

Construction Contracts in the SRF Program

This guide provides information to assist project sponsors, consulting engineers, and project contractors to better understand the requirements of the construction contract, responsibilities of sponsor as defined in the loan agreement, and roles of the sponsor, the Department of Health and Environmental Control (DHEC), the SC Budget and Control Board (BCB) and the consulting engineer.

This guide is broken down into two sections: (1) the preconstruction conference and (2) disbursement information. Following is a list of topics in each section:

1. **Preconstruction Conference Report:** This section contains a copy of the report that is prepared by DHEC's project manager and distributed to all parties that attend the preconstruction conference. In this report, the following subject areas are covered:
 - ▶ Purpose of Conference;
 - ▶ Authority of the Authorized Representative of the Sponsor;
 - ▶ Authority of the DHEC Representative;
 - ▶ Authority and Responsibility of the BCB;
 - ▶ Construction Requirements;
 - ▶ Environmental Requirements;
 - ▶ Substantial Project Changes and Loan Amendments;
 - ▶ Change Orders;
 - ▶ Contractor(s);
 - ▶ Time Line for SRF Disbursements;
 - ▶ Disbursement Requirements and Information.

2. **Disbursement Package for Project Sponsors:** This section provides the project sponsor with a complete package of information on policies and requirements for disbursements, specific procedures for submitting draw requests, and the required forms that will satisfy both DHEC and the BCB. This section includes discussions on:
 - ▶ SRF Disbursement Policies;
 - ▶ Requirements Prior to Submission of the First Draw Request;
 - ▶ Requirements for the First Draw Request;
 - ▶ Draw Request Procedures and Requirements.

Please note that all this information will be provided during the preconstruction conference. The early distribution of this information to project sponsors and consulting engineers is intended to introduce future steps and requirements of the SRF program.

SECTION 1
PRECONSTRUCTION CONFERENCE REPORT

**STATE OF SOUTH CAROLINA
STATE REVOLVING FUND (SRF) PROGRAM
PRECONSTRUCTION CONFERENCE REPORT**



PROJECT NAME: _____

DATE: _____

TIME: _____

PLACE: _____

SPONSOR: _____

DHEC DISTRICT REPRESENTATIVE: _____

DHEC SRF PROJECT MANAGER: _____

CONSULTING ENGINEER: _____

BUDGET AND CONTROL BOARD: _____

PURPOSE OF CONFERENCE

The purpose of this conference is to reach a mutual understanding of the contract requirements, to discuss the responsibilities of the sponsor as required under the provisions and conditions of the loan agreement, and to define the roles of the sponsor, DHEC, the SC Budget and Control Board (BCB) and the consulting engineer.

AUTHORITY OF THE AUTHORIZED REPRESENTATIVE OF THE SPONSOR

The authorized representative of the sponsor has the authority to administer the loan agreement, construction contract(s), and to issue certain revisions to the contract(s). These revisions will be limited by the amount and scope specified in the loan agreement. Only the sponsor has the authority to make changes to the contracts, after approval by DHEC.



AUTHORITY OF THE DHEC REPRESENTATIVE

The DHEC SRF Project Manager _____, and DHEC District Inspector(s) have the authority, with respect to state law, to monitor, advise and offer assistance to the sponsor to insure that:

- ▶ The sponsor is complying with provisions of the loan agreement.
- ▶ The sponsor's performance will assure the technical integrity of the project.
- ▶ The sponsor is providing adequate construction supervision.

The DHEC SRF project manager will be responsible for reviewing and issuing approvals for project revisions, change orders, disbursements, and other related project activities in coordination with representatives of the SCBCB.

The SRF Financial/Procurement Officer will be responsible for reviewing and certifying draw requests for disbursement to the DHEC finance office and the BCB for disbursement processing. The DHEC SRF project manager will be responsible for checkpoint disbursement requests and any adjustments that may be required during the course of the project. Checkpoint reviews are performed on the first and last draw requests, and at 30%, 60% and 90% of construction completion.

AUTHORITY AND RESPONSIBILITIES OF THE BCB

The BCB has the authority to insure compliance with all provisions of the loan agreement and associated loan documents. Any questions relative to the **loan agreement** should be addressed to the BCB.

The BCB is responsible for:

- ▶ Assuring fiscal integrity of the loan and assuring that the sponsor is carrying out required responsibilities specified in the loan agreement.
- ▶ Administrative functions related to the loan agreement and associated documents, loan disbursements, and loan amendments.

RESPONSIBILITIES OF THE SPONSOR

The sponsor bears the primary responsibility for complying with all terms and conditions of the loan agreement and for the administration and success of the loan project, including all contracts made by the sponsor.

The sponsor is responsible for compliance by the contractor(s) with the following requirements:

- ▶ The Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333).
- ▶ Copeland Regulations of the Secretary of Labor (29 CFR Part 3).
- ▶ The Department of Labor Non-Discrimination Provisions (Executive Order 11246).
- ▶ The Department of Labor Equal Opportunity Contract Specifications (Executive Order 11246).
- ▶ Compliance of all contractors and subcontractors with the U.S. General Services Administration's List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
- ▶ Use of small, minority and women businesses.
- ▶ The Flood Disaster Protection Act of 1973 [40 CFR Part 30].
- ▶ Fire and Extended Coverage Insurance (Builder's Risk).
- ▶ Compliance with equal opportunity requirements (40 CFR, Part 8).
- ▶ All other special conditions and/or requirements outlined in the approved specifications documents or loan documents.

CONSTRUCTION REQUIREMENTS

- ▶ In accordance with the Loan Agreement, Article 8, the sponsor has agreed to provide competent and adequate engineering supervision and continuous construction inspection. Additional inspections by DHEC authorized representatives may be made at any time during project construction. The applicable DHEC district office will perform the final inspection.
- ▶ After the issuance of the notice to proceed by the sponsor, a monthly construction inspection report must be provided to the DHEC SRF project manager. The monthly construction inspection report should be completed by the individual that is directly responsible for construction inspection.
- ▶ A Monthly Construction Inspection Report (DHEC Form 3587) is attached. Any equivalent form is acceptable provided the same information is given.
- ▶ The contractor's and sponsor's inspectors must maintain a complete set of approved plans and specifications on the job site at all times during construction.
- ▶ During construction, water/wastewater treatment provided must not be less than before construction.

Any exception to these requirements must be approved by DHEC. The reasonable cost of complying with these requirements is eligible for loan participation.

ENVIRONMENTAL REQUIREMENTS

The sponsor and contractor(s) are advised that it is necessary to comply with all environmental protection and pollution control programs established by DHEC and/or local ordinances.

Attention should be paid to the following items throughout the construction process:

- ▶ The SC Department of Archives and History should be notified if archaeological remains are discovered during construction.
- ▶ Protection of existing trees, shrubs and grass
- ▶ Dust control on haul roads, excavation work and borrow areas.
- ▶ Siltation, soil erosion and other non-point source pollution must be minimized during construction.
- ▶ Use of chemicals should be in accordance with applicable EPA, OSHA or other standards.
- ▶ The contractor(s) and subcontractor(s) should be aware that the sponsor retains complete responsibility for meeting any applicable NPDES/ND permit limits or drinking water standards.
- ▶ Disposal of all residual sludge and/or solids from a treatment facility must be in accordance with a DHEC-issued permit or approval letter.
- ▶ Bypassing of a wastewater treatment facility is not permitted.

SUBSTANTIAL PROJECT CHANGES AND LOAN AMENDMENTS

Prior written approval by DHEC is required for project changes which may substantially alter the:

- ▶ Design or scope of the project
- ▶ Type of treatment
- ▶ Location, size, capacity or quality of any major item of equipment

The sponsor must promptly notify the BCB and the DHEC SRF project manager of events or proposed changes which require a loan amendment. If the sponsor intends to request loan participation in any proposed change order which affects the scope of work or budget by major category as identified in the executed Loan Agreement (Appendix A), the sponsor must obtain prior written approval of the change(s) by BCB. Prior written approval by BCB will also be necessary if the change affects or alters the Loan Agreement.

CHANGE ORDERS

A change in the project work that is consistent with the objective of the project and within the scope of the loan agreement requires the execution and DHEC approval of a change order. DHEC will determine the reasonableness of cost for all change orders; however, in no instance will change orders be approved for loan participation in an amount in excess of the funds available in the loan agreement

The sponsor should notify DHEC of proposed changes to the contract or to the project in advance, except minor or emergency changes.

Time extensions for the contract shall be made using a change order. Contract time extensions do not affect the schedules established in the Loan Agreement.

A disbursement will not be made for work performed under a change order until it has been approved by DHEC. Change order approvals do not affect the loan amounts established in the Loan Agreement.

The change order format shall comply with the form included in the approved contract specifications.

One original and three copies of the change order must be submitted to the DHEC SRF Project Manager. The following information should be provided with all change orders:

- Need for the change
- Clear description of the change
- Cost and pricing data
- Memo of negotiations
- For claims, information showing the claim did not result from mismanagement

CONTRACTOR(S)

FIRST CONTRACTOR: _____

**SUPERINTENDENT RESPONSIBLE FOR CONSTRUCTING THE
ENTIRE CONTRACT: _____**

**INDIVIDUAL RESPONSIBLE FOR NEGOTIATING AND SIGNING
CHANGE ORDERS AND PROJECT REVISIONS: _____**

NOTICE TO PROCEED WILL BE ISSUED ON: _____

CONTRACT TIME IS: _____

CONSTRUCTION COMPLETION DATE IS: _____

SECOND CONTRACTOR: _____

**SUPERINTENDENT RESPONSIBLE FOR CONSTRUCTING THE
ENTIRE CONTRACT: _____**

**INDIVIDUAL RESPONSIBLE FOR NEGOTIATING AND SIGNING
CHANGE ORDERS AND PROJECT REVISIONS: _____**

NOTICE TO PROCEED WILL BE ISSUED ON: _____

CONTRACT TIME IS: _____

CONSTRUCTION COMPLETION DATE IS: _____

THIRD CONTRACTOR: _____

**SUPERINTENDENT RESPONSIBLE FOR CONSTRUCTING THE
ENTIRE CONTRACT: _____**

**INDIVIDUAL RESPONSIBLE FOR NEGOTIATING AND SIGNING
CHANGE ORDERS AND PROJECT REVISIONS: _____**

NOTICE TO PROCEED WILL BE ISSUED ON: _____

CONTRACT TIME IS: _____

CONSTRUCTION COMPLETION DATE IS: _____

FOURTH CONTRACTOR: _____

**SUPERINTENDENT RESPONSIBLE FOR CONSTRUCTING THE
ENTIRE CONTRACT: _____**

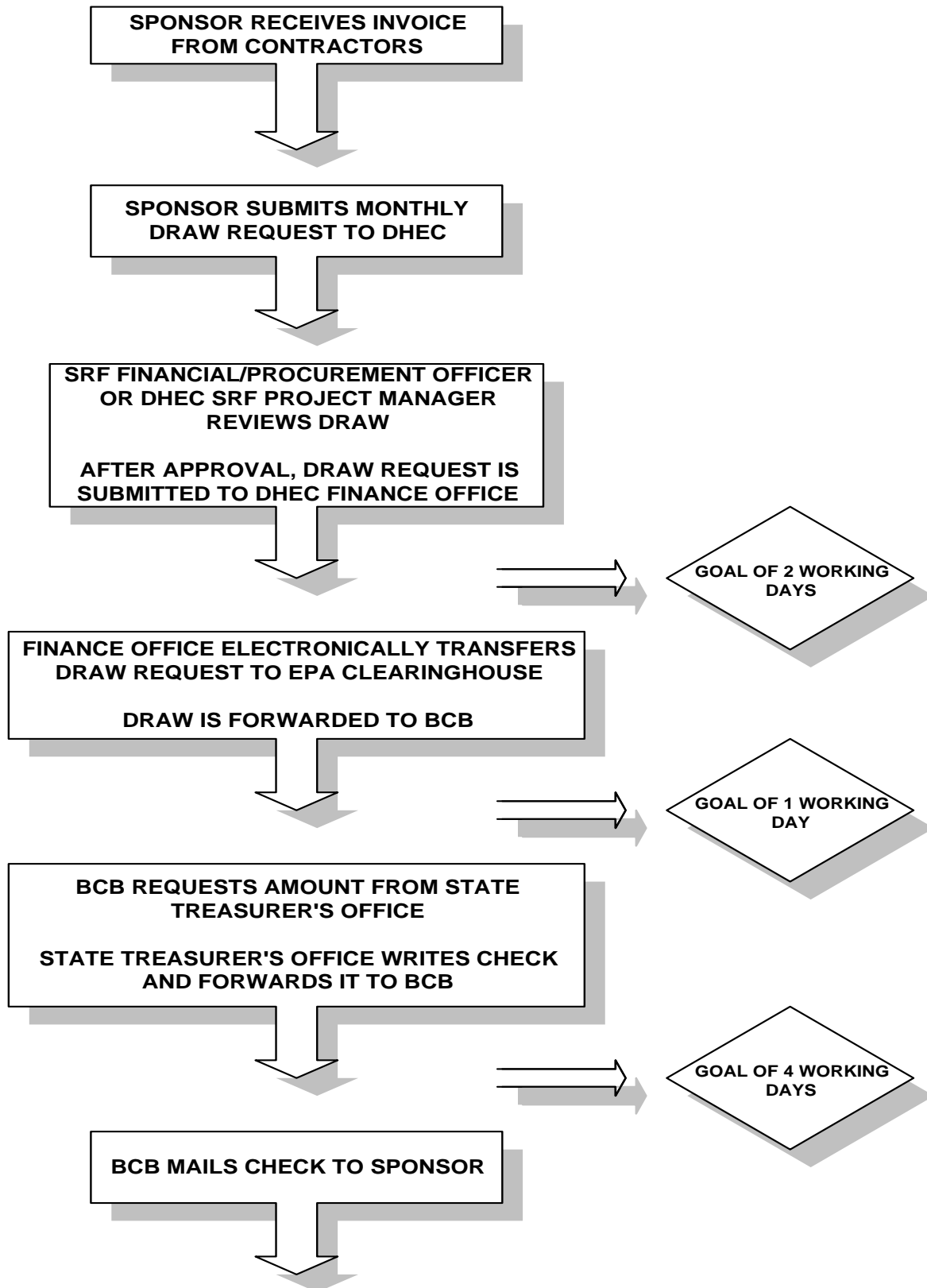
**INDIVIDUAL RESPONSIBLE FOR NEGOTIATING AND SIGNING
CHANGE ORDERS AND PROJECT REVISIONS: _____**

NOTICE TO PROCEED WILL BE ISSUED ON: _____

CONTRACT TIME IS: _____

CONSTRUCTION COMPLETION DATE IS: _____

TIME LINE FOR SRF DISBURSEMENTS



DISBURSEMENT REQUIREMENTS AND INFORMATION

The sponsor must designate a "Sponsor Representative" who will be responsible for submitting draw requests, making payments on the loan and representing the sponsor in other matters pertaining to administration of the loan agreement. This individual must be an official or employee of the sponsor. Also, the sponsor must designate two individuals authorized to sign draw requests. These two individuals should be the project engineer and the designated sponsor representative. An SRF "Official Designation and Signature Form" (DHEC Form 3586), identifying these individuals, must be on file 30 days prior to the first draw request. Two original forms must be executed and the required signatures must be in blue ink. Submit one original to DHEC and the other original to BCB.

Prior to the first draw request, a copy of the Notice to Proceed and one copy of the bound executed contract documents must be submitted to DHEC.

The SRF Disbursement Package provides detailed procedures for submission of draw requests and estimated draw request schedules.

Weekly certified payroll records must be submitted to the loan sponsor. Payroll records must be retained for a period of three years from the completion of the contract.

The Disadvantaged Business Enterprise (DBE) requirements mandate that minority and women-owned businesses be given the opportunity to participate in a fair share of the subcontracts awarded. The prime contractor must obtain DHEC approval prior to executing any subcontract. Failure to have sub approval prior to the sub working on the job site will delay draw request processing and may result in costs declared ineligible for SRF assistance.

The prime contractor is required to report the actual dollar amount paid to a DBE sub using the "MBE/WBE Utilization under Federal Grants, Cooperative Agreements, and Interagency Agreements" (EPA Form 5700-52A) to DHEC. The reporting period is semiannual, with reporting periods ending March 31st and September 30th. Submission of this report is required even if there is no MBE/WBE activity to report; this is called a Negative Report. **Failure to meet this requirement may result in loan draw requests being held pending receipt of the MBE/WBE Utilization Reports.**



Project Sponsor: _____
Project No.: _____
Contractor: _____
Division: _____

STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
MONTHLY CONSTRUCTION INSPECTION REPORT

Inspection Month and Year: _____ Inspection No.: _____
 Scheduled Construction Complete (%): _____ Actual Complete (%): _____

Brief Description of Monthly Construction Activity: _____

Overall Project Performance (Deficiencies, Quality of Construction): _____

Comments and/or Recommendations: _____

Change Order No.	Date Submitted to DHEC	Date Approved by DHEC
_____	_____	_____

Subcontractors on Site	Construction Type
_____	_____

Inspector's Signature: _____ Date: _____

*Submit one report for each contract and include with the DHEC Form 3585, Draw Request Form.
 Do not submit daily log sheets with this report.*

*Submit to:
 SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201*



SOUTH CAROLINA STATE REVOLVING FUND DISBURSEMENT PACKAGE FOR PROJECT SPONSORS

Contents:

1. Disbursement Information
2. Designation and Signature Forms
3. Draw Request Form with Instructions
4. Land Acquisition Forms with Instructions

DISBURSEMENT INFORMATION

Under the State Revolving Fund (SRF), there are disbursement policies, procedures and requirements that apply to all loan recipients, some of which appear in the loan agreement between the project sponsor and the South Carolina Revolving Fund Authority. It is the responsibility of the project sponsor to comply with the provisions of the loan agreement, which is a legally binding document.

While the disbursement policies, procedures and requirements govern the SRF program as a whole, some relate more to the responsibilities of the Department of Health and Environmental Control (DHEC) under the program and others involve the Budget and Control Board, Office of Local Government (BCB), which administers the financial functions of the SRF for the Authority. In general terms, DHEC reviews the technical aspects of the draw requests and the BCB disburses the monies. Both agencies insure compliance with the loan agreement, as well as other disbursement provisions contained herein.

This material provides the project sponsor with a complete package of information on policies and requirements for disbursements, specific procedures for submitting draw requests and the required forms that will satisfy both agencies. Material that must be provided to either agency should be addressed as follows:

DHEC

Ms. Celeste Osterburg
Financial Manager, SRF Section
Water Facilities Permitting
Division
DHEC
2600 Bull Street
Columbia, SC 29201
Phone: 803-898-3547
Email: osterbec@dhec.sc.gov

BCB

Mr. Stan Gooding
Loan Administration Coordinator
Office of Local Government
BCB
1122 Lady Street, Suite 1080
Columbia, SC 29201
Phone: 803-737-3805
Email: goods@olg.sc.gov

I. SRF DISBURSMENT POLICIES

A. Disbursements will only be made against incurred, actual eligible costs of the project, not to exceed the amount specified for each cost category prescribed in Appendix “A” of the BCB loan agreement.

B. Labor or administrative activities performed by employees of the project sponsor (i.e., force account work) are not eligible costs.

C. When the project sponsor is seeking reimbursement for amounts already paid on a project, the disbursement check will be drawn and mailed to the project sponsor. When the project sponsor is seeking funds to pay incurred project costs, the disbursement check(s), at the option of the BCB, may be drawn to the project sponsor alone or jointly to the project sponsor and engineer or vendor. The check(s) will be mailed to the project sponsor.

D. Draw requests will not be accepted prior to the execution of all construction contracts. The first draw request must include an amount for incurred construction costs.

E. Draw requests shall not be submitted more often than monthly.

F. When the project budget indicates that the loan represents only a portion of the eligible costs of the project, or a portion of the costs of a category, any draw may not exceed the same proportion of such costs reported for disbursement unless otherwise approved by the BCB. Waivers will only be considered where other sources of funds are to be expended first, and waiver requests must be submitted in writing to the BCB no later than 60 days prior to submission of the first draw request.

G. The project sponsor should submit draw requests at least 21 days before the funds are required. The BCB will make every effort to disburse funds within 14 to 21 days of receiving a request, but it cannot guarantee this schedule.

H. The project sponsor shall promptly disburse funds received from the SRF to pay eligible costs of the project and for no other purpose. In no case should the disbursed funds be held by the project sponsor more than 3 days, unless the disbursement is for a reimbursement.

I. The project sponsor shall not request disbursements against retainage until retainage is paid.

J. The project sponsor shall not request disbursements for any change order until the change order has been approved by DHEC.

K. The final disbursement will not be made until the Permit to Operate is issued by DHEC. A copy of the permit(s) must be submitted with the final draw request to DHEC and BCB. Draw requests will not be accepted later than 120 days from the date of the Permit to Operate. A waiver to the 120 day rule, which is contained in the loan agreement, may be considered by the BCB only under extraordinary circumstances beyond the control of the project sponsor. Any such waiver request must be submitted to the BCB by the designated sponsor representative and contain sufficient justification to clearly document the problem.

L. If the project sponsor is required to incrementally fund a Debt Service Reserve Fund, no disbursement will be made on any draw request unless the amount on deposit in this Fund meets

the requirements of the loan agreement and the trustee submits written verification of deposit to the BCB.

M. Each request for, and acceptance of, a disbursement by the project sponsor shall be affirmation that the representations and warranties of the loan agreement remain true and correct as of the date of the request and acceptance, that no breach of other provisions of the loan agreement has occurred, and that no adverse developments affecting the financial condition of the project sponsor or its ability to complete the project or to repay the loan plus interest have occurred since the date of the loan agreement unless specifically disclosed in writing by the project sponsor in the request for disbursement submitted to the BCB.

II. REQUIREMENTS PRIOR TO SUBMISSION OF THE FIRST DRAW REQUEST

A. The project sponsor must designate a “Sponsor Representative” for purposes of disbursements, payments and other matters pertaining to administration of the loan agreement. This individual, who is required to be an official or employee of the project sponsor, must be designated in writing prior to submission of the first draw request (see Appendix A).*

B. Identification and signatures of the two persons authorized to sign draw requests must be submitted by the project sponsor in writing prior to submission of the first draw request (see Appendix A). These two individuals should be the project engineer and the sponsor representative named in category A above.*

C. A complete set of executed bound contract documents and a copy of the Notice to Proceed must be provided to DHEC prior to submission of the first draw request.

Two “Official Designation and Signature Form(s)” (DHEC Form 3586) are enclosed in Appendix A which should be used for the designations required in categories A and B above. Send one form to DHEC and the other to BCB, each with **original signatures in **blue** ink.*

III. REQUIREMENTS FOR THE FIRST DRAW REQUEST

A. All amounts to be requested for disbursement in any of the categories for “Planning and Design Engineering”, “Land Acquisition” and “Legal and Appraisal Fees” will be accepted only with the first construction draw request.

B. If the project sponsor is required to incrementally fund a Debt Service Reserve Fund, evidence of the establishment of such a Fund and the then current balance must be submitted to the BCB with the first draw request. No disbursement will be made if there is any deficiency in the required balance.

C. The initial draw request, if received more than 90 days after the date of the loan agreement, must also be accompanied by a letter from the project sponsor’s attorney to the Authority, the contents of which are specified in Section 1.6.5(b) of the loan agreement. This attorney letter, if applicable, should not be issued sooner than 2 weeks preceding submission of the draw request and should be sent to BCB.

D. The first draw request, as well as all subsequent requests, must follow the procedures and requirements of the next section.

IV. DRAW REQUEST PROCEDURES AND REQUIREMENTS

A. The SRF “Draw Request Form” (DHEC Form 3585), enclosed in Appendix B, must be used by the project sponsor to request all disbursements on any SRF loan.

B. Draw requests must be prepared in accordance with the instructions provided on the form and signed by the proper officials, as designated by the project sponsor.

C. Draw requests are to be submitted simultaneously as follows:

- One original and one copy of the draw request with one set of supporting invoices to DHEC.
- One copy of the draw request only, *without* supporting documentation to BCB, *except* for one copy of the bond counsel invoice and the items in I.K (Permit to Operate) and III.C (attorney letter).

D. “Monthly Construction Inspection Report(s)” (DHEC Form 3587) must be submitted to DHEC with each draw request covering the period for which construction costs are being claimed.

E. Eligible Expenses for Draw Request Categories:

1. Engineering (Planning and/or Design) - Include only actual eligible engineering costs incurred by a consultant during the planning and/or design phases of the project, including value engineering if selected by the project sponsor and approved by DHEC. Expenses incurred earlier than 36 months prior to submittal of a complete loan application are not eligible for participation. Disbursements may not exceed the amount shown for this category in Appendix “A” of the BCB loan agreement.

2. Land Acquisition – Include only the actual incurred costs for the purchase of eligible land, but do not include any associated legal, appraisal or relocation costs. Please complete Land Acquisition form #2553 or form #2554, depending on type of project, and include with first draw request. In the Clean Water SRF program, land is eligible only if it is an integral part of the treatment process, e.g., land application. In the Drinking Water SRF program, land is eligible if it is needed to locate eligible treatment or distribution projects and is purchased from a willing seller. The cost of any land acquired earlier than one year prior to submittal of a complete loan application is *not* eligible and should not be included in the draw request. Disbursements may not exceed the amount shown for this category in Appendix “A” of the BCB loan agreement.

3. Legal and Appraisal Fees - Include only the following actual incurred expenses: (1) legal and/or appraisal fees directly related to land acquisition for the project; (2) attorney and bond counsel fees incurred to close the SRF loan. Do not include any costs incurred earlier than one year prior to submittal of a complete loan application. Disbursements may not exceed the amount shown for this category in Appendix “A” of the BCB loan agreement.

4. Construction – Include only actual eligible costs incurred for the construction of the project. Disbursements may not exceed the amount shown for this category in Appendix “A” of the BCB loan agreement.

5. Equipment – Include only actual eligible incurred costs of equipment for use in the project, but not a part of the construction contracts. Disbursements may not exceed the amount shown for this category in Appendix “A” of the BCB loan agreement.

6. Construction Engineering – Include only actual eligible incurred costs for continuous inspection, construction engineering and other engineering services during the construction phase of the project. Do not include any engineering costs which may be incurred during start-up operations or which were incurred during the planning and design phases. Disbursements may not exceed the amount shown for this category in Appendix “A” of the BCB loan agreement.

F. Comprehensive Reviews (milestones) have been established for the first, 30%, 60%, 90% and final draw requests. At these times, DHEC conducts a thorough review of the draw requests to ensure compliance with all disbursement, technical, DBE (minority and women owned businesses), EEO (Equal Employment Opportunity) and procurement requirements. Draw requests will be held pending resolution of any noted deficiencies.

G. DHEC adjustments will be made on current or subsequent draw requests as required. A copy of the adjusted draw request, with a letter or explanation, will be forwarded to the project sponsor for use in generating subsequent requests.

APPENDIX A
OFFICIAL DESIGNATION AND SIGNATURE FORMS
(DHEC Form 3586)



Project Sponsor: _____
Project Name: _____
Loan No.: _____
Date: _____

**STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
OFFICIAL DESIGNATION AND SIGNATURE FORM**

DESIGNATION OF SPONSOR REPRESENTATIVE

Pursuant to Section 1.3.2 of the Loan Agreement, the official or employee of the Project Sponsor whose name, title, and signature appears below is designated for purposes of submitting disbursement/draw requests, making payments on the loan and representing the Project Sponsor in all administrative matters pertaining to administration of the Loan Agreement.

_____	_____
Typed Name and Title	Signature

INDIVIDUALS AUTHORIZED TO SIGN DRAW REQUESTS

The officials whose names, titles and signatures appear below are designated and empowered to execute all documents concerning the preparation and submission of Draw Requests for loan proceeds from the State Revolving Fund to the South Carolina Budget and Control Board (BCB) and the South Carolina Department of Health and Environmental Control (DHEC), pursuant to the terms and conditions of the Loan Agreement.

_____	_____
Project Engineer: Typed Name and Title	Signature

_____	_____
Sponsor Representative: Typed Name and Title	Signature

AUTHORITY OF DESIGNATIONS

I certify that the above identified individuals have been authorized to carry out the designated responsibilities and I further certify that the above signatures are of the individuals so authorized.

_____	_____
Name and Title of Authorizing Official	Official's Signature

*Submit an original to DHEC and to the BCB at:
 SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201
 SCBCB, Office of Local Government, Loan Administration Coordinator
 1122 Lady Street, Suite 1080, Columbia, SC 29201*



Project Sponsor: _____
Project Name: _____
Loan No.: _____
Date: _____

**STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
OFFICIAL DESIGNATION AND SIGNATURE FORM**

DESIGNATION OF SPONSOR REPRESENTATIVE

Pursuant to Section 1.3.2 of the Loan Agreement, the official or employee of the Project Sponsor whose name, title, and signature appears below is designated for purposes of submitting disbursement/draw requests, making payments on the loan and representing the Project Sponsor in all administrative matters pertaining to administration of the Loan Agreement.

_____	_____
Typed Name and Title	Signature

INDIVIDUALS AUTHORIZED TO SIGN DRAW REQUESTS

The officials whose names, titles and signatures appear below are designated and empowered to execute all documents concerning the preparation and submission of Draw Requests for loan proceeds from the State Revolving Fund to the South Carolina Budget and Control Board (BCB) and the South Carolina Department of Health and Environmental Control (DHEC), pursuant to the terms and conditions of the Loan Agreement.

_____	_____
Project Engineer: Typed Name and Title	Signature

_____	_____
Sponsor Representative: Typed Name and Title	Signature

AUTHORITY OF DESIGNATIONS

I certify that the above identified individuals have been authorized to carry out the designated responsibilities and I further certify that the above signatures are of the individuals so authorized.

_____	_____
Name and Title of Authorizing Official	Official's Signature

*Submit an original to DHEC and to the BCB at:
 SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201
 SCBCB, Office of Local Government, Loan Administration Coordinator
 1122 Lady Street, Suite 1080, Columbia, SC 29201*

APPENDIX B

DRAW REQUEST FORM (DHEC Form 3585)

INSTRUCTIONS FOR PREPARING SRF DRAW REQUEST FORMS

PURPOSE: Project sponsors must use this draw request form to request disbursement from their State Revolving Fund loan.

SECTION I

ITEM BY ITEM INSTRUCTIONS

Required information is either self-explanatory or may be obtained from the Revolving Loan Fund Agreement.

SECTION II

- 1 **Column A:** Categories have been extracted from the Loan Agreement. No other categories, including line 8 (Other), may be used without the prior written approval of the Budget and Control Board (BCB) and the Department of Health and Environmental Control (DHEC).
- 2 **Column B, C, & D:** This data must be obtained from the Loan Agreement and will remain constant unless the Loan Agreement is modified to reflect new Eligible Project Costs and/or Costs Approved for Loan. An approved waiver by the BCB may change the percentages in Column D.
- 3 **Column E:** Reflect the Total Cumulative Eligible Project Costs or Waiver Amount Costs Incurred to Date, by category, in this column. The category amounts and totals cannot exceed the amounts and totals reflected in Column B or the Waiver amount approved by BCB, whichever is applicable.
- 4 **Column F:** The Total Cumulative Loan Amounts Requested to Date, by category, are determined by applying the percentages reflected in Column D to the amounts in Column E. However, Page 3 must be used to compile totals for Construction and Construction Engineering. The percentages established in Column D for these categories will be used to determine the Construction and Construction Engineering amounts on Page 3. The category amounts and totals in Column F cannot exceed the category amounts and totals reflected in Column C.
- 5 **Column G:** The Actual Cumulative Loan Amounts Received to Date, by category, are reflected in this column. If an unpaid draw request is being processed by DHEC or the BCB, a departmental adjustment will be made in this column to reflect the appropriate amount.
- 6 **Column H:** The Amount of the Request, by category, is determined by subtracting Column G amounts from Column F amounts.
- 7 **Last Column:** Reserved for DHEC Use Only.
- 8 All adjustments must be reflected in the appropriate category amounts and totals.
- 9 Invoices to support the Amount of this Request, by category, must be enclosed with the Draw Request Form

SECTION III

- 1 **Project Sponsor Certification:** Signatures of the officials so designated by the project sponsor shall be affixed to the draw request form. Signature forms for the authorized representatives must be on file with the BCB and DHEC.
- 2 **DHEC Officials' Certification:** Signatures of the officials so designated by the Director, Water Facilities Permitting Division, shall be affixed to the draw request form. Certification by the Project Manager is only required for check point payments and adjustments.

PROCESSING PROCEDURES

Draw requests are to be submitted simultaneously as follows:

- * One original and one copy of the draw request with one set of supporting invoices and documentation to: SC DHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201
- * One copy of the draw request, without supporting documentation, to: SCBCB, Office of Local Government, Loan Administration Coordinator, 1122 Lady Street; Suite 1080, Columbia, SC 29201

DHEC files the original in the main project file, located in DHEC's Central Office.

DHEC USE ONLY

_____ Date Received from Project Sponsor

Check Point: Yes _____ No _____

_____ 1st _____ 30% _____ 60% _____ 90% _____ Final

_____ % of Draw on Loan

_____ Date Review Completed

_____ Date Forwarded to DHEC FM

_____ Procurement Manager's Certification

SRF DRAW REQUEST FORM

1. CONSTRUCTION:

A Contract/Division Contractor	D Loan Percentage (C/B) or Waiver Percentage	E Total Cumulative Eligible Project Costs Incurred to Date	F Total Cumulative Loan Amounts Requested to Date (E*D)	G Actual Cumulative Loan Amounts Received to Date	H Amount of This Request (F-G)
A. _____	100%				
B. _____					
C. _____					
D. _____					
E. _____					
Construction Totals:					

Transfer Totals to line 4, Page 1

2. CONSTRUCTION ENGINEERING:

A Sub-Category	E Total Cumulative Eligible Project Costs Incurred to Date	F Total Cumulative Loan Amounts Requested to Date (E*D)	G Actual Cumulative Loan Amounts Received to Date	H Amount of This Request (F-G)
A. Project Inspection				
B. Basic Engineering Services				
C. Other Engineering Services				
Construction Engineering Totals:				

Transfer Totals to line 7, page 1

DHEC USE ONLY	
Adjustments	
___	This Request
___	Next Request

DHEC USE ONLY	
Adjustments	
___	This Request
___	Next Request

APPENDIX C

LAND ACQUISITION FOR CWSRF FUNDING FORM (DHEC Form 2553)

LAND ACQUISITION FOR DWSRF FUNDING FORM (DHEC Form 2554)



Project Name: _____
Project No.: _____
Sponsor: _____

STATE OF SOUTH CAROLINA
LAND ACQUISITION FOR CWSRF FUNDING

Seller's Name _____
Property Address _____
Tax Map # _____
Appraisal Amount* _____
Amount Paid* _____

Seller's Name _____
Property Address _____
Tax Map # _____
Appraisal Amount* _____
Amount Paid* _____

Seller's Name _____
Property Address _____
Tax Map # _____
Appraisal Amount* _____
Amount Paid* _____

Seller's Name _____
Property Address _____
Tax Map # _____
Appraisal Amount* _____
Amount Paid* _____

Seller's Name _____
Property Address _____
Tax Map # _____
Appraisal Amount* _____
Amount Paid* _____

I certify that the above tracts of land are an integral part of the treatment process for the above referenced project.

Signature of Sponsor or Sponsor's Designated Representative _____
Date

Submit to:

SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201

**Attach a copy of the appraisal and a copy of the cancelled check or recorded deed. If the amount paid differs from the appraisal amount, attach written justification supporting the deviation.*

INSTRUCTIONS FOR COMPLETING THE CWSRF LAND ACQUISITION FORM

The purpose of the Land Acquisition for CWSRF Funding form is to justify land acquisition reimbursement from the SRF fund.

This form needs to be completed by the Sponsor or Sponsor's Designated Representative.

Please provide the project name, project SRF number, and sponsor.

Please provide the requested information for each parcel of land purchased. Only provide information for those parcels for which reimbursement will be requested from the SRF fund.

DHEC REVIEW AND FILING. The Bureau of Water will use the above referenced form to justify land acquisition reimbursement from the SRF fund. The form will be kept in the SRF Invoice file of the project name listed on the form. The land acquisition form will be retained on file with the Bureau of Water for twenty years.



Project Name: _____
 Project No.: _____
 Sponsor: _____

**STATE OF SOUTH CAROLINA
LAND ACQUISITION FOR DWSRF FUNDING**

Seller's Name _____
 Property Address _____
 Tax Map # _____
 Appraisal Amount* _____
 Amount Paid* _____
 Willing Seller? Yes No

Seller's Name _____
 Property Address _____
 Tax Map # _____
 Appraisal Amount* _____
 Amount Paid* _____
 Willing Seller? Yes No

Seller's Name _____
 Property Address _____
 Tax Map # _____
 Appraisal Amount* _____
 Amount Paid* _____
 Willing Seller? Yes No

Seller's Name _____
 Property Address _____
 Tax Map # _____
 Appraisal Amount* _____
 Amount Paid* _____
 Willing Seller? Yes No

Seller's Name _____
 Property Address _____
 Tax Map # _____
 Appraisal Amount* _____
 Amount Paid* _____
 Willing Seller? Yes No

I certify that the above tracts of land are an integral part of the above referenced project.

 Signature of Sponsor or Sponsor's Designated Representative

 Date

Submit to:

SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201

**Attach a copy of the appraisal and a copy of the cancelled check or recorded deed. If the amount paid differs from the appraisal amount, attach written justification supporting the deviation.*

INSTRUCTIONS FOR COMPLETING THE DWSRF LAND ACQUISITION FORM

The purpose of the Land Acquisition for DWSRF Funding form is to justify land acquisition reimbursement from the SRF fund.

This form needs to be completed by the Sponsor or Sponsor's Designated Representative.

Please provide the project name, project SRF number, and sponsor.

Please provide the requested information for each parcel of land purchased. Only provide information for those parcels for which reimbursement will be requested from the SRF fund.

DHEC REVIEW AND FILING. The Bureau of Water will use the above referenced form to justify land acquisition reimbursement from the SRF fund. The form will be kept in the SRF Invoice file of the project name listed on the form. The land acquisition form will be retained on file with the Bureau of Water for twenty years.