



GRANT SUMMARY

NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) & NYS INTERMUNICIPAL WATER INFRASTRUCTURE GRANTS (IMG) PROGRAM

OVERVIEW

The Clean Water Infrastructure Act (CWIA) invests \$3 billion in clean and drinking water infrastructure projects and water quality protection across New York. As part of CWIA, the New York State Environmental Facilities Corporation (EFC) is offering \$350 million in grants for clean and drinking water projects during the 2019-2020 state fiscal year to selected municipalities with infrastructure projects that protect public health and/or improve water quality. Grant eligible critical water infrastructure projects include those that combat emerging contaminants such as PFOA, PFOS and 1,4 dioxane with system upgrades and innovative pilot technologies, and those that address combined and/or sanitary sewer overflow impacts from flooding.

EFC and the NYS Department of Health (DOH) will evaluate all projects for which applications have been received by the due date (no later than 5:00 p.m. on September 13, 2019) based on factors including protection of public health and water quality and the readiness of the project to proceed expeditiously. Available grant funds may not be sufficient to offer grants to all eligible applicants.

AVAILABLE FUNDING

WIIA Clean Water Projects

An applicant with an eligible clean water project may receive a WIIA grant award as described below:

- A project, including phases of the project, with estimated project costs less than \$50 million is limited to the lesser of \$5 million or 25% of net eligible project costs.
- A project, including phases of the project, with estimated project costs equal to or greater than \$50 million but less than \$100 million is limited to the lesser of \$12.5 million or 25% of net eligible project costs.
- A project, including phases of the project, with estimated project costs equal to or greater than \$100 million is limited to the lesser of \$25 million or 25% of net eligible project costs.

Municipalities may apply for this grant on more than one project, but each municipality is limited to receiving no more than \$5 million per year. If a municipality is awarded grant



funds totaling more than \$5 million for a project or projects, the grant(s) will be allocated over multiple years in increments not to exceed \$5 million per year.

WIIA Drinking Water Projects

An applicant with an eligible drinking water project may receive a WIIA grant award as described below:

- A project, including phases of the project, is limited to the lesser of \$3 million or 60% of net eligible project costs.
- Municipalities are limited to \$3 million of combined Drinking Water State Revolving Fund (DWSRF) grant and WIIA grants annually.¹

Municipalities may apply for this grant on more than one project, but each municipality is limited to receiving no more than \$3 million per year.

IMG Clean Water and Drinking Water Projects

Cooperating municipalities with an eligible project may receive an IMG grant award as described below:

- The lesser of \$10 million or 40% of net eligible project costs.
- IMG grant awardee seeking SRF financing will only be eligible to apply for market-rate financing.

ELIGIBILITY REQUIREMENTS

WIIA and IMG grants are available only to the following: county, city, town, village, district corporation, county or town improvement district, school district, Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of the State that is empowered to construct and operate a water quality infrastructure project. (School districts are eligible for DWSRF financial assistance but are ineligible for Clean Water State Revolving Fund (CWSRF) financial assistance.)

Eligible projects include water quality infrastructure projects at municipally-owned sewage treatment works² OR municipally-owned public water systems³ for:

- Construction, replacement or repair of infrastructure; or
- Compliance with environmental and public health laws and regulations related to water quality.

¹ If the Applicant is a Water or Sewer Authority, the grant award amount limitation will be assigned to the municipality(ies) served by the project.

² Sewage treatment works as defined in Environmental Conservation Law Section 17-1903.

³ Eligible project as defined in paragraphs (a), (b), (c), and (e) of subdivision 4 of Section 1160 of the Public Health Law.



Each WIIA project must meet the following criteria:

- Result in construction of the project;
- Not have started construction before October 1, 2018; and
- Not have completed construction before May 1, 2019.

Each IMG project must meet the following criteria:

- Serve multiple municipalities;
- Be a shared drinking water or sewage treatment infrastructure project, such as shared water quality infrastructure or the interconnection of multiple municipal water systems;
- Have a valid and binding project Intermunicipal Agreement (IMA) between at least two cooperating municipalities related to financing of the IMG project;
- Designate a “lead municipality” that applies on behalf of all cooperating municipalities;
- Result in construction of the project;
- Not have started construction before October 1, 2018;
- Not have completed construction before May 1, 2019;
- Not have closed an SRF financing; and
- Not be for the construction of water infrastructure that exclusively supports new development, whether residential or commercial.

PROGRAM REQUIREMENTS

Program requirements for WIIA and IMG recipients include minority- and women-owned business enterprise (MWBE) participation, equal employment opportunity, service-disabled veteran-owned business (SDVOB) participation, smart growth and environmental review.

There are additional program requirements for recipients of WIIA and IMG funds that also utilize SRF financial assistance, such as American Iron and Steel and Davis-Bacon federal prevailing wage requirements.

All contracts entered into by recipients that are to be paid for with WIIA funds, IMG funds, or SRF financial assistance must demonstrate compliance with EFC’s program requirements, and must include the required contractual language from the applicable EFC bid packet. Any contracts, including those that are executed prior to grant application, that do not include the required contractual language will be disqualified from funding.

Additional information on program requirements is available on EFC’s website at www.efc.ny.gov, including EFC’s bid packets and the current Intended Use Plans for the SRF programs.



APPLICATIONS

Applicants who would like to be considered for a WIIA and/or IMG grant must submit a grant application and the following required documentation to EFC no later than 5:00 p.m. on **September 13, 2019**.

- Engineering Report⁴, including project schedule and budget, if not previously submitted
- Smart Growth Assessment Form, if not previously submitted
- Environmental Review Documentation
- SHPO Project Review Determination Letter
- Authorizing Resolution: If debt will finance any portion of the project, a bond resolution is required, otherwise a board resolution is required
- If applying for IMG, a valid and binding Intermunicipal Agreement (IMA) between at least two cooperating municipalities related to the financing and necessary for the project
- If seeking SRF financing in addition to grant funds, a complete SRF Financing Application, if not previously submitted
- Proof of District Formation, if applicable

Applications must be submitted to NYSWaterGrants@efc.ny.gov. Large documents accompanying the application may also be submitted through the EFC Large File Upload Submission Form at <http://goo.gl/NwTA6D>. Applications that are submitted without all required information and documentation may be deemed unacceptable and may not be processed.

CONTACT US

Please direct all questions about the WIIA or IMG grant programs and application to:

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New York State Environmental Facilities Corporation
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Albany, New York 12207-2997
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⁴ The Engineering Report for projects must conform to EFC's Engineering Report Outline, available at <http://www.efc.ny.gov/2019-cw-iup> for clean water projects, and <http://www.efc.ny.gov/DWSRFApply> for drinking water projects.