

Community Facilities



Application Package

Direct Loan: Construction Projects

USDA Rural Development:

Southern New England Jurisdiction (MA, CT & RI)

451 West Street • Suite 2 • Amherst, MA 01002 Phone: (413) 253-4300 • Fax: (413) 253-4347 • TDD: (413) 253-4590 • Web:
<http://www.rurdev.usda.gov/ma>

[Committed to the future of rural communities.](#)

"USDA is an equal opportunity provider, employer and lender." To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800)795-3272 (voice) or (202) 720-6382 (TDD).



United States Department of Agriculture
Rural Development
Massachusetts•Connecticut•Rhode Island

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h. RD 1940-20, Request for Environmental Info. (Class 1 & 2)	1
i. Instructions	5
i. Guide 14, Legal Services Agreement	4
j. RD 400-4, Assurance Agreements	2
k. RD 1940-Q, Cert. for Contracts, Grants and Loans	1
l. Survey on Ensuring EO for Applicants (Non-Profits)	2
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SECTION 1:

Background Information

<u>Items:</u>	<u># of Pages:</u>
CF Fact Sheet	2
Interest Rate Information	1
Application “Applicant’s” Checklist	2

Rural Development

Rural Housing Service

COMMUNITY PROGRAMS DIRECT LOANS

Community Facility Loans can be used to assist eligible rural towns in the development of essential community facilities that are necessary for orderly community development. Eligibility is limited to associations; non-profit corporations, public bodies, and federally recognized Indian tribes serving rural areas.

Who May Apply

Eligible rural towns must have a population of 20,000 or less and primarily serve rural areas with populations of 20,000 or less.

Applicants may be a public entity such as a municipality, county, or special purpose district, or may be a non-profit corporation or an Indian tribe. The applicant must have the legal authority to borrow and repay the loan and meet all the requirements of the loan. Applicants must be unable to obtain the loan from private or cooperative lenders, at reasonable rates and terms.

Examples of essential Community Facilities that may be financed:

Health Care

Clinics
Nursing Homes
Rehabilitation Centers
Ambulatory Care Centers
Hospitals

Public Safety

Communications Centers
Police and Fire Stations
Rescue/Emergency Vehicles and Equipment
Fire Trucks and Firefighting Equipment

Public Services

Child Care Centers
Adult Day Care Centers
Airports
Libraries
Town Halls
Schools
Senior Centers
Multi-Service Centers
Fairgrounds

Telecommunications

Medical and Educational
Telecommunications Links

All facilities or equipment to be improved with loan funds shall be for the benefit of the public at large without discrimination as to race, color, religion, sex, national origin, disability and marital or familial status.

How May Funds Be Used

Funds can be used for construction, land acquisition, legal fees, architect fees, capitalized interest, initial operation and maintenance costs, project contingencies, and any other cost that is determined by Rural Development to be necessary for the completion of the project. Funds can also be used for necessary equipment for the operation of the facility.

What Are the Terms

The maximum term for all loans is 40 years. However, the repayment period is limited to the useful life of the facility or any statutory limitation on the applicant's borrowing authority.

What is the Interest Rate

Rates are divided into three categories:

- A. **Poverty Line Rate.** The poverty line interest rate will not exceed 5 per cent per annum. The provisions of paragraph (a) do not apply to health care and related facilities that provide direct health care to the public. Otherwise, the loan must comply with the following conditions:
 - (a) The primary purpose of the loan is to upgrade existing facilities or construct new facilities required to meet health or sanitary standards.
 - (b) The median household income of the project service area is below 80 percent of the statewide non-metropolitan median household income.
- B. **Intermediate Rate.** The intermediate interest rate will be set at the poverty line rate plus one-half of the difference between the poverty line rate and the market rate. It will apply to loans that do not meet the requirements for the poverty line rate and for which the median household income of the service area is not more than 100 percent of the state non-metropolitan median household income.
- C. **Market Rate.** The market interest rate will be set using the Bond Buyer Index. The market rate will apply to all loans that do not qualify for any of the rates above. It may be adjusted if the project being financed will involve the use of, or construction on, prime or unique farmland. This adjusted rate can be waived for public bodies when there are no suitable alternate sites.

Consult your local Rural Development office for a quote on current rates.

What Security Is Required

Bonds or notes pledging taxes, assessments, or revenues will be accepted as security if they meet statutory requirements. Where State laws permit, a mortgage may be taken on real and personal property. Tax-exempt notes or bonds may be issued to secure direct loans.

How Are Applications Made

USDA Rural Development field offices handle applications. Rural Development staff will be glad to discuss a community's needs and the services available from Rural Development and other agencies within the U.S. Department of Agriculture. Field staff can provide application materials and current program information, and assist in the preparation of an application.

Internet

Additional information can be obtained at the Agency website at <http://www.rurdev.usda.gov/rhs/index.html>

"THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) PROHIBITS DISCRIMINATION IN ALL ITS PROGRAMS AND ACTIVITIES ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE, DISABILITY, POLITICAL BELIEFS, SEXUAL ORIENTATION, OR MARITAL OR FAMILY STATUS. (Not all prohibited bases apply to all programs.) PERSONS WITH DISABILITIES WHO REQUIRE ALTERNATIVE MEANS OF COMMUNICATION OF PROGRAM INFORMATION (BRAILLE, LARGE PRINT, AUDIOTAPE, ETC.) SHOULD CONTACT USDA'S TARGET CENTER AT (202) 720-2600 (VOICE AND TDD).

To file a complaint of discrimination write, USDA, DIRECTOR, OFFICE OF CIVIL RIGHTS, ROOM 326-W, WHITTEN BUILDING, 14TH AND INDEPENDENCE AVENUE, SW, WASHINGTON, DC 20250-9410, OR CALL 202/720-5964 (VOICE AND TDD). USDA IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER."



United States Department of Agriculture
Rural Development

March 14, 2013

TO: State Directors
Area Directors
Area Specialist

ATTN: Community Facilities Program Directors

FROM: Tammye Treviño 
Administrator
Housing and Community Facilities Programs

SUBJECT: Interest Rate Changes for Community Facilities

Effective from April 1, 2013, through June 30, 2013, the interest rates for direct community facility loans are as follows:

Poverty Line...unchanged at.....4.500%
Intermediate...increased to.....4.000%
Market.....increased to.....3.500%

For this quarter, all loans may be obligated at the lower market rate. Please notify appropriate personnel of these rates.

EXPIRATION DATE:
June 30, 2013

FILING INSTRUCTIONS:
Administrative/Other Programs

Sent by Electronic Mail on 3/13/13, at 11 am by Program Analysis Branch. State Directors should advise other personnel as appropriate.

COMMUNITY FACILITIES DIRECT LOAN PROGRAM

The following information is needed in order to process your application for federal assistance:

- ___ 1. ___ SF-424, "Application for Federal Assistance" (Funding in \$1,000 increments)
 - ___ SF 424, Attachment A (Non-Construction Project)
 - ___ SF 424, Attachment B (Non-Construction Project)
 - ___ SF 424, Attachment C (Construction Project)
 - ___ SF 424, Attachment D (Construction Project)

- ___ 2. Copies of Organizational Documents:
 - ___ Articles of Incorporation
 - ___ Bylaws
 - ___ Certificate of Good Standing (Non-profits only)

- ___ 3. Evidence of inability to obtain credit elsewhere
 - ___ Eligibility Certification
 - ___ Lender Letter

- ___ 4. System for Award Management (SAM.gov) registration confirmation

- ___ 5. Name, address, contact, and telephone number of (on RD form or Applicant's letterhead):
 - a. List of Officers
 - b. Project Contacts (Legal, Fiscal Agent, Engineer/Architect, Bond Counsel)

- ___ 6. Applicant's Feasibility Report, Guide 5 (All projects except Public Safety) **OR**
Form RD 1942-54 (Public Safety Only)

- ___ 7. Financial statements (Last 2 years for Municipal – 5 years for Non-Profit)
Audited preferred, but will accept Annual Town or District Reports if no audits are available.

- ___ 8. Copy of existing rate schedule and proposed rate schedule (if applicable)

- ___ 9. Existing long-term debt of the Applicant including:
 - a. Purpose
 - b. Amount owed
 - c. Amortization period
 - d. Date payment due
 - e. Final due date
 - f. Amount of annual installment
 - g. Interest rate
 - h. Security
 - i. Source of income for repayment

- ___ 10. Proposed operating budget for current and upcoming Fiscal Year (RD 442-7 may be used)

- ___ 11. Preliminary Architectural Report, Guide 6 (10 pages or less) (If construction)

- ___ 12. Architect/Engineering Agreement (If Applicable)

COMMUNITY FACILITIES DIRECT LOAN PROGRAM

- ___ 13. RD Form 1940-20, "Request for Environmental Information" (If Class I or II)
- ___ 14. Comments from Historic Preservation Officer, contact: **HISTORICAL WILL BE SUBMITTED BY RD ENGINEER**

Massachusetts
Massachusetts Historical Commission
State Historic Preservation Officer
220 Morrissey Boulevard
Boston, MA 02125

Rhode Island
Historical Preservation Commission
Old State House
150 Benefit Street
Providence, RI 02903

Connecticut
State Historic Preservation Officer
59 South Prospect Street
Hartford, CT 06106

- ___ 15. Appraisal (If Applicable)
- ___ 16. Evidence of a Passing Vote (Needed prior to commitment)
- ___ 17. Verification of other Federal, State or local funds applied for or available (If leveraged)
- ___ 18. Certification of Community Support from local governing body (Non-Profits)
- ___ 19. Guide 14, "Legal Services Agreement," **OR** Municipalities may submit a copy of the certified vote appointing the municipality's attorney along with a letter from the attorney verifying that he/she is the municipality's attorney and the hourly rate charged to the municipality.
- ___ 20. Form RD 400-4, "Assurances Agreement"
- ___ 21. Form 1940-Q, Exhibit A, "Certification for Contracts, Grants and Loans"
- ___ 22. Form AD-1180, Survey on Ensuring Equal Opportunity for Applicants (Non-Profits only)
- ___ 23. Form AD 3030, "Convicted Felons/Tax Delinquent Organizations Representation Statement"
- ___ 24. Form AD 3031, "Convicted Felons/Tax Delinquent Organizations Assertion"
- ___ 25. State Intergovernmental Review Comments (RI Only)



United States Department of Agriculture
Rural Development
Massachusetts•Connecticut•Rhode Island

SECTION 2:

Application Documents

<u>Items:</u>	<u># of Pages:</u>
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f. Financial Feasibility Instructions, Guide 5	2
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h. RD 1940-20, Request for Environmental Info. (Class 1 & 2)	1
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Application for Federal Assistance SF-424	
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	
* 2. Type of Application: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	
* If Revision, select appropriate letter(s): _____ • Other (Specify) _____	
* 3. Date Received: Completed by Grants.gov upon submission.	4. Applicant Identifier: _____
5a. Federal Entity Identifier: _____	* 5b. Federal Award Identifier: _____
State Use Only:	
6. Date Received by State: _____	7. State Application Identifier: _____
8. APPLICANT INFORMATION:	
* a. Legal Name: _____	
* b. Employer/Taxpayer Identification Number (EIN/TIN): _____	* c. Organizational DUNS: _____
d. Address:	
• Street 1: _____	
Street 2: _____	
* City: _____	
County/Parish: _____	
* State: _____	
Province: _____	
* Country: _____ USA: UNITED STATES	
• Zip / Postal Code: _____	
e. Organizational Unit:	
Department Name: _____	Division Name: _____
f. Name and contact information of person to be contacted on matters involving this application:	
Prefix: _____	* First Name: _____
Middle Name: _____	
• Last Name: _____	
Suffix: _____	
Title: _____	
Organizational Affiliation: _____	
* Telephone Number: _____	Fax Number: _____
* Email: _____	

Application for Federal Assistance SF-424

9. Type of Applicant 1 - Select Applicant Type:

Type of Applicant 2- Select Applicant Type:

Type of Applicant 3- Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachments

Delete Attachments

View Attachments

*** 15. Descriptive Title of Applicant's Project:**

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (if "Yes", provide explanation.)**

- Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

**** I AGREE**

[Add Attachments](#)

[Delete Attachments](#)

[View Attachments](#)

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed

**Instructions for SF-424
Application For Federal Assistance**

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Fld Name / Item No.	Instruction
1) Type of Submission	<p>(Required): Select one type of submission in accordance with agency instructions.</p> <ul style="list-style-type: none"> • Preapplication • Application • Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date.
2) Type of Application	<p>(Required) Select one type of application in accordance with agency instructions.</p> <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the Federal Government’s financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <p>A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify)</p>

Fld Name / Item No.	Instruction
3) Date Received	Leave this field blank. This date will be assigned by the Federal agency.
4) Applicant Identifier:	Enter the entity identifier assigned buy the Federal agency, if any, or the applicant’s control number if applicable.
5a) Federal Entity Identifier	Enter the number assigned to your organization by the Federal Agency, if any.
5b) Federal Award Identifier	For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.
6) Date Received by State:	Leave this field blank. This date will be assigned by the State, if applicable.
7) State Application Identifier:	Leave this field blank. This identifier will be assigned by the State, if applicable.
8) Applicant Information	<p>Enter the following in accordance with agency instructions:</p> <p>a. Legal Name: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the organization that has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website.</p> <p>b. Employer/Taxpayer Number (EIN/TIN): (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.</p> <p>c. Organizational DUNS: (Required) Enter the organization’s DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website.</p> <p>d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US).</p> <p>e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, (if applicable) that will undertake the assistance activity, if applicable.</p> <p>f. Name and contact information of person to be contacted on matters involving this applicant required), organizational affiliation (if affiliated with an organization other on: Enter the name (First and last name than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.</p>

Fld Name / Item No.	Instruction
9) Type of Applicant	<p>(Required) Select up to three applicant type(s) in accordance with agency instructions.</p> <p>A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-domestic (non-US) Entity W. Other (specify)</p>
10) Name Of Federal Agency	<p>(Required) Enter the name of the Federal agency from which assistance is being requested with this application.</p>
11) Catalog Of Federal Domestic Assistance Number/Title	<p>Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.</p>
12) Funding Opportunity Number/Title	<p>(Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.</p>
13) Competition Identification Number/Title	<p>Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.</p>
14) Areas Affected By Project	<p>List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.</p>

Fld Name / Item No.	Instruction
15) Descriptive Title of Applicant's Project	(Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
16) Congressional Districts Of	(Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5th district, CA-012 for California 12th district, NC-103 for North Carolina's 103rd district. • If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. • If nationwide, i.e. all districts within all states are affected, enter US-all. • If the program/project is outside the US, enter 00-000.
17) Proposed Project Start and End Dates	(Required) Enter the proposed start date and end date of the project.
18) Estimated Funding	(Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
19) Is Application Subject to Review by State Under Executive Order 12372 Process?	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.
20) Is the Applicant Delinquent on any Federal Debt?	(Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. If yes, include an explanation on the continuation sheet.
21) Authorized Representative	(Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BUDGET INFORMATION - Construction Programs

OMB Approval No. 4040-0008
Expiration Date 06/30/2014

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
2. Land, structures, rights-of-way, appraisals, etc.	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
3. Relocation expenses and payments	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
4. Architectural and engineering fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
5. Other architectural and engineering fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
6. Project inspection fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
7. Site work	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
8. Demolition and removal	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9. Construction	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
10. Equipment	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
11. Miscellaneous	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
12. SUBTOTAL (sum of lines 1- 11)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
13. Contingencies	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
14. SUBTOTAL	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
15. Project (program) income	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
FEDERAL FUNDING			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter eligible costs from line 16c Multiply X <input type="text"/> % Enter the resulting Federal share.			\$ <input type="text"/>

Instructions for SF-424 C
Budget Information – Construction Programs

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0041), Washington, D.C. 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This sheet is to be used for the following types of applications: (1) “New” (means a new [previously unfunded] assistance award); (2) “Continuation” (means funding in a succeeding budget period which stemmed from a prior agreement to fund); and (3) “Revised” (means any changes in the Federal government's financial obligations or contingent liability from an existing obligation). If there is no change in the award mount there is no need to complete this form. Certain Federal agencies may require only an explanatory letter to effect minor (no cost) changes. If you have questions please contact the Federal agency.

Fld Name / Item No.	Instruction
Column a.	<p>If this is an application for a “New” project, enter the total estimated cost of each of the items listed on lines 1 through 16 (as applicable) under “Cost Classifications.”</p> <p>If this application entails a change to an existing award, enter the eligible amounts approved under the previous award for the items under “Cost Classification.”</p>
Column b.	<p>If this is an application for a “New” project, enter that portion of the cost of each item in Column a. which is not allowable for Federal assistance. Contact the Federal agency for assistance in determining the allowability of specific costs.</p> <p>If this application entails a change to an existing award, enter the adjustment [+ or (-)] to the previously approved costs (from column a.) reflected in this application.</p>
Column c.	This is the net of the lines in columns “a.” and “b.”.
1-3) Administration and Legal Expenses	Enter estimated amounts needed to cover administrative expenses. Do not include costs which are related to the normal functions of government. Allowable legal costs are generally only those associated with the purchase of land which is allowable for Federal participation and certain services in support of construction of the project for each column.

Fld Name / Item No.	Instruction
12) Subtotal	Total of items 1 through 3 for each column.
13) Contingencies	Enter estimated contingency costs. (Consult the Federal agency for the percentage of the estimated construction cost to use.)
14) Subtotal	Enter the total of lines 12 and 13.
15) Project (program) Income	Enter estimated program income to be earned during the grant period, e.g., salvaged materials, etc.
16) Total Project Costs	Subtract line 15 from line 14.
17) Enter Federal Assistance Requested	Enter eligible costs from line 16c, multiplied by 999% (Consult Federal agency for Federal percentage share.)

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Approval No. 4040-0009
Expiration Date 06/30/2014

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-1 33, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

*SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	*TITLE <input type="text"/>
*APPLICANT ORGANIZATION <input type="text"/>	*DATE SUBMITTED <input type="text"/>



Quick Start Guide for Entities Interested in Being Eligible for Government Contracts



How to register your entity to be eligible for CONTRACTS in SAM:

Before you register, you need to know the following:

What is an Entity?

In SAM, your company/business/organization is now referred to as an "Entity."

- **REGISTERING IN SAM IS FREE.**
- If you were registered in CCR, your company's information is already in SAM. You just need to set up a SAM account. See the "Migrating Roles" Quick Start Guide.

Your Entity's DUNS Number

You need a DUNS to register your entity in SAM.

- If you do not have a DUNS number, you can request a DUNS number for free by visiting D&B at <http://fedgov.dnb.com/webform>
- It takes 1-2 business days to obtain a DUNS.

Your Entity's Taxpayer Identification Number (TIN)

You need your entity's Tax ID Number (TIN) and taxpayer name (as it appears on your last tax return). Foreign entities that do not pay employees within the U.S. do not need to provide a TIN.

- A TIN is an Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS).
- Sole proprietors may use their Social Security Number (SSN) assigned by the Social Security Administration (SSA) if they do not have a TIN, but please be advised it will not be treated as privacy act data in SAM.
- To obtain an EIN visit:
www.irs.gov/businesses/small/article/0,,id=102767,00.html
- Activating a new EIN with the IRS takes 2-5 weeks.

Steps For Registering Your Entity in SAM

1. Go to www.sam.gov
2. Create a Individual Account and Login
3. Click "Register New Entity" under "Register/Update Entity" on your "My SAM" page
4. Select your type of Entity
5. Select "Yes" to "Do you wish to bid on contracts?"
6. Complete "Core Data"
 - ✓ Validate your DUNS information
 - ✓ Enter Business Information (TIN, etc.)
 - ✓ Enter CAGE code if you have one. If not, one will be assigned to you after your registration is completed. Foreign registrants must enter NCAGE code.
 - ✓ Enter General Information (business types, organization structure, etc)
 - ✓ Financial Information (Electronic Funds Transfer (EFT)Information)
 - ✓ Executive Compensation
 - ✓ Proceedings Details
7. Complete "Assertions"
 - ✓ Goods and Services (NAICS, PSC, etc.)
 - ✓ Size Metrics
 - ✓ EDI Information
 - ✓ Disaster Relief Information
8. Complete "Representations and Certifications"
 - ✓ FAR Responses
 - ✓ Architect-Engineer Responses
 - ✓ DFARS Responses
9. Complete "Points of Contact"
10. Your entity registration will become active after 3-5 days when the IRS validates your TIN information.

How do I get more information? Take a look at the SAM User Guide.



Go to Our Website: www.sam.gov



Contact the SAM Help Desk: www.fsd.gov



ELIGIBILITY CERTIFICATION

Certification for commercial credit and outstanding judgments

The undersigned certifies, to the best of their knowledge and belief, that:

1. The organization is unable to finance the proposed project from its own resources or through commercial credit at reasonable rates and terms.
2. No outstanding judgment has been obtained by the United States of America in a Federal Court (other than in the United States Tax Court).

Name of Organization

Name of Authorized Official

Signature

Date

(Guide 5) RD Instruction 1942-A
FINANCIAL FEASIBILITY REPORT

I General.

The following may be used as a guide for the preparation of financial feasibility reports as required for Rural Development financed facilities. The guide contains minimal requirements and the report writer is expected to fully disclose and analyze all significant factors which will likely have a favorable or adverse effect on the financial success of the proposed facility.

A Need for the facility.

B Existing facilities.

Explain current capacities, rates or usage, activities, suitability for continued use, alternate usage, deficiencies in services, staffing, physical conditions, and any other pertinent information.

C Proposed facility.

1 Description of construction and renovation by component parts including capacity of each component part and physical limiting factors.

2 Explain and document the need for the facility. Include comments regarding the following:

- a Service area
- b Population trends
- c Similar facilities and services in the area
- d Usage trends
- e Community support
- f Regulatory agency approval
- g Economy in the service area
- h Analysis of staff and consultants

D Financial information.

1 Explain all assumptions underlying the expected demand, use, and projections of financial data, such as:

- a Changes in usage

- b All income and expense
- c Rate structure
- d Allowance for uncollectible accounts
- e Depreciation life and method
- f Description of long-term debts

2 Financial statements. The following financial statements must be prepared reflecting five years projections:

- a Balance sheet for all funds
- b Statement of income and expense
- c Statement of cash flow (cash receipts and disbursements)
- d Comparison data for facilities in service area (latest year only)

APPLICANT'S FEASIBILITY REPORT

1. **Existing Facility.** Briefly describe what facilities you currently have or how service is currently provided.

2. **Proposed Facility.** Describe what you want to purchase or construct. Indicate what the facility will be used for, approximate size, and expected method of procurement. For buildings indicate location, basic materials or type of construction, and attach a sketch or working drawings. For items of major equipment, indicate new or used, existing or custom-built, and any special features.

3. **Need for the Facility.** Indicate why the proposed facility is needed.

4. **Service Area.** Indicate what area the proposed facility will serve and, if known, the population or number of families served.

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, OIRM AG Box 7630, Washington, D. C. 20250; and to the Office Management and Budget, Paperwork Reduction Project (OMB No. 0575-0120), Washington, D. C. 20503. Please DO NOT RETURN this form to this address. Forward to the local USDA office only.

5. Cost Estimate.

Development and construction.....	\$ _____
Land and rights.....	_____
Legal fees.....	_____
Architect and Engineer.....	_____
Equipment.....	_____
Refinancing.....	_____
Other (describe)	_____
Total.....	_____

6. Income. List the sources and estimate the amount of expected revenue for a typical year.

7. Other Funds. List the sources and amount of funds that may be available other than from USDA, to fund part of the project (such as applicant's contributions, commercial loans, or loans or grants from other government agencies).

8. Operating History. If you have operated a similar facility, attach audits, financial statements, or lists of income and expenses for the past five years.

9. Signature and Title of Applicant Official	Date
--	------

REQUEST FOR ENVIRONMENTAL INFORMATION

Name of Project
Location

- Item 1a.** Has a Federal, State, or Local Environmental Impact Statement or Analysis been prepared for this project?
 Yes No Copy attached as EXHIBIT I-A.
- 1b.** If "No." provide the information requested in Instructions as EXHIBIT I.
- Item 2.** The State Historic Preservation Officer (SHOP) has been provided a detailed project description and has been requested to submit comments to the appropriate Rural Development Office. Yes No Date description submitted to SHPO _____
- Item 3.** Are any of the following land uses or environmental resources either to be affected by the proposal or located within or adjacent to the project site(s)? (Check appropriate box for every item of the following checklist).

	Yes	No	Unknown		Yes	No	Unknown
1. Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Dunes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20. Estuary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Residential..	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21. Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. Floodplain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Grazing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23. Wilderness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Mining, Quarrying	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>(designated or proposed under the Wilderness Act)</i>			
7. Forests	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24. Wild or Scenic River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Recreational	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>(proposed or designated under the Wild and Scenic Rivers Act)</i>			
9. Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25. Historical, Archeological Sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>(Listed on the National Register of Historic Places or which may be eligible for listing)</i>			
11. Hospital	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26. Critical Habitats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>(endangered /threatened species)</i>			
13. Open spaces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27. Wildlife	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Aquifer Recharge Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28. Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Steep Slopes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29. Solid Waste Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30. Energy Supplies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Shoreline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	31. Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Beaches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>(Listed on National Registry of Natural Landmarks)</i>			
				32. Coastal Barrier Resources System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item 4. Are any facilities under your ownership, lease, or supervision to be utilized in the accomplishment of this project, either listed or under consideration for listing on the Environmental Protection Agency's List of Violating Facilities? Yes No

(Date)

Signed: _____
(Applicant)

(Title)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collections is 0575-0094. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

INSTRUCTIONS FOR PREPARING FORM RD 1940-20

Federal agencies are required by law to independently assess the expected environmental impacts associated with proposed Federal actions. It is extremely important that the information provided be in sufficient detail to permit Rural Department to perform its evaluation. Failure to provide sufficient data will delay agency review and a decision on the processing of your application.

This information request is designed to obtain an understanding of the area's present environmental condition and the project's elements that will affect the environment. Should you believe that an item does not need to be addressed for your project, consult with the RD office from which you received this Form before responding. In all cases when it is believed that an item is not applicable, explain the reasons for this belief.

It is important to understand the comprehensive nature of the information requested. Information must be provided for a) the site(s) where the project facilities will be constructed and the surrounding areas to be directly and indirectly affected by its operation and b) the areas affected by any primary beneficiaries of the project. The amount of detail should be commensurate with the complexity and size of the project, and the magnitude of the expected impact. Some examples:

A small community center project may not require detailed information on air emissions, meteorological conditions and solid waste management.

A water resource, industrial development, or housing development project will require detailed information.

Item 1a - Compare the Environmental Impact Statement or Analysis that was previously prepared with the information requested in the instructions for Item 1b below to be sure that every point in the information request is covered in the Environmental Impact Statement or Analysis. If any of the requested information is not covered, attach to the Environmental Impact Statement or Analysis a supplemental document that corrects any deficiencies or omissions.

Item 1b - Provide responses to the following items in the order listed and attach as EXHIBIT I. In order to understand the full scope of the land uses and environmental factors that need to be considered in responding to these items, it may be helpful to complete Item 3 of the Form before completing these narrative responses. If your application is for a project that Rural Development has classified as a Class I action, complete only parts (1), (2), (13), (15), (16), and (17) of this Item. The Rural Development office from which you received this Form can tell you if your application falls within the Class I category.

(1) Primary Beneficiaries

Identify any existing businesses or major developments that will benefit from the proposal, and those which will expand or locate in the area because of the project. These businesses or major developments hereafter will be referred to as primary beneficiaries.

(2) Area Description

- (a) Describe the size, terrain, and present land uses as well as the adjacent land uses of the areas to be affected. These areas include the site(s) of construction or project activities, adjacent areas, and areas affected by the primary beneficiaries.
- (b) For each box checked “Yes” in item 3, describe the nature of the effect on the resource. If one or more of boxes 17 through 22 is checked “Yes” or “Unknown,” contact Rural Development for instructions relating to the requirements imposed by the Floodplain Management and Wetland Protection Executive Orders.
- (c) Attach as Exhibit II the following: 1) a U.S. Geological Survey “15 minute” (“7 1/2 minute” if available) topographic map which clearly delineates the area and the location of the project elements; 2) the Federal Emergency Management Administration’s floodplain map(s) for the project area; 3) site photos; 4) if completed, a standard soil survey for the project area; and 5) if available, an aerial photograph of the site. If a floodplain map is not available, contact Rural Development for additional instructions relating to the requirements imposed by the Floodplain Management Executive Order.

(3) Air Quality

- (a) Provide available air quality data from the monitoring station(s) either within the project area or, if none exist nearest the project area.
- (b) Indicate the types and quantities of air emissions to be produced by the project facilities and its primary beneficiaries. If odors will occur, indicate who will be affected.
- (c) Indicate if topographical or meteorological conditions hinder the dispersal of air emissions.
- (d) Indicate the measures to be taken to control air emissions.

(4) Water Quality

- (a) Provide available data on the water quality of surface or underground water in or near the project area.
- (b) Indicate the source, quality, and available supply of raw water and the amount of water which the project is designed to utilize.
- (c) Describe all of the effluents or discharges associated with the project facilities and its primary beneficiaries. Indicate the expected composition and quantities of these discharges prior to any treatment processes that they undergo and also prior to their release into the environment.

- (d) Describe any treatment systems which will be used for these effluents and indicate their capacities and their adequacy in terms of the degree and type of treatment provided. Indicate all discharges which will not be treated. Describe the receiving waters and their uses (e.g., recreational) for any sources of treated and untreated discharge.
- (e) If the treatment systems are or will be inadequate or overloaded, describe the steps being taken for necessary improvements and their completion dates.
- (f) Describe how surface runoff will be handled if not discussed in (d) above.

(5) Solid Waste Management

- (a) Indicate the types and quantities of solid wastes to be produced by the project facilities and its primary beneficiaries.
- (b) Describe the methods for disposing of these solid wastes plus the useful life of such methods.
- (c) Indicate if recycling or resource recovery programs are or will be used.

(6) Transportation

- (a) Briefly describe the available transportation facilities serving the project area.
- (b) Describe any new transportation patterns which will arise because of the project.
- (c) Indicate if any land uses, such as residential, hospitals, schools or recreational, will be affected by these new patterns.
- (d) Indicate if any existing capacities of these transportation facilities will be exceeded. If so, indicate the increased loads which the project will place upon these facilities, particularly in terms of car and truck traffic.

(7) Noise

- (a) Indicate the major sources of noise associated with the project facilities and its primary beneficiaries.
- (b) Indicate the land uses to be affected by this noise.

(8) Historic/Archeological Properties

- (a) Identify any known historic/archeological resources within the project area that are either listed on the National Register of Historic Places or considered to be of local and state significance and perhaps eligible for listing in the National Register.
- (b) Attach as EXHIBIT III any historical/archeological survey that has been conducted for the project area.

(9) Wildlife and Endangered Species

- (a) Identify any known wildlife resources located in the project area or its immediate vicinity.
- (b) Indicate whether to your knowledge any endangered or threatened species or critical habitat have been identified in the project area or its immediate vicinity.

(10) Energy

- (a) Describe the energy supplies available to the project facilities and the primary beneficiaries.
- (b) Indicate what portion of the remaining capacities of these supplies will be utilized.

(11) Construction

Describe the methods which will be employed to reduce adverse impacts from construction, such as noise, soil erosion and siltation.

(12) Toxic Substances

- (a) Describe any toxic, hazardous, or radioactive substances which will be utilized or produced by the project facilities and its primary beneficiaries.
- (b) Describe the manner in which these substances will be stored, used, and disposed.

(13) Public Reaction

- (a) Describe any objections which have been made to the project.
- (b) If a public hearing has been held, attach a copy of the transcript as EXHIBIT IV. If not, certify that a hearing was not held.
- (c) Indicate any other evidence of the community's awareness of the project such as through newspaper articles or public notification.

(14) Alternatives to the Proposed Project

Provide a description of any of the following types of alternatives which were considered:

- (a) Alternative locations.
- (b) Alternative designs.
- (c) Alternative projects having similar benefits.

(15) Mitigation Measures

Describe any measures which will be taken to avoid or mitigate any adverse environmental impacts associated with the project.

(16) Permits

- (a) Identify any permits of an environmental nature which are needed for the project.
- (b) Indicate the status of obtaining each such permit and attach as EXHIBIT V any that have been received.

(17) Other Federal Actions

Identify other federal programs or actions which are either related to this project or located in the same geographical area and for which you are filing an application, have recently received approval, or have in the planning stages.

Item 2 - All applicants are required to provide the State Historic Preservation Officer (SHPO) with (a) a narrative description of the project's elements and its location, (b) a map of the area surrounding the project which identifies the project site, adjacent streets and other identifiable objects, (c) line drawings or sketches of the project and (d) photographs of the affected properties if building demolition or renovation is involved. This material must be submitted to the SHPO no later than submission of this Form to Rural Development . Additionally, the SHPO must be requested to submit comments on the proposed project to the Rural Development office processing your application.

Item 3 - Self-explanatory.

Item 4 - Self-explanatory.

UNITED STATES DEPARTMENT OF AGRICULTURE
Rural Development

LEGAL SERVICES AGREEMENT

This agreement made this _____ day of _____,
19_____ between _____

(sponsors) (organizing committee) (Name of organization)
hereinafter referred to as "Owners," and _____,
attorney at law, of _____, hereinafter referred
to as "Attorney":

WHEREAS, Owners are intending to _____ (have formed) _____
("public water supply

district," "public service district," "not for profit corporation," or
_____, a _____
other official designation) ("body politic," "municipal

corporation," "nonprofit corporation," or other organization)
in _____ County _____
under the provisions of _____
(Cite statute(s) under which applicant will be
_____; and
organized)

WHEREAS, the Attorney agrees to perform all legal services necessary
to organize and incorporate said _____
_____ under the provisions of

said statutes and to perform all other customary legal services necessary to the organization, financing, construction, and initial operation of a _____ system;

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

SECTION A - LEGAL SERVICES

That the Attorney will perform such services as are necessary to accomplish the above recited objectives including, but not limited to, the following:

1. Preparation and filing of petition for incorporation and supervision and assistance in the taking of such other actions as may be necessary or incidental to cause the Owners to become duly organized and incorporated and to be authorized to undertake the proposed system.
2. Furnish advice and assistance to the governing body of the duly incorporated association in connection with (a) the notice for and conduct of meetings; (b) the preparation of minutes of meetings; (c) the preparation and enactment of such resolutions as may be necessary in connection with the authorization, financing, construction, and initial operation of the system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications, and other instruments and advice as may be needed in the conduct of such bond elections as may be necessary; (e) the preparation and completion of such bonds or other obligations as may be necessary to finance the system; (f) the completion and execution of documents for obtaining a loan made or insured or a grant made by the United States of America, acting through the Rural Development, U. S. Department of Agriculture; (g) entering into construction contracts; (h) preparation and adoption of By-Laws, Rules and Regulations, and rate schedules; (i) such other corporate action as may be necessary in connection with the financing, construction, and initial operation of the system.

- 3. Review of construction contracts, bid-letting procedure, and surety and contractual bonds in connection therewith.
- 4. Preparation, negotiation, or review of contract with a city or other source of water supply when necessary.
- 5. Preparation, where necessary, and review of deeds, easements and other rights-of-way documents, and other instruments for sites for source of water supply, pumping stations, treatment plants, and other facilities necessary to the system and to provide continuous rights-of-way therefore; rendering title opinions with reference thereto; and providing for the recordation thereof.
- 6. Obtain necessary permits and certificates from county and municipal bodies, from State regulatory agencies, and from other public or private sources with respect to the approval of the system, the construction and operation thereof, pipeline crossings, and the like.
- 7. Cooperate with the engineer employed by Owners in connection with preparation of tract sheets, easements, and other necessary title documents, construction contracts, water supply contracts, health permits, crossing permits, and other instruments.
- 8. When applicable, secure assistance of and cooperate with recognized bond counsel in the preparation of the documents necessary for the financing aspects of the system. The attorney shall pay all bond counsel in perfecting the financing aspects, e.g., assessment procedures and completion of documents. Where bond counsel is retained, the Attorney will not be responsible for the preparation and approval of those documents pertaining to the issuance of the Owner's obligations.

SECTION B - COMPENSATION

- 1. Owners will pay to the Attorney for professional services rendered in accordance herewith, fees as follows:

Said fees to be payable in the following manner and at the following times:

SECTION C - OTHER PROVISIONS

1. That upon organization and incorporation the association shall by appropriate resolution adopt and ratify this Agreement, that the association shall be substituted for the individual Owners as a party to this Agreement, and that the Owners as individuals shall thereupon be relieved of all personal liability existing or arising from this Agreement.

2. That upon organization and incorporation should the association fail or refuse to adopt and ratify this Agreement by appropriate resolution within _____ days from the date of the commencement of its legal existence, this Agreement shall terminate and Owners shall be liable to the Attorney for payment of \$_____, which sum represents payment in full for the organization and incorporation of the association and for all other legal services rendered to Owners under the terms of this Agreement to the date of said termination.

Attorney:

Owners:

USDA
Form RD 400-4
(Rev. 3-97)

ASSURANCE AGREEMENT
(Under Title VI, Civil Rights Act of 1964)

FORM APPROVED
OMB No. 0575-0018

The _____
(name of recipient)

(address)

("Recipient" herein) hereby assures the U. S. Department of Agriculture that Recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d et. seq.), 7 CFR Part 15, and Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, or the Farm Service Agency, (hereafter known as the "Agency") regulations promulgated thereunder, 7 C.F.R. § 1901.202. In accordance with that Act and the regulations referred to above, Recipient agrees that in connection with any program or activity for which Recipient receives Federal financial assistance (as such term is defined in 7 C.F.R. § 14.2) no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination.

1. Recipient agrees that any transfer of any aided facility, other than personal property, by sale, lease or other conveyance of contract, shall be, and shall be made expressly, subject to the obligations of this agreement and transferee's assumption thereof.
2. Recipient shall:
 - (a) Keep such records and submit to the Government such timely, complete, and accurate information as the Government may determine to be necessary to ascertain our/my compliance with this agreement and the regulations.
 - (b) Permit access by authorized employees of the Agency or the U.S. Department of Agriculture during normal business hours to such books, records, accounts and other sources of information and its facilities as may be pertinent to ascertaining such compliance.
 - (c) Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Agency or the U. S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
3. The obligations of this agreement shall continue:
 - (a) As to any real property, including any structure, acquired or improved with the aid of the Federal financial assistance, so long as such real property is used for the purpose for which the Federal financial assistance is made or for another purpose which affords similar services or benefits, or for as long as the Recipient retains ownership or possession of the property, whichever is longer.
 - (b) As to any personal property acquired or improved with the aid of the Federal financial assistance, so long as Recipient retains ownership or possession of the property.
 - (c) As to any other aided facility or activity, until the last advance of funds under the loan or grant has been made.
4. Upon any breach or violation this agreement the Government may, at its option:
 - (a) Terminate or refuse to render or continue financial assistance for the aid of the property, facility, project, service or activity.
 - (b) Enforce this agreement by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the breach or violation occurs.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, _____ on this
(name of recipient)

date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.

(SEAL)

Recipient

Date

Attest: _____

Title

Title

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0018. The time required to complete this information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(name)

(date)

(title)

000

SURVEY ON ENSURING EQUAL OPPORTUNITY FOR APPLICANTS

OMB No. 1890-0014 Exp. 02/28/09

Purpose: The Federal government is committed to ensuring that all qualified applicants, small or large, non-religious or faith-based, have an equal opportunity to compete for Federal funding. In order for us to better understand the population of applicants for Federal funds, we are asking nonprofit private organizations (not including private universities) to fill out this survey.

Upon receipt, the survey will be separated from the application. Information provided on the survey will not be considered in any way in making funding decisions and will not be included in the Federal grants database. While your help in this data collection process is greatly appreciated, completion of this survey is voluntary.

Instructions for Submitting the Survey: If you are applying using a hard copy application, please place the completed survey in an envelope labeled "Applicant Survey." Seal the envelope and include it along with your application package. If you are applying electronically, please submit this survey along with your application.

Applicant's (Organization) Name: _____

Applicant's DUNS Number: _____

Federal Program: Rural Housing Service, Community Facilities Program **CFDA Number:** _____

1. Has the applicant ever received a grant or contract from the Federal government?

Yes No

2. Is the applicant a faith-based organization?

Yes No

3. Is the applicant a secular organization?

Yes No

4. Does the applicant have 501(c)(3) status?

Yes No

5. Is the applicant a local affiliate of a national organization?

Yes No

6. How many full-time equivalent employees does the applicant have? (*Check only one box.*)

3 or Fewer 15-50
 4-5 51-100
 6-14 over 100

7. What is the size of the applicant's annual budget?
(*Check only one box.*)

Less Than \$150,000
 \$150,000 - \$299,999
 \$300,000 - \$499,999
 \$500,000 - \$999,999
 \$1,000,000 - \$4,999,999
 \$5,000,000 or more

Survey Instructions on Ensuring Equal Opportunity for Applicants

Provide the applicant's (organization) name and DUNS number and the grant name and CFDA number.

1. Self-explanatory.
2. Self-identify.
3. Self-identify.
4. 501(c)(3) status is a legal designation provided on application to the Internal Revenue Service by eligible organizations. Some grant programs may require nonprofit applicants to have 501(c)(3) status. Other grant programs do not.
5. Self-explanatory.
6. For example, two part-time employees who each work half-time equal one full-time equivalent employee. If the applicant is a local affiliate of a national organization, the responses to survey questions 2 and 3 should reflect the staff and budget size of the local affiliate.
7. Annual budget means the amount of money your organization spends each year on all of its activities.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0014. The time required to complete this information collection is estimated to average five (5) minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** The Agency Contact listed in this grant application package.

AD-3030 **U.S. DEPARTMENT OF AGRICULTURE**

**REPRESENTATIONS REGARDING FELONY CONVICTION
 AND TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS**

Note: You only need to complete this form if you are a corporation. A corporation includes, but is not limited to, any entity that has filed articles of incorporation in one of the 50 States, the District of Columbia, or the various territories of the United States including American Samoa, Federated States of Micronesia, Guam, Midway Islands, Northern Mariana Islands, Puerto Rico, Republic of Palau, Republic of the Marshall Islands, or the U.S. Virgin Islands. Corporations include both for profit and non-profit entities.

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552(a), as amended). The authority for requesting the following information for USDA Agencies and staff offices is in §738 and 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012, P.L. 112-55, as amended and/or subsequently enacted. The information will be used to confirm applicant status concerning entity conviction of a felony criminal violation, and/or unpaid Federal tax liability status.

According to the Paperwork Reduction Act of 1985 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0025. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

1. APPLICANT'S NAME	2. APPLICANT'S ADDRESS (Including Zip Code)	3. TAX ID NO. (Last 4 digits)
---------------------	---	----------------------------------

- 4A. Has the Applicant been convicted of a felony criminal violation under Federal or State law in the 24 months preceding the date of application? YES NO
- 4B. Has any officer or agent of Applicant been convicted of a felony criminal violation for actions taken on behalf of Applicant under Federal or State law in the 24 months preceding the date of application? YES NO
- 4C. Does the Applicant have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability? YES NO

Providing the requested information is voluntary. However, failure to furnish the requested information will make the applicant ineligible to enter into a contract, memorandum of understanding, grant, loan, loan guarantee, or cooperative agreement with USDA.

PART B – SIGNATURE

5A. APPLICANT'S SIGNATURE (BY)	5B. TITLE/RELATIONSHIP OF THE INDIVIDUAL IF SIGNING IN A REPRESENTATIVE CAPACITY	5C. DATE SIGNED (MM-DD-YYYY)
--------------------------------	--	---------------------------------

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

AD-3031

U.S. Department of Agriculture
ASSURANCE REGARDING FELONY CONVICTION
OR TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 55a – as amended). The authority for requesting the following information for USDA agencies and offices is in sections 738 and 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012, P.L. 112-55, as amended and/or subsequently enacted. The information will be used to document compliance with appropriations restrictions.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number of this information collection is 0505-0025. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.

This award is subject to the provisions contained in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012, P.L. 112-55, Division A, Sections 738 and 739, as amended and/or subsequently enacted for USDA agencies and offices (except Forest Service) regarding corporate felony convictions and corporate federal tax delinquencies.

Accordingly, by accepting this award the recipient acknowledges that it: (1) does not have a tax delinquency, meaning that it is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted (or had an officer or agent acting on its behalf convicted) of a felony criminal violation under any Federal or State law within 24 months preceding the award, unless a suspending and debarring official of the United States Department of Agriculture has considered suspension or debarment of the recipient corporation, or such officer or agent, based on these convictions and/or tax delinquencies and determined that suspension or debarment is not necessary to protect the interests of the Government. If the recipient fails to comply with these provisions, the agency will annul this agreement and may recover any funds the recipient has expended in violation of the above cited statutory provisions.

APPLICANT'S SIGNATURE (BY)

TITLE/RELATIONSHIP OF THE INDIVIDUAL IF SIGNING IN A REPRESENTATIVE CAPACITY

BUSINESS NAME

DATE SIGNED (MM-DD-YYYY)

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

List of Officers

Name of Organization _____

Contact Person _____

Title _____

Mailing Address _____

Daytime Phone _____

Email Address _____

Officers

Name _____

Chairman/ President _____

Daytime Phone _____

Term Expires _____

Name _____

Treasurer _____

Daytime Phone _____

Term Expires _____

Name _____

Other (If applicable) _____

Daytime Phone _____

Term Expires _____

I/We hereby certify that all taxes to which this organization is subject are current.

Authorized Signature _____

Title _____

Date Completed _____

PROJECT CONTACTS

Bond Counsel: _____

Contact Name: _____

Address: _____

Telephone #: _____

Legal Counsel: _____

Contact Name: _____

Address: _____

Telephone #: _____

Architect/Engineer: _____

Contact Name: _____

Address: _____

Telephone #: _____

Fiscal Agent: _____

Contact Name: _____

Address: _____

Telephone #: _____



United States Department of Agriculture
Rural Development
Massachusetts•Connecticut•Rhode Island

SECTION 3:

Engineering Guidance

<u>Items:</u>	<u># of Pages:</u>
Program Support Staff Overview Sheet	4
Guide 6, Preliminary Architectural Feasibility Rep.	2
Construction Contract Document List	1

This document has been prepared by USDA Rural Development's Program Support Staff to assist Community Facility Loan & Grant Applicants and their architectural and engineering consultants with the technical and submission requirements of the Program. Applicants should be aware that other information including organizational and financial data will also be required as part of the application process but is not listed in this document. Applicants are urged to contact the Program Support Staff early in the process to discuss these technical requirements.

1. Preliminary Architectural Feasibility Reports

Preliminary Architectural Feasibility Reports (PAFR), typically prepared by the Applicant's architect or engineer, must conform to customary professional standards. Guidelines for preparing the PAFR are summarized in FmHA Instruction 1942-A, Guide 6. A PAFR must be submitted for review and approved by RD prior to any funding commitments. The PAFR must include all anticipated scope of work as additional work may not be allowed at the conclusion of a project to expend excess funds.

2. Environmental Requirements

Prior to the obligation of any federal funds, an environmental assessment must be completed in accordance with the National Environmental Policy Act (NEPA). For the Community Facility Loan & Grant Projects, the applicable environmental regulation is 1940-G. Typical projects will require the Applicant to fill out FmHA 1940-20, "Request for Environmental Information" including a short narrative section. This form may be completed by the Applicant or with the help from the Applicant's Engineer or Architect. The information provided by the Applicant will assist RD Staff in the preparation of the required environmental documentation. The timing of the environmental process is critical and must be completed prior to any funding commitments.

3. Agreement for Professional Services

Applicants are responsible for providing the engineering, architect and environmental services necessary for the planning, designing, bidding, contracting, inspecting, and constructing the projects. Professional services are generally provided through a contract between the Applicant and the Professional. This professional services contract is an eligible project expense, however the contract is subject to RD concurrence. Acceptable contract forms/formats include the EJCDC Document E-500, *Standard Form of Agreement Between Owner and Engineer for Professional Services* along with RUS Bulletin 1780-26, Attachment C issued 20 August 2009 (revised MA 10/2012) or the AIA Document B101-2007, *Standard Form of Agreement Between Owner and Architect* along with the associated RD Attachment. All agreements and associated amendments must be submitted and concurred with by RD. If edits are made to standard documents, edits must be easily identifiable by ~~strike through~~ or red-lined. Engineers and Architects must be licensed in the State where the project is to be constructed. RD may reimburse for fees that are considered fair and reasonable; "excessive" fees must be justified.

Program Support Staff

Director, Daniel Beaudette	413-253-4318
State Architect, Steve Chrabascz	413-253-4334
Construction Analyst, Frank Petrulli	860-836-9639

**COMMUNITY FACILITY LOAN & GRANT PROGRAM
SUMMARY OF TECHNICAL & SUBMISSION REQUIREMENTS
PROGRAM SUPPORT STAFF – OCTOBER 2012**

4. Accessibility in Design Requirements

There is a multitude of Accessibility Laws & Guidelines that may apply to the federally funded project including:

- Uniform Federal Accessibility Standards (UFAS)
- American with Disabilities Act – Accessibility Guidelines (ADA-AG)
- Fair Housing Act – Accessibility Guidelines (FHA-AG)
- Section 504 of the Rehabilitation Act
- State and Local Accessibility Regulations

Key point: For CF Direct Loans, a building with two or more floors requires an elevator with only minor exceptions. Since each project will be unique, specific information and questions regarding the above laws and guidelines and their applicability should be directed to the Program Support Staff early in the process, preferably prior to design.

5. Design/Contract Methods

The preferred construction method is the “Design-Bid-Build” Method. Under this method, a professional architect and/or engineer is hired directly by the Applicant through a written contract to prepare plans and specifications (design services), assist in the bidding process (contract administration), and monitor the construction (resident inspection services). The construction will be performed by an independent general contractor through a second contract between the Applicant and the Contractor.

Alternate methods of construction are available with prior RD approval including the Design/Build (D/B) method, Construction Manager Advisor (CMA), Construction Manager Constructor (CMc). Although allowable, these methods are not widely used on RD projects. If one of these methods is being considered, additional, supplemental information is required to be submitted to RD. If the cost associated with the D/B, CMA or CMc proposal exceeds \$250K, National Office approval must be obtained. Exact details and a list of the required submissions are available upon request.

6. Construction Contract Documents

The Applicant and their Engineer/Architect shall develop plans and specifications for construction. These contract documents must be sufficiently descriptive and legally binding in order to accomplish the work as economically and expeditiously as possible. In addition to the technical sections, the specification must contain RD approved and provided “up-front” or “boilerplate” sections. These sections include specific RD required language with respect to bidding, basis of award (low bidder), bonding, contractor requirements, payments, change orders, construction signage, etc. There are two (2) different pre-approved “boilerplate” packages available in both hard copy and in electronic format that have been developed for CF Project – they are AIA 2007 Edition for contracts exceeding \$100K or RD Version for contracts less than \$100K. If the pre-approved “boilerplate” documents are not utilized or have been altered, review and approval by RD’s legal office is required. If edited, all edits must be easily identifiable by ~~strike through~~ or red-lined. Following an initial consultation, a specific “boilerplate” package will be selected and forwarded to the Applicant for use. Prior to the bidding process, the Applicant shall forward a copy of the plans and specifications to RD for comments and/or approval. Plans and specifications need not be developed to the 100% design level to be submitted; 70% design level plans and specifications are adequate in most cases.

**COMMUNITY FACILITY LOAN & GRANT PROGRAM
SUMMARY OF TECHNICAL & SUBMISSION REQUIREMENTS
PROGRAM SUPPORT STAFF – OCTOBER 2012**

7. Procurement Methods

All procurement transactions shall be conducted in a manner that provides maximum open and free competition. Procurement procedures shall not restrict or eliminate competition. The preferred method of procurement is by the competitive sealed bid process and award to the lowest, responsible bidder. Exceptions exist for alternate methods of procurement including competitive negotiation and non-competitive negotiation, but require written request and approval from RD prior to their use.

8. Bidding/Construction Sequencing and Requirements

- a. Plans and Specifications are submitted for review/approval by RD; once approved, Applicant will be free to proceed with bidding; any addenda issued during solicitation period must be submitted to be reviewed and approved by RD State Architect;
- b. Applicant shall inform RD of time/date of bid opening;
- c. RD representative shall attend bid opening and obtain bid tabulation;
- d. Applicant's Engineer/Architect shall review bids, check references, check debarment list, verify bonds and then draft a letter recommending contract award to lowest, responsible bidder;
- e. Award Recommendation Letter to be reviewed and concurred with RD State Architect;
- f. Applicant free to award contract; issues Notice of Award to Contractor;
- g. Contractor acquires required Performance and Payment Bonds (contracts over \$100K);
- h. Applicant submits signed construction documents for RD review prior to setting up pre-construction conference. Construction documents or the "Contract" includes the entire boilerplate (front-end) and technical specifications that have been appropriately signed and a complete set of stamped drawings. If all documents are in order, RD will sign the contract;
- i. Pre-construction Conference - Prior to beginning construction, the Applicant along with assistance from their Engineer and/or Architect will schedule and conduct a pre-construction conference to discuss any/all contract related issues and requirements. Recommended list of attendees include Applicant, Architect and/or Engineer, resident inspector, attorney, contractor, construction foreman, other interested parties and RD representatives. Applicant typically issues Notice to Proceed to Contractor.
- j. Construction Monitoring Requirements – "Full-time" resident inspection services is required for all construction unless a written exception is made by the Applicant and approved by RD. "Full-time" does not necessarily mean inspection coverage 24-7, but rather for coverage which may be standard industry practice and proportionate to the type, size and complexity of the project. Typically, the resident inspection services will be provided by the architect or engineering firm. The Applicant must submit a copy of resume of the resident inspector for review and approval by RD prior to any construction activities.

**COMMUNITY FACILITY LOAN & GRANT PROGRAM
SUMMARY OF TECHNICAL & SUBMISSION REQUIREMENTS
PROGRAM SUPPORT STAFF – OCTOBER 2012**

- k. Construction may begin.
- l. Periodic Inspections By RD - RD representative will visit the construction site at least monthly to view the progress and to report any issues. If major issues arise during construction, RD State Architect will get involved to help resolve issues;
- m. All Pay Requests must be submitted by the Applicant to RD for approval/signature; penciled copies may be forwarded to RD for preliminary review; RD inspections will be used to verify quantities on pay requests;
- n. All Change Orders must be submitted by the Applicant to RD for approval/signature; most change orders are reviewed by RD State Engineer prior to approval by RD Loan Officer;
- o. A Monthly Project Budget Report must be prepared and submitted to RD for review and approval; generally project consultants assist Applicants with this task; RD to provide electronic form for use at start of project;
- p. Pre-Final Inspection or “Substantial Completion” to be conducted by RD;
- q. Final Inspection to be conducted by RD.

PRELIMINARY ARCHITECTURAL FEASIBILITY REPORT

I GENERAL. The following may be used as a guide for preparation of the Preliminary Architectural Feasibility Report as required for Rural Development financed facilities.

A Need for the facility.

B Existing facilities. Describe - include condition, adequacy, suitability for continued use and other pertinent information.

C Proposed facility. General description of proposed facility including design criteria adopted for continued use and other pertinent information.

D Building sites.

- 1 Amount of land required.
- 2 Location - Alternate locations.
- 3 Site plan.
- 4 Site suitability.

E Cost estimate.

- 1 Development and construction.
- 2 Land and rights.
- 3 Legal.
- 4 Architect fees.
- 5 Interest.
- 6 Equipment.
- 7 Contingencies.
- 8 Refinancing.
- 9 Other (described).

F Annual operating budget.

1 Income - Include rate schedule. Project income realistically.

2 Operation and maintenance costs - Project costs realistically. In the absence of other data, base on actual costs of other existing facilities of similar size and complexity. Include facts in the report to substantiate operation and maintenance cost estimates.

G Maps, drawings, sketches, and photographs.

1 Maps - Show locations, boundaries, elevations, population distribution, existing and proposed facility, right-of-way, and land ownership.

2 Drawings and sketches - Show preliminary design and layout elevations.

3 Photographs - As needed.

H Construction problems. Discuss in detail - Include information on items which may affect the cost of construction.

I Conclusions and recommendations. Discuss possible alternatives to proposed plans.



Committed to the future of rural communities.

COMMUNITY FACILITY PROJECTS Construction Contract Document List

The American Institute of Architects (AIA) Construction Contract Document Forms: The following is a list of required AIA “boilerplate” construction contract documents that must be used on all RD funded Community Facility projects. The AIA documents are available from AIA at 800-AIA-3837 or 202-626-7300 or online at <http://www.aia.org/contractdocs/index.htm>. RD documents are available from RD in electronic format.

DESCRIPTION OF AIA FORMS	FORM DESIGNATION
INSTRUCTION TO BIDDERS	AIA DOCUMENT A701-1997
STANDARD FORM OF AGREEMENT BETWEEN OWNER/CONTRACTOR	AIA DOCUMENT A101-2007
GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION	AIA DOCUMENT A201-2007
BID BOND (> \$100K)	AIA DOCUMENT A310-2010
CONSTRUCTION PERFORMANCE BOND (> \$100K)	AIA DOCUMENT A312-2010
CONSTRUCTION PAYMENT BOND (CONTRACTS > \$100K)	AIA DOCUMENT A312-2010

DESCRIPTION OF RD & OTHER FORMS	FORM DESIGNATION
ADVERTISEMENT FOR BIDS	RD INSTRUCTION 1942-A GUIDE 19, ATT. 1 OR CONSULTANT’S STANDARD
BID FORM	CONSULTANT’S STANDARD
ATTACHMENT TO AIA DOCUMENT A701-1997 INSTRUCTION TO BIDDERS	RD INSTRUCTION 1942-A GUIDE 27, ATTACHMENT 2
ATTACHMENT TO AIA A101-2007 STANDARD FORM OF AGREEMENT BETWEEN OWNER/CONTRACTOR	RD INSTRUCTION 1942-A GUIDE 27, ATTACHMENT 3
ATTACHMENT TO AIA A201-2007 GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION	RD INSTRUCTION 1942-A GUIDE 27, ATTACHMENT 4
COMPLIANCE STATEMENT (> \$10K)	FORM RD 400-6 (REV. 4/00)
CERTIFICATION REGARDING DEBARMENT, SUSPENSION INELIGIBILITY & VOLUNTARY EXCLUSION (> \$25K)	FORM AD-1048 (REV. 1/92)
CERTIFICATION FOR CONTRACTS, GRANTS & LOANS (> \$100K)	RD INSTRUCTION 1940-Q EXHIBIT A-1 (8/21/91)
NOTICE OF AWARD	RD INSTRUCTION 1942-A GUIDE 19, ATT. 7 OR CONSULTANT’S STANDARD
NOTICE TO PROCEED	RD INSTRUCTION 1942-A GUIDE 19, ATT. 8 OR CONSULTANT’S STANDARD
CONTRACT CHANGE ORDER	FORM RD 1924-7 (REV. 2/97) OR AIA G701-2001 W/RD SIGNATURE BLOCK
PARTIAL PAYMENT ESTIMATE	FORM RD 1924-18 (REV. 6/97) OR AIA G702-1992 W/RD SIGNATURE BLOCK
RD TEMPORARY CONSTRUCTION SIGN	STANDARD RD SIGN
CERTIFICATE OF OWNER’S ATTORNEY	RD INSTRUCTION 1942-A, GUIDE 18, PAGE 7
CERTIFICATE OF SUBSTANTIAL COMPLETION	CONSULTANT’S STANDARD OR AIA G704-2000

The AIA & RD documents, when used in conjunction with technical specifications and plans collectively form the entire the contract package that must be submitted to RD for review and approval prior to bidding.