



Emergency Loan and Funding Guidelines

331-545 • 10/5/2020

For purposes of this program, “emergency” refers to a natural disaster or other event that disrupts normal public water system operations and requires immediate action to protect public health and safety. Receivership projects also qualify as an emergency since the court-appointed receiver does not anticipate such an event.

The emergency loan program provides financial assistance to eligible communities experiencing loss of critical drinking water services or facilities due to an emergency. The Department of Health (DOH) has a set amount of funding available each year for emergency projects; therefore, we process applications in the order that we receive them.

When we determine an emergency exists and emergency funding is available, we may award an emergency loan to an eligible public water system. These funds will be available for the construction, reconstruction, replacement, rehabilitation, temporary repair, generator or treatment equipment rental, or improvement necessary to continue or restore operation of a public water system in a safe and reliable manner



Eligibility Requirements

Eligible Applicants

- ◆ Publicly or privately owned not-for-profit Group A community water systems with a population of less than 10,000 people. Homeowners’ associations must submit articles of incorporation.
- ◆ For receiverships, the court-appointed receiver taking over a Group A system serving fewer than 10,000 people is eligible to apply for funding and must provide the court order.
- ◆ Transient or nontransient noncommunity public water systems serving fewer than 10,000 people owned by a nonprofit organization. Nonprofit noncommunity water systems must submit tax-exempt documentation.
- ◆ Tribally-owned not-for-profit community water systems serving less than 10,000 people . The water system must meet all capacity requirements and the proposed project may not receive Safe Drinking Water Act national tribal set-aside funds.

Ineligible Applicants

- ◆ Noncommunity public water systems owned by for-profit organizations.
- ◆ State or federally owned water systems.

- ◆ Systems lacking the technical, financial, and managerial capability to ensure compliance, financial health, and loan repayment.
- ◆ Systems serving 10,000 or more people.

Application Information

The Emergency Loan and Funding Application is at doh.wa.gov/DWSRF. To help us better evaluate your application, please provide the following information with your application:

- ◆ **Project description.** Provide a short description of what happened, how it affected your water system, and proposed improvements.
- ◆ **Project cost estimate:** Provide your “best guess” of project costs. You can update the estimate later as you know more, but you need an estimate to start.
- ◆ **Insurance:** Review your insurance policy and determine what portion of the project insurance can cover.
- ◆ **Provide complete financial information.** It is important you provide the requested financial information to help us properly determine if your project qualifies for the loan.
- ◆ **Emergency declaration.** Your application must include the emergency declaration. Please see Appendix D for example declarations.

If you have questions, see DWSRF staff contact information in Appendix E or email us at dwsrf@doh.wa.gov.

Funding and Contract Information

- ◆ The maximum emergency loan award is \$500,000 per jurisdiction.
- ◆ We accept applications for DWSRF emergency loans year-round provided funding is available.
- ◆ We process applications in the order received and publish funded projects on the DWSRF webpage.
- ◆ To be eligible, the water system must be financially viable and able to repay the loan.
- ◆ Any eligible preconstruction project work completed prior to signing a contract is done at the water system’s risk. Please contact us to discuss how we are able to reimburse preconstruction activities.
- ◆ The funded project must be a construction project for repair or replacement of failed infrastructure.
- ◆ Construction work cannot start until the water system successfully completes environmental and cultural reviews.
- ◆ The borrower must receive DOH approval of the project report and related construction documents prior to construction.
- ◆ Any construction activities undertaken prior to execution of a funding agreement will not be reimbursed.
- ◆ We will provide a contract to you once we agree on the scope of work, project cost, and loan terms.

- ◆ Project must be issued a notice to proceed for construction within 12 months and you must complete the project within 24 months of signing the DWSRF contract.
- ◆ All loans will be assessed a 1.5 percent loan origination fee.
- ◆ Emergency loans will be issued at a 0 percent interest rate; subsidy is not available for emergency loans. The loan repayment period is ten years. Annual loan repayments start October of the first year of loan execution.
- ◆ Projects must comply with federal crosscutters, state laws, and related publications. See Appendix B for information. Washington State received a waiver from American Iron and Steel Provisions for emergency projects needed in response to a natural disaster costing \$100,000 or less.
- ◆ We will withhold 5 percent of your contract amount until you officially close out the project. At that time, we will reimburse the remaining funds.
- ◆ A project will be closed out when we:
 - Determine cultural and environmental deliverables are met.
 - Receive an engineer-certified construction completion report.
 - Receive any required as-built drawings.
 - Receive the financial audit report (if required).

Receiverships

Receivership projects are eligible for funding provided the water system being received under court-order is a Group A system serving fewer than 10,000 people. The funded project must:

- ◆ Be a construction project and completed within two years.
- ◆ Satisfy the terms of the court order (the court order must be submitted with the application).
- ◆ Result in safe and reliable drinking water being provided to all customers on a short-term or long-term basis.

Receivership projects qualify for up to \$500,000 in loan funding.

Contract Information

You must complete the following steps prior to receiving a DWSRF contract.

- ◆ **Step 1: Data Universal Numbering System (D-U-N-S)**
Borrowers must have a Data Universal Numbering System (D-U-N-S) Number, which is a unique nine-character identification number provided by Dun & Bradstreet. Organizations may access the form at fedgov.dnb.com/webform if they do not have a D-U-N-S Number. Internet requests are fulfilled within 24 hours. Once issued, a D-U-N-S Number should be available for use in the System for Awards Management (SAM) within 48 hours.
- ◆ **Step 2: Valid Registration with System for Awards Management (SAM)**
Borrowers must have a valid entity registration with SAM. SAM is a federally owned and

operated free website that consolidates the federal procurement systems and the Catalog of Federal Domestic Assistance (CFDA) into one system. SAM now includes the functionality of the Central Contractor Registry (CCR).

Entity registration must be updated or renewed at least once a year or it will expire. Visit sam.gov/SAM to see if you are already registered. You do not need a user account to search, just type your entity name or D-U-N-S number into the search box.

If you are not registered, you must first create a user account and register at sam.gov/SAM. You will need your D-U-N-S Number to complete your registration. If you need help, the Federal Service Desk at fsd.gov can help you navigate the system and support your SAM registration.

◆ **Step 3: Statewide Vendor Number**

1. Borrowers must establish a Statewide Vendor (SWV) Number through the Department of Enterprise Services (DES) and submit it to DOH. The Statewide Payee Desk maintains a central file that all Washington State agencies use to process payments to individuals and businesses. Contact OFM at 360-407-8180, PayeeRegistration@ofm.wa.gov, or obtain the required forms at ofm.wa.gov/it-systems/statewide-vendorpayee-services.

◆ **Step 4: Check for Federal Exclusion**

2. Before DOH awards a contract to borrowers, we verify that borrowers are not in the Federal Excluded Parties List System (EPLS) for ineligible professionals and debarred contractors at sam.gov/SAM. We document that the borrower does not appear in the EPLS by keeping a printout in the borrower's loan file. Borrowers **must** verify contractor or subcontractor eligibility through SAM and document it in the file.

Project Eligibility Requirements

- ◆ The funded project must include construction of repairs, replacement, or improvements to provide safe and reliable drinking water.
- ◆ The project must focus primarily on necessary construction in response to a natural disaster or other event that disrupted water system operations and requires immediate action to protect public health and safety.
- ◆ Project must focus primarily on one identified problem or need, such as treatment, a new reservoir, or infrastructure repair or replacement. If your project has more than one focus, we may require you to resubmit each as a separate application. Contact us for guidance if you are unsure about the focus of your project.
- ◆ Entity must declare a local disaster. Examples of declaration are in Appendix D.
- ◆ For receiverships, a copy of the court order must be included with the application.
- ◆ Eligible projects include:
 - New source.
 - Source reconstruction.
 - New reservoir or reservoir repairs.
 - Treatment plant repairs.

- Water main or distribution repairs.
- Improvements needed to provide safe and reliable drinking water in a receivership situation.

Water System Capacity Eligibility Requirements

You **do not** need a current DOH-approved water system plan or small water system management program to apply for a DWSRF emergency or receivership loan. Instead, applicants must show system financial, technical, and managerial capacity and ability to:

- ◆ Successfully run the water system.
- ◆ Complete the proposed project.
- ◆ Repay the loan.

Eligible Activities and Project Costs

The following activities are eligible for reimbursement if they relate directly to an eligible, funded DWSRF emergency loan project:

- ◆ Competitive bidding costs: You can waive this process in an emergency declaration (see Appendix D). You can also select a contractor off your small works roster.
- ◆ Contracted construction costs for repair, replacement, or other improvements.
- ◆ Labor costs including salaries and wages at actual or average rates. Administrative and project management labor costs are not eligible unless they apply to the following activities and are no more than 3 percent of the funding amount:
 - Predesign engineering.
 - Design engineering.
 - Construction engineering.
 - Permitting.
 - Cultural and environmental reviews.
- ◆ DWSRF loan fees.
- ◆ Purchasing water production capacity from another water system through an intertie, if that is the best solution for the project. Other direct costs associated with an eligible construction project, including:
 - Materials and supplies.
 - Telephone.
 - Copying, printing, and advertising.
 - Using photography for surveying or map making.
 - Video and photography for project documentation.
 - Computer usage.
 - Vehicle and equipment rental costs, such as generators or skid-mounted treatment plants.
 - Competitive bidding.
 - Audit costs.
 - Construction insurance costs (not liability insurance).

Ineligible Projects

- ◆ Projects caused primarily by failure to maintain, replace, reconstruct, upgrade, or make necessary infrastructure improvements unless the project is part of a receivership.
- ◆ Projects primarily focused on future population growth and water system expansion.
- ◆ Projects solely for preconstruction activities.
- ◆ Projects solely for studies or assessments.
- ◆ Point-of-use treatment devices for community systems and most noncommunity systems.
- ◆ Acquisition, construction, or rehabilitation of dams or raw water reservoirs.
- ◆ Individual projects for multiple water systems submitted as one application.
- ◆ Projects primarily focused on fire protection.

Ineligible Activities and Project Costs

- ◆ Water rights, unless it is part of a consolidation project.
- ◆ Laboratory monitoring fees.
- ◆ Operation and maintenance expenses.
- ◆ Indirect salaries, wages, and benefits for water system employees whose work falls outside of the scope of project construction.
- ◆ Liability insurance.
- ◆ Force account labor.
- ◆ Hauled or trucked water.
- ◆ Bottled water.
- ◆ System acquisition costs.

Application Evaluation Process

After we receive applications, we conduct an initial eligibility review that includes:

- ◆ Checking application completeness.
- ◆ Determining applicant eligibility.
- ◆ Determining eligibility of proposed project.
- ◆ Verifying applicant has no outstanding audit findings if applying for a loan.
- ◆ Verifying adequate water rights are secured.
- ◆ Verifying the applicant has legal access to the project site or will obtain legal access of the project site with funding.

If we determine applicants or projects are ineligible, we remove the applications from funding consideration and send a letter explaining the reason for the ineligibility determination. You may appeal an ineligibility decision using the appeal process described below.

Appeal Process

When your proposed project does not meet all of the eligibility criteria and system capacity requirements, we disqualify the project from DWSRF funding program consideration. You have

ten working days from the date on the disqualification notification letter to send an appeal letter to the director of the Office of Drinking Water. The appeal letter should:

- ◆ Explain how the applicant's proposed project meets the DWSRF eligibility criteria and requirements.
- ◆ Include any supporting documentation.
- ◆ Request reconsideration of the application.

Our director will review the appeal letter and documentation and reevaluate the project in light of any new information. When the director makes a decision about the appeal, we will notify the applicant in writing. The director's decision is final.

Technical Evaluation (Scoring and Ranking)

After the eligibility screening, we will score and rank the applications using the scoring criteria system described in Appendix A. It is your responsibility to clearly document in the application any public health risks and compliance problems the project will address. We may not consider unclearly presented information during scoring and ranking.

Financial Review

We review each applicant/project within the funding range to determine its ability to repay the loan. If we contact you for financial information, you must respond within 14 calendar days, otherwise we may withdraw your project from funding consideration. Failure to respond in a timely manner may result in your application being bypassed. Applicants with an outstanding audit finding will not be eligible for a loan.

Bypass Process

If our review demonstrates an applicant cannot repay a loan, does not respond to requests for additional information in a timely manner, or the project is not ready to proceed, we may "bypass" or remove the applicant or project from funding consideration. We will notify you if we bypass your project. If you don't agree with the bypass determination, you have ten working days to request a review from us.

Project Implementation

We will work with you to finalize the project scope of work. After we accept the scope of work, we will prepare a DWSRF contract for signature. To finalize your contract, we will mail the contract to you. You must sign and return the contract to us within 30 days of the postmark date. We will provide assistance on how to comply with the contract requirements.

Please note that before you begin construction you must:

- ◆ Complete the required environmental and cultural review (see below).
- ◆ Have our approval of any required project report and construction documents.
- ◆ Have us review the bid specifications.

Environmental and Cultural Reviews

We manage the DWSRF Program and ensure projects comply with the State Environmental Review Process (SERP) and National Historic Preservation Act (Section 106) and/or Governor’s Executive Order 05-05 requirements. Although the SERP and cultural/historical review are two distinct processes, we coordinate both reviews as much as possible.

Please note: Projects cannot move forward with **any** construction activities until both environmental and cultural reviews are complete and we issue a Final Completion Letter. This includes any ground-disturbing activities including geotechnical work and test wells.

Environmental Review

SERP is a checklist of all environmental regulations, which encompasses the State Environmental Policy Act (SEPA) and/or National Environmental Policy Act (NEPA). SERP identifies and analyzes potential impacts a project might have on the environment when the project will affect or is located near:

- ◆ Known habitat of endangered species.
- ◆ Contaminated soils.
- ◆ Body of water.
- ◆ Environmental sensitive area (e.g., wetlands, shorelines).

We encourage you to get started on the project permit process, including the SEPA checklist, as soon as possible.

Municipalities considered SEPA lead agencies receiving DWSRF funding must submit all documentation to us for approval (EIS, DNS, SEPA Exemption Notice, etc.). Water systems must complete a public comment period for all projects to be categorically exempted (WAC 197-11-305(2) Categorical Exemptions).

Environmental Review Timetable

Activity	Responsibility	Timeframe
Submit copies of determination, findings, permits, and affidavit of publication	Borrower	As soon as possible
Review environmental determination, findings, permits, and publications	DOH	Generally 15 days after receiving documents from borrower
Review/concur with cultural review ◆ Final Completion Letter	DOH	7 days

Cultural Review

The project “cultural review” identifies the area of potential impact on cultural resources when:

1. Ground will be disturbed.
2. Project will affect, or is located near:
 - a. Native American Reservation.
 - b. Historic structures.
 - c. Cultural resources.

According to 36 CFR 800, a government-to-government relationship is an important part of the Section 106 cultural review. The Department of Health:

- ◆ Leads the cultural review to meet Section 106, or Governor’s Executive Order 05-05 (GEO 05-05), and determines which consultation requirement applies to your project.
- ◆ Contacts consulting parties including Washington State Department of Archaeology and Historic Preservation (DAHP) and potentially affected tribes.

As part of the process, we may request supplementary information, such as construction drawings, plans, publications, or other previously approved compliance documents. Your active participation is essential for the processes to continue efficiently. Requested information not forwarded in a timely manner will delay the process.

If a Cultural Resources Survey is necessary, we will notify you as soon as possible. It is your responsibility to hire a certified entity to conduct the survey and submit a draft survey to us for approval. After we approve the survey, we will distribute to consulting parties. The archeological survey contains confidential information and is not for general distribution.

We follow a more stringent cultural review process for projects receiving additional state or federal funding. You must notify us of any additional funding the project received, along with the necessary compliance documentation. We will coordinate with other identified funding agencies. Any documentation more than five years old is not valid and will not be accepted.

Cultural Review Timetable

Activity	Responsibility	Timeframe
Evaluate Project ◆ Research Project Area	DOH	7 days
Make Determination ◆ “No Historic Properties Affected” -OR- ◆ “Potential Historic Adverse Effect”	DOH	Ongoing ¹
▪ Complete survey, monitoring plan, and/or inadvertent discovery plan	Borrower	1-3 months
▪ Additional consultation with DAHP and Tribes		4-12 months ²
Forward determination to consulting parties	DOH	30 days
Review Concurrence Letter(s)	DOH	7 days
Public comment period ◆ Publish Section 106 Findings	Borrower	7 days
Forward final completion letter concurrent with completion of environmental review	DOH	7 days

¹ Revised project scope or other relative information may result in another review.

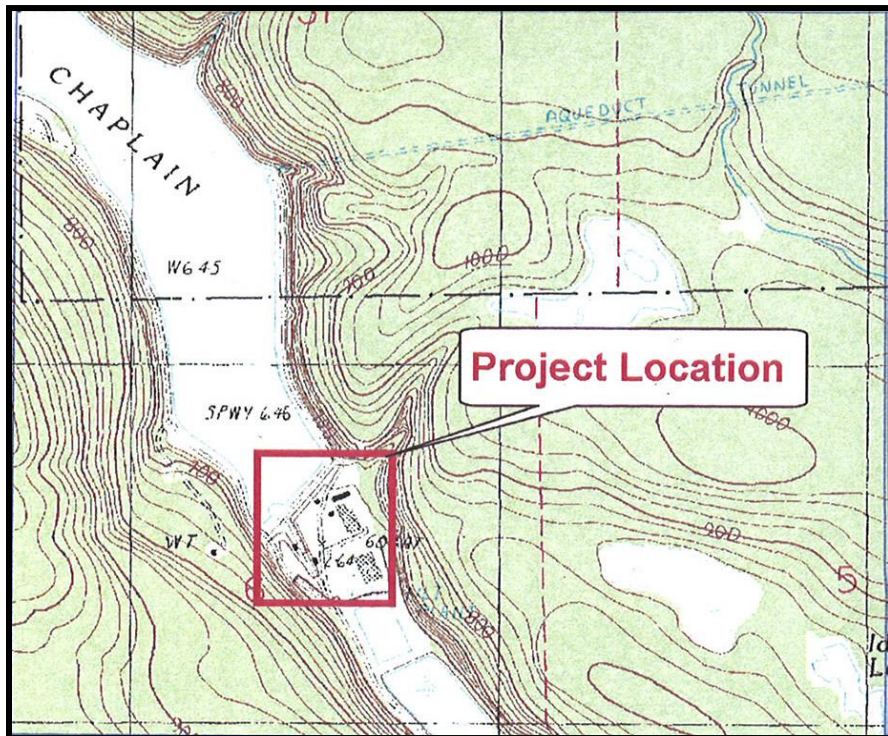
² Timeframe depends on the significance of cultural/historic resources in vicinity of the project area. If significant time is required, it may be necessary to obtain a DWSRF construction loan.

Please see Appendix C for an overview of the cultural review process.

To ensure your cultural review is not delayed:

- ◆ The EZ-1 Form is included in the DWSRF online application process.
- ◆ The EZ-1 Form must include a U.S. Geological Survey quadrangle map (7.5-minute series)
- ◆ Make sure:
 - You clearly identify your project location (see below).
 - You provide a detailed project description.
 - The township, range, and section information is correct.

Submitting the Project Review Sheet (EZ-1 Form) only initiates the cultural review. There are additional steps required. The quad map required on the EZ-1 Form must clearly identify the project area. You must outline and label the entire project area. On the next page is an example.



Changes in the Scope of Work—Potential Second Reviews

If a scope of work change includes any of the following, an additional environmental review and/or cultural review may be required.

- ◆ Increasing or changing the Area of Potential Effect.
- ◆ Excavating at a deeper depth.
- ◆ Adding new elements to the project activities.
- ◆ Increasing the pipe size.

The borrower must contact us and forward a revised EZ-1 Form to our SERP/Section 106 lead to initiate a reevaluation of the SERP/106, or Governor's Executive Order 05-05 (GEO 05-05) process. Construction activities for the revised scope of work are not allowed until we determine

whether all elements of the SERP/106 or GEO 05-05 for the proposed change are complete and a contract amendment is fully executed.

DWSRF Contract Requirements

- ◆ Our contracts staff will monitor each DWSRF contract for compliance.
- ◆ Borrowers must complete all funded projects within 24 months.
- ◆ To help ensure reasonable and timely project completion, accountability, and the proper use of funds, applicants must:
 - Promptly submit requested materials and documentation, according to any stated deadlines and schedules, during all phases of the application and contract process.
 - Issue a notice-to-proceed for construction within twelve months of contract execution, provided the environmental and cultural reviews are completed.
 - Submit required project reports and construction documents to our regional office.
 - Ask us to approve your project report and construction document before you begin construction.
 - Use a competitive bid process (described in the DWSRF Contract Handbook), unless the competitive bid process has been waived in the emergency declaration.
 - Comply with the federal Davis-Bacon Act (pay prevailing wages). If you are funded, we will explain how to comply.
 - Provide required quarterly project progress reports.
- ◆ If required in your contract, have an independent audit conducted and send the audit report to the Department of Health contract manager within 60 days of project completion.
- ◆ Within 60 days of completing construction, your project engineer must complete a *Construction Completion Report Form 31-121-F* and send it to us. The form is online at doh.wa.gov/Portals/1/Documents/Pubs/331-121-F.doc.



If you need this publication in an alternative format, call 800.525.0127 (TDD/TTY call 711). This and other publications are available at www.doh.wa.gov/drinkingwater.

APPENDIX A

Project Scoring Procedures

We use the following criteria to score all eligible applications.

The proposed project will repair or replace

Type Of Project	Points
New Source	120
Source Reconstruction	115
Disinfection Improvements	110
Filtration	110
Treatment	110
New Reservoir or Reservoir Improvements	100
Main / Distribution Improvements/Booster Pump/Seismic Improvements	100
Receiverships	100
Treatment Plant Discharge	80

APPENDIX B

Federal Crosscutters, State Laws, and Related Publications

Related Publications

- ◆ Department of Health, Drinking Water State Revolving Fund Loan Program Customer Handbook.

Environmental Authorities

- ◆ Archaeological & Historic Preservation Act of 1974, Pub. L. 86-523, as amended.
- ◆ Clean Air Act, Pub. L. 84-159, as amended.
- ◆ Coastal Barrier Resources Act, Pub. L. 92-583, as amended.
- ◆ Endangered Species Act, Pub. L. 93-205, as amended.
- ◆ Environmental Justice, Executive Order 12898.
- ◆ Native American Graves Protection and Repatriation Act.
- ◆ Floodplain Management Executive Order 11934, as amended by Executive Order 12148.
- ◆ Protection of Wetland, Executive Order 11990.
- ◆ Farmland Protection Policy Act, Pub. L. 97-98.
- ◆ Fish & Wildlife Coordination Act, Pub. L. 85-624, as amended.
- ◆ National Historic Preservation Act of 1966, Pub. L. 89-665, as amended.
- ◆ National Environmental Policy Act (NEPA).
- ◆ Safe Drinking Water Act, Pub. L. 93-523, as amended.
- ◆ Wild & Scenic Rivers Act, Pub. L. 90-542, as amended.

Social Policy Authorities

- ◆ Age Discrimination Act of 1975, Pub. L. 94-135.
- ◆ Title VI of Civil Rights Act of 1964, Pub. L. 88-135.
- ◆ Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 (Clean Water Act).
- ◆ Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (including Executive Orders 11914 and 11250).
- ◆ Equal Employment Opportunity, Executive Order 11246.
- ◆ Women's and Minority Business Enterprise, Executive Orders 11625, 12138, and 12432.
- ◆ Section 129 of the Small Business Administration Reauthorization and Amendment Act of 1988, Pub. L. 100-590.
- ◆ Anti-Lobbying Provision (40 CFR Part 30) applies only to capitalization grant recipients.

Economic and Miscellaneous Authorities

- ◆ Davis-Bacon Act (federal prevailing wage requirements) U.S. Code title 40, subtitle II, part A, chapter 31, subchapter IV; and 29 CFR 5.5 (U.S. Dept. of Labor regulations).
- ◆ Demonstration Cities & Metropolitan Development Act of 1966, Pub. L. 89-754, as amended, Executive Order 12372.
- ◆ Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act

and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans.

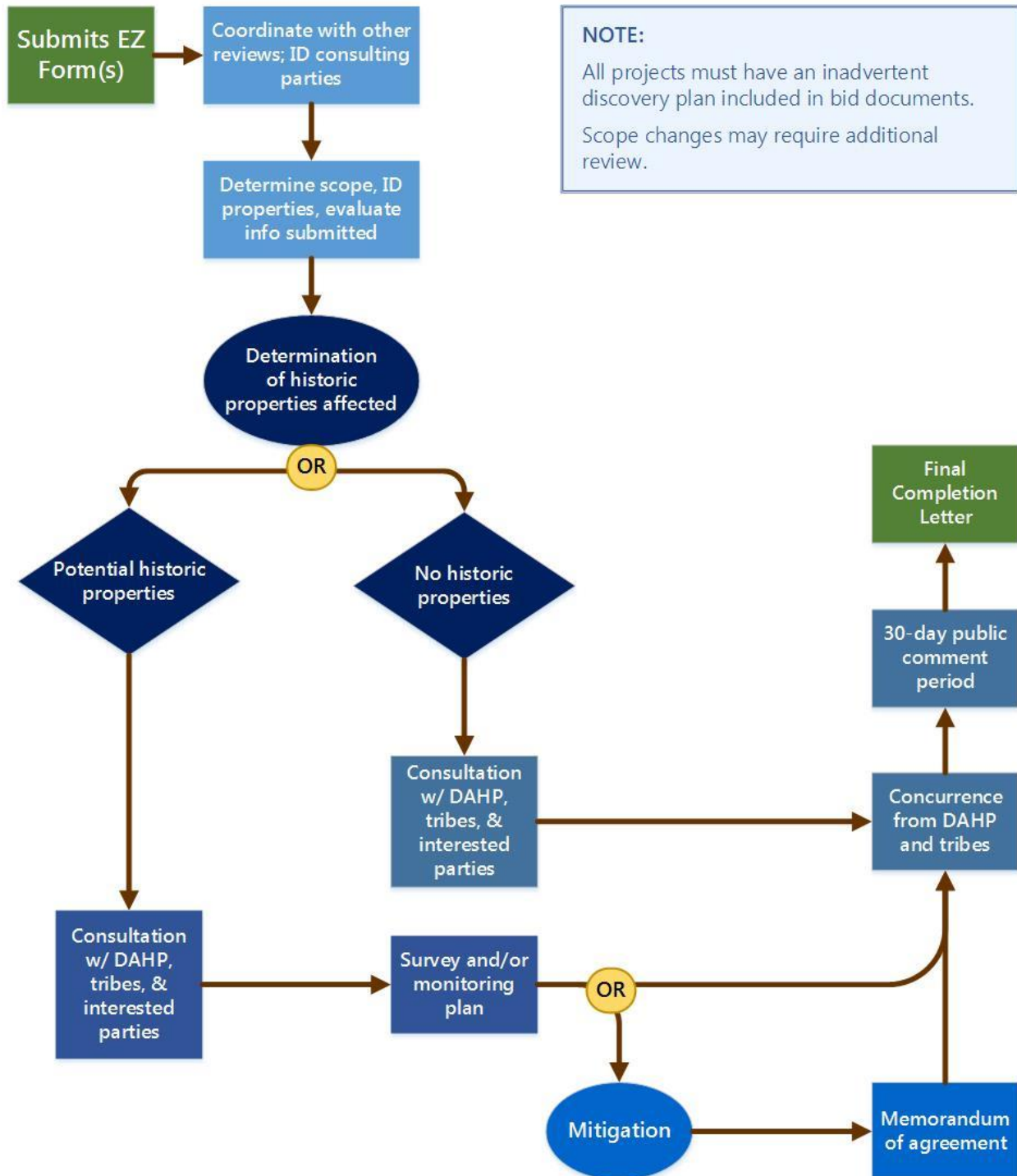
- ◆ Uniform Relocation & Real Property Acquisition Policies Act, Pub. L. 91-646, as amended.
- ◆ Debarment & Suspension, Executive Order 12549.

State Laws

- ◆ Archaeological and Cultural Resources, Governor's Executive Order 05-05.
- ◆ Chapter 36.70A RCW, Growth Management Act (GMA).
- ◆ Chapter 39.80 RCW, Contracts for Architectural & Engineering Services.
- ◆ Chapter 43.20 RCW, State Board of Health.
- ◆ Chapter 43.70 RCW, Department of Health.
- ◆ Chapter 42.56.300 RCW, Archaeological Site Public Disclosure Exemption.
- ◆ Chapter 27.44 RCW, Indian Graves and Records.
- ◆ Chapter 70.116 RCW, Public Water Systems Coordination Act of 1977.
- ◆ Chapter 70.119 RCW, Public Water Supply Systems Certification & Regulation of Operations.
- ◆ Chapter 70-119A RCW, Public Water Systems, Penalties & Compliance.
- ◆ Chapter 197-11 WAC and Chapter 43.21C RCW, State Environmental Policy Act (SEPA).
- ◆ Chapter 246-290 WAC, Group A Public Water Systems.
- ◆ Federal CFR Title 40 Part 131, [Federal National Primary Drinking Water Regulations]-Section Adopted by Reference.
- ◆ Chapter 246-292 WAC, Waterworks Operator Certification Regulations.
- ◆ Chapter 246-293 WAC, Water System Coordination Act.
- ◆ Chapter 246-294 WAC, Drinking Water Operating Permits.
- ◆ Chapter 246-295 WAC, Satellite System Management Agencies.
- ◆ Chapter 246-296 WAC, Drinking Water State Revolving Fund (and amended WSR 01-21-137 Emergency Rule for DWSRF).
- ◆ Chapter 173-160 WAC, Minimum Standards for Construction & Maintenance of Wells.
- ◆ Chapter 25.48 WAC, Archaeological Excavation and Removal Permit.
- ◆ Title 173, Department of Ecology Rules.

Appendix C

Cultural Review Flow Chart



APPENDIX D

Emergency Declarations Examples

RESOLUTION NO. -__

CITY NAME, WASHINGTON

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF *CITY, COUNTY NAME* COUNTY, WASHINGTON DECLARING AN EMERGENCY AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR A PUBLIC WORKS PROJECT.

WHEREAS, RCW 39.04.280(1)(e) provides that the governing body of a municipality may waive the competitive bidding requirement for a public works project in the event of an emergency; and

WHEREAS, RCW 39.04.280(3) defines "emergency" as unforeseen circumstances beyond the control of the municipality that either: (a) Present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken; and

WHEREAS, in *MONTH, 20XX* the *CITY NAME* discovered that *STATE THE PROBLEM*,

WHEREAS, *STATE EMERGENCY AND CITE COUNTY OR STATE EMERGENCY DECLARATIONS. FOR INSTANCE, FOR DROUGHT RELATED EMERGENCIES, CITE THE GOVERNOR'S STATEWIDE DROUGHT DECLARATION ON MAY 15, 2015,*

WHEREAS, the City Council has determined that due to the timing, location, critical function, and need for immediate repair or construction of *IDENTIFY INFRASTRUCTURE THAT IS DAMAGED*, insufficient time may not exist to complete the construction project through the standard competitive bidding process and must therefore declare the situation as an emergency; and

WHEREAS, the City Council has therefore determined that an emergency situation exists and desires to perform the necessary construction of *IDENTIFY INFRASTRUCTURE THAT IS DAMAGED* by directing the Mayor and City Administrator to waive the competitive bidding process and award all necessary contracts on behalf of the municipality to address the emergency situation;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of *CITY NAME* hereby declares that an emergency situation exists with the damage to *IDENTIFY INFRASTRUCTURE THAT IS DAMAGED* and authorizes the Mayor and City Administrator to waive the competitive bidding process and award all necessary contracts on behalf of the municipality to undertake construction.

Introduced, passed and approved this ___ day of *MONTH, 20XX*.

MAYOR NAME, Mayor

ATTEST:

CITY CLERK NAME, City Clerk

APPROVED AS TO FORM:

ATTORNEY NAME, City Attorney

POSTED:

ORDINANCE OR RESOLUTION NO. -__

WATER SYSTEM NAME
CITY NAME, WASHINGTON

ORDINANCE OR RESOLUTION OF THE WATER SYSTEM NAME BOARD OF IN CITY, COUNTY NAME COUNTY, WASHINGTON DECLARING AN EMERGENCY AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR A PUBLIC WORKS PROJECT.

WHEREAS, RCW 39.04.280(1)(e) provides that the governing body may waive the competitive bidding requirement for a public works project in the event of an emergency; and

WHEREAS, RCW 39.04.280(3) defines "emergency" as unforeseen circumstances beyond the control of the municipality that either: (a) Present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken; and

WHEREAS, *STATE EMERGENCY AND CITE COUNTY OR STATE EMERGENCY DECLARATIONS. FOR INSTANCE, FOR DROUGHT RELATED EMERGENCIES, CITE THE GOVERNOR'S STATEWIDE DROUGHT DECLARATION ON MAY 15, 2015,*

WHEREAS, in *MONTH, 20XX* the *WATER SYSTEM NAME* discovered that *STATE THE PROBLEM*

WHEREAS, the *WATER SYSTEM NAME* has determined that due to the timing, location, critical function, and need for immediate repair or construction of *IDENTIFY INFRASTRUCTURE THAT IS DAMAGED*, insufficient time may not exist to complete the construction project through the standard competitive bidding process and must therefore declare the situation as an emergency; and

WHEREAS, the *WATER SYSTEM NAME* has therefore determined that an emergency situation exists and desires to perform the necessary construction of *IDENTIFY INFRASTRUCTURE THAT IS DAMAGED* by directing the Board to waive the competitive bidding process and award all necessary contracts on behalf of the municipality to address the emergency situation;

NOW THEREFORE BE IT RESOLVED that the *WATER SYSTEM NAME* in *CITY NAME* hereby declares that an emergency situation exists with the damage to *IDENTIFY INFRASTRUCTURE THAT IS DAMAGED* and authorizes the Board to waive the competitive bidding process and award all necessary contracts on behalf of the *WATER SYSTEM NAME* to undertake construction.

Introduced, passed and approved this ___ day of *MONTH, 20XX*.

BOARD PRESIDENT NAME, President
WATER SYSTEM NAME

ATTEST:

WATER SYSTEM SECRETARY NAME, Secretary

APPROVED AS TO FORM:

ATTORNEY NAME, City Attorney

POSTED:

Appendix E

DWSRF Department of Health Contacts

Drinking Water State Revolving Fund Loan Program

Department of Health	Phone	360-236-3089 or 800-521-0323
Office of Drinking Water	Email	dwsrf@doh.wa.gov
PO Box 47822	Fax	360-236-2252
Olympia, WA 98504-7822	Website	doh.wa.gov/DWSRF

If you have questions about	Contact	Phone
Application or attachments	Sara J. Herrera	360-236-3089
Eligibility and Scope of Work	Corina Hayes	360-236-3153
Eligibility and Scope of Work	Nick Fitzgerald	509-329-2213
Cultural/Environmental Review	Scott Kugel	509-329-2117
Underwriting	Mike Copeland	360-236-3083
Contracting	Eloise Rudolph	360-236-3124
Contracting	Dennis Hewitt	360-236-3017
Contracting	Brittany Cody-Pinkney	360-236-3047

Project scope of work, regulatory requirements, project reports, construction documents, or planning requirements.

[Northwest Regional Office](#)

PO Box 47800
Olympia WA 98504
253-395-6750

[Southwest Regional Office](#)

PO Box 47823
Olympia, WA 98504-7823
360-236-3030

[Eastern Regional Office](#)

16201 E. Indiana Ave. Suite 1500
Spokane Valley, WA 99216
509-329-2100

Other Contacts

Technical Assistance for Small Water Systems

Evergreen Rural Water of Washington 800-272-5981

Website: erwow.org

Rural Community Assistance Corporation 360-836-5424

Website: rcac.org

Information about grants and loans

To receive information about other grants and loans that may be available to you, visit the Infrastructure Assistance Coordination Council's webpage at infrafunding.wa.gov.