS Administration	\$572,433	\$1,448,092	\$4,651,316	\$5,110,678	\$7,209,790	\$5,306,879	\$4,911,525
71	*Cumulative Expenses - PWSS Administration	\$21,882,042	\$23,330,134	\$27,981,450	\$33,092,128	\$40,301,918	\$45,608,797	\$50,520,322
72	Annual Expenses - Source Water Protection Technical Assistance	\$0	\$0	\$0	\$0	\$0	\$0	\$0
73	*Cumulative Expenses - Source Water Protection Technical Assistance	\$2,444,923	\$2,444,923	\$2,444,923	\$2,444,923	\$2,444,923	\$2,444,923	\$2,444,923
74	Annual Expenses - Capacity Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0
75	*Cumulative Expenses - Capacity Development	\$11,955,108	\$11,955,108	\$11,955,108	\$11,955,108	\$11,955,108	\$11,955,108	\$11,955,108
76	Annual Expenses - Operator Certification Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0
77	*Cumulative Expenses - Operator Certification Programs	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916	\$2,419,916
78	*Total Annual State Program Management Expenses	\$572,433	\$1,448,092	\$4,651,316	\$5,110,678	\$7,209,790	\$5,306,879	\$4,911,525
79	*Cumulative State Program Management Expenses	\$38,701,989	\$40,150,081	\$44,801,397	\$49,912,075	\$57,121,865	\$62,428,744	\$67,340,269
80	*Remaining Awarded Amount	\$7,693,845	\$10,491,253	\$10,057,537	\$8,580,459	\$5,366,569	\$4,595,990	\$4,178,265

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Set-Asides	For the Reporting Year Ending June 30 of:							
	1997	1998	1999	2000	2001	2002	2003	2004
<b>Local Assistance and Other State Programs (1452(k) Activities)</b>								
81 Amount Awarded for Inclusion in Workplans	\$0	\$5,916,770	\$0	\$0	\$0	\$0	\$0	\$0
82 *Annual Amount Awarded as a % of Grants Awarded	-	10.0%	0.0%	0.0%	0.0%	-	0.0%	0.0%
83 Amount Transferred to/(from) 1452(k) Activities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
84 *Annual Amount Awarded and Transferred	\$0	\$5,916,770	\$0	\$0	\$0	\$0	\$0	\$0
85 *Cumulative Amount Awarded, Including Transfers	\$0	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
<b>Loans for Source Water Protection Land Acquisition/Conservation Easements</b>								
86 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
87 *Cumulative Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
88 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
89 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
90 Annual Number of Acres of Land Acquired for SWP	0	0	0	0	0	0	0	0
91 *Cumulative Number of Acres of Land Acquired for SWP	0	0	0	0	0	0	0	0
<b>Loans for Incentive-Based Source Water Protection Measures</b>								
92 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
93 *Cumulative Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
94 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
95 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
<b>Source Water Protection Area Delineation/Assessment</b>								
96 Annual Expenses - SWP Area Delineation/Assessment	\$0	\$37,911	\$386,698	\$1,006,156	\$420,840	\$1,467,404	\$2,597,761	\$0
97 *Cumulative Expenses - SWP Area Delineation/Assessment	\$0	\$37,911	\$424,609	\$1,430,765	\$1,851,605	\$3,319,009	\$5,916,770	\$5,916,770
<b>Wellhead Protection Programs</b>								
98 Annual Expenses - Wellhead Protection Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
99 Annual Dollar Amount of Wellhead Protection Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
100 Annual Number of Wellhead Protection Loans	0	0	0	0	0	0	0	0
101 *Cumulative Expenses/Loans - Wellhead Protection Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Technical or Financial Assistance to PWSs for Capacity Development</b>								
102 Annual Expenses - Technical or Financial Assistance to PWSs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
103 Annual Dollar Amount of Loans under the Capacity Development Strategy	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
104 Annual Number of Loans under the Capacity Development Strategy	0	0	0	0	0	0	0	0
105 *Cumulative Expenses/Loans - Technical or Financial Assistance to PWSs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
106 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
107 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
108 *Total Annual 1452(k) Activity Dollars	\$0	\$37,911	\$386,698	\$1,006,156	\$420,840	\$1,467,404	\$2,597,761	\$0
109 *Cumulative 1452(k) Activity Dollars	\$0	\$37,911	\$424,609	\$1,430,765	\$1,851,605	\$3,319,009	\$5,916,770	\$5,916,770
110 *Remaining Awarded Amount	\$0	\$5,878,859	\$5,492,161	\$4,486,005	\$4,065,165	\$2,597,761	\$0	\$0
<b>Set-Aside Summary</b>								
111 *Annual Total Awarded Amount for Set-Asides	\$0	\$10,058,509	\$8,306,245	\$4,417,605	\$4,435,866	\$0	\$6,243,069	\$6,826,105
112 *Cumulative Total Awarded Amount for Set-Asides	\$0	\$10,058,509	\$18,364,754	\$22,782,359	\$27,218,225	\$27,218,225	\$33,461,294	\$40,287,399
113 *Annual Net Transfers from Awarded Amounts to DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
114 *Cumulative Net Transfers from Awarded Amounts to DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
115 *Annual Net Total Amount Awarded for Set-Asides	\$0	\$10,058,509	\$8,306,245	\$4,417,605	\$4,435,866	\$0	\$6,243,069	\$6,826,105
116 *Cumulative Net Total Amount Awarded for Set-Asides	\$0	\$10,058,509	\$18,364,754	\$22,782,359	\$27,218,225	\$27,218,225	\$33,461,294	\$40,287,399
117 *Cumulative Net Total Amount Awarded as a % of	-	17.0%	12.1%	11.4%	10.9%	10.9%	10.7%	10.8%
118 *Total Annual Set-Aside Activity Dollars Expended/Committed	\$0	\$1,429,762	\$3,132,342	\$4,814,617	\$4,390,617	\$4,536,315	\$7,003,718	\$4,835,530
119 *Cumulative Set-Aside Activity Dollars Expended/Committed	\$0	\$1,429,762	\$4,562,104	\$9,376,721	\$13,767,338	\$18,303,653	\$25,307,371	\$30,142,901
120 *Cumulative Remaining Awarded Amount for Set-Asides	\$0	\$8,628,747	\$13,802,650	\$13,405,638	\$13,450,887	\$8,914,572	\$8,153,923	\$10,144,498

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>Set-Asides</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Local Assistance and Other State Programs (1452(k) Activities)</b>								
81 Amount Awarded for Inclusion in Workplans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
82 *Annual Amount Awarded as a % of Grants Awarded	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
83 Amount Transferred to/(from) 1452(k) Activities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
84 *Annual Amount Awarded and Transferred	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
85 *Cumulative Amount Awarded, Including Transfers	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
<b>Loans for Source Water Protection Land Acquisition/Conservation Easements</b>								
86 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
87 *Cumulative Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
88 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
89 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
90 Annual Number of Acres of Land Acquired for SWP	0	0	0	0	0	0	0	0
91 *Cumulative Number of Acres of Land Acquired for SWP	0	0	0	0	0	0	0	0
<b>Loans for Incentive-Based Source Water Protection Measures</b>								
92 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
93 *Cumulative Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
94 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
95 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
<b>Source Water Protection Area Delineation/Assessment</b>								
96 Annual Expenses - SWP Area Delineation/Assessment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
97 *Cumulative Expenses - SWP Area Delineation/Assessment	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
<b>Wellhead Protection Programs</b>								
98 Annual Expenses - Wellhead Protection Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
99 Annual Dollar Amount of Wellhead Protection Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
100 Annual Number of Wellhead Protection Loans	0	0	0	0	0	0	0	0
101 *Cumulative Expenses/Loans - Wellhead Protection Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Technical or Financial Assistance to PWSs for Capacity Development</b>								
102 Annual Expenses - Technical or Financial Assistance to PWSs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
103 Annual Dollar Amount of Loans under the Capacity Development Strategy	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
104 Annual Number of Loans under the Capacity Development Strategy	0	0	0	0	0	0	0	0
105 *Cumulative Expenses/Loans - Technical or Financial Assistance to PWSs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
106 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
107 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0	0
108 *Total Annual 1452(k) Activity Dollars	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
109 *Cumulative 1452(k) Activity Dollars	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
110 *Remaining Awarded Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Set-Aside Summary</b>								
111 *Annual Total Awarded Amount for Set-Asides	\$7,066,103	\$5,861,776	\$5,862,080	\$5,862,080	\$0	\$10,651,060	\$9,037,768	\$9,747,680
112 *Cumulative Total Awarded Amount for Set-Asides	\$47,353,502	\$53,215,278	\$59,077,358	\$64,939,438	\$64,939,438	\$75,590,498	\$84,628,266	\$94,375,946
113 *Annual Net Transfers from Awarded Amounts to DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
114 *Cumulative Net Transfers from Awarded Amounts to DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
115 *Annual Net Total Amount Awarded for Set-Asides	\$7,066,103	\$5,861,776	\$5,862,080	\$5,862,080	\$0	\$10,651,060	\$9,037,768	\$9,747,680
116 *Cumulative Net Total Amount Awarded for Set-Asides	\$47,353,502	\$53,215,278	\$59,077,358	\$64,939,438	\$64,939,438	\$75,590,498	\$84,628,266	\$94,375,946
117 *Cumulative Net Total Amount Awarded as a % of	10.8%	10.6%	10.9%	11.3%	10.6%	10.3%	10.3%	10.6%
118 *Total Annual Set-Aside Activity Dollars Expended/Committed	\$6,121,992	\$6,431,689	\$7,430,717	\$6,374,590	\$7,897,867	\$6,775,348	\$8,434,581	\$9,805,781
119 *Cumulative Set-Aside Activity Dollars Expended/Committed	\$36,264,893	\$42,696,582	\$50,127,299	\$56,501,889	\$64,399,756	\$71,175,104	\$79,609,685	\$89,415,466
120 *Cumulative Remaining Awarded Amount for Set-Asides	\$11,088,609	\$10,518,696	\$8,950,059	\$8,437,549	\$539,682	\$4,415,394	\$5,018,581	\$4,960,480

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Set-Asides	For the Reporting Year Ending June 30 of:						
	2013	2014	2015	2016	2017	2018	2019
<b>Local Assistance and Other State Programs (1452(k) Activities)</b>							
81 Amount Awarded for Inclusion in Workplans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
82 *Annual Amount Awarded as a % of Grants Awarded	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
83 Amount Transferred to/(from) 1452(k) Activities	\$0	\$0	\$0	\$0	\$0	\$0	\$0
84 *Annual Amount Awarded and Transferred	\$0	\$0	\$0	\$0	\$0	\$0	\$0
85 *Cumulative Amount Awarded, Including Transfers	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
<b>Loans for Source Water Protection Land Acquisition/Conservation Easements</b>							
86 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
87 *Cumulative Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
88 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0
89 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0
90 Annual Number of Acres of Land Acquired for SWP	0	0	0	0	0	0	0
91 *Cumulative Number of Acres of Land Acquired for SWP	0	0	0	0	0	0	0
<b>Loans for Incentive-Based Source Water Protection Measures</b>							
92 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
93 *Cumulative Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
94 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0
95 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0
<b>Source Water Protection Area Delineation/Assessment</b>							
96 Annual Expenses - SWP Area Delineation/Assessment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
97 *Cumulative Expenses - SWP Area Delineation/Assessment	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
<b>Wellhead Protection Programs</b>							
98 Annual Expenses - Wellhead Protection Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0
99 Annual Dollar Amount of Wellhead Protection Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
100 Annual Number of Wellhead Protection Loans	0	0	0	0	0	0	0
101 *Cumulative Expenses/Loans - Wellhead Protection Programs	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Technical or Financial Assistance to PWSs for Capacity Development</b>							
102 Annual Expenses - Technical or Financial Assistance to PWSs	\$0	\$0	\$0	\$0	\$0	\$0	\$0
103 Annual Dollar Amount of Loans under the Capacity Development Strategy	\$0	\$0	\$0	\$0	\$0	\$0	\$0
104 Annual Number of Loans under the Capacity Development Strategy	0	0	0	0	0	0	0
105 *Cumulative Expenses/Loans - Technical or Financial Assistance to PWSs	\$0	\$0	\$0	\$0	\$0	\$0	\$0
106 Annual Number of Systems Receiving Assistance	0	0	0	0	0	0	0
107 *Cumulative Number of Systems Receiving Assistance	0	0	0	0	0	0	0
108 *Total Annual 1452(k) Activity Dollars	\$0	\$0	\$0	\$0	\$0	\$0	\$0
109 *Cumulative 1452(k) Activity Dollars	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770	\$5,916,770
110 *Remaining Awarded Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Set-Aside Summary</b>							
111 *Annual Total Awarded Amount for Set-Asides	\$8,877,600	\$6,792,700	\$9,011,077	\$5,956,320	\$6,369,440	\$7,258,080	\$7,190,080
112 *Cumulative Total Awarded Amount for Set-Asides	\$103,253,546	\$110,046,246	\$119,057,323	\$125,013,643	\$131,383,083	\$138,641,163	\$145,831,243
113 *Annual Net Transfers from Awarded Amounts to DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
114 *Cumulative Net Transfers from Awarded Amounts to DWSRF Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
115 *Annual Net Total Amount Awarded for Set-Asides	\$8,877,600	\$6,792,700	\$9,011,077	\$5,956,320	\$6,369,440	\$7,258,080	\$7,190,080
116 *Cumulative Net Total Amount Awarded for Set-Asides	\$103,253,546	\$110,046,246	\$119,057,323	\$125,013,643	\$131,383,083	\$138,641,163	\$145,831,243
117 *Cumulative Net Total Amount Awarded as a % of	10.9%	11.0%	10.8%	10.9%	11.1%	11.3%	11.5%
118 *Total Annual Set-Aside Activity Dollars Expended/Committed	\$3,950,481	\$4,983,400	\$7,771,985	\$7,925,699	\$9,342,686	\$7,440,361	\$7,846,118
119 *Cumulative Set-Aside Activity Dollars Expended/Committed	\$93,365,947	\$98,349,347	\$106,121,332	\$114,047,031	\$123,389,717	\$130,830,078	\$138,676,196
120 *Cumulative Remaining Awarded Amount for Set-Asides	\$9,887,599	\$11,696,899	\$12,935,991	\$10,966,612	\$7,993,366	\$7,811,085	\$7,155,047

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Binding Commitments</b>								
121 Annual Dollar Amount	\$0	\$135,604,761	\$258,107,754	\$134,308,009	\$194,265,953	\$194,850,623	\$142,014,275	\$223,604,533
122 *Cumulative Dollar Amount	\$0	\$135,604,761	\$393,712,515	\$528,020,524	\$722,286,477	\$917,137,100	\$1,059,151,375	\$1,282,755,908
123 Annual Number of Binding Commitments	0	52	41	52	62	97	52	75
124 *Cumulative Number of Binding Commitments	0	52	93	145	207	304	356	431
<b>Type of DWSRF Assistance Provided (Dollars)</b>								
125 Executed Loan Commitments	\$0	\$61,930,566	\$70,381,452	\$131,097,975	\$122,660,566	\$116,719,959	\$105,867,591	\$151,717,013
126 Refinance Short-term Debt	\$0	\$0	\$0	\$0	\$0	\$6,564,277	\$2,657,187	\$25,079,466
127 Refinance Long-term Debt	\$0	\$73,674,195	\$187,726,302	\$3,210,034	\$71,605,387	\$71,566,387	\$33,489,497	\$46,808,054
128 Guarantee or Purchase Insurance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
129 *Total Annual Assistance	\$0	\$135,604,761	\$258,107,754	\$134,308,009	\$194,265,953	\$194,850,623	\$142,014,275	\$223,604,533
130 *Cumulative Assistance	\$0	\$135,604,761	\$393,712,515	\$528,020,524	\$722,286,477	\$917,137,100	\$1,059,151,375	\$1,282,755,908
<b>Type of DWSRF Assistance Provided (Number of Assistance Agreements)</b>								
131 Executed Loan Commitments	0	18	30	48	51	87	25	46
132 Refinance Short-term Debt	0	0	0	0	0	2	8	19
133 Refinance Long-term Debt	0	34	11	4	11	8	19	10
134 Guarantee or Purchase Insurance	0	0	0	0	0	0	0	0
135 *Total Annual Number of Agreements	0	52	41	52	62	97	52	75
136 *Cumulative Number of Agreements	0	52	93	145	207	304	356	431
<b>Assistance by Project Population Size (Dollars)</b>								
137 Less than 501	\$0	\$12,541,745	\$4,992,563	\$2,198,809	\$12,467,889	\$48,734,109	\$12,492,922	\$25,854,103
138 501 to 3,300	\$0	\$47,261,882	\$31,688,872	\$35,704,628	\$30,365,192	\$27,851,721	\$35,295,528	\$48,020,565
139 3,301 to 10,000	\$0	\$34,684,979	\$24,649,281	\$17,516,205	\$58,484,845	\$22,015,217	\$15,067,964	\$14,441,149
140 10,001 to 100,000	\$0	\$23,271,673	\$21,407,277	\$51,879,029	\$66,232,021	\$18,775,110	\$16,288,459	\$80,496,841
141 100,001 and Above	\$0	\$17,844,482	\$175,369,761	\$27,009,338	\$26,716,006	\$77,474,466	\$62,869,392	\$54,791,875
142 *Total Annual Assistance	\$0	\$135,604,761	\$258,107,754	\$134,308,009	\$194,265,953	\$194,850,623	\$142,014,265	\$223,604,533
143 *Cumulative Assistance	\$0	\$135,604,761	\$393,712,515	\$528,020,524	\$722,286,477	\$917,137,100	\$1,059,151,365	\$1,282,755,898
<b>Assistance by Population Size (Number of Assistance Agreements)</b>								
144 Less than 501	0	15	7	5	20	44	13	20
145 501 to 3,300	0	19	19	23	21	21	14	25
146 3,301 to 10,000	0	9	8	8	12	9	7	9
147 10,001 to 100,000	0	7	5	14	8	14	6	17
148 100,001 and Above	0	2	2	2	1	9	12	4
149 *Total Annual Number of Agreements	0	52	41	52	62	97	52	75
150 *Cumulative Number of Agreements	0	52	93	145	207	304	356	431

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Binding Commitments</b>								
121 Annual Dollar Amount	\$175,670,236	\$182,096,057	\$219,653,737	\$385,265,675	\$210,652,276	\$354,532,380	\$299,536,575	\$75,634,648
122 *Cumulative Dollar Amount	\$1,458,426,144	\$1,640,522,201	\$1,860,175,938	\$2,245,441,613	\$2,456,093,889	\$2,810,626,269	\$3,110,162,844	\$3,185,797,492
123 Annual Number of Binding Commitments	53	43	50	43	32	59	16	18
124 *Cumulative Number of Binding Commitments	484	527	577	620	652	711	727	745
<b>Type of DWSRF Assistance Provided (Dollars)</b>								
125 Executed Loan Commitments	\$87,159,710	\$75,681,619	\$104,483,498	\$231,382,561	\$99,709,896	\$267,512,086	\$107,561,864	\$75,634,648
126 Refinance Short-term Debt	\$15,791,668	\$7,800,455	\$66,234,735	\$36,486,614	\$29,942,380	\$82,974,932	\$190,474,711	\$0
127 Refinance Long-term Debt	\$72,718,858	\$98,613,983	\$48,935,504	\$117,396,500	\$81,000,000	\$4,045,362	\$1,500,000	\$0
128 Guarantee or Purchase Insurance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
129 *Total Annual Assistance	\$175,670,236	\$182,096,057	\$219,653,737	\$385,265,675	\$210,652,276	\$354,532,380	\$299,536,575	\$75,634,648
130 *Cumulative Assistance	\$1,458,426,144	\$1,640,522,201	\$1,860,175,938	\$2,245,441,613	\$2,456,093,889	\$2,810,626,269	\$3,110,162,844	\$3,185,797,492
<b>Type of DWSRF Assistance Provided (Number of Assistance Agreements)</b>								
131 Executed Loan Commitments	15	22	25	6	14	41	9	18
132 Refinance Short-term Debt	10	7	9	10	17	10	6	0
133 Refinance Long-term Debt	28	14	16	27	1	8	1	0
134 Guarantee or Purchase Insurance	0	0	0	0	0	0	0	0
135 *Total Annual Number of Agreements	53	43	50	43	32	59	16	18
136 *Cumulative Number of Agreements	484	527	577	620	652	711	727	745
<b>Assistance by Project Population Size (Dollars)</b>								
137 Less than 501	\$33,861,597	\$19,560,484	\$54,674,441	\$25,193,478	\$26,528,796	\$42,768,238	\$2,715,152	\$8,321,054
138 501 to 3,300	\$47,177,839	\$42,971,970	\$74,930,440	\$61,282,471	\$53,417,108	\$96,013,264	\$22,565,585	\$47,709,627
139 3,301 to 10,000	\$14,901,323	\$10,849,486	\$15,516,260	\$25,765,785	\$9,589,316	\$5,653,278	\$55,868,326	\$18,008,000
140 10,001 to 100,000	\$37,309,363	\$8,921,127	\$7,333,260	\$58,827,979	\$8,000,000	\$13,854,802	\$27,912,801	\$1,595,967
141 100,001 and Above	\$42,420,114	\$99,793,350	\$67,199,336	\$214,195,962	\$113,117,056	\$196,242,798	\$190,474,711	\$0
142 *Total Annual Assistance	\$175,670,236	\$182,096,417	\$219,653,737	\$385,265,675	\$210,652,276	\$354,532,380	\$299,536,575	\$75,634,648
143 *Cumulative Assistance	\$1,458,426,134	\$1,640,522,551	\$1,860,176,288	\$2,245,441,963	\$2,456,094,239	\$2,810,626,619	\$3,110,163,194	\$3,185,797,842
<b>Assistance by Population Size (Number of Assistance Agreements)</b>								
144 Less than 501	17	19	18	12	11	15	3	4
145 501 to 3,300	22	14	23	18	14	16	5	9
146 3,301 to 10,000	5	3	5	4	3	20	6	3
147 10,001 to 100,000	6	4	1	5	1	4	1	2
148 100,001 and Above	3	3	3	4	3	4	1	0
149 *Total Annual Number of Agreements	53	43	50	43	32	59	16	18
150 *Cumulative Number of Agreements	484	527	577	620	652	711	727	745

\* Calculated values.



**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>						
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Binding Commitments</b>							
121 Annual Dollar Amount	\$260,679,985	\$71,243,549	\$248,146,959	\$338,358,180	\$267,652,910	\$252,506,163	\$74,166,736
122 *Cumulative Dollar Amount	\$3,446,477,477	\$3,517,721,026	\$3,765,867,985	\$4,104,226,165	\$4,371,879,075	\$4,624,385,238	\$4,698,551,974
123 Annual Number of Binding Commitments	11	20	16	27	28	25	35
124 *Cumulative Number of Binding Commitments	756	776	792	819	847	872	907
<b>Type of DWSRF Assistance Provided (Dollars)</b>							
125 Executed Loan Commitments	\$260,679,985	\$71,243,549	\$248,146,959	\$338,358,180	\$267,652,910	\$252,506,163	\$74,166,736
126 Refinance Short-term Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0
127 Refinance Long-term Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0
128 Guarantee or Purchase Insurance	\$0	\$0	\$0	\$0	\$0	\$0	\$0
129 *Total Annual Assistance	\$260,679,985	\$71,243,549	\$248,146,959	\$338,358,180	\$267,652,910	\$252,506,163	\$74,166,736
130 *Cumulative Assistance	\$3,446,477,477	\$3,517,721,026	\$3,765,867,985	\$4,104,226,165	\$4,371,879,075	\$4,624,385,238	\$4,698,551,974
<b>Type of DWSRF Assistance Provided (Number of Assistance Agreements)</b>							
131 Executed Loan Commitments	11	20	16	27	28	25	35
132 Refinance Short-term Debt	0	0	0	0	0	0	0
133 Refinance Long-term Debt	0	0	0	0	0	0	0
134 Guarantee or Purchase Insurance	0	0	0	0	0	0	0
135 *Total Annual Number of Agreements	11	20	16	27	28	25	35
136 *Cumulative Number of Agreements	756	776	792	819	847	872	907
<b>Assistance by Project Population Size (Dollars)</b>							
137 Less than 501	\$5,691,271	\$11,588,049	\$2,405,919	\$12,516,688	\$9,491,488	\$2,965,961	\$21,171,096
138 501 to 3,300	\$30,688,714	\$42,291,576	\$28,896,106	\$34,845,090	\$23,745,636	\$12,561,713	\$28,458,935
139 3,301 to 10,000	\$7,300,000	\$11,972,133	\$12,125,066	\$4,990,520	\$19,038,986	\$26,096,194	\$14,388,168
140 10,001 to 100,000	\$0	\$5,391,791	\$4,360,999	\$50,264,432	\$18,275,039	\$3,473,445	\$9,785,229
141 100,001 and Above	\$217,000,000	\$0	\$200,358,869	\$235,741,450	\$197,101,761	\$207,408,850	\$363,308
142 *Total Annual Assistance	\$260,679,985	\$71,243,549	\$248,146,959	\$338,358,180	\$267,652,910	\$252,506,163	\$74,166,736
143 *Cumulative Assistance	\$3,446,477,827	\$3,517,721,376	\$3,765,868,335	\$4,104,226,515	\$4,371,879,425	\$4,624,385,588	\$4,698,552,324
<b>Assistance by Population Size (Number of Assistance Agreements)</b>							
144 Less than 501	3	4	2	5	3	6	8
145 501 to 3,300	7	13	7	6	11	6	16
146 3,301 to 10,000	1	2	2	3	6	4	5
147 10,001 to 100,000	0	1	4	8	4	3	5
148 100,001 and Above	0	0	1	5	4	6	1
149 *Total Annual Number of Agreements	11	20	16	27	28	25	35
150 *Cumulative Number of Agreements	756	776	792	819	847	872	907

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Drinking Water System Project Assistance (Dollars in each category)</b>								
151 Planning and Design Only	\$0	\$0	\$0	\$0	\$0	\$6,564,277	\$1,244,628	\$2,715,766
<b>Construction</b>								
152 Treatment	\$0	\$70,367,582	\$43,984,585	\$52,812,778	\$70,388,842	\$37,963,219	\$33,339,473	\$57,516,711
153 Transmission & Distribution	\$0	\$23,346,418	\$187,895,715	\$24,748,920	\$62,743,818	\$111,221,875	\$87,603,116	\$103,845,965
154 Source	\$0	\$6,786,403	\$4,519,755	\$6,855,976	\$6,474,478	\$7,102,646	\$2,378,937	\$2,725,036
155 Storage	\$0	\$15,757,317	\$7,295,816	\$21,142,695	\$14,204,705	\$19,031,419	\$16,115,275	\$18,364,951
156 Purchase of Systems	\$0	\$9,208,306	\$0	\$16,425,546	\$22,916,686	\$672,934	\$33,300	\$35,123,108
157 Restructuring	\$0	\$0	\$0	\$0	\$0	\$0	\$217,159	\$192,786
158 Land Acquisition	\$0	\$294,080	\$394,169	\$893,709	\$1,622,547	\$297,822	\$1,082,377	\$821,966
159 Other	\$0	\$9,844,655	\$14,017,714	\$11,428,385	\$15,914,877	\$11,996,431	\$0	\$2,298,244
160 *Total Annual Dollar Amount	\$0	\$135,604,761	\$258,107,754	\$134,308,009	\$194,265,953	\$194,850,623	\$142,014,265	\$223,604,533
161 *Cumulative Dollar Amount	\$0	\$135,604,761	\$393,712,515	\$528,020,524	\$722,286,477	\$917,137,100	\$1,059,151,365	\$1,282,755,898
<b>Drinking Water System Project Assistance (Number in each category)**</b>								
162 Planning and Design Only	0	0	0	0	0	2	2	1
<b>Construction</b>								
163 Treatment	0	32	18	25	26	20	16	29
164 Transmission & Distribution	0	15	26	32	44	70	30	53
165 Source	0	11	11	19	16	21	9	21
166 Storage	0	14	10	25	18	23	14	30
167 Purchase of Systems	0	3	0	2	1	2	1	3
168 Restructuring	0	0	0	0	0	0	1	3
169 Land Acquisition	0	9	15	17	19	15	11	29
170 Other	0	50	40	51	62	4	0	15
171 *Total Annual Number	0	134	120	171	186	157	84	184
172 *Cumulative Number	0	134	254	425	611	768	852	1,036

\* Calculated values.

\*\* Assistance Agreements may be counted in more than one category when they fund more than one category.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Drinking Water System Project Assistance (Dollars in each category)</b>								
151 Planning and Design Only	\$5,098,377	\$0	\$20,843,132	\$0	\$0	\$186,590	\$0	\$0
<b>Construction</b>								
152 Treatment	\$47,263,075	\$37,982,467	\$59,928,621	\$135,311,688	\$25,808,736	\$35,176,996	\$243,310,170	\$10,034,032
153 Transmission & Distribution	\$92,067,184	\$115,863,260	\$107,791,391	\$208,052,564	\$119,075,032	\$228,477,457	\$45,050,925	\$47,920,225
154 Source	\$9,293,287	\$8,198,699	\$7,997,207	\$8,321,711	\$4,043,391	\$3,291,721	\$3,842,684	\$4,910,801
155 Storage	\$12,703,221	\$10,508,862	\$13,024,845	\$20,107,455	\$41,573,490	\$15,748,581	\$5,941,463	\$5,371,931
156 Purchase of Systems	\$0	\$2,153,255	\$6,162	\$0	\$0	\$0	\$0	\$0
157 Restructuring	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
158 Land Acquisition	\$424,420	\$400,663	\$695,216	\$291,504	\$1,137,153	\$840,793	\$447,450	\$424,625
159 Other	\$8,820,672	\$6,989,211	\$9,367,163	\$13,180,753	\$19,014,474	\$70,810,242	\$943,883	\$6,973,034
160 *Total Annual Dollar Amount	\$175,670,236	\$182,096,417	\$219,653,737	\$385,265,675	\$210,652,276	\$354,532,380	\$299,536,575	\$75,634,648
161 *Cumulative Dollar Amount	\$1,458,426,134	\$1,640,522,551	\$1,860,176,288	\$2,245,441,963	\$2,456,094,239	\$2,810,626,619	\$3,110,163,194	\$3,185,797,842
<b>Drinking Water System Project Assistance (Number in each category)**</b>								
162 Planning and Design Only	15	0	10	0	0	7	0	0
<b>Construction</b>								
163 Treatment	25	18	4	19	21	13	11	8
164 Transmission & Distribution	40	34	9	34	27	17	15	13
165 Source	22	16	4	18	15	11	8	2
166 Storage	22	18	6	20	17	15	9	4
167 Purchase of Systems	0	3	1	0	0	0	0	0
168 Restructuring	0	0	0	0	19	0	0	0
169 Land Acquisition	22	18	8	17	27	15	7	1
170 Other	48	33	8	41	0	20	8	12
171 *Total Annual Number	194	140	50	149	126	98	58	40
172 *Cumulative Number	1,230	1,370	1,420	1,569	1,695	1,793	1,851	1,891

\* Calculated values.

\*\* Assistance Agreements may be counted in more than one category when they fund more than one category.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>						
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Drinking Water System Project Assistance (Dollars in each category)</b>							
151 Planning and Design Only	\$0	\$42,938	(\$34,314)	\$0	\$1,976,361	\$0	(\$1,672)
<b>Construction</b>							
152 Treatment	\$224,565,383	\$13,023,799	\$205,205,833	\$233,570,590	\$189,668,634	\$209,498,724	\$9,733,447
153 Transmission & Distribution	\$28,497,316	\$41,849,904	\$34,078,011	\$66,962,089	\$59,019,324	\$28,779,920	\$49,339,836
154 Source	\$4,225,245	\$5,568,402	\$1,900,449	\$22,719,925	\$11,316,276	\$3,407,003	\$5,138,023
155 Storage	\$3,392,041	\$10,732,586	\$7,014,897	\$14,863,844	\$5,589,967	\$7,154,866	\$9,958,565
156 Purchase of Systems	\$0	\$0	\$0	\$0	\$0	\$0	\$0
157 Restructuring	\$0	\$0	\$0	\$0	\$0	\$3,665,650	\$0
158 Land Acquisition	\$0	\$0	\$0	\$241,732	\$82,348	\$0	\$0
159 Other	\$0	\$25,920	(\$17,917)	\$0	\$0	\$0	(\$1,463)
160 *Total Annual Dollar Amount	\$260,679,985	\$71,243,549	\$248,146,959	\$338,358,180	\$267,652,910	\$252,506,163	\$74,166,736
161 *Cumulative Dollar Amount	\$3,446,477,827	\$3,517,721,376	\$3,765,868,335	\$4,104,226,515	\$4,371,879,425	\$4,624,385,588	\$4,698,552,324
<b>Drinking Water System Project Assistance (Number in each category)**</b>							
162 Planning and Design Only	0	0	0	0	0	0	0
<b>Construction</b>							
163 Treatment	7	7	7	9	10	15	16
164 Transmission & Distribution	10	17	15	21	24	19	32
165 Source	8	9	1	8	12	5	7
166 Storage	5	17	9	10	9	6	14
167 Purchase of Systems	0	0	0	0	0	0	0
168 Restructuring	0	0	0	0	0	1	0
169 Land Acquisition	0	0	0	1	0	0	0
170 Other	0	0	0	0	0	0	0
171 *Total Annual Number	30	50	32	49	55	46	69
172 *Cumulative Number	1,921	1,971	2,003	2,052	2,107	2,153	2,222

\* Calculated values.

\*\* Assistance Agreements may be counted in more than one category when they fund more than one category.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Number of Projects Funded</b>								
173 Annual Number of Projects Receiving Assistance	0	52	41	52	62	97	52	75
174 *Cumulative Number of Projects	0	52	93	145	207	304	356	431
<b>DWSRF Project Starts</b>								
175 Annual Dollar Amount	\$0	\$135,604,761	\$258,107,754	\$134,308,009	\$194,265,953	\$194,850,623	\$142,014,275	\$223,604,533
176 *Cumulative Dollar Amount	\$0	\$135,604,761	\$393,712,515	\$528,020,524	\$722,286,477	\$917,137,100	\$1,059,151,375	\$1,282,755,908
177 Annual Number of Assistance Agreements	0	52	41	52	62	97	52	75
178 *Cumulative Number of Agreements	0	52	93	145	207	304	356	431
<b>DWSRF Project Completions</b>								
179 Annual Dollar Amount	\$0	\$106,723,906	\$113,648,300	\$92,864,483	\$88,515,057	\$97,480,469	\$66,776,265	\$73,442,928
180 *Cumulative Dollar Amount	\$0	\$106,723,906	\$220,372,206	\$313,236,689	\$401,751,746	\$499,232,215	\$566,008,480	\$639,451,408
181 Annual Number of Assistance Agreements	0	47	30	41	23	38	23	20
182 *Cumulative Number of Agreements	0	47	77	118	141	179	202	222
183 Number of Projects Completed	0	47	30	41	23	38	23	20
184 *Cumulative Number of Projects Completed	0	47	77	118	141	179	202	222
<b>Assistance to Disadvantaged Communities</b>								
185 Annual Dollar Amount of Assistance to Disadvantaged Communities	\$0	\$5,009,194	\$10,812,020	\$25,072,107	\$38,577,988	\$68,597,191	\$66,700,032	\$103,923,556
186 *Cumulative Dollar Amount	\$0	\$5,009,194	\$15,821,214	\$40,893,321	\$79,471,309	\$148,068,500	\$214,768,532	\$318,692,088
187 Annual Number of Assistance Agreements	0	5	13	30	34	37	29	48
188 *Cumulative Number of Agreements	0	5	18	48	82	119	148	196
<b>All Assistance with Subsidy</b>								
189 Annual Dollar Amount of Total Assistance with Principal Forgiveness/Grant/Negative Interest (Loan + Subsidy amount)	\$0	\$0	\$0	\$0	\$18,616,238	\$40,580,490	\$12,168,121	\$21,124,394
190 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$18,616,238	\$59,196,728	\$71,364,849	\$92,489,243
191 Annual Dollar Amount of Principal Forgiveness/Grant/Negative Interest (Subsidy breakout amount only)	\$0	\$0	\$0	\$0	\$13,271,432	\$23,340,995	\$12,168,121	\$21,124,394
192 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$13,271,432	\$36,612,427	\$48,780,548	\$69,904,942
193 Annual Number of Assistance Agreements with Subsidy	0	0	0	0	8	21	8	16
194 *Cumulative Number of Agreements	0	0	0	0	8	29	37	53
<b>All Assistance with Greater than 20-Year Repayment</b>								
195 Annual Dollar Amount of Assistance with > 20-Year Repayment	\$0	\$0	\$0	\$1,983,000	\$38,577,988	\$68,597,191	\$54,531,911	\$32,241,323
196 *Cumulative Dollar Amount	\$0	\$0	\$0	\$1,983,000	\$40,560,988	\$109,158,179	\$163,690,090	\$195,931,413
197 Annual Number of Assistance Agreements with > 20-Year Repayment	0	0	0	1	34	37	29	18
198 *Cumulative Number of Agreements	0	0	0	1	35	72	101	119
<b>Population Served (by the project) in Disadvantaged Communities Receiving Assistance</b>								
199 Population Served	0	7,328	50,418	154,212	78,414	141,490	72,141	130,706
200 *Cumulative Population Served	0	7,328	57,746	211,958	290,372	431,862	504,003	634,709

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Number of Projects Funded</b>								
173 Annual Number of Projects Receiving Assistance	78	43	50	43	32	59	16	18
174 *Cumulative Number of Projects	509	552	602	645	677	736	752	770
<b>DWSRF Project Starts</b>								
175 Annual Dollar Amount	\$175,670,236	\$182,096,057	\$219,653,737	\$385,265,675	\$210,652,276	\$354,532,380	\$299,536,575	\$75,634,648
176 *Cumulative Dollar Amount	\$1,458,426,144	\$1,640,522,201	\$1,860,175,938	\$2,245,441,613	\$2,456,093,889	\$2,810,626,269	\$3,110,162,844	\$3,185,797,492
177 Annual Number of Assistance Agreements	53	43	50	43	32	59	16	17
178 *Cumulative Number of Agreements	484	527	577	620	652	711	727	744
<b>DWSRF Project Completions</b>								
179 Annual Dollar Amount	\$41,330,403	\$19,919,772	\$13,368,450	\$29,887,916	\$15,671,590	\$186,621,180	\$206,451,606	\$9,668,000
180 *Cumulative Dollar Amount	\$680,781,811	\$700,701,583	\$714,070,033	\$743,957,949	\$759,629,539	\$946,250,719	\$1,152,702,325	\$1,162,370,325
181 Annual Number of Assistance Agreements	23	10	6	11	8	13	5	2
182 *Cumulative Number of Agreements	245	255	261	272	280	293	298	300
183 Number of Projects Completed	23	10	6	11	8	13	5	2
184 *Cumulative Number of Projects Completed	245	255	261	272	280	293	298	300
<b>Assistance to Disadvantaged Communities</b>								
185 Annual Dollar Amount of Assistance to Disadvantaged Communities	\$100,166,830	\$63,309,351	\$64,568,082	\$113,190,035	\$80,869,804	\$74,656,845	\$35,689,112	\$64,369,545
186 *Cumulative Dollar Amount	\$418,858,918	\$482,168,269	\$546,736,351	\$659,926,386	\$740,796,190	\$815,453,035	\$851,142,147	\$915,511,692
187 Annual Number of Assistance Agreements	32	29	24	33	24	21	9	13
188 *Cumulative Number of Agreements	228	257	281	314	338	359	368	381
<b>All Assistance with Subsidy</b>								
189 Annual Dollar Amount of Total Assistance with Principal Forgiveness/Grant/Negative Interest (Loan + Subsidy amount)	\$23,002,417	\$20,644,669	\$19,087,057	\$12,034,214	\$18,941,351	\$89,529,736	\$38,650,133	\$63,869,545
190 *Cumulative Dollar Amount	\$115,491,660	\$136,136,329	\$155,223,386	\$167,257,600	\$186,198,951	\$275,728,687	\$314,378,820	\$378,248,365
191 Annual Dollar Amount of Principal Forgiveness/Grant/Negative Interest (Subsidy breakout amount only)	\$23,002,417	\$20,644,669	\$19,087,057	\$12,034,214	\$18,941,351	\$58,567,001	\$2,961,021	\$20,333,340
192 *Cumulative Dollar Amount	\$92,907,359	\$113,552,028	\$132,639,085	\$144,673,299	\$163,614,650	\$222,181,651	\$225,142,672	\$245,476,012
193 Annual Number of Assistance Agreements with Subsidy	15	18	16	10	14	21	3	12
194 *Cumulative Number of Agreements	68	86	102	112	126	147	150	162
<b>All Assistance with Greater than 20-Year Repayment</b>								
195 Annual Dollar Amount of Assistance with > 20-Year Repayment	\$70,045,245	\$28,260,948	\$52,444,775	\$113,190,035	\$80,869,804	\$74,656,845	\$23,726,210	\$19,234,224
196 *Cumulative Dollar Amount	\$265,976,658	\$294,237,606	\$346,682,381	\$459,872,416	\$540,742,220	\$615,399,065	\$639,125,275	\$658,359,499
197 Annual Number of Assistance Agreements with > 20-Year Repayment	21	16	24	33	24	21	4	3
198 *Cumulative Number of Agreements	140	156	180	213	237	258	262	265
<b>Population Served (by the project) in Disadvantaged Communities Receiving Assistance</b>								
199 Population Served	205,289	31,557	139,067	114,111	42,539	93,024	154,010	21,223
200 *Cumulative Population Served	839,998	871,555	1,010,622	1,124,733	1,167,272	1,260,296	1,414,306	1,435,529

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance</b>	<i>For the Reporting Year Ending June 30 of:</i>						
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Number of Projects Funded</b>							
173 Annual Number of Projects Receiving Assistance	11	20	16	27	28	25	35
174 *Cumulative Number of Projects	781	801	817	844	872	897	932
<b>DWSRF Project Starts</b>							
175 Annual Dollar Amount	\$260,679,985	\$71,243,549	\$248,146,959	\$337,158,180	\$268,852,910	\$252,506,163	\$74,166,736
176 *Cumulative Dollar Amount	\$3,446,477,477	\$3,517,721,026	\$3,765,867,985	\$4,103,026,165	\$4,371,879,075	\$4,624,385,238	\$4,698,551,974
177 Annual Number of Assistance Agreements	12	20	16	26	29	25	35
178 *Cumulative Number of Agreements	756	776	792	818	847	872	907
<b>DWSRF Project Completions</b>							
179 Annual Dollar Amount	\$46,646,477	\$57,776,785	\$26,225,218	\$963,311,555	\$229,907,024	\$269,549,948	\$38,151,492
180 *Cumulative Dollar Amount	\$1,209,016,802	\$1,266,793,587	\$1,293,018,805	\$2,256,330,360	\$2,486,237,384	\$2,755,787,332	\$2,793,938,824
181 Annual Number of Assistance Agreements	12	2	8	7	8	18	11
182 *Cumulative Number of Agreements	312	314	322	329	337	355	366
183 Number of Projects Completed	12	2	8	7	8	18	11
184 *Cumulative Number of Projects Completed	312	314	322	329	337	355	366
<b>Assistance to Disadvantaged Communities</b>							
185 Annual Dollar Amount of Assistance to Disadvantaged Communities	\$32,399,381	\$47,127,249	\$20,916,949	\$38,817,552	\$44,785,587	\$40,083,623	\$25,708,808
186 *Cumulative Dollar Amount	\$947,911,073	\$995,038,322	\$1,015,955,271	\$1,054,772,823	\$1,099,558,410	\$1,139,642,033	\$1,165,350,841
187 Annual Number of Assistance Agreements	6	12	5	9	10	12	6
188 *Cumulative Number of Agreements	387	399	404	413	423	435	441
<b>All Assistance with Subsidy</b>							
189 Annual Dollar Amount of Total Assistance with Principal Forgiveness/Grant/Negative Interest (Loan + Subsidy amount)	\$17,681,724	\$36,422,909	\$29,446,682	\$78,197,851	\$32,637,421	\$34,787,893	\$13,841,022
190 *Cumulative Dollar Amount	\$395,930,089	\$432,352,998	\$461,799,680	\$539,997,531	\$572,634,952	\$607,422,845	\$621,263,867
191 Annual Dollar Amount of Principal Forgiveness/Grant/Negative Interest (Subsidy breakout amount only)	\$7,328,269	\$13,703,947	\$10,409,280	\$24,209,952	\$10,653,083	\$13,593,967	\$4,806,892
192 *Cumulative Dollar Amount	\$252,804,281	\$266,508,228	\$276,917,508	\$301,127,460	\$311,780,543	\$325,374,510	\$330,181,402
193 Annual Number of Assistance Agreements with Subsidy	4	11	9	16	6	8	2
194 *Cumulative Number of Agreements	166	177	186	202	208	216	218
<b>All Assistance with Greater than 20-Year Repayment</b>							
195 Annual Dollar Amount of Assistance with > 20-Year Repayment	\$23,185,993	\$6,416,408	\$9,740,291	\$16,082,745	\$11,786,429	\$1,651,751	\$4,023,671
196 *Cumulative Dollar Amount	\$681,545,492	\$687,961,900	\$697,702,191	\$713,784,936	\$725,571,365	\$727,223,116	\$731,246,787
197 Annual Number of Assistance Agreements with > 20-Year Repayment	3	3	4	3	1	2	0
198 *Cumulative Number of Agreements	268	271	275	278	279	281	281
<b>Population Served (by the project) in Disadvantaged Communities Receiving Assistance</b>							
199 Population Served	8,329	48,357	16,281	38,433	218,139	219,273	15,590
200 *Cumulative Population Served	1,443,858	1,492,215	1,508,496	1,546,929	1,765,068	1,984,341	1,999,931

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

**DWSRF Fund Assistance - Specific Project Information**

*For the Reporting Year Ending June 30 of:*

	1997	1998	1999	2000	2001	2002	2003	2004
<b>Assistance for System Compliance with SDWA (Dollars in each category)</b>								
201 Assisting Non-Compliant Systems to Achieve Compliance	\$0	\$117,752,862	\$216,183,636	\$105,038,398	\$157,623,132	\$143,918,657	\$123,114,361	\$123,253,464
202 *Cumulative Dollar Amount	\$0	\$117,752,862	\$333,936,498	\$438,974,896	\$596,598,028	\$740,516,685	\$863,631,046	\$986,884,510
203 Assisting Compliant Systems to Maintain Compliance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
204 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
205 Assisting Compliant Systems to Meet Future Requirements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
206 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
207 Other Assistance Not Compliance Related	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
208 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Number of Agreements in each category</b>								
209 Assisting Non-Compliant Systems to Achieve Compliance	0	44	23	37	56	84	43	59
210 *Cumulative Number of Agreements	0	44	67	104	160	244	287	346
211 Assisting Compliant Systems to Maintain Compliance	0	0	0	0	0	0	0	0
212 *Cumulative Number of Agreements	0	0	0	0	0	0	0	0
213 Assisting Compliant Systems to Meet Future Requirements	0	0	0	0	0	0	0	0
214 *Cumulative Number of Agreements	0	0	0	0	0	0	0	0
215 Other Assistance Not Compliance Related	0	0	0	0	0	0	0	0
216 *Cumulative Number of Agreements	0	0	0	0	0	0	0	0
<b>Population Served (by the system(s)) in each category</b>								
217 Assisting Non-Compliant Systems to Achieve Compliance	0	7,486,608	672,256	7,052,833	330,200	6,984,768	14,359,501	875,695
218 *Cumulative Population Served	0	7,486,608	8,158,864	15,211,697	15,541,897	22,526,665	36,886,166	37,761,861
219 Assisting Compliant Systems to Maintain Compliance	0	0	0	0	0	0	0	0
220 *Cumulative Population Served	0	0	0	0	0	0	0	0
221 Assisting Compliant Systems to Meet Future Requirements	0	0	0	0	0	0	0	0
222 *Cumulative Population Served	0	0	0	0	0	0	0	0
223 Other Assistance Not Compliance Related	0	0	0	0	0	0	0	0
224 *Cumulative Population Served	0	0	0	0	0	0	0	0

\* Calculated values.



**Drinking Water SRF Program Information  
for the State of New York**

**DWSRF Fund Assistance - Specific Project Information**

*For the Reporting Year Ending June 30 of:*

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Assistance for System Compliance with SDWA (Dollars in each category)</b>								
201 Assisting Non-Compliant Systems to Achieve Compliance	\$91,307,291	\$75,549,291	\$106,751,716	\$167,975,834	\$233,608,520	\$218,482,392	\$268,200,538	\$61,690,519
202 *Cumulative Dollar Amount	\$1,078,191,801	\$1,153,741,092	\$1,260,492,808	\$1,428,468,642	\$1,662,077,162	\$1,880,559,554	\$2,148,760,092	\$2,210,450,611
203 Assisting Compliant Systems to Maintain Compliance	\$0	\$69,148,686	\$84,347,035	\$173,754,820	\$162,652,276	\$128,449,424	\$31,336,037	\$13,944,129
204 *Cumulative Dollar Amount	\$0	\$69,148,686	\$153,495,721	\$327,250,541	\$489,902,817	\$618,352,241	\$649,688,278	\$663,632,407
205 Assisting Compliant Systems to Meet Future Requirements	\$0	\$34,771,713	\$28,554,986	\$43,535,021	\$55,516,906	\$7,600,564	\$0	\$0
206 *Cumulative Dollar Amount	\$0	\$34,771,713	\$63,326,699	\$106,861,720	\$162,378,626	\$169,979,190	\$169,979,190	\$169,979,190
207 Other Assistance Not Compliance Related	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
208 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Number of Agreements in each category</b>								
209 Assisting Non-Compliant Systems to Achieve Compliance	40	22	30	20	31	42	14	11
210 *Cumulative Number of Agreements	386	408	438	458	489	531	545	556
211 Assisting Compliant Systems to Maintain Compliance	0	21	20	23	29	13	2	7
212 *Cumulative Number of Agreements	0	21	41	64	93	106	108	115
213 Assisting Compliant Systems to Meet Future Requirements	0	0	0	0	18	4	0	0
214 *Cumulative Number of Agreements	0	0	0	0	18	22	22	22
215 Other Assistance Not Compliance Related	0	0	0	0	0	0	0	0
216 *Cumulative Number of Agreements	0	0	0	0	0	0	0	0
<b>Population Served (by the system(s)) in each category</b>								
217 Assisting Non-Compliant Systems to Achieve Compliance	133,542	7,050,181	6,992,979	7,104,581	7,215,184	468,963	6,828,906	32,608
218 *Cumulative Population Served	37,895,403	44,945,584	51,938,563	59,043,144	66,258,328	66,727,291	73,556,197	73,588,805
219 Assisting Compliant Systems to Maintain Compliance	0	49,900	383,658	7,118,111	7,218,329	679,997	23,000	38,406
220 *Cumulative Population Served	0	49,900	433,558	7,551,669	14,769,998	15,449,995	15,472,995	15,511,401
221 Assisting Compliant Systems to Meet Future Requirements	0	14,500	39,067	86,540	49,484	488,967	0	0
222 *Cumulative Population Served	0	14,500	53,567	140,107	189,591	678,558	678,558	678,558
223 Other Assistance Not Compliance Related	0	0	0	0	0	0	0	0
224 *Cumulative Population Served	0	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

**DWSRF Fund Assistance - Specific Project Information**

*For the Reporting Year Ending June 30 of:*

	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Assistance for System Compliance with SDWA (Dollars in each category)</b>							
201 Assisting Non-Compliant Systems to Achieve Compliance	\$238,883,538	\$56,019,889	\$243,565,216	\$263,901,507	\$221,469,168	\$219,120,350	\$46,289,124
202 *Cumulative Dollar Amount	\$2,449,334,149	\$2,505,354,038	\$2,748,919,254	\$3,012,820,761	\$3,234,289,929	\$3,453,410,279	\$3,499,699,403
203 Assisting Compliant Systems to Maintain Compliance	\$3,272,000	\$5,927,034	\$4,331,743	\$67,838,872	\$44,733,742	\$33,385,813	\$23,734,558
204 *Cumulative Dollar Amount	\$666,904,407	\$672,831,441	\$677,163,184	\$745,002,056	\$789,735,798	\$823,121,611	\$846,856,169
205 Assisting Compliant Systems to Meet Future Requirements	\$0	\$0	\$0	\$5,420,263	\$0	\$0	\$3,541,967
206 *Cumulative Dollar Amount	\$169,979,190	\$169,979,190	\$169,979,190	\$175,399,453	\$175,399,453	\$175,399,453	\$178,941,420
207 Other Assistance Not Compliance Related	\$18,524,447	\$9,296,626	\$250,000	\$1,197,538	\$1,450,000	\$0	\$601,087
208 *Cumulative Dollar Amount	\$18,524,447	\$27,821,073	\$28,071,073	\$29,268,611	\$30,718,611	\$30,718,611	\$31,319,698
<b>Number of Agreements in each category</b>							
209 Assisting Non-Compliant Systems to Achieve Compliance	7	17	11	13	11	13	14
210 *Cumulative Number of Agreements	563	580	591	604	615	628	642
211 Assisting Compliant Systems to Maintain Compliance	1	2	4	13	16	12	19
212 *Cumulative Number of Agreements	116	118	122	135	151	163	182
213 Assisting Compliant Systems to Meet Future Requirements	0	0	0	1	0	0	2
214 *Cumulative Number of Agreements	22	22	22	23	23	23	25
215 Other Assistance Not Compliance Related	3	1	1	0	1	0	0
216 *Cumulative Number of Agreements	3	4	5	5	6	6	6
<b>Population Served (by the system(s)) in each category</b>							
217 Assisting Non-Compliant Systems to Achieve Compliance	109,213	56,181	1,020,623	1,194,543	1,228,204	1,041,642	17,653
218 *Cumulative Population Served	73,698,018	73,754,199	74,774,822	75,969,365	77,197,569	78,239,211	78,256,864
219 Assisting Compliant Systems to Maintain Compliance	450	2,660	167,844	4,162,628	212,353	638,457	268,318
220 *Cumulative Population Served	15,511,851	15,514,511	15,682,355	19,844,983	20,057,336	20,695,793	20,964,111
221 Assisting Compliant Systems to Meet Future Requirements	0	0	0	101,082	0	0	104,082
222 *Cumulative Population Served	678,558	678,558	678,558	779,640	779,640	779,640	883,722
223 Other Assistance Not Compliance Related	1,000	0	120	4,550	20,500	0	0
224 *Cumulative Population Served	1,000	1,000	1,120	5,670	26,170	26,170	26,170

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>DWSRF Fund Assistance - Specific Project Information</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Assistance to Private Systems</b>								
225 Annual Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$1,353,859	\$2,872,278	\$300,000
226 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$1,353,859	\$4,226,137	\$4,526,137
227 Annual Number of Assistance Agreements	0	0	0	0	0	3	3	1
228 *Cumulative Number of Agreements	0	0	0	0	0	3	6	7
<b>Assistance to Systems by Type</b>								
229 Annual Number of Community Systems	0	52	41	52	62	97	52	75
230 *Cumulative Number of Community Systems	0	52	93	145	207	304	356	431
231 Annual Number of non-Community Systems	0	0	0	0	0	0	0	0
232 *Cumulative Number of non-Community Systems	0	0	0	0	0	0	0	0
233 Annual Population Served by Community Systems	0	7,546,495	7,266,162	7,083,184	500,977	9,434,125	14,411,945	14,341,791
234 *Cumulative Population Served by Community Systems	0	7,546,495	14,812,657	21,895,841	22,396,818	31,830,943	46,242,888	60,584,679
235 Annual Population Served by non-Community Systems	0	0	0	0	0	0	0	0
236 *Cumulative Population Served by non-Community Systems	0	0	0	0	0	0	0	0
<b>Assistance for the Creation of New Systems</b>								
237 Annual Dollar Amount	\$0	\$8,829,228	\$17,247,800	\$28,711,774	\$12,567,074	\$24,153,158	\$38,946,182	\$33,613,225
238 *Cumulative Dollar Amount	\$0	\$8,829,228	\$26,077,028	\$54,788,802	\$67,355,876	\$91,509,034	\$130,455,216	\$164,068,441
239 Annual Number of Assistance Agreements	0	3	9	14	10	9	17	25
240 *Cumulative Number of Agreements	0	3	12	26	36	45	62	87
<b>Assistance for the Consolidation of Systems</b>								
241 Annual Dollar Amount	\$0	\$39,363,401	\$32,740,812	\$51,717,911	\$86,208,936	\$29,427,277	\$50,029,247	\$33,162,095
242 *Cumulative Dollar Amount	\$0	\$39,363,401	\$72,104,213	\$123,822,124	\$210,031,060	\$239,458,337	\$289,487,584	\$322,649,679
243 Annual Number of Assistance Agreements	0	10	14	15	21	14	19	15
244 *Cumulative Number of Agreements	0	10	24	39	60	74	93	108
245 Annual Number of Systems Eliminated	0	19	34	50	62	23	36	22
246 *Cumulative Number of Systems Eliminated	0	19	53	103	165	188	224	246
<b>Assistance to Indian Tribes</b>								
247 Annual Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
248 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
249 Annual Number of Assistance Agreements	0	0	0	0	0	0	0	0
250 *Cumulative Number of Agreements	0	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

**DWSRF Fund Assistance - Specific Project Information**

*For the Reporting Year Ending June 30 of:*

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Assistance to Private Systems</b>								
225 Annual Dollar Amount	\$258,633	\$697,212	\$0	\$1,842,900	\$549,838	\$3,559,057	\$0	\$0
226 *Cumulative Dollar Amount	\$4,784,770	\$5,481,982	\$5,481,982	\$7,324,882	\$7,874,720	\$11,433,777	\$11,433,777	\$11,433,777
227 Annual Number of Assistance Agreements	1	1	0	1	1	3	0	0
228 *Cumulative Number of Agreements	8	9	9	10	11	14	14	14
<b>Assistance to Systems by Type</b>								
229 Annual Number of Community Systems	53	43	50	42	32	56	16	18
230 *Cumulative Number of Community Systems	484	527	577	619	651	707	723	741
231 Annual Number of non-Community Systems	0	0	0	0	0	0	0	0
232 *Cumulative Number of non-Community Systems	0	0	0	0	0	0	0	0
233 Annual Population Served by Community Systems	13,604,871	11,535,763	13,801,779	7,181,111	7,219,784	7,770,567	6,851,906	54,129
234 *Cumulative Population Served by Community Systems	74,189,550	85,725,313	99,527,092	106,708,203	113,927,987	121,698,554	128,550,460	128,604,589
235 Annual Population Served by non-Community Systems	0	0	0	0	0	0	0	0
236 *Cumulative Population Served by non-Community Systems	0	0	0	0	0	0	0	0
<b>Assistance for the Creation of New Systems</b>								
237 Annual Dollar Amount	\$43,910,707	\$32,836,200	\$77,684,642	\$85,975,658	\$10,485,423	\$19,525,557	\$12,952,047	\$23,311,054
238 *Cumulative Dollar Amount	\$207,979,148	\$240,815,348	\$318,499,990	\$404,475,648	\$414,961,071	\$434,486,628	\$447,438,675	\$470,749,729
239 Annual Number of Assistance Agreements	10	16	26	17	4	3	3	5
240 *Cumulative Number of Agreements	97	113	139	156	160	163	166	171
<b>Assistance for the Consolidation of Systems</b>								
241 Annual Dollar Amount	\$26,289,244	\$57,247,373	\$72,475,616	\$85,658,625	\$68,764,413	\$132,285,428	\$40,096,718	\$40,303,065
242 *Cumulative Dollar Amount	\$348,938,923	\$406,186,296	\$478,661,912	\$564,320,537	\$633,084,950	\$765,370,378	\$805,467,096	\$845,770,161
243 Annual Number of Assistance Agreements	10	25	22	18	18	23	5	6
244 *Cumulative Number of Agreements	118	143	165	183	201	224	229	235
245 Annual Number of Systems Eliminated	30	58	36	24	31	31	12	9
246 *Cumulative Number of Systems Eliminated	276	334	370	394	425	456	468	477
<b>Assistance to Indian Tribes</b>								
247 Annual Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
248 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
249 Annual Number of Assistance Agreements	0	0	0	0	0	0	0	0
250 *Cumulative Number of Agreements	0	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

**DWSRF Fund Assistance - Specific Project Information**

*For the Reporting Year Ending June 30 of:*

	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Assistance to Private Systems</b>							
225 Annual Dollar Amount	\$0	\$5,344,815	\$1,221,796	\$0	\$0	\$92,000	\$0
226 *Cumulative Dollar Amount	\$11,433,777	\$16,778,592	\$18,000,388	\$18,000,388	\$18,000,388	\$18,092,388	\$18,092,388
227 Annual Number of Assistance Agreements	0	2	0	0	0	1	0
228 *Cumulative Number of Agreements	14	16	16	16	16	17	17
<b>Assistance to Systems by Type</b>							
229 Annual Number of Community Systems	11	20	15	27	28	24	35
230 *Cumulative Number of Community Systems	752	772	787	814	842	866	901
231 Annual Number of non-Community Systems	0	0	0	0	0	1	0
232 *Cumulative Number of non-Community Systems	0	0	0	0	0	1	1
233 Annual Population Served by Community Systems	110,213	58,841	1,188,587	5,448,463	1,461,057	1,680,074	390,053
234 *Cumulative Population Served by Community Systems	128,714,802	128,773,643	129,962,230	135,410,693	136,871,750	138,551,824	138,941,877
235 Annual Population Served by non-Community Systems	0	0	0	0	0	0	0
236 *Cumulative Population Served by non-Community Systems	0	0	0	0	0	0	0
<b>Assistance for the Creation of New Systems</b>							
237 Annual Dollar Amount	\$17,329,731	\$9,275,000	\$47,756	\$0	\$15,351,488	\$0	\$6,417,635
238 *Cumulative Dollar Amount	\$488,079,460	\$497,354,460	\$497,402,216	\$497,402,216	\$512,753,704	\$512,753,704	\$519,171,339
239 Annual Number of Assistance Agreements	2	1	1	0	2	0	2
240 *Cumulative Number of Agreements	173	174	175	175	177	177	179
<b>Assistance for the Consolidation of Systems</b>							
241 Annual Dollar Amount	\$17,260,000	\$12,209,640	\$8,582,078	\$12,733,842	\$17,190,688	\$1,129,394	\$17,203,847
242 *Cumulative Dollar Amount	\$863,030,161	\$875,239,801	\$883,821,879	\$896,555,721	\$913,746,409	\$914,875,803	\$932,079,650
243 Annual Number of Assistance Agreements	2	5	2	2	3	1	3
244 *Cumulative Number of Agreements	237	242	244	246	249	250	253
245 Annual Number of Systems Eliminated	3	4	3	5	31	3	11
246 *Cumulative Number of Systems Eliminated	480	484	487	492	523	526	537
<b>Assistance to Indian Tribes</b>							
247 Annual Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
248 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
249 Annual Number of Assistance Agreements	0	0	0	0	0	0	0
250 *Cumulative Number of Agreements	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Fund Information	For the Reporting Year Ending June 30 of:							
	1997	1998	1999	2000	2001	2002	2003	2004
<b>Leveraged Bonds (Excludes State Match)</b>								
251 Gross Leveraged Bonds Issued - Annual	\$0	\$126,070,729	\$225,744,800	\$67,590,000	\$161,100,000	\$116,788,033	\$82,750,286	\$122,320,882
252 Net Leveraged Bonds Issued - Annual	\$0	\$123,837,483	\$219,213,844	\$66,205,131	\$158,855,094	\$115,426,564	\$81,948,307	\$124,354,512
253 Cost of Leveraged Bond Issuance - Annual	\$0	\$1,744,983	\$2,940,945	\$1,663,521	\$4,094,432	\$3,141,784	\$2,050,284	\$3,554,008
254 Leveraged Bond Principal Repaid - Annual	\$0	\$600,000	\$5,150,000	\$8,825,218	\$16,263,311	\$20,568,839	\$25,903,000	\$28,345,480
Debt Service Reserve for Leveraged Bonds								
255 *Annual Change	\$0	\$22,345,215	\$44,935,433	\$29,380,580	\$52,039,958	\$41,736,233	\$27,766,537	\$30,208,701
256 Balance at End of Reporting Period	\$0	\$22,345,215	\$67,280,648	\$96,661,228	\$148,701,186	\$190,437,419	\$218,203,956	\$248,412,657
257 Net Change in Gross Bonds Resulting from Refunding - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
258 DWSRF Funds Used for Refunding (Excludes Bonds) - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$1,410,000	\$31,120,000
259 *Gross Leveraged Bonds Issued - Cumulative	\$0	\$126,070,729	\$351,815,529	\$419,405,529	\$580,505,529	\$697,293,562	\$780,043,848	\$902,364,730
260 *Net Leveraged Bonds Issued - Cumulative	\$0	\$123,837,483	\$343,051,327	\$409,256,458	\$568,111,552	\$683,538,116	\$765,486,423	\$889,840,935
261 *Cost of Leveraged Bond Issuance - Cumulative	\$0	\$1,744,983	\$4,685,928	\$6,349,449	\$10,443,881	\$13,585,665	\$15,635,949	\$19,189,957
262 *Leveraged Bond Principal Repaid - Cumulative	\$0	\$600,000	\$5,750,000	\$14,575,218	\$30,838,529	\$51,407,368	\$77,310,368	\$105,655,848
263 *Net Change in Gross Bonds Resulting from Refunding - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
264 *DWSRF Funds Used for Refunding (Excludes Bonds) - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$1,410,000	\$32,530,000
265 *Leveraged Bonds Outstanding - Balance at End of Reporting Period	\$0	\$125,470,729	\$346,065,529	\$404,830,311	\$549,667,000	\$645,886,194	\$702,733,480	\$796,708,882
<b>State Match Bonds to be Repaid by DWSRF Fund</b>								
266 *Match Bonds Issued - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
267 Match Bond Principal Repaid - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
268 *Match Bonds Issued - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
269 *Match Bond Principal Repaid - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
270 *Match Bonds Outstanding - Balance at End of Reporting Period	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Interest Paid on Leveraged and Match Bonds</b>								
271 Interest Paid from Capitalized Interest Account and Other	\$0	\$986,176	\$18,436,790	\$19,726,626	\$22,889,260	\$28,913,795	\$33,387,207	\$34,084,227
272 Interest Paid from Capitalized Interest Account - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Interest Paid from DWSRF Funds, Excluding Capitalized Interest Account Funds</b>								
273 *Annual Dollar Amount	\$0	\$986,176	\$18,436,790	\$19,726,626	\$22,889,260	\$28,913,795	\$33,387,207	\$34,084,227
274 *Cumulative Dollar Amount	\$0	\$986,176	\$19,422,966	\$39,149,592	\$62,038,852	\$90,952,647	\$124,339,854	\$158,424,081

\*Calculated Values

**Drinking Water SRF Program Information  
for the State of New York**

Fund Information	For the Reporting Year Ending June 30 of:							
	2005	2006	2007	2008	2009	2010	2011	2012
<b>Leveraged Bonds (Excludes State Match)</b>								
251 Gross Leveraged Bonds Issued - Annual	\$84,283,095	\$97,378,988	\$96,440,000	\$222,090,000	\$67,605,000	\$140,960,000	\$147,210,000	\$66,415,000
252 Net Leveraged Bonds Issued - Annual	\$84,960,677	\$101,185,013	\$92,082,966	\$133,034,509	\$68,901,843	\$142,904,715	\$292,441,280	\$65,266,084
253 Cost of Leveraged Bond Issuance - Annual	\$2,210,621	\$2,463,924	\$2,481,505	\$4,584,167	\$1,677,179	\$3,831,025	\$14,553,720	\$1,148,925
254 Leveraged Bond Principal Repaid - Annual	\$37,150,502	\$37,922,669	\$41,285,645	\$44,964,721	\$48,497,267	\$55,512,000	\$54,665,000	\$59,915,000
Debt Service Reserve for Leveraged Bonds								
255 *Annual Change	\$10,669,789	\$9,912,900	(\$2,139,347)	(\$37,855,869)	\$32,970,986	(\$6,040,149)	(\$67,140,860)	(\$66,496,726)
256 Balance at End of Reporting Period	\$259,082,446	\$268,995,346	\$266,855,999	\$229,000,130	\$261,971,116	\$255,930,967	\$188,790,107	\$122,293,381
257 Net Change in Gross Bonds Resulting from Refunding - Annual	\$0	\$0	\$0	\$0	\$0	(\$23,365,000)	(\$58,545,000)	(\$32,750,000)
258 DWSRF Funds Used for Refunding (Excludes Bonds) - Annual	\$0	\$0	\$0	\$0	\$0	\$24,428,205	\$53,990,633	\$25,049,024
259 *Gross Leveraged Bonds Issued - Cumulative	\$986,647,825	\$1,084,026,813	\$1,180,466,813	\$1,402,556,813	\$1,470,161,813	\$1,611,121,813	\$1,758,331,813	\$1,824,746,813
260 *Net Leveraged Bonds Issued - Cumulative	\$974,801,612	\$1,075,986,625	\$1,168,069,591	\$1,301,104,100	\$1,370,005,943	\$1,512,910,658	\$1,805,351,938	\$1,870,618,022
261 *Cost of Leveraged Bond Issuance - Cumulative	\$21,400,578	\$23,864,502	\$26,346,007	\$30,930,174	\$32,607,353	\$36,438,378	\$50,992,098	\$52,141,023
262 *Leveraged Bond Principal Repaid - Cumulative	\$142,806,350	\$180,729,019	\$222,014,664	\$266,979,385	\$315,476,652	\$370,988,652	\$425,653,652	\$485,568,652
263 *Net Change in Gross Bonds Resulting from Refunding - Cumulative	\$0	\$0	\$0	\$0	\$0	(\$23,365,000)	(\$81,910,000)	(\$114,660,000)
264 *DWSRF Funds Used for Refunding (Excludes Bonds) - Cumulative	\$32,530,000	\$32,530,000	\$32,530,000	\$32,530,000	\$32,530,000	\$56,958,205	\$110,948,838	\$135,997,862
265 *Leveraged Bonds Outstanding - Balance at End of Reporting Period	\$843,841,475	\$903,297,794	\$958,452,149	\$1,135,577,428	\$1,154,685,161	\$1,216,768,161	\$1,250,768,161	\$1,224,518,161
<b>State Match Bonds to be Repaid by DWSRF Fund</b>								
266 *Match Bonds Issued - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
267 Match Bond Principal Repaid - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
268 *Match Bonds Issued - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
269 *Match Bond Principal Repaid - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
270 *Match Bonds Outstanding - Balance at End of Reporting Period	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Interest Paid on Leveraged and Match Bonds</b>								
271 Interest Paid from Capitalized Interest Account and Other	\$37,571,930	\$39,358,364	\$43,565,980	\$44,092,552	\$47,380,409	\$0	\$0	\$0
272 Interest Paid from Capitalized Interest Account - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Interest Paid from DWSRF Funds, Excluding Capitalized Interest Account Funds</b>								
273 *Annual Dollar Amount	\$37,571,930	\$39,358,364	\$43,565,980	\$44,092,552	\$47,380,409	\$0	\$0	\$0
274 *Cumulative Dollar Amount	\$195,996,011	\$235,354,375	\$278,920,355	\$323,012,907	\$370,393,316	\$370,393,316	\$370,393,316	\$370,393,316

\*Calculated Values

**Drinking Water SRF Program Information  
for the State of New York**

Fund Information	For the Reporting Year Ending June 30 of:						
	2013	2014	2015	2016	2017	2018	2019
<b>Leveraged Bonds (Excludes State Match)</b>							
251 Gross Leveraged Bonds Issued - Annual	\$5,785,000	\$11,770,000	\$8,505,000	\$113,370,000	\$179,565,000	\$120,090,000	\$120,090,000
252 Net Leveraged Bonds Issued - Annual	\$6,784,858	\$10,715,091	\$9,575,336	\$86,321,125	\$148,073,815	\$133,014,385	\$130,707,963
253 Cost of Leveraged Bond Issuance - Annual	\$98,084	\$2,306,257	\$142,568	\$3,453,595	\$1,021,465	\$3,575,912	\$3,769,266
254 Leveraged Bond Principal Repaid - Annual	\$61,170,000	\$62,355,000	\$64,180,000	\$65,090,000	\$70,160,000	\$75,060,000	\$73,955,000
Debt Service Reserve for Leveraged Bonds							
255 *Annual Change	(\$10,322,250)	(\$28,528,641)	(\$17,024,319)	(\$15,028,234)	(\$6,429,403)	(\$6,607,202)	(\$16,864,999)
256 Balance at End of Reporting Period	\$111,971,131	\$83,442,490	\$66,418,171	\$51,389,937	\$44,960,534	\$38,353,332	\$21,488,333
257 Net Change in Gross Bonds Resulting from Refunding - Annual	(\$1,555,000)	(\$27,315,000)	(\$12,205,000)	(\$5,675,000)	\$165,000	\$0	(\$8,965,000)
258 DWSRF Funds Used for Refunding (Excludes Bonds) - Annual	\$3,584,150	\$30,040,575	\$8,564,682	\$61,242,554	\$0	\$0	\$0
259 *Gross Leveraged Bonds Issued - Cumulative	\$1,830,531,813	\$1,842,301,813	\$1,850,806,813	\$1,964,176,813	\$2,143,741,813	\$2,263,831,813	\$2,383,921,813
260 *Net Leveraged Bonds Issued - Cumulative	\$1,877,402,880	\$1,888,117,971	\$1,897,693,307	\$1,984,014,432	\$2,132,088,247	\$2,265,102,632	\$2,395,810,595
261 *Cost of Leveraged Bond Issuance - Cumulative	\$52,239,107	\$54,545,364	\$54,687,932	\$58,141,527	\$59,162,992	\$62,738,904	\$66,508,170
262 *Leveraged Bond Principal Repaid - Cumulative	\$546,738,652	\$609,093,652	\$673,273,652	\$738,363,652	\$808,523,652	\$883,583,652	\$957,538,652
263 *Net Change in Gross Bonds Resulting from Refunding - Cumulative	(\$116,215,000)	(\$143,530,000)	(\$155,735,000)	(\$161,410,000)	(\$161,245,000)	(\$161,245,000)	(\$170,210,000)
264 *DWSRF Funds Used for Refunding (Excludes Bonds) - Cumulative	\$139,582,012	\$169,622,587	\$178,187,269	\$239,429,823	\$239,429,823	\$239,429,823	\$239,429,823
265 *Leveraged Bonds Outstanding - Balance at End of Reporting Period	\$1,167,578,161	\$1,089,678,161	\$1,021,798,161	\$1,064,403,161	\$1,173,973,161	\$1,219,003,161	\$1,256,173,161
<b>State Match Bonds to be Repaid by DWSRF Fund</b>							
266 *Match Bonds Issued - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
267 Match Bond Principal Repaid - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
268 *Match Bonds Issued - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0
269 *Match Bond Principal Repaid - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0
270 *Match Bonds Outstanding - Balance at End of Reporting Period	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Interest Paid on Leveraged and Match Bonds</b>							
271 Interest Paid from Capitalized Interest Account and Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0
272 Interest Paid from Capitalized Interest Account - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Interest Paid from DWSRF Funds, Excluding Capitalized Interest Account Funds</b>							
273 *Annual Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
274 *Cumulative Dollar Amount	\$370,393,316	\$370,393,316	\$370,393,316	\$370,393,316	\$370,393,316	\$370,393,316	\$370,393,316

\*Calculated Values



**Drinking Water SRF Program Information  
for the State of New York**

Fund Information	For the Reporting Year Ending June 30 of:							
	1997	1998	1999	2000	2001	2002	2003	2004
<b>DWSRF Project Assistance Disbursed</b>								
275 Annual DWSRF Fund Disbursements (Excludes 1452(k) Loans)	\$0	\$37,488,078	\$276,287,007	\$78,056,108	\$175,387,842	\$172,516,135	\$128,029,601	\$167,763,377
276 *Cumulative DWSRF Fund Disbursements	\$0	\$37,488,078	\$313,775,085	\$391,831,193	\$567,219,035	\$739,735,170	\$867,764,771	\$1,035,528,148
277 Annual 1452(k) Loan Disbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
278 *Cumulative 1452(k) Loan Disbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>DWSRF Loans - All Loans Except 1452(k) Loans Maintained in a Separate Account</b>								
279 Number of Projects Initiating Principal Repayments	0	8	37	46	49	51	54	27
280 *Cumulative Number of Projects Initiating Principal Repayments	0	8	45	91	140	191	245	272
281 Principal Repayments - Annual	\$0	\$608,392	\$9,377,152	\$9,425,929	\$18,170,154	\$23,669,131	\$30,282,943	\$37,955,262
282 Interest Payments - Annual	\$0	\$1,015,016	\$18,570,283	\$19,867,997	\$23,099,866	\$29,252,292	\$33,998,772	\$34,657,805
283 *Principal and Interest - Annual	\$0	\$1,623,408	\$27,947,435	\$29,293,926	\$41,270,020	\$52,921,423	\$64,281,715	\$72,613,067
284 *Principal Repayments - Cumulative	\$0	\$608,392	\$9,985,544	\$19,411,473	\$37,581,627	\$61,250,758	\$91,533,701	\$129,488,963
285 *Interest Payments - Cumulative	\$0	\$1,015,016	\$19,585,299	\$39,453,296	\$62,553,162	\$91,805,454	\$125,804,226	\$160,462,031
286 *Principal and Interest - Cumulative	\$0	\$1,623,408	\$29,570,843	\$58,864,769	\$100,134,789	\$153,056,212	\$217,337,927	\$289,950,994
287 Weighted Average Interest Rate on DWSRF Executed Loan Commitments	0.000	3.217	3.149	2.697	3.000	2.460	2.740	2.650
288 State Market Interest Rate	0.000	4.940	4.736	5.327	5.110	4.650	4.700	4.350
<b>DWSRF 1452(k) Loans Separately Maintained 1452(k) Loans Only</b>								
289 Principal Repayments - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
290 Interest Payments - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
291 *Principal and Interest - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
292 *Principal Repayments - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
293 *Interest Payments - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
294 *Principal and Interest - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
295 Weighted Average Interest Rate on 1452(k) Loans	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>Interest Earnings on Investments</b>								
296 Annual Interest Earnings on Investments in DWSRF Fund (Except 1452(k) Funds)	\$0	\$284,210	\$6,807,242	\$8,935,136	\$11,236,348	\$20,048,850	\$13,934,726	\$13,970,750
297 *Cumulative Interest Earnings on Investments in DWSRF Fund	\$0	\$284,210	\$7,091,452	\$16,026,588	\$27,262,936	\$47,311,786	\$61,246,512	\$75,217,262
298 Annual Interest Earnings on 1452(k) Loan Account Investments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
299 *Cumulative Interest Earnings on 1452(k) Loan Account Investments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Fees Charged on DWSRF Assistance</b>								
300 Annual Income from Fees Included in Loans	\$0	\$0	\$229,334	\$729,073	\$1,749,397	\$1,385,483	\$968,199	\$1,566,457
301 Annual Income from Fees not Included in Loans	\$0	\$13,533	\$1,013,872	\$923,578	\$823,646	\$959,965	\$1,142,725	\$1,263,722
302 Annual Interest Earnings from Fee Account	\$0	\$707	\$10,034	\$79,078	\$157,401	\$70,350	\$92,395	\$83,335
303 *Total Annual Income from Fees	\$0	\$14,240	\$1,253,240	\$1,731,729	\$2,730,444	\$2,415,798	\$2,203,319	\$2,913,514
304 *Cumulative Income from Fees	\$0	\$14,240	\$1,267,480	\$2,999,209	\$5,729,653	\$8,145,451	\$10,348,770	\$13,262,284
<b>Expenses Paid from DWSRF Fee Accounts</b>								
305 Annual Expenses Paid from Fee Account to Administer DWSRF Fund	\$0	\$0	\$125,000	\$39,820	\$57,498	\$141,759	\$152,809	\$72,463
306 *Cumulative Expenses Paid to Administer DWSRF Fund	\$0	\$0	\$125,000	\$164,820	\$222,318	\$364,077	\$516,886	\$589,349
307 Annual Amount Paid from Fee Account for State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
308 *Cumulative Amount Paid from Fee Account for State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
309 Annual Expenses Paid from Fee Account for Other Eligible DWSRF Purposes	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
310 *Cumulative Expenses Paid for Other Eligible DWSRF Purposes	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>DWSRF Administrative Expenses Paid from Funds Other than DWSRF or Fees</b>								
311 Annual Other State Funded Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
312 *Cumulative Other State Funded Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Fund Information	For the Reporting Year Ending June 30 of:							
	2005	2006	2007	2008	2009	2010	2011	2012
<b>DWSRF Project Assistance Disbursed</b>								
275 Annual DWSRF Fund Disbursements (Excludes 1452(k) Loans)	\$102,251,071	\$211,067,598	\$162,282,878	\$270,467,924	\$215,506,765	\$355,426,380	\$481,064,130	\$256,894,463
276 *Cumulative DWSRF Fund Disbursements	\$1,137,779,219	\$1,348,846,817	\$1,511,129,695	\$1,781,597,619	\$1,997,104,384	\$2,352,530,764	\$2,833,594,894	\$3,090,489,357
277 Annual 1452(k) Loan Disbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
278 *Cumulative 1452(k) Loan Disbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>DWSRF Loans - All Loans Except 1452(k) Loans Maintained in a Separate Account</b>								
279 Number of Projects Initiating Principal Repayments	38	22	32	29	34	36	61	51
280 *Cumulative Number of Projects Initiating Principal Repayments	310	332	364	393	427	463	524	575
281 Principal Repayments - Annual	\$57,733,808	\$77,548,924	\$101,886,958	\$117,277,018	\$98,043,019	\$74,984,642	\$83,591,766	\$98,072,276
282 Interest Payments - Annual	\$38,618,090	\$40,308,216	\$44,642,549	\$45,054,056	\$49,645,068	\$34,326,784	\$35,120,110	\$33,533,093
283 *Principal and Interest - Annual	\$96,351,898	\$117,857,140	\$146,529,507	\$162,331,074	\$147,688,087	\$109,311,426	\$118,711,876	\$131,605,369
284 *Principal Repayments - Cumulative	\$187,222,771	\$264,771,695	\$366,658,653	\$483,935,671	\$581,978,690	\$656,963,332	\$740,555,098	\$838,627,374
285 *Interest Payments - Cumulative	\$199,080,121	\$239,388,337	\$284,030,886	\$329,084,942	\$378,730,010	\$413,056,794	\$448,176,904	\$481,709,997
286 *Principal and Interest - Cumulative	\$386,302,892	\$504,160,032	\$650,689,539	\$813,020,613	\$960,708,700	\$1,070,020,126	\$1,188,732,002	\$1,320,337,371
287 Weighted Average Interest Rate on DWSRF Executed Loan Commitments	2.470	2.235	1.795	2.169	2.258	2.170	2.197	3.000
288 State Market Interest Rate	4.420	4.231	4.357	4.236	4.586	3.400	3.470	4.000
<b>DWSRF 1452(k) Loans Separately Maintained 1452(k) Loans Only</b>								
289 Principal Repayments - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
290 Interest Payments - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
291 *Principal and Interest - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
292 *Principal Repayments - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
293 *Interest Payments - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
294 *Principal and Interest - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
295 Weighted Average Interest Rate on 1452(k) Loans	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>Interest Earnings on Investments</b>								
296 Annual Interest Earnings on Investments in DWSRF Fund (Except 1452(k) Funds)	\$18,299,120	\$23,439,647	\$26,918,498	\$22,485,928	\$13,459,500	\$13,855,259	\$9,967,072	\$19,186,425
297 *Cumulative Interest Earnings on Investments in DWSRF Fund	\$93,516,382	\$116,956,029	\$143,874,527	\$166,360,455	\$179,819,955	\$193,675,214	\$203,642,286	\$222,828,711
298 Annual Interest Earnings on 1452(k) Loan Account Investments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
299 *Cumulative Interest Earnings on 1452(k) Loan Account Investments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Fees Charged on DWSRF Assistance</b>								
300 Annual Income from Fees Included in Loans	\$1,008,190	\$1,205,855	\$1,134,621	\$1,487,457	\$1,027,075	\$2,043,658	\$2,136,427	\$414,394
301 Annual Income from Fees not Included in Loans	\$1,242,188	\$1,230,525	\$1,301,017	\$1,321,620	\$1,483,229	\$1,502,954	\$1,619,111	\$1,736,378
302 Annual Interest Earnings from Fee Account	\$223,688	\$486,316	\$692,704	\$431,563	\$88,627	\$197,374	\$20,031	\$4,759
303 *Total Annual Income from Fees	\$2,474,066	\$2,922,696	\$3,128,342	\$3,240,640	\$2,598,931	\$3,743,986	\$3,775,569	\$2,155,531
304 *Cumulative Income from Fees	\$15,736,350	\$18,659,046	\$21,787,388	\$25,028,028	\$27,626,959	\$31,370,945	\$35,146,514	\$37,302,045
<b>Expenses Paid from DWSRF Fee Accounts</b>								
305 Annual Expenses Paid from Fee Account to Administer DWSRF Fund	\$224,340	\$246,344	\$356,096	\$177,116	\$274,689	\$1,020,786	\$858,228	\$1,610,488
306 *Cumulative Expenses Paid to Administer DWSRF Fund	\$813,689	\$1,060,033	\$1,416,129	\$1,593,245	\$1,867,934	\$2,888,720	\$3,746,948	\$5,357,436
307 Annual Amount Paid from Fee Account for State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
308 *Cumulative Amount Paid from Fee Account for State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
309 Annual Expenses Paid from Fee Account for Other Eligible DWSRF Purposes	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
310 *Cumulative Expenses Paid for Other Eligible DWSRF Purposes	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>DWSRF Administrative Expenses Paid from Funds Other than DWSRF or Fees</b>								
311 Annual Other State Funded Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
312 *Cumulative Other State Funded Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Fund Information	For the Reporting Year Ending June 30 of:						
	2013	2014	2015	2016	2017	2018	2019
<b>DWSRF Project Assistance Disbursed</b>							
275 Annual DWSRF Fund Disbursements (Excludes 1452(k) Loans)	\$294,133,543	\$56,340,858	\$39,726,662	\$489,896,855	\$233,465,756	\$281,974,565	\$212,524,378
276 *Cumulative DWSRF Fund Disbursements	\$3,384,622,900	\$3,440,963,758	\$3,480,690,420	\$3,970,587,275	\$4,204,053,031	\$4,486,027,596	\$4,698,551,974
277 Annual 1452(k) Loan Disbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0
278 *Cumulative 1452(k) Loan Disbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>DWSRF Loans - All Loans Except 1452(k) Loans Maintained in a Separate Account</b>							
279 Number of Projects Initiating Principal Repayments	9	17	9	18	18	14	19
280 *Cumulative Number of Projects Initiating Principal Repayments	584	601	610	628	646	660	679
281 Principal Repayments - Annual	\$99,657,642	\$102,958,127	\$105,870,000	\$108,428,334	\$115,238,737	\$120,415,335	\$118,288,111
282 Interest Payments - Annual	\$32,621,042	\$32,106,731	\$30,337,015	\$28,180,836	\$32,266,700	\$38,606,168	\$41,950,257
283 *Principal and Interest - Annual	\$132,278,684	\$135,064,858	\$136,207,015	\$136,609,170	\$147,505,437	\$159,021,503	\$160,238,368
284 *Principal Repayments - Cumulative	\$938,285,016	\$1,041,243,143	\$1,147,113,143	\$1,255,541,477	\$1,370,780,214	\$1,491,195,549	\$1,609,483,660
285 *Interest Payments - Cumulative	\$514,331,039	\$546,437,770	\$576,774,785	\$604,955,621	\$637,222,321	\$675,828,489	\$717,778,746
286 *Principal and Interest - Cumulative	\$1,452,616,055	\$1,587,680,913	\$1,723,887,928	\$1,860,497,098	\$2,008,002,535	\$2,167,024,038	\$2,327,262,406
287 Weighted Average Interest Rate on DWSRF Executed Loan Commitments	0.705	1.669	1.580	2.180	2.130	2.450	1.900
288 State Market Interest Rate	2.944	3.561	4.623	4.520	3.380	3.650	3.360
<b>DWSRF 1452(k) Loans Separately Maintained 1452(k) Loans Only</b>							
289 Principal Repayments - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
290 Interest Payments - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
291 *Principal and Interest - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
292 *Principal Repayments - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0
293 *Interest Payments - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0
294 *Principal and Interest - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0
295 Weighted Average Interest Rate on 1452(k) Loans	0.000	0.000	0.000	0.000	0.000	0.000	0.000
<b>Interest Earnings on Investments</b>							
296 Annual Interest Earnings on Investments in DWSRF Fund (Except 1452(k) Funds)	\$12,090,266	\$3,528,737	\$16,288,130	\$5,525,139	\$5,641,169	\$12,479,134	\$11,865,138
297 *Cumulative Interest Earnings on Investments in DWSRF Fund	\$234,918,977	\$238,447,714	\$254,735,844	\$260,260,983	\$265,902,152	\$278,381,286	\$290,246,424
298 Annual Interest Earnings on 1452(k) Loan Account Investments	\$0	\$0	\$0	\$0	\$0	\$0	\$0
299 *Cumulative Interest Earnings on 1452(k) Loan Account Investments	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Fees Charged on DWSRF Assistance</b>							
300 Annual Income from Fees Included in Loans	\$350,172	\$368,654	\$369,441	\$2,569,631	\$441,670	\$0	\$1,288,384
301 Annual Income from Fees not Included in Loans	\$1,488,593	\$1,354,440	\$1,245,337	\$1,125,603	\$1,389,619	\$1,615,201	\$1,550,809
302 Annual Interest Earnings from Fee Account	\$15,618	\$3,229	\$1,336	\$25,203	\$91,356	\$452,174	\$819,343
303 *Total Annual Income from Fees	\$1,854,383	\$1,726,323	\$1,616,114	\$3,720,437	\$1,922,645	\$2,067,375	\$3,658,536
304 *Cumulative Income from Fees	\$39,156,428	\$40,882,751	\$42,498,865	\$46,219,302	\$48,141,947	\$50,209,322	\$53,867,858
<b>Expenses Paid from DWSRF Fee Accounts</b>							
305 Annual Expenses Paid from Fee Account to Administer DWSRF Fund	\$1,655,392	\$1,851,320	\$2,121,450	\$2,199,937	\$1,822,549	\$2,215,640	\$5,738,561
306 *Cumulative Expenses Paid to Administer DWSRF Fund	\$7,012,828	\$8,864,148	\$10,985,598	\$13,185,535	\$15,008,084	\$17,223,724	\$22,962,285
307 Annual Amount Paid from Fee Account for State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
308 *Cumulative Amount Paid from Fee Account for State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
309 Annual Expenses Paid from Fee Account for Other Eligible DWSRF Purposes	\$0	\$0	\$0	\$0	\$0	\$0	\$0
310 *Cumulative Expenses Paid for Other Eligible DWSRF Purposes	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>DWSRF Administrative Expenses Paid from Funds Other than DWSRF or Fees</b>							
311 Annual Other State Funded Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
312 *Cumulative Other State Funded Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Other Drinking Water Programs (Separate from DWSRF)	For the Reporting Year Ending June 30 of:							
	1997	1998	1999	2000	2001	2002	2003	2004
<b>Coordinated DWSRF Funding with Other State or Federal Funding Sources</b>								
313 Amount of Coordinated Funding	\$0	\$23,093,472	\$37,535,297	\$21,130,645	\$7,450,193	\$9,140,613	\$1,957,155	\$30,406,027
314 *Cumulative Amount of Coordinated Funding	\$0	\$23,093,472	\$60,628,769	\$81,759,414	\$89,209,607	\$98,350,220	\$100,307,375	\$130,713,402
315 Number of DWSRF Assistance Agreements Receiving Coordinated Funding	0	7	17	9	4	27	5	27
316 *Cumulative Number of DWSRF Assistance Agreements	0	7	24	33	37	64	69	96
317 DWSRF Portion of Coordinated Funding	\$0	\$23,065,621	\$31,462,583	\$20,489,134	\$6,020,193	\$1,196,793	\$2,204,500	\$22,238,185
318 *Cumulative DWSRF Portion of Coordinated Funding	\$0	\$23,065,621	\$54,528,204	\$75,017,338	\$81,037,531	\$82,234,324	\$84,438,824	\$106,677,009
<b>State Funded Drinking Water Loan Programs (Separate from DWSRF - Similar Eligibilities)</b>								
319 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
320 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
321 Annual Number of Loans	0	0	0	0	0	0	0	0
322 *Cumulative Number of Loans	0	0	0	0	0	0	0	0
<b>State Funded Drinking Water Grant Programs (Separate from DWSRF - Similar Eligibilities)</b>								
323 Annual Dollar Amount of Grants	\$0	\$4,951,546	\$22,392,127	\$42,139,742	\$20,392,747	\$0	\$0	\$123,838
324 *Cumulative Dollar Amount	\$0	\$4,951,546	\$27,343,673	\$69,483,415	\$89,876,162	\$89,876,162	\$89,876,162	\$90,000,000
325 Annual Number of Grants	0	5	16	29	16	0	0	1
326 *Cumulative Number of Grants	0	5	21	50	66	66	66	67
<b>Total State Funded Drinking Water Programs (Separate from DWSRF - Similar Eligibilities)</b>								
327 *Dollar Amount of Loans and Grants - Annual	\$0	\$4,951,546	\$22,392,127	\$42,139,742	\$20,392,747	\$0	\$0	\$123,838
328 *Dollar Amount of Loans and Grants - Cumulative	\$0	\$4,951,546	\$27,343,673	\$69,483,415	\$89,876,162	\$89,876,162	\$89,876,162	\$90,000,000
329 *Number of Loans and Grants - Annual	0	5	16	29	16	0	0	1
330 *Number of Loans and Grants - Cumulative	0	5	21	50	66	66	66	67
<b>State Funded Drinking Water Loan Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>								
331 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
332 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
333 Annual Number of Loans	0	0	0	0	0	0	0	0
334 *Cumulative Number of Loans	0	0	0	0	0	0	0	0
<b>State Funded Drinking Water Grant Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>								
335 Annual Dollar Amount of Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
336 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
337 Annual Number of Grants	0	0	0	0	0	0	0	0
338 *Cumulative Number of Grants	0	0	0	0	0	0	0	0
<b>Total State Funded Drinking Water Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>								
339 *Dollar Amount of Loans and Grants - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
340 *Dollar Amount of Loans and Grants - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
341 *Number of Loans and Grants - Annual	0	0	0	0	0	0	0	0
342 *Number of Loans and Grants - Cumulative	0	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

<b>Other Drinking Water Programs (Separate from DWSRF)</b>	<i>For the Reporting Year Ending June 30 of:</i>							
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Coordinated DWSRF Funding with Other State or Federal Funding Sources</b>								
313 Amount of Coordinated Funding	\$15,591,759	\$11,569,697	\$25,740,356	\$11,612,714	\$10,522,321	\$24,222,815	\$25,164,595	\$23,847,608
314 *Cumulative Amount of Coordinated Funding	\$146,305,161	\$157,874,858	\$183,615,214	\$195,227,928	\$205,750,249	\$229,973,064	\$255,137,659	\$278,985,267
315 Number of DWSRF Assistance Agreements Receiving Coordinated Funding	18	18	21	21	11	17	5	5
316 *Cumulative Number of DWSRF Assistance Agreements	114	132	153	174	185	202	207	212
317 DWSRF Portion of Coordinated Funding	\$59,619,271	\$40,030,385	\$68,573,224	\$66,304,100	\$62,841,811	\$12,622,426	\$16,458,195	\$22,276,508
318 *Cumulative DWSRF Portion of Coordinated Funding	\$166,296,280	\$206,326,665	\$274,899,889	\$341,203,989	\$404,045,800	\$416,668,226	\$433,126,421	\$455,402,929
<b>State Funded Drinking Water Loan Programs (Separate from DWSRF - Similar Eligibilities)</b>								
319 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
320 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
321 Annual Number of Loans	0	0	0	0	0	0	0	0
322 *Cumulative Number of Loans	0	0	0	0	0	0	0	0
<b>State Funded Drinking Water Grant Programs (Separate from DWSRF - Similar Eligibilities)</b>								
323 Annual Dollar Amount of Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
324 *Cumulative Dollar Amount	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000
325 Annual Number of Grants	0	0	0	0	0	0	0	0
326 *Cumulative Number of Grants	67	67	67	67	67	67	67	67
<b>Total State Funded Drinking Water Programs (Separate from DWSRF - Similar Eligibilities)</b>								
327 *Dollar Amount of Loans and Grants - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
328 *Dollar Amount of Loans and Grants - Cumulative	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000
329 *Number of Loans and Grants - Annual	0	0	0	0	0	0	0	0
330 *Number of Loans and Grants - Cumulative	67	67	67	67	67	67	67	67
<b>State Funded Drinking Water Loan Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>								
331 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
332 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
333 Annual Number of Loans	0	0	0	0	0	0	0	0
334 *Cumulative Number of Loans	0	0	0	0	0	0	0	0
<b>State Funded Drinking Water Grant Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>								
335 Annual Dollar Amount of Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
336 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
337 Annual Number of Grants	0	0	0	0	0	0	0	0
338 *Cumulative Number of Grants	0	0	0	0	0	0	0	0
<b>Total State Funded Drinking Water Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>								
339 *Dollar Amount of Loans and Grants - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
340 *Dollar Amount of Loans and Grants - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
341 *Number of Loans and Grants - Annual	0	0	0	0	0	0	0	0
342 *Number of Loans and Grants - Cumulative	0	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Other Drinking Water Programs (Separate from DWSRF)	For the Reporting Year Ending June 30 of:						
	2013	2014	2015	2016	2017	2018	2019
<b>Coordinated DWSRF Funding with Other State or Federal Funding Sources</b>							
313 Amount of Coordinated Funding	\$3,656,778	\$31,373,627	\$4,246,057	\$66,687,000	\$85,849,927	\$60,989,066	\$182,137,492
314 *Cumulative Amount of Coordinated Funding	\$282,642,045	\$314,015,672	\$318,261,729	\$384,948,729	\$470,798,656	\$531,787,722	\$713,925,214
315 Number of DWSRF Assistance Agreements Receiving Coordinated Funding	3	9	2	12	20	22	43
316 *Cumulative Number of DWSRF Assistance Agreements	215	224	226	238	258	280	323
317 DWSRF Portion of Coordinated Funding	\$2,436,716	\$28,230,985	\$2,665,125	\$48,390,719	\$39,104,773	\$27,811,551	\$74,166,736
318 *Cumulative DWSRF Portion of Coordinated Funding	\$457,839,645	\$486,070,630	\$488,735,755	\$537,126,474	\$576,231,247	\$604,042,798	\$678,209,534
<b>State Funded Drinking Water Loan Programs (Separate from DWSRF - Similar Eligibilities)</b>							
319 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
320 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
321 Annual Number of Loans	0	0	0	0	0	0	0
322 *Cumulative Number of Loans	0	0	0	0	0	0	0
<b>State Funded Drinking Water Grant Programs (Separate from DWSRF - Similar Eligibilities)</b>							
323 Annual Dollar Amount of Grants	\$0	\$0	\$0	\$13,754,101	\$53,589,984	\$41,239,738	\$116,363,803
324 *Cumulative Dollar Amount	\$90,000,000	\$90,000,000	\$90,000,000	\$103,754,101	\$157,344,085	\$198,583,823	\$314,947,626
325 Annual Number of Grants	0	0	0	7	29	31	72
326 *Cumulative Number of Grants	67	67	67	74	103	134	206
<b>Total State Funded Drinking Water Programs (Separate from DWSRF - Similar Eligibilities)</b>							
327 *Dollar Amount of Loans and Grants - Annual	\$0	\$0	\$0	\$13,754,101	\$53,589,984	\$41,239,738	\$116,363,803
328 *Dollar Amount of Loans and Grants - Cumulative	\$90,000,000	\$90,000,000	\$90,000,000	\$103,754,101	\$157,344,085	\$198,583,823	\$314,947,626
329 *Number of Loans and Grants - Annual	0	0	0	7	29	31	72
330 *Number of Loans and Grants - Cumulative	67	67	67	74	103	134	206
<b>State Funded Drinking Water Loan Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>							
331 Annual Dollar Amount of Loans	\$0	\$0	\$0	\$0	\$0	\$0	\$0
332 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
333 Annual Number of Loans	0	0	0	0	0	0	0
334 *Cumulative Number of Loans	0	0	0	0	0	0	0
<b>State Funded Drinking Water Grant Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>							
335 Annual Dollar Amount of Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0
336 *Cumulative Dollar Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
337 Annual Number of Grants	0	0	0	0	0	0	0
338 *Cumulative Number of Grants	0	0	0	0	0	0	0
<b>Total State Funded Drinking Water Programs (Separate from DWSRF - Dissimilar Eligibilities)</b>							
339 *Dollar Amount of Loans and Grants - Annual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
340 *Dollar Amount of Loans and Grants - Cumulative	\$0	\$0	\$0	\$0	\$0	\$0	\$0
341 *Number of Loans and Grants - Annual	0	0	0	0	0	0	0
342 *Number of Loans and Grants - Cumulative	0	0	0	0	0	0	0

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

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**Lead State Agency**

343 Lead State Agency Name: Department of Health  
344 Type of Agency: HEALTH  
345 Mailing Address: Empire State Plaza Corning Tower Rm 1110  
346 City: Albany  
347 Zip Code: 12237  
348 Street Address: Empire State Plaza Corning Tower Rm 1110  
349 City: Albany  
350 Zip Code: 12237  
351 Director: Roger Sokol  
352 Director's Title: Director - Division of Environmental Health Protection  
353 Phone Number: (518) 402-7650  
354 Fax Number: (518) 402-7659  
355 E-mail Address: roger.sokol@health.ny.gov  
356 Contact Person: Michael J. Montysko  
357 Phone Number: (518) 402-7650  
358 Fax Number: (518) 402-7659  
359 E-mail Address: michael.montysko@health.ny.gov

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**Secondary Agency**

360 Secondary Agency Name: Environmental Facilities Corporation  
361 Type of Agency: FINANCIAL  
362 Mailing Address: 625 Broadway  
363 City: Albany  
364 Zip Code: 12207-2997  
365 Street Address: 625 Broadway  
366 City: Albany  
367 Zip Code: 12207-2997  
368 Director: Maureen Coleman  
369 Director's Title: Acting President & CEO & General Counsel  
370 Phone Number: (518) 402-6951  
371 Fax Number: (518) 402-6954  
372 E-mail Address: maureen.coleman@efc.ny.gov  
373 Contact Person: Maureen Coleman  
374 Phone Number : (518) 402-6951  
375 Fax Number: (518) 402-6954  
376 E-mail Address: maureen.coleman@efc.ny.gov

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**Other Agency**

377 Other Agency Name:  
378 Type of Agency:  
379 Mailing Address:  
380 City:  
381 Zip Code:  
382 Street Address:  
383 City:  
384 Zip Code:  
385 Director:  
386 Director's Title:  
387 Phone Number:  
388 Fax Number:  
389 E-mail Address:  
390 Contact Person:  
391 Phone Number:  
392 Fax Number:  
393 E-mail Address:

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**Drinking Water SRF Program Information  
for the State of New York**

Fund Analysis	For the Reporting Year Ending June 30 of:							
	1997	1998	1999	2000	2001	2002	2003	2004
<b>DWSRF Funds Available for Projects</b>								
394 *Annual (New Funds)	0	185,922,901	294,430,553	166,149,870	216,218,352	178,442,812	177,885,635	172,409,316
395 *Cumulative	0	185,922,901	480,353,454	646,503,324	862,721,676	1,041,164,488	1,219,050,123	1,391,459,439
<b>DWSRF Assistance as a % of Funds Available</b>								
396 *Annual	-	73%	88%	81%	90%	109%	80%	130%
397 *Cumulative	-	73%	82%	82%	84%	88%	87%	92%
<b>Outlays as a % of Capitalization Grants</b>								
398 *Annual	-	0%	68%	20%	90%	-	109%	117%
399 *Cumulative	-	0%	41%	36%	47%	90%	94%	97%
<b>Disbursements as a % of Funds Available</b>								
400 *Annual	-	20%	94%	47%	81%	97%	72%	97%
401 *Cumulative	-	20%	65%	61%	66%	71%	71%	74%
<b>Project Starts as a % of Funds Available</b>								
402 *Annual	-	73%	88%	81%	90%	109%	80%	130%
403 *Cumulative	-	73%	82%	82%	84%	88%	87%	92%
<b>Project Completions as a % of Funds Available</b>								
404 *Annual	-	57%	39%	56%	41%	55%	38%	43%
405 *Cumulative	-	57%	46%	48%	47%	48%	46%	46%
<b>Loan Principal Repayments as a % of Funds Available</b>								
406 *Annual	-	0%	3%	6%	8%	13%	17%	22%
407 *Cumulative	-	0%	2%	3%	4%	6%	8%	9%
<b>Disbursements as a % of DWSRF Assistance</b>								
408 *Annual	-	28%	107%	58%	90%	89%	90%	75%
409 *Cumulative	-	28%	80%	74%	79%	81%	82%	81%
<b>Project Starts as a % of DWSRF Assistance</b>								
410 *Annual	-	100%	100%	100%	100%	100%	100%	100%
411 *Cumulative	-	100%	100%	100%	100%	100%	100%	100%
<b>Project Completions as a % of DWSRF Assistance</b>								
412 *Annual	-	79%	44%	69%	46%	50%	47%	33%
413 *Cumulative	-	79%	56%	59%	56%	54%	53%	50%
<b>Loan Principal Repayments as a % of DWSRF Assistance</b>								
414 *Annual	-	0%	4%	7%	9%	12%	21%	17%
415 *Cumulative	-	0%	3%	4%	5%	7%	9%	10%
<b>Project Completions as a % of Project Starts</b>								
416 *Annual	-	79%	44%	69%	46%	50%	47%	33%
417 *Cumulative	-	79%	56%	59%	56%	54%	53%	50%
<b>Financial Indicators based on Cumulative Activity</b>								
418 *Return on Federal Investment	-	-	509.7%	567.5%	509.8%	343.3%	312.0%	297.9%
419 *Assistance Provided as a % of Funds Available	-	72.9%	82.0%	81.7%	83.7%	88.1%	86.9%	92.2%
420 *Disbursements as a % of Assistance Provided	-	27.6%	79.7%	74.2%	78.5%	80.7%	81.9%	80.7%
421 *Additional Assistance Provided Due to Leveraging	-	\$51,174,128	\$189,129,740	\$194,112,430	\$278,975,167	\$369,073,309	\$385,973,719	\$500,194,747
424 *Set-Aside Spending Rate	-	14.2%	24.8%	41.2%	50.6%	67.2%	75.6%	74.8%
425 *Net Return/(Loss) after Repaying Match Bonds Excluding Subsidy	\$0	\$313,050	\$7,253,785	\$16,330,292	\$27,777,246	\$48,164,593	\$62,710,884	\$77,255,212
426 *Net Return on Contributed Capital Excluding Subsidy	-	0.9%	6.1%	11.0%	13.2%	13.6%	13.8%	14.6%
<b>Subsidy Information from PBR as of Report Date</b>								
427 Grant Amount	0	0	0	0	0	0	0	0
428 Negative Interest	0	0	0	0	0	0	0	0
429 Principal Forgiven	0	0	0	0	0	0	0	0
430 * Total Annual Subsidy	0	0	0	0	0	0	0	0
431 * Total Cumulative Subsidy	0	0	0	0	0	0	0	0
<b>Green Project Reserve (GPR) from PBR as of Report Date</b>								
432 Green Infrastructure								
433 Energy Efficiency								
434 Water Conservation								
435 Green Innovative								
436 * Total Annual GPR								
437 * Cumulative GPR								

\* Calculated values.



**Drinking Water SRF Program Information  
for the State of New York**

Fund Analysis	For the Reporting Year Ending June 30 of:							
	2005	2006	2007	2008	2009	2010	2011	2012
<b>DWSRF Funds Available for Projects</b>								
394 *Annual (New Funds)	171,526,971	213,663,391	213,592,713	297,426,027	137,465,768	304,596,284	459,994,687	249,897,900
395 *Cumulative	1,562,986,410	1,776,649,801	1,990,242,514	2,287,668,541	2,425,134,309	2,729,730,593	3,189,725,280	3,439,623,180
<b>DWSRF Assistance as a % of Funds Available</b>								
396 *Annual	102%	85%	103%	130%	153%	116%	65%	30%
397 *Cumulative	93%	92%	93%	98%	101%	103%	98%	93%
<b>Outlays as a % of Capitalization Grants</b>								
398 *Annual	74%	124%	95%	103%	107%	56%	80%	80%
399 *Cumulative	94%	98%	98%	98%	99%	91%	90%	89%
<b>Disbursements as a % of Funds Available</b>								
400 *Annual	60%	99%	76%	91%	157%	117%	105%	103%
401 *Cumulative	73%	76%	76%	78%	82%	86%	89%	90%
<b>Project Starts as a % of Funds Available</b>								
402 *Annual	102%	85%	103%	130%	153%	116%	65%	30%
403 *Cumulative	93%	92%	93%	98%	101%	103%	98%	93%
<b>Project Completions as a % of Funds Available</b>								
404 *Annual	24%	9%	6%	10%	11%	61%	45%	4%
405 *Cumulative	44%	39%	36%	33%	31%	35%	36%	34%
<b>Loan Principal Repayments as a % of Funds Available</b>								
406 *Annual	34%	36%	48%	39%	71%	25%	18%	39%
407 *Cumulative	12%	15%	18%	21%	24%	24%	23%	24%
<b>Disbursements as a % of DWSRF Assistance</b>								
408 *Annual	58%	116%	74%	70%	102%	100%	161%	340%
409 *Cumulative	78%	82%	81%	79%	81%	84%	91%	97%
<b>Project Starts as a % of DWSRF Assistance</b>								
410 *Annual	100%	100%	100%	100%	100%	100%	100%	100%
411 *Cumulative	100%	100%	100%	100%	100%	100%	100%	100%
<b>Project Completions as a % of DWSRF Assistance</b>								
412 *Annual	24%	11%	6%	8%	7%	53%	69%	13%
413 *Cumulative	47%	43%	38%	33%	31%	34%	37%	36%
<b>Loan Principal Repayments as a % of DWSRF Assistance</b>								
414 *Annual	33%	43%	46%	30%	47%	21%	28%	130%
415 *Cumulative	13%	16%	20%	22%	24%	23%	24%	26%
<b>Project Completions as a % of Project Starts</b>								
416 *Annual	24%	11%	6%	8%	7%	53%	69%	13%
417 *Cumulative	47%	43%	38%	33%	31%	34%	37%	36%
<b>Financial Indicators based on Cumulative Activity</b>								
418 *Return on Federal Investment	290.5%	288.6%	303.9%	335.7%	354.4%	375.2%	409.7%	421.2%
419 *Assistance Provided as a % of Funds Available	93.3%	92.3%	93.5%	98.2%	101.3%	103.0%	97.5%	92.6%
420 *Disbursements as a % of Assistance Provided	78.0%	82.2%	81.2%	79.3%	81.3%	83.7%	91.1%	97.0%
421 *Additional Assistance Provided Due to Leveraging	\$578,628,900	\$638,333,679	\$738,617,016	\$997,347,042	\$1,106,464,407	\$1,280,917,162	\$1,426,050,557	\$1,358,501,091
424 *Set-Aside Spending Rate	76.6%	80.2%	84.9%	87.0%	99.2%	94.2%	94.1%	94.7%
425 *Net Return/(Loss) after Repaying Match Bonds Excluding Subsidy	\$96,600,492	\$120,989,991	\$148,985,058	\$172,432,490	\$188,156,649	\$236,338,692	\$281,425,874	\$334,145,392
426 *Net Return on Contributed Capital Excluding Subsidy	17.6%	20.1%	24.5%	27.4%	29.4%	36.7%	40.0%	46.2%
<b>Subsidy Information from PBR as of Report Date</b>								
427 Grant Amount	0	0	1,227,694	0	0	27,769,135	6,134,030	20,333,340
428 Negative Interest	0	0	0	0	0	0	0	0
429 Principal Forgiven	0	0	0	0	0	61,752,272	0	0
430 * Total Annual Subsidy	0	0	1,227,694	0	0	89,521,407	6,134,030	20,333,340
431 * Total Cumulative Subsidy	0	0	1,227,694	1,227,694	1,227,694	90,749,101	96,883,131	117,216,471
<b>Green Project Reserve (GPR) from PBR as of Report Date</b>								
432 Green Infrastructure				0	0	0	0	0
433 Energy Efficiency				0	0	25,109,276	0	0
434 Water Conservation				0	0	2,779,723	0	0
435 Green Innovative				0	0	26,284,562	38,094,942	0
436 * Total Annual GPR				0	0	54,173,561	38,094,942	0
437 * Cumulative GPR				0	0	54,173,561	92,268,503	92,268,503

\* Calculated values.

**Drinking Water SRF Program Information  
for the State of New York**

Fund Analysis	For the Reporting Year Ending June 30 of:						
	2013	2014	2015	2016	2017	2018	2019
<b>DWSRF Funds Available for Projects</b>							
394 *Annual (New Funds)	146,982,308	134,521,052	196,366,955	153,920,794	271,020,384	268,363,144	283,894,388
395 *Cumulative	3,586,605,488	3,721,126,540	3,917,493,495	4,071,414,289	4,342,434,673	4,610,797,817	4,894,692,205
<b>DWSRF Assistance as a % of Funds Available</b>							
396 *Annual	177%	53%	126%	220%	99%	94%	26%
397 *Cumulative	96%	95%	96%	101%	101%	100%	96%
<b>Outlays as a % of Capitalization Grants</b>							
398 *Annual	149%	54%	68%	104%	110%	126%	129%
399 *Cumulative	93%	91%	89%	89%	90%	91%	93%
<b>Disbursements as a % of Funds Available</b>							
400 *Annual	200%	42%	20%	318%	86%	105%	75%
401 *Cumulative	94%	92%	89%	98%	97%	97%	96%
<b>Project Starts as a % of Funds Available</b>							
402 *Annual	177%	53%	126%	219%	99%	94%	26%
403 *Cumulative	96%	95%	96%	101%	101%	100%	96%
<b>Project Completions as a % of Funds Available</b>							
404 *Annual	32%	43%	13%	626%	85%	100%	13%
405 *Cumulative	34%	34%	33%	55%	57%	60%	57%
<b>Loan Principal Repayments as a % of Funds Available</b>							
406 *Annual	68%	77%	54%	70%	43%	45%	42%
407 *Cumulative	26%	28%	29%	31%	32%	32%	33%
<b>Disbursements as a % of DWSRF Assistance</b>							
408 *Annual	113%	79%	16%	145%	87%	112%	287%
409 *Cumulative	98%	98%	92%	97%	96%	97%	100%
<b>Project Starts as a % of DWSRF Assistance</b>							
410 *Annual	100%	100%	100%	100%	100%	100%	100%
411 *Cumulative	100%	100%	100%	100%	100%	100%	100%
<b>Project Completions as a % of DWSRF Assistance</b>							
412 *Annual	18%	81%	11%	285%	86%	107%	51%
413 *Cumulative	35%	36%	34%	55%	57%	60%	59%
<b>Loan Principal Repayments as a % of DWSRF Assistance</b>							
414 *Annual	38%	145%	43%	32%	43%	48%	159%
415 *Cumulative	27%	30%	30%	31%	31%	32%	34%
<b>Project Completions as a % of Project Starts</b>							
416 *Annual	18%	81%	11%	286%	86%	107%	51%
417 *Cumulative	35%	36%	34%	55%	57%	60%	59%
<b>Financial Indicators based on Cumulative Activity</b>							
418 *Return on Federal Investment	412.8%	405.9%	382.6%	418.7%	426.8%	435.7%	434.0%
419 *Assistance Provided as a % of Funds Available	96.1%	94.5%	96.1%	100.8%	100.7%	100.3%	96.0%
420 *Disbursements as a % of Assistance Provided	98.2%	97.8%	92.4%	96.7%	96.2%	97.0%	100.0%
421 *Additional Assistance Provided Due to Leveraging	\$1,485,721,726	\$1,431,647,380	\$1,501,462,357	\$1,726,006,548	\$1,877,142,292	\$2,000,906,898	\$1,938,752,208
424 *Set-Aside Spending Rate	90.4%	89.4%	89.1%	91.2%	93.9%	94.4%	95.1%
425 *Net Return/(Loss) after Repaying Match Bonds Excluding Subsidy	\$378,856,700	\$414,492,168	\$461,117,313	\$494,823,288	\$532,731,157	\$583,816,459	\$637,631,854
426 *Net Return on Contributed Capital Excluding Subsidy	47.4%	51.1%	53.5%	56.7%	59.4%	63.0%	65.6%
<b>Subsidy Information from PBR as of Report Date</b>							
427 Grant Amount	7,328,269	13,916,896	10,409,280	24,191,794	10,653,083	13,593,967	4,806,892
428 Negative Interest	0	0	0	0	0	0	0
429 Principal Forgiven	0	0	0	0	0	0	0
430 * Total Annual Subsidy	7,328,269	13,916,896	10,409,280	24,191,794	10,653,083	13,593,967	4,806,892
431 * Total Cumulative Subsidy	124,544,740	138,461,635	148,870,915	173,062,709	183,715,792	197,309,759	202,116,651
<b>Green Project Reserve (GPR) from PBR as of Report Date</b>							
432 Green Infrastructure	0	0	0	0	0	0	0
433 Energy Efficiency	0	0	0	0	0	0	0
434 Water Conservation	0	0	0	0	0	0	0
435 Green Innovative	0	0	0	0	0	0	0
436 * Total Annual GPR	0	0	0	0	0	0	0
437 * Cumulative GPR	92,268,503	92,268,503	92,268,503	92,268,503	92,268,503	92,268,503	92,268,503

\* Calculated values.

EXHIBIT 4  
Set Aside Uses and Amounts as Published in the IUPs

Exhibit 4 - Set-Aside Uses and Amounts as Published in the Intended Use Plans

From FFY 2018 IUP

TABLE 2 INTENDED USE & DISTRIBUTION OF NYS DWSRF FFY 2018 SET-ASIDE FUNDS				
Set-Aside	% Allowed by SDWA	FFY 2018 Maximum Allocation <sup>1</sup> Allowed by SDWA	NYS %	NYS's FFY 2018 Use
<b>Administration</b> DOH (2%) EFC (2%) <sup>2</sup>	4%	\$1,560,000	4%	\$1,560,000 (\$780,000) (\$780,000)
<b>Technical Assistance</b> DOH	2%	\$780,000	2%	\$780,000 (\$780,000)
<b>State Program Management</b> Administer PWSS Program DOH	10%	\$3,900,000	10%	\$3,900,000 (\$3,900,000)
<b>Special Activity Set-Asides</b> <sup>3&amp;4</sup> Land Acquisition Capacity Development Wellhead Protection SW Petition Programs	15% (10%) (10%) (10%) (10%)	\$5,850,000 (\$3,900,000) (\$3,900,000) (\$3,900,000) (\$3,900,000)	0%	\$0
<b>Total Set-Asides</b> <sup>5</sup>	31%	\$12,090,000	16%	\$6,240,000
<sup>1</sup> Based on an estimated Federal Capitalization Grant of \$39,000,000 and is subject to change. <sup>2</sup> Depending on DOH/EFC program needs, DOH and EFC may adjust the percentages of the Set-Asides. <sup>3</sup> No more than 10% for any individual component and a total of 15% under Special Activity Set-Asides. <sup>4</sup> Future IUP amendment may be issued to use set-aside funds for these activities depending on program needs. <sup>5</sup> The US EPA Safe Drinking Water Act allows for States to use up to 31% of the federal Capitalization Grant for set- asides and NYS intends on using only 16% of the federal Capitalization Grant for total set-asides.				

From FFY 2019 IUP

TABLE 2 INTENDED USE & DISTRIBUTION OF NYS DWSRF FFY 2019 SET-ASIDE FUNDS				
Set-Aside	% Allowed by SDWA	FFY 2019 Maximum Allocation <sup>1</sup> Allowed by SDWA	NYS %	NYS's FFY 2018 Use
<b>Administration</b> DOH (2%) EFC (2%) <sup>2</sup>	4%	\$1,800,000	4%	\$1,800,000 (\$900,000) (\$900,000)
<b>Technical Assistance</b> DOH	2%	\$900,000	2%	\$900,000 (\$900,000)
<b>State Program Management</b> Administer PWSS Program DOH	10%	\$4,500,000	10%	\$4,500,000 (\$4,500,000)
<b>Special Activity Set-Asides</b> <sup>3 &amp; 4</sup> Land Acquisition Capacity Development Wellhead Protection SW Petition Programs	15% (10%) (10%) (10%) (10%)	\$6,750,000 (\$4,500,000) (\$4,500,000) (\$4,500,000) (\$4,500,000)	0%	\$0
<b>Total Set-Asides</b> <sup>5</sup>	31%	\$13,950,000	16%	\$7,200,000
<sup>1</sup> Based on an estimated Federal Capitalization Grant of \$45,000,000 and is subject to change. <sup>2</sup> Depending on DOH/EFC program needs, DOH and EFC may adjust the percentages of the Set-Asides. <sup>3</sup> No more than 10% for any individual component and a total of 15% under Special Activity Set-Asides. <sup>4</sup> Future IUP amendment may be issued to use set-aside funds for these activities depending on program needs. <sup>5</sup> The US EPA Safe Drinking Water Act allows for States to use up to 31% of the federal Capitalization Grant for set- asides and NYS intends on using only 16% of the federal Capitalization Grant for total set-asides.				

**EXHIBIT 5**  
**Copies of the Federal Grant Awards for FFYs 2016 &2017**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**July 19, 2018**

**VIA EMAIL**

**Agreement No. FS99290518-0**

Howard A. Zucker, M.D., J.D.  
Commissioner  
New York State Department of Health  
Empire State Plaza, Corning Tower-Room 1110  
Albany, NY 12237

**Subject: NYSDOH FFY 18 Drinking Water State Revolving Fund Capitalization Grant**

Dear Commissioner Zucker:

Attached please find a Grant Agreement to assist the New York State Department of Health in the administration of the above-referenced program. Your application dated May 10, 2018, revised on June 11, 2018, requesting \$45,363,000 has been approved. Your attention is directed to the terms and conditions contained in this award document. Included in these Conditions is the payment schedule for \$45,363,000. Additionally, the workplan dated June 11, 2018, and the FY 2018 Intended Use Plan (IUP) dated October 1, 2017, Amendment No. 1 dated March 28, 2018, and Amendment No. 2 dated June 6, 2018, are hereby approved.

EPA has compiled requirements that apply to all agreements in an on-line set of conditions, which are referenced in the section of the award entitled, GENERAL TERMS AND CONDITIONS. You must access these and ensure your organization complies with them. Additionally, your agreement includes grant-specific administrative and programmatic conditions with which your organization must also comply. Please pay particular attention to General Condition 11: "Recipient Integrity and Performance Matters - Reporting of Matters Related to Recipient Integrity and Performance." This condition highlights requirements for grant recipients to report applicable information on civil, criminal, or administrative proceedings.

If your work plan and budget include subawards of financial assistance (2 CFR 200.92 and 200.330), please pay particular attention to EPA's National Term and Condition for Subawards which is found in the programmatic terms and conditions for this award. By accepting this assistance agreement, your organization is certifying that it either has systems in place to comply with the regulatory or EPA policy requirements specified in the National Term and Condition for Subawards or that it will refrain from making subawards with funding EPA provides under this agreement until the systems are designed and implemented. Also note that should your organization decide to make a subaward(s) that was not described in the work plan and budgeted for under this agreement you must obtain prior written approval from EPA's Award Official for the subaward as provided at 2 CFR 200.308(c)(1)(vi).

The forms and guidance you will need to administer your agreement can be found at the EPA website at <https://www.epa.gov/grants/epa-grantee-forms>

As a reminder, EPA has eliminated the requirement for recipients to submit a signed Affirmation of Award for assistance agreements. An assistance agreement recipient demonstrates its commitment to carry out the award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or, 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. Please see the "Notice of Award" section of the agreement for more information. Due to this change, you are not required to sign and return a copy of the attached agreement. However, if you wish to file a notice of disagreement with the award terms and conditions, you must email your notice to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov). All email attachments must be sent in pdf format. Documents emailed to us in any other format cannot be accepted.


Sincerely,

A handwritten signature in black ink, appearing to read "RJM", with the word "For" written below it in a smaller, cursive script.

Richard J. Manna  
Assistant Regional Administrator  
for Policy and Management

Attachment

cc: Edward Cahill, NYSDOH  
Roger Sokol, NYSDOH  
Lori Ahmed, NYSDOH  
Laura Fishman, USEPA/DWMIB/SRF  
Jane Leu, USEPA/CWD/DWMIB

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 99290518 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> FS	<b>DATE OF AWARD</b> 07/11/2018
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 07/18/2018
		<b>PAYMENT METHOD:</b> Advance	<b>ACH#</b> 20039
<b>RECIPIENT TYPE:</b> State		<b>Send Payment Request to:</b> Las Vegas Finance Center	
<b>RECIPIENT:</b> New York State Department of Health Empire State Plaza, Corning Tower-Room 1110 Albany, NY 12237 <b>EIN:</b> 14-6013200		<b>PAYEE:</b> NYS Department of Health Empire State Plaza, Corning Tower-Room 1110 Albany, NY 12237	
<b>PROJECT MANAGER</b> Lloyd Wilson Corning Tower, Room 11th Floor Albany, NY 12237 <b>E-Mail:</b> lloyd.wilson@health.ny.gov <b>Phone:</b> 518-402-7650		<b>EPA PROJECT OFFICER</b> Jane Leu 290 Broadway, CWD/DWMIB New York, NY 10007-1866 <b>E-Mail:</b> Leu.Jane@epa.gov <b>Phone:</b> 212-637-3815	
<b>EPA GRANT SPECIALIST</b> Janeime Castro Grants and Audit Management Branch, OPM/GAMB <b>E-Mail:</b> Castro.Janeime@epa.gov <b>Phone:</b> 212-637-3573			
<b>PROJECT TITLE AND DESCRIPTION</b> NYSDOH FFY2018 Drinking Water State Revolving Fund This grant is to continue the capitalization of the New York State Drinking Water State Revolving Fund Program, which provides a long-term source of financing for the construction of infrastructure projects and for the administration of a range of activities including small community technical assistance, source water protection, capacity development, and operator certification. These practices will protect human health by reducing exposure to contaminants in drinking water, in fish and shellfish, and in recreational waters.			
<b>BUDGET PERIOD</b> 10/01/2017 - 09/30/2024	<b>PROJECT PERIOD</b> 10/01/2017 - 09/30/2024	<b>TOTAL BUDGET PERIOD COST</b> \$54,435,600.00	<b>TOTAL PROJECT PERIOD COST</b> \$54,435,600.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 06/11/2018 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$45,363,000. EPA agrees to cost-share <u>83.33%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$45,363,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 2 Clean Water Division 290 Broadway New York, NY 10007-1866	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
<b>Digital signature applied by EPA Award Official for</b> Richard Manna - Assistant Regional Administrator for Policy and Management Donald Pace - Award Official delegate			<b>DATE</b> 07/11/2018



## EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 45,363,000	\$ 45,363,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 9,072,600	\$ 9,072,600
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 54,435,600	\$ 54,435,600

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.468 - Safe Drinking Water State Revolving Fund	Safe Drinking Water Act: Sec. 130 Amended 1996 (PL 104-182)	2 CFR 200 2 CFR 1500 40 CFR 33 and 40 CFR 35 Subpart L

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1802HE0209	18	E3	022	000B81	4109	18DA	-	38,104,920
-	1802HE0209	18	E3	022	000B81	4109	18DD	-	1,814,520
-	1802HE0209	18	E3	022	000B81	4109	18DE	-	907,260
-	1802HE0209	18	E3	022	000B81	4109	18DFA	-	4,536,300
									45,363,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
<b>1. Personnel</b>	\$2,965,955
<b>2. Fringe Benefits</b>	\$1,853,129
<b>3. Travel</b>	\$86,000
<b>4. Equipment</b>	\$0
<b>5. Supplies</b>	\$84,476
<b>6. Contractual</b>	\$454,000
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$48,992,040
<b>9. Total Direct Charges</b>	\$54,435,600
<b>10. Indirect Costs: <u>0.00%</u> Base <u>0</u></b>	\$0
<b>11. Total (Share: Recipient <u>16.67</u> % Federal <u>83.33</u> %.)</b>	\$54,435,600
<b>12. Total Approved Assistance Amount</b>	\$45,363,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$45,363,000
<b>15. Total EPA Amount Awarded To Date</b>	\$45,363,000

## **Administrative Conditions**

### **GENERAL TERMS AND CONDITIONS**

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-2-2017-or-later>. These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at <http://www.epa.gov/grants/grant-terms-and-conditions>.

### **GRANT-SPECIFIC ADMINISTRATIVE CONDITIONS**

#### **A. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MBE/WBE)**

##### **MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E**

MBE/WBE reporting is required in annual reports. Reporting is required for assistance agreements where there are funds budgeted for procuring construction, equipment, services and supplies, including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category that exceed the threshold amount of \$150,000, including amendments and/or modifications.

Based on EPA's review of the planned budget, this award meets the conditions above and is subject to the Disadvantaged Business Enterprise (DBE) Program reporting requirements. However, if recipient believes this award does not meet these conditions, it must provide [insert Regional or Headquarters point of contact] with a justification and budget detail within 21 days of the award date clearly demonstrating that, based on the planned budget, this award is not subject to the DBE reporting requirements.

The recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" report (EPA Form 5700-52A) on an annual basis. All procurement actions are reportable, not just that portion which exceeds \$150,000.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30<sup>th</sup> of each year. Final reports are due by October 30<sup>th</sup> or 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on total procurements. Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to [insert name and contact information of the appropriate DBE coordinator and Grants Specialist (optional)]. The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at [http://www.epa.gov/osbp/dbe\\_reporting.htm](http://www.epa.gov/osbp/dbe_reporting.htm)

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR

Part 33 remain in effect, including the Good Faith Effort requirements as described in 40 CFR Part 33 Subpart C, and Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D and explained below.

**GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

**FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

**Current Fair Share Objective/Goal**

The dollar amount of this assistance agreement or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The **New York State Department of Environmental Conservation** has negotiated the following, applicable MBE/WBE fair share objectives/goals with EPA as follows:

Construction - Minority and Women Business Enterprise (MBE/WBE) Participation Goals:

Combined MBE/WBE statewide            20%

Non-Construction – Minority and Women Business Enterprise (MBE/WBE) Participation Goals:

(For all other professional and contractual services; supplies and equipment)

Combined MBE/WBE statewide            20%

**Negotiating Fair Share Objectives/Goals**

In accordance with 40 CFR, Part 33, Subpart D, established goals/objectives remain in effect for three fiscal years unless there are significant changes to the data supporting the fair share objectives. The recipient is required to follow requirements as outlined in 40 CFR Part 33, Subpart D when renegotiating the fair share objectives/goals.

**OBJECTIVE/GOALS OF LOAN RECIPIENTS**

As a recipient of an EPA financial assistance agreement to capitalize revolving loan funds, the recipient agrees to either apply its own fair share objectives negotiated with EPA to identified loans using a substantially similar relevant geographic market, or negotiate separate fair share objectives with its identified loan recipients. These separate objectives/goals must be based on demonstrable evidence of the availability of MBEs and WBEs in accordance with 40 CFR, Part 33, Subpart D.

The recipient agrees that if procurements will occur over more than one year, the recipient may choose to apply the fair share objective in place either for the year in which the identified loan is awarded or for the year in which the procurement action occurs. The recipient must specify this choice in the financial assistance agreement, or incorporate it by reference therein.

**SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

(a) 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.

(b) 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.

(c) 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.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

#### **CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

#### **BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

### **B. INTERIM FEDERAL FINANCIAL REPORT AND CLOSE-OUT INSTRUCTIONS**

#### **1. Interim Federal Financial Reports (FFRs)**

Pursuant to 2 CFR 200.327, EPA recipients shall submit an interim annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the anniversary of the start date of the agreement. The FFR must be faxed to the Las Vegas Finance Office at 702-798-2423, emailed to [LVFC-grants@epa.gov](mailto:LVFC-grants@epa.gov). A courtesy copy of the interim FFR can be submitted to the Grants and Audit Management Branch via email to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov). All email attachments must be sent in pdf format. Documents emailed to us in any other format will not be accepted.

EPA may take enforcement actions in accordance with 2 CFR 200.338 if the recipient does not comply with this term and condition.

#### **2. Closeout**

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FFR, in accordance with 2 CFR 200.343. At that time, the recipient must submit the following forms/reports to the EPA Region 2 Grants and Audit Management Branch, if applicable:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

Additionally, the recipient's Final Request for Payment should be submitted to the LVFC.

### **C. EXTENSION OF PROJECT/BUDGET PERIOD EXPIRATION DATE**

EPA has not exercised the waiver option to allow automatic one-time extensions for non-research grants under 2 CFR 200.308 (d)(2). Therefore, if a no cost time extension is necessary to extend the period of availability of funds the recipient must submit a written request to the EPA prior to the budget/project period expiration dates. **The written request must include:** a written justification describing the need for additional time, an estimated date of completion, and a revised schedule for project completion including updated milestone target dates for the approved workplan activities. In addition, if there are overdue reports required by the administrative and programmatic terms and conditions of this assistance agreement, the recipient must ensure that they are submitted along with or prior to submitting the no cost time extension request.

The extension request must be submitted to the EPA-Grants and Audit Management Branch via email to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov). An interim FFR (SF-425) covering all expenditures and obligations to date, must be emailed to the Las Vegas Finance Office at [LVFC-grants@epa.gov](mailto:LVFC-grants@epa.gov) or sent to the following address:

US EPA, Las Vegas Finance Center  
4220 S. Maryland Pkwy, Bld C, Rm 503  
Las Vegas, NV 89119

To expedite processing of your request, please submit a courtesy copy of the interim FFR to the Grants and Audit Management Branch along with your written extension request. All email attachments must be sent in pdf format. Documents emailed to us in any other format will not be accepted.

### **D. PRE-AWARD COSTS**

In accordance with 2 CFR §1500.8, NYSDOH may charge pre-award costs (both Federal and non-Federal matching shares) incurred from October 1, 2017 to the actual award date provided that such costs were contained in the approved application and the approved FFY 2018 IUP, dated October 1, 2017, Amendment No. 1 dated March 28, 2018, and Amendment No. 2 dated June 6, 2018, and all costs are incurred within the approved budget period.

## **Programmatic Conditions**

### **GRANT-SPECIFIC PROGRAMMATIC CONDITIONS**

#### **A. AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP)**

The New York State Department of Health (NYSDOH) on behalf of the State of New York agrees to accept payment from the United States Environmental Protection Agency (EPA) with funds to be made available from the federal fiscal year (FFY) 2018 Safe Drinking Water Act (SDWA) allotment. In accordance with the below payment schedule and will deposit all such payments into the Drinking Water State Revolving Fund (DWSRF) program accounts in accordance with the Operating Agreement. Payments and disbursements are defined as follows in accordance with Section 1452 of the SDWA and

the DWSRF Final Guidelines, 40 CFR Part 35 Subpart L, and the Operating Agreement. A payment is an action taken by EPA to increase the amount of funds available for cash draw through the ASAP system. A payment is not a transfer of cash to the state, but an authorization by EPA to make capitalization grant funds available for transfer to a state after the state submits a cash draw request. A disbursement is the transfer of cash from the DWSRF program account established in the state's bank to an assistance recipient.

Payments will be made from ASAP in accordance with the following schedule :

\$38,104,920	DWSRF FUND (PROJECTS)	PAYMENT: SEPTEMBER 2018
DCN#HE0209	PRC: 000B81	SITE/PROJECT: 18DA
\$1,814,520	DWSRF ADMINISTRATION	PAYMENT: SEPTEMBER 2018
DCN#HE0209	PRC: 000B81	SITE/PROJECT: 18DD
\$907,260	DWSRF TECHNICAL ASST.	PAYMENT: SEPTEMBER 2018
DCN#HE0209	PRC: 000B81	SITE/PROJECT: 18DE
\$4,536,300	DWSRF PROGRAM MGMT.	PAYMENT: SEPTEMBER 2018
<u>DCN#HE0209</u>	PRC: 000B81	SITE/PROJECT: 18DFA
\$45,363,000		

## B. CASH DRAW REQUIREMENTS

The NYSDOH agrees to the following conditions in accepting this Grant Agreement under the ASAP method of financing:

- (a) Cash draws made pursuant to 40 CFR 35.3160(b)(2) must be disbursed to refinancing recipients within three days of OSC cash draw.
- (b) All other cash draws will be made only to meet immediate disbursement needs. The three-day disbursement requirement is in accordance with the ASAP Payment System.
- (c) NYSDOH shall provide timely reporting of cash disbursements and balances as required by the ASAP Manual.

## C. PROGRAM INCOME FROM ADMINISTRATIVE FEES

Program income earned during the grant period may be used for the specific purposes identified in 2 CFR 200.307 and 2 CFR 1500.7. The recipient agrees to maintain program income resulting from program operations generated during the project period (e.g. administrative fees collected from DWSRF project loan recipients) in an account separate from the DWSRF project loan fund. In addition, the recipient agrees that such program income shall be used only for purposes related to the administration of the DWSRF program or other purposes authorized pursuant to EPA regulations.

## D. GENERAL ADMINISTRATIVE REQUIREMENTS

The NYSDOH agrees, pursuant to Section 1452 of the Safe Drinking Water Act (SDWA) as amended, the

DWSRF Final Guidelines and 40 CFR Part 35 Subpart L, to administer the SRF program in accordance with the terms, agreements, assurances, and representations made within the Operating Agreement, Intended Use Plan, and the application for Federal Assistance submitted May 10, 2018. The scope of work for this Grant Agreement shall be the items listed in the application and the FFY 2018 Final DWSRF Intended Use Plan dated October 1, 2017, Amendment 1 dated March 28, 2018, and Amendment 2 dated June 6, 2018

#### **E. PROPORTIONALITY**

The federal cash draw percentage for projects (\$38,104,920) for the FFY 2018 grant is 80.77%. The federal cash draw percentage for the following set-aside activities is 100%. DWSRF Administration (\$1,814,520), DWSRF Program Management (\$4,536,300) and DWSRF Technical Assistance (\$907,260).

#### **F. STATE MATCH**

The recipient agrees to deposit into its Drinking Water State Revolving Fund (DWSRF) a match equal to at least 20 percent of the amount awarded in the capitalization grant (\$9,072,600).

#### **G. INTENDED USE PLAN AND OPERATING AGREEMENT**

The entire contents of the FFY 2018 DWSRF Intended Use Plan (IUP) and the Operating Agreement (OA) are incorporated hereto by reference and made a part of this Assistance Agreement.

#### **H. SET-ASIDE WORKPLANS**

Work plans for each set-aside for which grant assistance is provided, excluding the four percent (4%) Administrative set-aside, shall be submitted annually. The recipient agrees to perform the activities identified and specified in the work plan, which is made part of this Assistance Agreement. The work plan contents will follow the Final DWSRF Guidelines, and shall include information regarding the budget for the upcoming federal fiscal year, funds "banked" for future years, costs incurred to date, and the use of funds carried-forward from previous years. The annual work plans will be submitted by July 1 of each year. Payments may be deferred and cash draws prohibited until the work plans are approved by EPA.

#### **I. SET-ASIDE REPORTING**

The recipient agrees to provide to Mr. Douglas Pabst, Region 2 Drinking Water and Municipal Infrastructure Branch Chief an annual report on the set-aside activities funded under this grant. This report shall be provided 90 days after the end of the federal fiscal year the grant is in effect.

#### **J. SET-ASIDES SUB-GRANTS AND CONTRACTS**

The recipient shall provide or make available to Mr. Douglas Pabst, Region 2 Drinking Water and Municipal Infrastructure Branch Chief, copies of the work plans associated with grants and contracts that it may enter into with other agencies and organizations related to activities conducted under this grant. In its semi-annual report, the grant recipient shall include a summary description of activities completed under grants and contracts entered into with funds made available under the grant.

#### **K. BIENNIAL REPORTING**

In accordance with 2 CFR 200.328 and 40 CFR 35.3570 the recipient agrees to provide in its Biennial Report information regarding key project characteristics, milestones, and environmental/public health protection results in the following areas: 1) achievement of the outputs and outcomes established in the



Intended Use Plan; 2) the reasons for delays if established outputs or outcomes were not met; 3) any additional pertinent information on environmental/public health results; 4) compliance with the Green Project Reserve discretionary requirement as outlined in the FY 2012 SRF Procedures document; and 5) use of additional subsidization.

#### **L. SUBAWARD PERFORMANCE REPORTING**

The recipient must report on its subaward monitoring activities under 2 CFR 200.331(d). Examples of items that must be reported if the pass-through entity has the information available are:

- (1) Summaries of results of reviews of financial and programmatic reports.
- (2) Summaries of findings from site visits and/or desk reviews to ensure effective subrecipient performance.
- (3) Environmental results the subrecipient achieved.
- (4) Summaries of audit findings and related pass-through entity management decisions.
- (5) Actions the pass-through entity has taken to correct deficiencies such as those specified at 2 CFR 200.331(e), 2 CFR 200.207 and the 2 CFR Part 200.338 Remedies for Noncompliance.

#### **M. DRINKING WATER NATIONAL INFORMATION MANAGEMENT SYSTEMS (DWNIMS)**

The recipient agrees to input data, as required by EPA to the DWNIMS. EPA agrees to provide technical assistance to the state in its use of the DWNIMS as a management information system.

#### **N. PUBLIC HEALTH BENEFITS REPORTING**

The recipient of funds for the State Revolving Funds (SRF) from the Consolidated Appropriations Act, 2018, P.L. 115-141, agrees to comply with all requests for data related to the use of the funds under Section 1452 of the Safe Drinking Water Act (SDWA), and to report all uses of the funds no less than quarterly, as the Environmental Protection Agency specifies for the Drinking Water Project and Benefits Reporting (PBR) database. This reporting shall include but not be limited to data with respect to the DWSRF discretionary Green Program and additional subsidization requirements as specified in P.L. 115-14, and as outlined in the FY 2012 Procedures document and other data as necessary to carry out the authorities cited in this Grant Condition.

#### **O. TRAVEL**

EPA approves the use of federal funds for travel budgeted in capitalization grants for implementing the DWSRF program. The recipient agrees to use federal funds to participate in training and professional development activities integral to the effective implementation and management of the DWSRF program.

#### **P. SIGNAGE**

The recipient agrees to comply with the SRF Signage Guidelines in order to enhance public awareness of EPA assistance agreements nationwide. The signage guidance, "Guidelines for Enhancing Public Awareness of SRF Assistance Agreements," June 3, 2015," can be found at the following link: [https://www.epa.gov/sites/production/files/2016-07/documents/guidelines\\_for\\_enhancing\\_public\\_awareness\\_srf.pdf](https://www.epa.gov/sites/production/files/2016-07/documents/guidelines_for_enhancing_public_awareness_srf.pdf)

#### **Q. GEOSPATIAL DATA STANDARDS**

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at [www.fgdc.gov](http://www.fgdc.gov).

## **R. STATE GRANT CYBERSECURITY CONDITION**

- (a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements.
- (b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition. If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.
- (2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

## **S. GREEN PROJECT RESERVE**

The recipient agrees that the funds provided by this capitalization grant may, at the discretion of the recipient, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.

## **T. ADDITIONAL SUBSIDIZATION**

In addition to the disadvantaged community assistance that can be provided at a state's discretion as described in Section 1452(d) of the Safe Drinking Water Act (SDWA), the recipient agrees to use twenty percent (20%) of the funds made available in the capitalization grant (\$9,072,600) to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these) which shall be used:

- where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred after March 23, 2018, or where such debt was incurred prior to March 23, 2018, if
  - o the recipient, with concurrence from the EPA Region, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water, or
  - o a federal or state emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this act.

Furthermore, in a state in which such an emergency declaration has been issued, the recipient may use more than twenty percent (20%) of the funds made available under this title to the state for DWSRF capitalization grants to provide additional subsidy to eligible recipients. The additional subsidy ceiling in these circumstances is the total capitalization grant amount, minus set-asides taken.

## **U. AMERICAN IRON AND STEEL**

**(a) Definitions.** As used in this award term and condition—

(1) “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.

(2) *Steel* means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

**(b) Domestic preference.**

(1) This award term and condition implements P.L. 115-141, Consolidated Appropriations Act, 2018, Section 424, by requiring that all iron and steel products used for a project for the construction, alteration, maintenance or repair of a public water system are produced in the United States except as provided in paragraph (b)(2) of this section and condition.

(2) This requirement shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency finds that:—

(i) applying the requirement would be inconsistent with the public interest;

(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

**(c) Request for a Waiver under (b)(2) of this section**

(1) Any recipient request to use foreign iron or steel products in accordance with paragraph (b)(3) of this section shall include adequate information for Federal Government evaluation of the request, including—

(A) A description of the foreign and domestic iron, steel, and/or manufactured goods;

(B) Unit of measure;

(C) Quantity;

(D) Cost;

(E) Time of delivery or availability;

(F) Location of the project;

(G) Name and address of the proposed supplier; and

(H) A detailed justification of the reason for use of foreign iron or steel products cited in accordance with paragraph (b)(2) of this section.

(2) If the Administrator receives a request for a waiver under this section, the waiver request shall be made available to the public for at least 15 days prior to making a finding based on the request.

(3) Unless the Administrator issues a waiver of this term, use of foreign iron and steel products is noncompliant with the Consolidated Appropriations Act, 2018 (P.L. 115-141).

**(d)** This term and condition shall be applied in a manner consistent with United States obligations under international agreements.

## V. WAGE RATE REQUIREMENTS

The recipient agrees to include in all agreements to provide assistance for any construction project carried out in whole or in part with such assistance made available by a drinking water revolving loan fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), a term and condition requiring compliance with the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C.300j-9(e)) in all procurement contracts and sub-grants, and require that loan recipients, procurement contractors and sub-grantees include such a term and condition in subcontracts and other lower tiered transactions All contracts and subcontracts for any construction project carried out in whole or in part with assistance made available as stated herein shall insert in full in any contract in excess of \$2,000 the contract clauses as attached hereto entitled "Wage Rate Requirements Under The Clean Water Act, Section 513 and the Safe Drinking Water Act, Section 1450(e)." This term and condition applies to all agreements to provide assistance under the authorities referenced herein, whether in the form of a loan, bond purchase, grant, or any other vehicle to provide financing for a project, where such agreements are executed on or after October 30, 2009.

### Preamble

With respect to the Safe Drinking Water State Revolving Funds, EPA provides capitalization grants to each State which in turn provides sub grants or loans to eligible entities within the State. Typically, the sub recipients are municipal or other local governmental entities that manage the funds. For these types of recipients, the provisions set forth under Roman numeral I, below, shall apply. Although EPA and the State remain responsible for ensuring sub recipients' compliance with the wage rate requirements set forth herein, those sub recipients shall have the primary responsibility to maintain payroll records as described in Section 3(ii)(A), below and for compliance as described in Section I-5.

Occasionally, the sub recipient may be a private for profit or not for profit entity. For these types of recipients, the provisions set forth in Roman Numeral II, below, shall apply. Although EPA and the State remain responsible for ensuring sub recipients' compliance with the wage rate requirements set forth herein, those sub recipients shall have the primary responsibility to maintain payroll records as described in Section II-3(ii)(A), below and for compliance as described in Section II-5.

### **I. Requirements Under the Consolidated Appropriations Act , 2018 (P.L. 115-141)**

#### **For Sub recipients That Are Governmental Entities :**

The following terms and conditions specify how recipients will assist EPA in meeting its Davis-Bacon (DB) responsibilities when DB applies to EPA awards of financial assistance with respect to State recipients and sub recipients that are governmental entities. If a sub recipient has questions regarding when DB applies, obtaining the correct DB wage determinations, DB provisions, or compliance monitoring, it may contact the State recipient. If a State recipient needs guidance, the recipient may contact **Anthony Tao of the USEPA Region 2 Contracts Management Branch , at 212-637-3372 or at the following email address : tao.anthony@epa.gov**, for guidance. The recipient or sub recipient may also obtain additional guidance from DOL's web site at <http://www.dol.gov/whd/>

#### **1. Applicability of the Davis-Bacon (DB) prevailing wage requirements .**

DB prevailing wage requirements apply to the construction, alteration, and repair of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund and to any construction project carried out in whole or in part by assistance made available by a drinking water treatment revolving loan fund. If a sub recipient encounters a unique situation at a site that presents uncertainties regarding DB applicability, the sub recipient must discuss the situation with the recipient State before authorizing work on that site.

#### **2. Obtaining Wage Determinations .**

(a) Sub recipients shall obtain the wage determination for the locality in which a covered activity subject to DB will take place prior to issuing requests for bids, proposals, quotes or other methods for soliciting

contracts (solicitation) for activities subject to DB. These wage determinations shall be incorporated into solicitations and any subsequent contracts. Prime contracts must contain a provision requiring that subcontractors follow the wage determination incorporated into the prime contract.

- (i) While the solicitation remains open, the sub recipient shall monitor [www.wdol.gov](http://www.wdol.gov) weekly to ensure that the wage determination contained in the solicitation remains current. The sub recipients shall amend the solicitation if DOL issues a modification more than 10 days prior to the closing date (i.e. bid opening) for the solicitation. If DOL modifies or supersedes the applicable wage determination less than 10 days prior to the closing date, the sub recipients may request a finding from the State recipient that there is not a reasonable time to notify interested contractors of the modification of the wage determination. The State recipient will provide a report of its findings to the sub recipient.
- (ii) If the sub recipient does not award the contract within 90 days of the closure of the solicitation, any modifications or supersedes DOL makes to the wage determination contained in the solicitation shall be effective unless the State recipient, at the request of the sub recipient, obtains an extension of the 90 day period from DOL pursuant to 29 CFR 1.6(c)(3)(iv). The sub recipient shall monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis if it does not award the contract within 90 days of closure of the solicitation to ensure that wage determinations contained in the solicitation remain current.

(b) If the sub recipient carries out activity subject to DB by issuing a task order, work assignment or similar instrument to an existing contractor (ordering instrument) rather than by publishing a solicitation, the sub recipient shall insert the appropriate DOL wage determination from [www.wdol.gov](http://www.wdol.gov) into the ordering instrument.

(c) Sub recipients shall review all subcontracts subject to DB entered into by prime contractors to verify that the prime contractor has required its subcontractors to include the applicable wage determinations.

(d) As provided in 29 CFR 1.6(f), DOL may issue a revised wage determination applicable to a sub recipient's contract after the award of a contract or the issuance of an ordering instrument if DOL determines that the sub recipient has failed to incorporate a wage determination or has used a wage determination that clearly does not apply to the contract or ordering instrument. If this occurs, the sub recipient shall either terminate the contract or ordering instrument and issue a revised solicitation or ordering instrument or incorporate DOL's wage determination retroactive to the beginning of the contract or ordering instrument by change order. The sub recipient's contractor must be compensated for any increases in wages resulting from the use of DOL's revised wage determination.

### **3. Contract and Subcontract provisions .**

(a) The Recipient shall insure that the sub recipient(s) shall insert in full in any contract in excess of \$2,000 which is entered into for the actual construction, alteration and/or repair, including painting and decorating, of a treatment work under the CWSRF or a construction project under the DWSRF financed in whole or in part from Federal funds or in accordance with guarantees of a Federal agency or financed from funds obtained by pledge of any contract of a Federal agency to make a loan, grant or annual contribution (except where a different meaning is expressly indicated), and which is subject to the labor standards provisions of any of the acts listed in § 5.1 or the Consolidated Appropriations Act, 2018, the following clauses:

(1) Minimum wages.

(i) All laborers and mechanics employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (a)(1)(iv) of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in § 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided that the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph (a)(1)(ii) of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

Sub recipients may obtain wage determinations from the U.S. Department of Labor's web site, [www.dol.gov](http://www.dol.gov).

(ii)(A) The sub recipient(s), on behalf of EPA, shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The State award official shall approve a request for an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the sub recipient(s) agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), documentation of the action taken and the request, including the local wage determination shall be sent by the sub recipient (s) to the State award official. The State award official will transmit the request, to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210 and to the EPA DB Regional Coordinator concurrently. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification request within 30 days of receipt and so advise the State award official or will notify the State award official within the 30-day period that additional

time is necessary.

(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the sub recipient(s) do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the award official shall refer the request and the local wage determination, including the views of all interested parties and the recommendation of the State award official, to the Administrator for determination. The request shall be sent to the EPA DB Regional Coordinator concurrently. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt of the request and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii)(B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

## (2) Withholding.

The sub recipient(s), shall upon written request of the EPA Award Official or an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the (Agency) may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

## (3) Payrolls and basic records.

(i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits

under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

(ii)(A) The contractor shall submit weekly, for each week in which any contract work is performed, a copy of all payrolls to the sub recipient, that is, the entity that receives the sub-grant or loan from the State capitalization grant recipient. Such documentation shall be available on request of the State recipient or EPA. As to each payroll copy received, the sub recipient shall provide written confirmation in a form satisfactory to the State indicating whether or not the project is in compliance with the requirements of 29 CFR 5.5(a)(1) based on the most recent payroll copies for the specified week. The payrolls shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on the weekly payrolls. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/whd/forms/wh347instr.htm> or its successor site.

The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the sub recipient(s) for transmission to the State or EPA if requested by EPA, the State, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the sub recipient(s).

(B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under § 5.5(a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under § 5.5(a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(C) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by



paragraph (a)(3)(ii)(B) of this section.

(D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under paragraph (a)(3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the State, EPA or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the Federal agency or State may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

#### (4) Apprentices and trainees

(i) Apprentices. Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the

applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended and 29 CFR part 30.

(5) Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

(6) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (10) and such other clauses as the EPA determines may be appropriate, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

(7) Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

(8) Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

(9) Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and sub recipient(s), State, EPA, the U.S. Department of Labor, or the employees or their representatives.

(10) Certification of eligibility.

(i) By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

#### **4. Contract Provision for Contracts in Excess of \$100,000.**

(a) Contract Work Hours and Safety Standards Act. The sub recipient shall insert the following clauses set forth in paragraphs (a)(1), (2), (3), and (4) of this section in full in any contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by Item 3, above or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (a)(1) of this section the contractor and any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (a)(1) of this section, in the sum of \$25 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (a)(1) of this section.

(3) Withholding for unpaid wages and liquidated damages. The sub recipient, upon written request of the EPA Award Official or an authorized representative of the Department of Labor, shall withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (a)(2) of this section.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (a)(1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (a)(1) through (4) of this section.

(b) In addition to the clauses contained in Item 3, above, in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in 29 CFR 5.1, the Sub recipient shall insert a clause requiring that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security

number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Further, the Sub recipient shall insert in any such contract a clause providing that the records to be maintained under this paragraph shall be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the (write the name of agency) and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview employees during working hours on the job.

## **5. Compliance Verification**

(a) The sub recipient shall periodically interview a sufficient number of employees entitled to DB prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. As provided in 29 CFR 5.6(a)(3), all interviews must be conducted in confidence. The sub recipient must use Standard Form 1445 (SF 1445) or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(b) The sub recipient shall establish and follow an interview schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. Sub recipients must conduct more frequent interviews if the initial interviews or other information indicated that there is a risk that the contractor or subcontractor is not complying with DB.

Sub recipients shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. All interviews shall be conducted in confidence."

(c) The sub recipient shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The sub recipient shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable, the sub recipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date the contract or subcontract. Sub recipients must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with DB. In addition, during the examinations the sub recipient shall verify evidence of fringe benefit plans and payments there under by contractors and subcontractors who claim credit for fringe benefit contributions.

(d) The sub recipient shall periodically review contractors and subcontractor's use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of, laborers, trainees and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in Item 5(b) and (c) above.

(e) Sub recipients must immediately report potential violations of the DB prevailing wage requirements to the EPA DB contact listed above and to the appropriate DOL Wage and Hour District Office listed at <http://www.dol.gov/whd/america2.htm>.

## **II. Requirements Under The Consolidated Appropriations Act , 2018 (P.L. 115-141) For Sub recipients That Are Not Governmental Entities :**

The following terms and conditions specify how recipients will assist EPA in meeting its DB responsibilities when DB applies to EPA awards of financial assistance under the FY2018 Consolidated Appropriations Act with respect to sub recipients that are not governmental entities. If a sub recipient has

questions regarding when DB applies, obtaining the correct DB wage determinations, DB provisions, or compliance monitoring, it may contact the State recipient for guidance. If a State recipient needs guidance, the recipient may **Anthony Tao of the USEPA Region 2 Contracts Management Branch , at 212-637-3372 or at the following email address : [tao.anthony@epa.gov](mailto:tao.anthony@epa.gov)**, EPA Grants Management Office for guidance. The recipient or sub recipient may also obtain additional guidance from DOL's web site at <http://www.dol.gov/whd/>

**Under these terms and conditions , the sub recipient must submit its proposed DB wage determinations to the State recipient for approval prior to including the wage determination in any solicitation , contract task orders , work assignments , or similar instruments to existing contractors .**

### **1. Applicability of the Davis- Bacon (DB) prevailing wage requirements .**

Under the FY 2018 Consolidated Appropriations Act, DB prevailing wage requirements apply to the construction, alteration, and repair of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund and to any construction project carried out in whole or in part by assistance made available by a drinking water treatment revolving loan fund. If a sub recipient encounters a unique situation at a site that presents uncertainties regarding DB applicability, the sub recipient must discuss the situation with the recipient State before authorizing work on that site.

### **2. Obtaining Wage Determinations .**

(a) Sub recipients must obtain proposed wage determinations for specific localities at [www.wdol.gov](http://www.wdol.gov). After the Sub recipient obtains its proposed wage determination, it must submit the wage determination **Michael J. Montysko, P.E. [Michael.Montysko@health.ny.gov](mailto:Michael.Montysko@health.ny.gov), 518-402-7650**, for approval prior to inserting the wage determination into a solicitation, contract or issuing task orders, work assignments or similar instruments to existing contractors (ordering instruments unless subsequently directed otherwise by the State recipient Award Official.)

(b) Sub recipients shall obtain the wage determination for the locality in which a covered activity subject to DB will take place prior to issuing requests for bids, proposals, quotes or other methods for soliciting contracts (solicitation) for activities subject to DB. These wage determinations shall be incorporated into solicitations and any subsequent contracts. Prime contracts must contain a provision requiring that subcontractors follow the wage determination incorporated into the prime contract.

- (i) While the solicitation remains open, the sub recipient shall monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis to ensure that the wage determination contained in the solicitation remains current. The sub recipients shall amend the solicitation if DOL issues a modification more than 10 days prior to the closing date (i.e. bid opening) for the solicitation. If DOL modifies or supersedes the applicable wage determination less than 10 days prior to the closing date, the sub recipients may request a finding from the State recipient that there is not a reasonable time to notify interested contractors of the modification of the wage determination. The State recipient will provide a report of its findings to the sub recipient.
- (ii) If the sub recipient does not award the contract within 90 days of the closure of the solicitation, any modifications or supersedes DOL makes to the wage determination contained in the solicitation shall be effective unless the State recipient, at the request of the sub recipient, obtains an extension of the 90 day period from DOL pursuant to 29 CFR 1.6(c)(3)(iv). The sub recipient shall monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis if it does not award the contract within 90 days of closure of the solicitation to ensure that wage determinations contained in the solicitation remain current.

(c) If the sub recipient carries out activity subject to DB by issuing a task order, work assignment or similar instrument to an existing contractor (ordering instrument) rather than by publishing a solicitation, the sub recipient shall insert the appropriate DOL wage determination from [www.wdol.gov](http://www.wdol.gov) into the ordering instrument.

(d) Sub recipients shall review all subcontracts subject to DB entered into by prime contractors to verify that the prime contractor has required its subcontractors to include the applicable wage determinations.

(e) As provided in 29 CFR 1.6(f), DOL may issue a revised wage determination applicable to a sub recipient's contract after the award of a contract or the issuance of an ordering instrument if DOL determines that the sub recipient has failed to incorporate a wage determination or has used a wage determination that clearly does not apply to the contract or ordering instrument. If this occurs, the sub recipient shall either terminate the contract or ordering instrument and issue a revised solicitation or ordering instrument or incorporate DOL's wage determination retroactive to the beginning of the contract or ordering instrument by change order. The sub recipient's contractor must be compensated for any increases in wages resulting from the use of DOL's revised wage determination.

### **3. Contract and Subcontract provisions .**

(a) The Recipient shall insure that the sub recipient(s) shall insert in full in any contract in excess of \$2,000 which is entered into for the actual construction, alteration and/or repair, including painting and decorating, of a treatment work under the CWSRF or a construction project under the DWSRF financed in whole or in part from Federal funds or in accordance with guarantees of a Federal agency or financed from funds obtained by pledge of any contract of a Federal agency to make a loan, grant or annual contribution (except where a different meaning is expressly indicated), and which is subject to the labor standards provisions of any of the acts listed in § 5.1 or the FY 2018 Consolidated and Continuing Appropriations Act, the following clauses:

#### **(1) Minimum wages.**

(i) All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3) ), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (a)(1)(iv) of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in § 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, that the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph (a)(1)(ii) of this section) and the Davis-Bacon poster

(WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

Sub recipients may obtain wage determinations from the U.S. Department of Labor's web site, [www.dol.gov](http://www.dol.gov).

(ii)(A) The sub recipient(s), on behalf of EPA, shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The State award official shall approve a request for an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the sub recipient(s) agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), documentation of the action taken and the request, including the local wage determination shall be sent by the sub recipient(s) to the State award official. The State award official will transmit the report, to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210 and to the EPA DB Regional Coordinator concurrently. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification request within 30 days of receipt and so advise the State award official or will notify the State award official within the 30-day period that additional time is necessary.

(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the and the sub recipient(s) do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the award official shall refer the request, and the local wage determination, including the views of all interested parties and the recommendation of the State award official, to the Administrator for determination. The request shall be sent to the EPA Regional Coordinator concurrently. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt of the request and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii)(B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash

equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

## (2) Withholding.

The sub recipient(s) shall upon written request of the EPA Award Official or an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the (Agency) may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

## (3) Payrolls and basic records.

(i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

(ii)(A) The contractor shall submit weekly, for each week in which any contract work is performed, a copy of all payrolls to the sub recipient, that is, the entity that receives the sub-grant or loan from the State capitalization grant recipient. Such documentation shall be available on request of the State recipient or EPA. As to each payroll copy received, the sub recipient shall provide written confirmation in a form satisfactory to the State indicating whether or not the project is in compliance with the requirements of 29 CFR 5.5(a)(1) based on the most recent payroll copies for the specified week. The payrolls shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on the weekly payrolls. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and



Hour Division Web site at <http://www.dol.gov/whd/forms/wh347instr.htm> or its successor site.

The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the sub recipient(s) for transmission to the State or EPA if requested by EPA, the State, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the sub recipient(s).

(B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under § 5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under § 5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(C) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (a)(3)(ii)(B) of this section.

(D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under paragraph (a)(3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the State, EPA or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the Federal agency or State may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

(4) Apprentices and trainees--

(i) Apprentices. Apprentices will be permitted to work at less than the predetermined rate for the work they

performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractors registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended and 29 CFR part 30.

(5) Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29

CFR part 3, which are incorporated by reference in this contract.

(6) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (10) and such other clauses as the EPA determines may be appropriate, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

(7) Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

(8) Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

(9) Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and Sub recipient(s), State, EPA, the U.S. Department of Labor, or the employees or their representatives.

(10) Certification of eligibility.

(i) By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

#### **4. Contract Provision for Contracts in Excess of \$100,000.**

(a) Contract Work Hours and Safety Standards Act. The sub recipient shall insert the following clauses set forth in paragraphs (a)(1), (2), (3), and (4) of this section in full in any contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by Item 3, above or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such

workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (b)(1) of this section the contractor and any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (b)(1) of this section, in the sum of \$25 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (b)(1) of this section.

(3) Withholding for unpaid wages and liquidated damages. The sub recipient shall upon the request of the EPA Award Official or an authorized representative of the Department of Labor, withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (a)(2) of this section.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (a)(1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (a)(1) through (4) of this section.

(c) In addition to the clauses contained in Item 3, above, in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in 29 CFR 5.1, the Sub recipient shall insert a clause requiring that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Further, the Sub recipient shall insert in any such contract a clause providing that the records to be maintained under this paragraph shall be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the (write the name of agency) and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview employees during working hours on the job.

## **5. Compliance Verification**

(a) The sub recipient shall periodically interview a sufficient number of employees entitled to DB prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. As provided in 29 CFR 5.6(a)(3), all interviews must be conducted in confidence. The sub recipient must use Standard Form 1445 (SF 1445) or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(b) The sub recipient shall establish and follow an interview schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. Sub recipients must conduct more frequent interviews if the initial interviews or other information indicated that there is a risk that the contractor or subcontractor is not complying with DB. Sub

recipients shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. All interviews shall be conducted in confidence."

(c). The sub recipient shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The sub recipient shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable the sub recipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date the contract or subcontract. Sub recipients must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with DB . In addition, during the examinations the sub recipient shall verify evidence of fringe benefit plans and payments there under by contractors and subcontractors who claim credit for fringe benefit contributions.

(d). The sub recipient shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of, laborers, trainees and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in Item 5(b) and (c) above.

(e) Sub recipients must immediately report potential violations of the DB prevailing wage requirements to the EPA DB contact listed above and to the appropriate DOL Wage and Hour District Office listed at <http://www.dol.gov/whd/america2.htm>.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

September 13, 2019

**VIA EMAIL**

**Agreement No. FS99290519-0**

Andrew Ruby  
Deputy Director, Fiscal Management Group  
New York State Department of Health  
Empire State Plaza, Corning Tower-Room 1110  
Albany, NY 12237

**Subject: NYSDOH FFY 19 Drinking Water State Revolving Fund Capitalization Grant**

Dear Mr. Ruby:

Attached please find a Grant Agreement to assist the New York State Department of Health in the administration of the above-referenced program. Your application dated May 14, 2019, requesting \$44,938,000 has been approved. Your attention is directed to the terms and conditions contained in this award document. Included in these Conditions is the payment schedule for \$44,938,000. Additionally, the FY 2019 Intended Use Plan (IUP) dated February 1, 2019 has been approved.

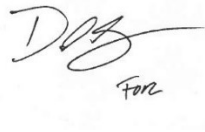
EPA has compiled requirements that apply to all agreements in an on-line set of conditions, which are referenced in the section of the award entitled, GENERAL TERMS AND CONDITIONS. You must access these and ensure your organization complies with them. Additionally, your agreement includes grant-specific administrative and programmatic conditions with which your organization must also comply. Please pay particular attention to General Term and Condition number 21: "Transfer of Funds." This condition highlights prior approval requirements for budget changes.

If your work plan and budget include subawards of financial assistance (2 CFR 200.92 and 200.330), please pay particular attention to EPA's National Term and Condition for Subawards which is found in the programmatic terms and conditions for this award. By accepting this assistance agreement, your organization is certifying that it either has systems in place to comply with the regulatory or EPA policy requirements specified in the National Term and Condition for Subawards or that it will refrain from making subawards with funding EPA provides under this agreement until the systems are designed and implemented. Also note that should your organization decide to make a subaward(s) that was not described in the work plan and budgeted for under this agreement you must obtain prior written approval from EPA's Award Official for the subaward as provided at 2 CFR 200.308(c)(1)(vi).

The forms and guidance you will need to administer your agreement can be found at the EPA website at <https://www.epa.gov/grants/epa-grantee-forms>

As a reminder, EPA has eliminated the requirement for recipients to submit a signed Affirmation of Award for assistance agreements. An assistance agreement recipient demonstrates its commitment to carry out the award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or, 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. Please see the “Notice of Award” section of the agreement for more information. Due to this change, you are not required to sign and return a copy of the attached agreement. However, if you wish to file a notice of disagreement with the award terms and conditions, you must email your notice to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov). All email attachments must be sent in pdf format. Documents emailed to us in any other format cannot be accepted.


Sincerely,

A handwritten signature in black ink, appearing to read 'RJM', with the name 'Forz' written in smaller letters below it.

Richard J. Manna  
Director, Mission Support Division

Attachment

cc: Lori Ahmed, NYSDOH  
Laura Fishman, USEPA

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 99290519 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> FS	<b>DATE OF AWARD</b> 09/06/2019
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 09/13/2019
		<b>PAYMENT METHOD:</b> Advance	<b>ACH#</b> 20039
		<b>RECIPIENT TYPE:</b> State	
<b>RECIPIENT:</b> New York State Department of Health Empire State Plaza, CorningTower-Room 1110 Albany, NY 12237 <b>EIN:</b> 14-6013200		<b>PAYEE:</b> NYS Department of Health Empire State Plaza, Corning Tower-Room 1110 Albany, NY 12237	
<b>PROJECT MANAGER</b> Ms. Lori Ahmed Empire State Plaza, CorningTower, 11th floor Albany, NY 12237 <b>E-Mail:</b> lori.ahmed@health.ny.gov <b>Phone:</b> 518-402-7707		<b>EPA PROJECT OFFICER</b> Laura Fishman 290 Broadway, WD/DWMIB New York, NY 10007-1866 <b>E-Mail:</b> Fishman.Laura@epa.gov <b>Phone:</b> 212-637-3827	
<b>EPA GRANT SPECIALIST</b> Janeime Castro Grants and Audit Management Branch, MSD/GAMB <b>E-Mail:</b> Castro.Janeime@epa.gov <b>Phone:</b> 212-637-3573			
<b>PROJECT TITLE AND DESCRIPTION</b> FFY 2019 Drinking Water State Revolving Fund Capitalization Grant This agreement is for a capitalization grant which provides funds for the recipient's Drinking Water State Revolving Fund program to provide low interest financing to recipients for costs associated with the planning, design and construction of eligible drinking water improvement projects and activities to protect human health.			
<b>BUDGET PERIOD</b> 10/01/2018 - 09/30/2025	<b>PROJECT PERIOD</b> 10/01/2018 - 09/30/2025	<b>TOTAL BUDGET PERIOD COST</b> \$53,925,600.00	<b>TOTAL PROJECT PERIOD COST</b> \$53,925,600.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 05/14/2019 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$44,938,000. EPA agrees to cost-share 83.33% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$44,938,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 2 Water Division 290 Broadway New York, NY 10007-1866	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official for Richard Manna - Director Donald Pace - Award Official delegate			<b>DATE</b> 09/06/2019



## EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 44,938,000	\$ 44,938,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 8,987,600	\$ 8,987,600
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 53,925,600	\$ 53,925,600

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.468 - Capitalization Grants for Drinking Water State Revolving Funds	Safe Drinking Water Act: Sec. 1452	2 CFR 200 2 CFR 1500 40 CFR 33 and 40 CFR 35 Subpart L

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
PROJECTS	1902HE0262	19	E3	022	000B81	4109	19DA		37,747,920
ADMIN	1902HE0262	19	E3	022	000B81	4109	19DD		1,797,520
SSTA	1902HE0262	19	E3	022	000B81	4109	19DE		898,760
PROJ MGMT	1902HE0262	19	E3	022	000B81	4109	19DFA		4,493,800
									44,938,000



Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
<b>1. Personnel</b>	\$2,790,116
<b>2. Fringe Benefits</b>	\$1,700,854
<b>3. Travel</b>	\$90,000
<b>4. Equipment</b>	\$0
<b>5. Supplies</b>	\$82,590
<b>6. Contractual</b>	\$729,000
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$48,533,040
<b>9. Total Direct Charges</b>	\$53,925,600
<b>10. Indirect Costs: <u>0.00%</u> Base</b>	\$0
<b>11. Total (Share: Recipient <u>16.67</u> % Federal <u>83.33</u> %.)</b>	\$53,925,600
<b>12. Total Approved Assistance Amount</b>	\$44,938,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$44,938,000
<b>15. Total EPA Amount Awarded To Date</b>	\$44,938,000

## **Administrative Conditions**

### **GENERAL TERMS AND CONDITIONS**

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2018>. These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at <http://www.epa.gov/grants/grant-terms-and-conditions>.

### **GRANT-SPECIFIC ADMINISTRATIVE CONDITIONS**

#### **A. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

##### **MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E**

MBE/WBE reporting is required in annual reports. Reporting is required for assistance agreements where there are funds budgeted for procuring construction, equipment, services and supplies, including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category that exceed the threshold amount of \$150,000, including amendments and/or modifications.

Based on EPA's review of the planned budget, this award meets the conditions above and is subject to the Disadvantaged Business Enterprise (DBE) Program reporting requirements. However, if recipient believes this award does not meet these conditions, it must provide [insert Regional or Headquarters point of contact] with a justification and budget detail within 21 days of the award date clearly demonstrating that, based on the planned budget, this award is not subject to the DBE reporting requirements.

The recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" report (EPA Form 5700-52A) on an annual basis. All procurement actions are reportable, not just that portion which exceeds \$150,000.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30<sup>th</sup> of each year. Final reports are due by October 30<sup>th</sup> or 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on total procurements. Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to [insert name and contact information of the appropriate

DBE coordinator and Grants Specialist (optional)]. The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at [http://www.epa.gov/osbp/dbe\\_reporting.htm](http://www.epa.gov/osbp/dbe_reporting.htm)

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Good Faith Effort requirements as described in 40 CFR Part 33 Subpart C, and Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D and explained below.

**GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

**FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

**Current Fair Share Objective/Goal**

The dollar amount of this assistance agreement or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The **New York State Department of Environmental Conservation** has negotiated the following, applicable MBE/WBE fair share objectives/goals with EPA as follows:

Construction - Minority and Women Business Enterprise (MBE/WBE) Participation Goals:

Combined MBE/WBE statewide            20%

Non-Construction – Minority and Women Business Enterprise (MBE/WBE) Participation Goals:

(For all other professional and contractual services; supplies and equipment)

Combined MBE/WBE statewide            20%

**Negotiating Fair Share Objectives/Goals**

In accordance with 40 CFR, Part 33, Subpart D, established goals/objectives remain in effect for three fiscal years unless there are significant changes to the data supporting the fair share objectives. The recipient is required to follow requirements as outlined in 40 CFR Part 33, Subpart D when renegotiating the fair share objectives/goals.

**OBJECTIVE/GOALS OF LOAN RECIPIENTS**

As a recipient of an EPA financial assistance agreement to capitalize revolving loan funds, the recipient agrees to either apply its own fair share objectives negotiated with EPA to identified loans using a substantially similar relevant geographic market, or negotiate separate fair share objectives with its identified loan recipients. These separate objectives/goals must be based on demonstrable evidence of the availability of MBEs and WBEs in accordance with 40 CFR, Part 33, Subpart D.

The recipient agrees that if procurements will occur over more than one year, the recipient may choose to apply the fair share objective in place either for the year in which the identified loan is awarded or for the year in which the procurement action occurs. The recipient must specify this choice in the financial assistance agreement, or incorporate it by reference therein.

### **SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) 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.
- (b) 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.
- (c) 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.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- (e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- (f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

### **CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

### **BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

## **B. INTERIM FEDERAL FINANCIAL REPORT AND CLOSE-OUT INSTRUCTIONS**

### 1. Interim Federal Financial Reports (FFRs)

Pursuant to 2 CFR 200.327, EPA recipients shall submit an interim annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the anniversary of the start date of the agreement. The FFR must be emailed to [LVFC-grants@epa.gov](mailto:LVFC-grants@epa.gov); the Grants and Audit Management Branch at [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov); the EPA Grants Specialist and EPA Project Officer. All email attachments must be sent in pdf format. Documents emailed to us in any other format will not be accepted.

EPA may take enforcement actions in accordance with 2 CFR 200.338 if the recipient does not comply with this term and condition.

### 2. Closeout

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FFR, in accordance with 2 CFR 200.343. At that time, the recipient must submit the final FFR by email to [LVFC-grants@epa.gov](mailto:LVFC-grants@epa.gov). A courtesy copy of the final FFR and other forms can be submitted to the Grants and Audit Management Branch via email to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov), if applicable below:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

Additionally, the recipient's Final Request for Payment should be submitted to the LVFC.

## **C. EXTENSION OF PROJECT/BUDGET PERIOD EXPIRATION DATE**

EPA has not exercised the waiver option to allow automatic one-time extensions for non-research grants under 2 CFR 200.308 (d)(2). Therefore, if a no cost time extension is necessary to extend the period of availability of funds the recipient must submit a written request to the EPA prior to the budget/project period expiration dates. **The written request must include:** a written justification describing the need for additional time, an estimated date of completion, and a revised schedule for project completion including updated milestone target dates for the approved workplan activities. In addition, if there are overdue reports required by the administrative and programmatic terms and conditions of this assistance agreement, the recipient must ensure that they are submitted along with or prior to submitting the no cost time extension request.

The extension request must be submitted to the EPA-Grants and Audit Management Branch via email to [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov) and the EPA Grants Specialist. An interim FFR (SF-425) covering all expenditures and obligations to date, must be emailed to the Las Vegas Finance Office at [LVFC-grants@epa.gov](mailto:LVFC-grants@epa.gov); the Grants and Audit Management Branch at [Region2\\_GrantApplicationBox@epa.gov](mailto:Region2_GrantApplicationBox@epa.gov); the EPA Grants Specialist and the EPA Project Officer. All email attachments must be sent in pdf format. Documents emailed to us in any other format will not be accepted.

## **Programmatic Conditions**

### **GRANT-SPECIFIC PROGRAMMATIC CONDITIONS**

#### **A. AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP)**

The New York State Department of Health (NYSDOH) on behalf of the State of New York agrees to accept payment from the United States Environmental Protection Agency (EPA) with funds to be made available from the federal fiscal year (FFY) 2019 Safe Drinking Water Act (SDWA) allotment. In accordance with the below payment schedule and will deposit all such payments into the Drinking Water State Revolving Fund (DWSRF) program accounts in accordance with the Operating Agreement. Payments and disbursements are defined as follows in accordance with Section 1452 of the SDWA and the DWSRF Final Guidelines, 40 CFR Part 35 Subpart L, and the Operating Agreement. A payment is an action taken by EPA to increase the amount of funds available for cash draw through the ASAP system. A payment is not a transfer of cash to the state, but an authorization by EPA to make capitalization grant funds available for transfer to a state after the state submits a cash draw request. A disbursement is the transfer of cash from the DWSRF program account established in the state's bank to an assistance recipient.

**Payments will be made from ASAP in accordance with the following schedule:**

<b>\$37,747,920</b>	<b>DWSRF FUND (PROJECTS)</b>	<b>PAYMENT: AUGUST 2019</b>
<b>DCN#HE0262</b>	<b>PRC: 000B81</b>	<b>SITE/PROJECT: 19DA</b>
<b>\$1,797,520</b>	<b>DWSRF ADMINISTRATION</b>	<b>PAYMENT: AUGUST 2019</b>
<b>DCN#HE0262</b>	<b>PRC: 000B81</b>	<b>SITE/PROJECT: 19DD</b>
<b>\$898,760</b>	<b>DWSRF TECHNICAL ASST.</b>	<b>PAYMENT: AUGUST 2019</b>
<b>DCN#HE0262</b>	<b>PRC: 000B81</b>	<b>SITE/PROJECT: 19DE</b>
<b>\$4,493,800</b>	<b>DWSRF PROGRAM MGMT.</b>	<b>PAYMENT: AUGUST 2019</b>
<b>DCN#HE0262</b>	<b>PRC: 000B81</b>	<b>SITE/PROJECT: 19DFA</b>

#### **B. CASH DRAW REQUIREMENTS**

The NJDEP agrees to the following conditions in accepting this Grant Agreement under the ASAP method of financing:

- (a) Cash draws made pursuant to 40 CFR 35.3160(b)(2) must be disbursed to refinancing recipients within three days of OSC cash draw.
- (b) All other cash draws will be made only to meet immediate disbursement needs. The three day disbursement requirement is in accordance with the ASAP Payment System.
- (c) NYSDOH shall provide timely reporting of cash disbursements and balances as required by the ASAP Manual.



### **C. PROGRAM INCOME FROM ADMINISTRATIVE FEES**

Program income earned during the grant period may be used for the specific purposes identified in 2 CFR 200.307 and 2 CFR 1500.7. The recipient agrees to maintain program income resulting from program operations generated during the project period (e.g. administrative fees collected from DWSRF project loan recipients) in an account separate from the DWSRF project loan fund. In addition, the recipient agrees that such program income shall be used only for purposes related to the administration of the DWSRF program or other purposes authorized pursuant to EPA regulations.

### **D. GENERAL ADMINISTRATIVE REQUIREMENTS**

The NYSDOH agrees, pursuant to Section 1452 of the Safe Drinking Water Act (SDWA) as amended, the DWSRF Final Guidelines and 40 CFR Part 35 Subpart L, to administer the SRF program in accordance with the terms, agreements, assurances, and representations made within the Operating Agreement, Intended Use Plan, and the application for Federal Assistance submitted May 14, 2019. The scope of work for this Grant Agreement shall be the items listed in the application and the FFY 2019 Final DWSRF Intended Use Plan dated October 1, 2018, Amendment 1 dated February 1, 2019, Amendment 2 dated March 6, 2019 and Amendment 3 dated May 28, 2019.

### **E. PROPORTIONALITY**

The federal cash draw percentage for the Fund (\$37,747,920) for the FFY 2019 grant is 80.77%. The federal cash draw percentage for the following set-aside activities is 100%: DWSRF Administration (\$1,797,520), Program Management (\$4,493,800) and DWSRF Technical Assistance (\$898,760).

### **F. STATE MATCH**

The recipient agrees to deposit into its State Revolving Fund (SRF) a match equal to at least 20 percent of the amount awarded in the capitalization grant (\$8,987,600).

### **G. INTENDED USE PLAN AND OPERATING AGREEMENT**

The entire contents of the FFY 2019 DWSRF Intended Use Plan (IUP) and the Operating Agreement (OA) are incorporated hereto by reference and made a part of this Assistance Agreement.

### **H. SET-ASIDE WORKPLANS**

Work plans for each set-aside for which grant assistance is provided, excluding the four percent (4%) Administrative set-aside, shall be submitted annually. The recipient agrees to perform the activities identified and specified in the work plan, which is made part of this Assistance Agreement. The work plan contents will follow the Final DWSRF Guidelines, and shall include information regarding the budget for the upcoming federal fiscal year, funds "banked" for future years, costs incurred to date, and the use of funds carried-forward from previous years. The annual work plans will be submitted by July 1 of each year. Payments may be deferred and cash draws prohibited until the work plans are approved by EPA.

### **I. SET-ASIDE REPORTING**

The recipient agrees to provide to the Region 2 Drinking Water Branch Chief, Douglas Pabst (pabst.douglas@epa.gov or 212-637-3797) an annual report on the set-aside activities funded under this grant. This report shall be provided 90 days after the end of the federal fiscal year the grant is in effect.

## **J. SET-ASIDE SUB-GRANTS AND CONTRACTS**

The recipient shall provide or make available to the Region 2 Drinking Water Branch Chief, Douglas Pabst (pabst.douglas@epa.gov or 212-637-3797) copies of the work plans associated with grants and contracts that it may enter into with other agencies and organizations related to activities conducted under this grant. In its semi-annual report, the grant recipient shall include a summary description of activities completed under grants and contracts entered into with funds made available under the grant.

## **K. TRANSFER OF FUNDS**

In the event that the State of New York elects to transfer funds from the CWSRF to the DWSRF per the authority provided in Section 302 of the SDWA, NYSDOH agrees to notify EPA of the amount, date and source of funds for such transfer.

## **L. BIENNIAL REPORTING**

In accordance with 2 CFR 200.328, 40 CFR 35.3165, and 40 CFR 35.3570, the recipient agrees to provide in its Biennial Report, by September 30 of every even-numbered year, information regarding key project characteristics, milestones, and environmental/public health protection results in the following areas:

- (1) achievement of the outputs and outcomes established in the Intended Use Plan (IUP);
- (2) the reasons for delays if established outputs or outcomes were not met;
- (3) any additional pertinent information on environmental results;
- (4) compliance with the Green Project Reserve requirement as outlined in the FY 2012 Procedures document for the CWSRF, and for the DWSRF program, whether the state funded green projects, and what criteria where used; and
- (5) use of additional subsidization.

## **M. DRINKING WATER NATIONAL INFORMATION MANAGEMENT SYSTEM**

The NYSDOH agrees to enter data, as required by EPA to the Drinking Water National Information Management System (DWNIMS). EPA agrees to provide technical assistance to the state in its use of the DWNIMS as a management information system.

## **N. PUBLIC HEALTH BENEFITS REPORTING**

The recipient of funds for the State Revolving Funds (SRF) from the Consolidated and Further Continuing Appropriations Act, 2019, P.L. 116-6 agrees to comply with all requests for data related to the use of the funds under Section 1452 of the Safe Drinking Water Act (SDWA), and to report all uses of the funds no less than quarterly, as the Environmental Protection Agency specifies for the Drinking Water (DW) Project and Benefits Reporting (PBR) database. This reporting shall include but not be limited to data with respect to compliance with the DWSRF discretionary Green Program and additional subsidization requirements as specified in P.L. 116-6, and as outlined in the FY 2012 Procedures document and other data as necessary to carry out the authorities cited in this Grant Condition.

## **O. TRAVEL**

EPA approves the use of federal funds for travel budgeted in capitalization grants for implementing the DWSRF program. The recipient agrees to use federal funds to participate in training and professional development activities integral to the effective implementation and management of the DWSRF program.

## **P. SIGNAGE**

The recipient agrees to comply with the SRF Signage Guidelines in order to enhance public awareness of EPA assistance agreements nationwide. The signage guidance, "Guidelines for Enhancing Public Awareness of SRF Assistance Agreements," June 3, 2015," can be found at the following link:

[https://www.epa.gov/sites/production/files/2016-07/documents/guidelines\\_for\\_enhancing\\_public\\_awareness\\_srf.pdf](https://www.epa.gov/sites/production/files/2016-07/documents/guidelines_for_enhancing_public_awareness_srf.pdf)

#### **Q. GEOSPATIAL INFORMATION**

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at [www.fgdc.gov](http://www.fgdc.gov).

#### **R. GREEN PROJECT RESERVE**

The recipient agrees that the funds provided by this capitalization grant may, at the discretion of the recipient, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.

#### **S. ADDITIONAL SUBSIDIZATION**

In addition to the disadvantaged community assistance that can be provided at a state's discretion as described in Section 1452(d) of the Safe Drinking Water Act (SDWA), the recipient agrees to use twenty percent of the funds made available in the capitalization grant (\$8,987,600) to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these) which shall be used:

- where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred after February 15, 2019, or
- where such debt was incurred prior to February 15, 2019, if
  - o the recipient, with concurrence from the EPA Region, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water, or
  - o a federal or state emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this act.

Furthermore, in a state in which such an emergency declaration has been issued, the recipient may use more than 20 percent of the funds made available under this title to the state for DWSRF capitalization grants to provide additional subsidy to eligible recipients. The additional subsidy ceiling in these circumstances is the total capitalization grant amount, minus set-asides taken.

#### **T. AMERICAN IRON AND STEEL**

(a) **Definitions.** As used in this award term and condition—

(1) "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.

(2) *Steel* means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

(b) **Domestic preference.**

(1) This award term and condition implements the Safe Drinking Water Act, Section 1452(a)(4), by requiring that all iron and steel products used for a project for the construction, alteration, maintenance or repair of a public water system are produced in the United States except as provided in paragraph (b)(2) of this section and condition.

- (2) This requirement shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency finds that:–
- (i) applying the requirement would be inconsistent with the public interest;
  - (ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
  - (iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.
- (c) **Request for a Waiver under (b)(2) of this section**
- (1) Any recipient request to use foreign iron or steel products in accordance with paragraph (b)(2) of this section shall include adequate information for Federal Government evaluation of the request, including–
- (A) A description of the foreign and domestic iron, steel, and/or manufactured goods;
  - (B) Unit of measure;
  - (C) Quantity;
  - (D) Cost;
  - (E) Time of delivery or availability;
  - (F) Location of the project;
  - (G) Name and address of the proposed supplier; and
  - (H) A detailed justification of the reason for use of foreign iron or steel products cited in accordance with paragraph (b)(2) of this section.
- (2) If the Administrator receives a request for a waiver under this section, the waiver request shall be made available to the public for at least 15 days prior to making a finding based on the request.
- (3) Unless the Administrator issues a waiver of this term, use of foreign iron and steel products is noncompliant with the Safe Drinking Water Act, Section 1452(a)(4).
- (d) This term and condition shall be applied in a manner consistent with United States obligations under international agreements.

## U. STATE GRANT CYBERSECURITY

- (a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements.
- (b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure.

For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this

requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

## V. WAGE RATE REQUIREMENTS

The recipient agrees to include in all agreements to provide assistance for any construction project carried out in whole or in part with such assistance made available by a drinking water revolving loan fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), a term and condition requiring compliance with the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C.300j-9(e)) in all procurement contracts and sub-grants, and require that loan recipients, procurement contractors and sub-grantees include such a term and condition in subcontracts and other lower tiered transactions All contracts and subcontracts for any construction project carried out in whole or in part with assistance made available as stated herein shall insert in full in any contract in excess of \$2,000 the contract clauses as attached hereto entitled "Wage Rate Requirements Under The Clean Water Act, Section 513 and the Safe Drinking Water Act, Section 1450(e)." This term and condition applies to all agreements to provide assistance under the authorities referenced herein, whether in the form of a loan, bond purchase, grant, or any other vehicle to provide financing for a project, where such agreements are executed on or after October 30, 2009.

### ATTACHMENT 1

#### **Wage Rate Requirements Under The Clean Water Act, Section 513 and the Safe Drinking Water Act, Section 1450(d)**

##### **Preamble**

With respect to the Clean Water and Safe Drinking Water State Revolving Funds, EPA provides capitalization grants to each state which in turn provides subgrants or loans to eligible entities within the state. Typically, the subrecipients are municipal or other local governmental entities that manage the funds. For these types of recipients, the provisions set forth under Roman Numeral I, below, shall apply. Although EPA and the state remain responsible for ensuring subrecipients' compliance with the wage rate requirements set forth herein, those subrecipients shall have the primary responsibility to maintain payroll records as described in Section 3(ii)(A), below and for compliance as described in Section I-5.

Occasionally, the subrecipient may be a private for profit or not for profit entity. For these types of recipients, the provisions set forth in Roman Numeral II, below, shall apply. Although EPA and the state remain responsible for ensuring subrecipients' compliance with the wage rate requirements set forth herein, those subrecipients shall have the primary responsibility to maintain payroll records as described in Section II-3(ii)(A), below and for compliance as described in Section II-5.

##### **I. Requirements Under the Safe Drinking Water Act , Section 1452(a)(5) For Subrecipients That Are Governmental Entities :**

The following terms and conditions specify how recipients will assist EPA in meeting its Davis-Bacon (DB) responsibilities when DB applies to EPA awards of financial assistance under the Consolidated and Further Continuing Appropriations Act, 2017 with respect to state recipients and subrecipients that are governmental entities. If a subrecipient has questions regarding when DB applies, obtaining the correct DB wage determinations, DB provisions, or compliance monitoring, it may contact the state recipient. If a state recipient needs guidance, the recipient may contact **Anthony Tao of the USEPA Region 2 Contracts Management Branch, at 212-637-3372 or at the following email address: [tao\\_anthony@epa.gov](mailto:tao_anthony@epa.gov)** for guidance. The recipient or subrecipient may also obtain additional guidance from DOL's web site at <http://www.dol.gov/whd/>

## 1. Applicability of the Davis- Bacon (DB) prevailing wage requirements.

DB prevailing wage requirements apply to the construction, alteration, and repair of treatment works carried out in whole or in part with assistance made available by a state water pollution control revolving fund and to any construction project carried out in whole or in part by assistance made available by a drinking water treatment revolving loan fund. If a subrecipient encounters a unique situation at a site that presents uncertainties regarding DB applicability, the subrecipient must discuss the situation with the recipient state before authorizing work on that site.

## 2. Obtaining Wage Determinations.

(a) Subrecipients shall obtain the wage determination for the locality in which a covered activity subject to DB will take place prior to issuing requests for bids, proposals, quotes or other methods for soliciting contracts (solicitation) for activities subject to DB. These wage determinations shall be incorporated into solicitations and any subsequent contracts. Prime contracts must contain a provision requiring that subcontractors follow the wage determination incorporated into the prime contract.

- (i) While the solicitation remains open, the subrecipient shall monitor [www.wdol.gov](http://www.wdol.gov) weekly to ensure that the wage determination contained in the solicitation remains current. The subrecipients shall amend the solicitation if DOL issues a modification more than 10 days prior to the closing date (i.e. bid opening) for the solicitation. If DOL modifies or supersedes the applicable wage determination less than 10 days prior to the closing date, the subrecipients may request a finding from the state recipient that there is not a reasonable time to notify interested contractors of the modification of the wage determination. The state recipient will provide a report of its findings to the subrecipient.
- (ii) If the subrecipient does not award the contract within 90 days of the closure of the solicitation, any modifications or supersedes DOL makes to the wage determination contained in the solicitation shall be effective unless the state recipient, at the request of the subrecipient, obtains an extension of the 90-day period from DOL pursuant to 29 CFR 1.6(c)(3)(iv). The subrecipient shall monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis if it does not award the contract within 90 days of closure of the solicitation to ensure that wage determinations contained in the solicitation remain current.

(b) If the subrecipient carries out activity subject to DB by issuing a task order, work assignment or similar instrument to an existing contractor (ordering instrument) rather than by publishing a solicitation, the subrecipient shall insert the appropriate DOL wage determination from [www.wdol.gov](http://www.wdol.gov) into the ordering instrument.

(c) Subrecipients shall review all subcontracts subject to DB entered into by prime contractors to verify that the prime contractor has required its subcontractors to include the applicable wage determinations.

(d) As provided in 29 CFR 1.6(f), DOL may issue a revised wage determination applicable to a subrecipient's contract after the award of a contract or the issuance of an ordering instrument if DOL determines that the subrecipient has failed to incorporate a wage determination or has used a wage determination that clearly does not apply to the contract or ordering instrument. If this occurs, the subrecipient shall either terminate the contract or ordering instrument and issue a revised solicitation or ordering instrument or incorporate DOL's wage determination retroactive to the beginning of the contract or ordering instrument by change order. The subrecipient's contractor must be compensated for any increases in wages resulting from the use of DOL's revised wage determination.

## 3. Contract and Subcontract provisions.

(a) The Recipient shall insure that the subrecipient(s) shall insert in full in any contract in excess of

\$2,000 which is entered into for the actual construction, alteration and/or repair, including painting and decorating, of a treatment work under the CWSRF or a construction project under the DWSRF financed in whole or in part from federal funds or in accordance with guarantees of a federal agency or financed from funds obtained by pledge of any contract of a federal agency to make a loan, grant or annual contribution (except where a different meaning is expressly indicated), and which is subject to the labor standards provisions of any of the acts listed in § 5.1 or the Safe Drinking Water Act, Section 1452(a)(5), the following clauses:

(1) Minimum wages.

(i) All laborers and mechanics employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (a)(1)(iv) of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in § 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided that the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph (a)(1)(ii) of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

Subrecipients may obtain wage determinations from the U.S. Department of Labor's web site, [www.dol.gov](http://www.dol.gov).

(ii)

(A) The subrecipient(s), on behalf of EPA, shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The state award official shall approve a request for an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the subrecipient(s) agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), documentation

of the action taken and the request, including the local wage determination shall be sent by the subrecipient (s) to the state award official. The state award official will transmit the request, to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210 and to the EPA DB Regional Coordinator concurrently. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification request within 30 days of receipt and so advise the state award official or will notify the state award official within the 30-day period that additional time is necessary.

(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the subrecipient(s) do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the award official shall refer the request and the local wage determination, including the views of all interested parties and the recommendation of the state award official, to the Administrator for determination. The request shall be sent to the EPA DB Regional Coordinator concurrently. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt of the request and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii)(B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

(2) Withholding. The subrecipient(s), shall upon written request of the EPA Award Official or an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract or any other federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the (Agency) may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(3) Payrolls and basic records.

(i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages



paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

(ii)

(A) The contractor shall submit weekly, for each week in which any contract work is performed, a copy of all payrolls to the subrecipient, that is, the entity that receives the sub-grant or loan from the state capitalization grant recipient. Such documentation shall be available on request of the state recipient or EPA. As to each payroll copy received, the subrecipient shall provide written confirmation in a form satisfactory to the state indicating whether or not the project is in compliance with the requirements of 29 CFR 5.5(a)(1) based on the most recent payroll copies for the specified week. The payrolls shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on the weekly payrolls. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the subrecipient(s) for transmission to the state or EPA if requested by EPA, the state, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the subrecipient(s).

(B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under § 5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under § 5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(C) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (a)(3)(ii)(B) of this section.

(D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under paragraph (a)(3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the state, EPA or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the federal agency or state may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

(4) Apprentices and trainees:

(i) Apprentices. Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal

certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination.

Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended and 29 CFR part 30.

(5) Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

(6) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (10) and such other clauses as the EPA determines may be appropriate, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

(7) Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

(8) Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

(9) Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and subrecipient(s), state, EPA, the U.S. Department of Labor, or the employees or their representatives.

(10) Certification of eligibility.

(i) By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a

Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

#### **4. Contract Provision for Contracts in Excess of \$100,000.**

(a) Contract Work Hours and Safety Standards Act. The subrecipient shall insert the following clauses set forth in paragraphs (a)(1), (2), (3), and (4) of this section in full in any contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by Item 3, above or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (a)(1) of this section the contractor and any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (a)(1) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (a)(1) of this section.

(3) Withholding for unpaid wages and liquidated damages. The subrecipient, upon written request of the EPA Award Official or an authorized representative of the Department of Labor, shall withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (b)(2) of this section.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (a)(1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (a)(1) through (4) of this section.

(b) In addition to the clauses contained in Item 3, above, in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in 29 CFR 5.1, the Subrecipient shall insert a clause requiring that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Further, the Subrecipient shall

insert in any such contract a clause providing that the records to be maintained under this paragraph shall be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the (write the name of agency) and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview employees during working hours on the job.

## 5. Compliance Verification

(a) The subrecipient shall periodically interview a sufficient number of employees entitled to DB prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. As provided in 29 CFR 5.6(a)(6), all interviews must be conducted in confidence. The subrecipient must use Standard Form 1445 (SF 1445) or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(b) The subrecipient shall establish and follow an interview schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. Subrecipients must conduct more frequent interviews if the initial interviews or other information indicated that there is a risk that the contractor or subcontractor is not complying with DB.

Subrecipients shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. All interviews shall be conducted in confidence."

(c) The subrecipient shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The subrecipient shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable, the subrecipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date the contract or subcontract. Subrecipients must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with DB. In addition, during the examinations the subrecipient shall verify evidence of fringe benefit plans and payments there under by contractors and subcontractors who claim credit for fringe benefit contributions.

(d) The subrecipient shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of, laborers, trainees and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in Item 5(b) and (c) above.

(e) Subrecipients must immediately report potential violations of the DB prevailing wage requirements to the EPA DB contact listed above and to the appropriate DOL Wage and Hour District Office listed at <http://www.dol.gov/whd/america2.htm>.

## **II. Requirements Under The Consolidated and Further Continuing Appropriations Act , Section 1452(a)(5) For Subrecipients That Are Not Governmental Entities :**

The following terms and conditions specify how recipients will assist EPA in meeting its DB responsibilities when DB applies to EPA awards of financial assistance under the FY2013 Continuing Resolution with respect to subrecipients that are not governmental entities. If a subrecipient has questions regarding when DB applies, obtaining the correct DB wage determinations, DB provisions, or compliance monitoring, it may contact the state recipient for guidance. If a state recipient needs guidance, the recipient may contact **Anthony Tao of the USEPA Region 2 Contracts Management Branch, at [tao.anthony@epa.gov](mailto:tao.anthony@epa.gov) or 212-637-3372** for guidance. The recipient or subrecipient may also obtain

additional guidance from DOL's web site at <http://www.dol.gov/whd/>

**Under these terms and conditions , the subrecipient must submit its proposed DB wage determinations to the state recipient for approval prior to including the wage determination in any solicitation , contract task orders , work assignments , or similar instruments to existing contractors .**

## **1. Applicability of the Davis- Bacon (DB) prevailing wage requirements.**

Under the Safe Drinking Water Act, Section 1452(a)(5), DB prevailing wage requirements apply to the construction, alteration, and repair of treatment works carried out in whole or in part with assistance made available by a state water pollution control revolving fund and to any construction project carried out in whole or in part by assistance made available by a drinking water treatment revolving loan fund. If a subrecipient encounters a unique situation at a site that presents uncertainties regarding DB applicability, the subrecipient must discuss the situation with the recipient state before authorizing work on that site.

## **2. Obtaining Wage Determinations.**

(a) Subrecipients must obtain proposed wage determinations for specific localities at [www.wdol.gov](http://www.wdol.gov). After the subrecipient obtains its proposed wage determination, it must submit the wage determination to **Michael J. Montysko, P.E. Michael.Montysko@health.ny.gov, 518-402-7650** , for approval prior to inserting the wage determination into a solicitation, contract or issuing task orders, work assignments or similar instruments to existing contractors (ordering instruments unless subsequently directed otherwise by the state recipient Award Official.)

(b) Subrecipients shall obtain the wage determination for the locality in which a covered activity subject to DB will take place prior to issuing requests for bids, proposals, quotes or other methods for soliciting contracts (solicitation) for activities subject to DB. These wage determinations shall be incorporated into solicitations and any subsequent contracts. Prime contracts must contain a provision requiring that subcontractors follow the wage determination incorporated into the prime contract.

(i) While the solicitation remains open, the subrecipient shall monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis to ensure that the wage determination contained in the solicitation remains current. The subrecipients shall amend the solicitation if DOL issues a modification more than 10 days prior to the closing date (i.e. bid opening) for the solicitation. If DOL modifies or supersedes the applicable wage determination less than 10 days prior to the closing date, the subrecipients may request a finding from the state recipient that there is not a reasonable time to notify interested contractors of the modification of the wage determination. The state recipient will provide a report of its findings to the subrecipient.

(ii) If the subrecipient does not award the contract within 90 days of the closure of the solicitation, any modifications or supersedes DOL makes to the wage determination contained in the solicitation shall be effective unless the state recipient, at the request of the subrecipient, obtains an extension of the 90 day period from DOL pursuant to 29 CFR 1.6(c)(3)(iv). The subrecipient shall monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis if it does not award the contract within 90 days of closure of the solicitation to ensure that wage determinations contained in the solicitation remain current.

(c) If the subrecipient carries out activity subject to DB by issuing a task order, work assignment or similar instrument to an existing contractor (ordering instrument) rather than by publishing a solicitation, the subrecipient shall insert the appropriate DOL wage determination from [www.wdol.gov](http://www.wdol.gov) into the ordering instrument.

(d) Subrecipients shall review all subcontracts subject to DB entered into by prime contractors to verify that the prime contractor has required its subcontractors to include the applicable wage determinations.

(e) As provided in 29 CFR 1.6(f), DOL may issue a revised wage determination applicable to a subrecipient's contract after the award of a contract or the issuance of an ordering instrument if DOL determines that the subrecipient has failed to incorporate a wage determination or has used a wage determination that clearly does not apply to the contract or ordering instrument. If this occurs, the subrecipient shall either terminate the contract or ordering instrument and issue a revised solicitation or ordering instrument or incorporate DOL's wage determination retroactive to the beginning of the contract or ordering instrument by change order. The subrecipient's contractor must be compensated for any increases in wages resulting from the use of DOL's revised wage determination.

### 3. Contract and Subcontract provisions.

(a) The Recipient shall insure that the subrecipient(s) shall insert in full in any contract in excess of \$2,000 which is entered into for the actual construction, alteration and/or repair, including painting and decorating, of a treatment work under the CWSRF or a construction project under the DWSRF financed in whole or in part from federal funds or in accordance with guarantees of a federal agency or financed from funds obtained by pledge of any contract of a federal agency to make a loan, grant or annual contribution (except where a different meaning is expressly indicated), and which is subject to the labor standards provisions of any of the acts listed in § 5.1 or the Safe Drinking Water Act, Section 1452(a)(5), the following clauses:

(1) Minimum wages.

(i) All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (a)(1)(iv) of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in § 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, that the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph (a)(1)(ii) of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

Subrecipients may obtain wage determinations from the U.S. Department of Labor's web site, [www.dol.gov](http://www.dol.gov).

(ii)

(A) The subrecipient(s), on behalf of EPA, shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage

determination. The state award official shall approve a request for an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

- (1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and
- (2) The classification is utilized in the area by the construction industry; and
- (3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the subrecipient(s) agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), documentation of the action taken and the request, including the local wage determination shall be sent by the subrecipient(s) to the state award official. The state award official will transmit the report, to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210 and to the EPA DB Regional Coordinator concurrently. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification request within 30 days of receipt and so advise the state award official or will notify the state award official within the 30-day period that additional time is necessary.

(C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the and the subrecipient(s) do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the award official shall refer the request, and the local wage determination, including the views of all interested parties and the recommendation of the state award official, to the Administrator for determination. The request shall be sent to the EPA Regional Coordinator concurrently. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt of the request and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(D) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs (a)(1)(ii)(B) or (C) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

(2) Withholding. The subrecipient(s) shall upon written request of the EPA Award Official or an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract or any other federal contract with the same prime contractor, or any



other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the (Agency) may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(3) Payrolls and basic records.

(i) Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

(ii)

(A) The contractor shall submit weekly, for each week in which any contract work is performed, a copy of all payrolls to the subrecipient, that is, the entity that receives the sub-grant or loan from the state capitalization grant recipient. Such documentation shall be available on request of the state recipient or EPA. As to each payroll copy received, the subrecipient shall provide written confirmation in a form satisfactory to the state indicating whether or not the project is in compliance with the requirements of 29 CFR 5.5(a)(1) based on the most recent payroll copies for the specified week. The payrolls shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on the weekly payrolls. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the subrecipient(s) for transmission to the state or EPA if requested by EPA, the state, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the subrecipient(s).

(B) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under § 5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under § 5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(C) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (a)(3)(ii)(B) of this section.

(D) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under paragraph (a)(3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the state, EPA or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the federal agency or state may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

#### (4) Apprentices and trainees--

(i) Apprentices. Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing

construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended and 29 CFR part 30.

(5) Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

(6) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (10) and such other clauses as the EPA determines may be appropriate, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

(7) Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

(8) Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

(9) Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and subrecipient(s), state, EPA, the U.S. Department of Labor, or the employees or their representatives.

(10) Certification of eligibility.

(i) By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

#### **4. Contract Provision for Contracts in Excess of \$100,000.**

(a) Contract Work Hours and Safety Standards Act. The subrecipient shall insert the following clauses set forth in paragraphs (a)(1), (2), (3), and (4) of this section in full in any contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by Item 3, above or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (b)(1) of this section the contractor and any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (b)(1) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (b)(1) of this section.

(3) Withholding for unpaid wages and liquidated damages. The subrecipient shall upon the request of the EPA Award Official or an authorized representative of the Department of Labor, withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other federal contract with the same

prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (a)(2) of this section.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (b)(1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (b)(1) through (4) of this section.

(b) In addition to the clauses contained in Item 3, above, in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in 29 CFR 5.1, the Subrecipient shall insert a clause requiring that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Further, the Subrecipient shall insert in any such contract a clause providing that the records to be maintained under this paragraph shall be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the (write the name of agency) and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview employees during working hours on the job.

## 5. Compliance Verification

(a) The subrecipient shall periodically interview a sufficient number of employees entitled to DB prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. As provided in 29 CFR 5.6(a)(6), all interviews must be conducted in confidence. The subrecipient must use Standard Form 1445 (SF 1445) or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(b) The subrecipient shall establish and follow an interview schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. Subrecipients must conduct more frequent interviews if the initial interviews or other information indicated that there is a risk that the contractor or subcontractor is not complying with DB. Subrecipients shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. All interviews shall be conducted in confidence."

(c) The subrecipient shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The subrecipient shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with DB posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable the subrecipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date the contract or subcontract. Subrecipients must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with DB . In addition, during the examinations the subrecipient shall verify evidence of fringe benefit plans and payments there under by contractors and subcontractors who claim credit for fringe benefit contributions.

(d) The subrecipient shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor or a state, as appropriate, and that contractors and

subcontractors are not using disproportionate numbers of, laborers, trainees and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in Item 5(b) and (c) above.

(e) Subrecipients must immediately report potential violations of the DB prevailing wage requirements to the EPA DB contact listed above and to the appropriate DOL Wage and Hour District Office listed at <http://www.dol.gov/whd/america2.htm>.